A PROPOSAL FOR AN ADMINISTRATIVE STRUCTURE FOR CULTURAL HERITAGE MANAGEMENT IN TURKEY

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ABSTRACT

A PROPOSAL FOR AN ADMINISTRATIVE STRUCTURE FOR CULTURAL HERITAGE MANAGEMENT IN TURKEY

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It is generally accepted that cultural heritage, a valuable, limited and non-renewable resource, is today subject to many pressures, including tourism. Globalization, rapid urbanization and the consequent development pressures, the demands and pace of modern society have all created an overwhelming appetite for new housing, which compete for the shrinking areas of urban land available, all combine to constitute an environmental threat to cultural heritage.

To respond adequately to these threats, it has become a crucial obligation for conservation areas to be managed effectively in order to prevent the irredeemable loss or uncontrolled and detrimental changes to examples of cultural heritage. This requires detailed studies of 'cultural heritage management' to provide models of good practice involving participation and sustainability; primarily the values of the conservation of cultural and natural resources. As part of providing for this necessity, the 'Site Management' concept was promulgated in Law No. 5226 in 2004 in Turkey.

At present, the administrative structure of site management is not integrated with the current administrative organization and conservation system of Turkey, largely as a consequence of the financial discrepancies related to Law No. 5018 on Public Financial Management and Control (10.12.2003) and other related laws and

regulations. These disparities between need and provision lead to crucial flaws in the functionality of the site management concept regarding Law No. 5226 (14.07.2004) and it can be seen that the difficulties caused by these inconsistencies are increasing. Unless these issues are resolved, the viability of the site management concept will become fatally compromised.

The purpose of this study is to determine the present status of the site management concept, to identify and analyze its administrative and financial processes, to determine the degree to which implementation in the current situation is possible and to establish the relationship between Law No. 5018 on Public Financial Management and Control, within the current administrative system of Turkey. Therefore, this thesis aims to identify and describe the problems concerning the administrative structures of site management related to Law No. 5226, by reviewing some implementations subsequent to the law. Istanbul, Bursa, Edirne, Efes and Çatalhöyük comprise national examples within Turkey. Case studies of these examples are compared with international examples of World Heritage Sites such as Edinburgh, Albi, Florence, Regensburg, Graz and Corfu which are similarly examined.

In this context, the conceptual evaluations, the legal, administrative, financial, technical and social aspects of conservation in Turkey and cultural heritage management practices at the national level in the years between 2004 and 2016 are discussed using a holistic approach in the light of examples of good practice in heritage management at the international level. This study thus proposes the establishment of an ‘independent administrative authority’ that will provide a central mechanism for the execution, monitoring and supervision of cultural heritage management in Turkey, in conjunction with the formation of local administrative units within local municipalities to act under the framework determined by the proposed central authority of heritage management.

Keywords: Cultural Heritage Management, Conservation, Strategic Management, Public Administration, World Cultural Heritage Sites

ÖZ

TÜRKİYE' DE DÜNYA KÜLTÜREL MİRAS YÖNETİMİ İÇİN BİR İDARİ YAPILANMA ÖNERİSİ

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Değerli, sınırlı ve yenilenemeyen bir kaynak olarak kültürel mirasın günümüz koşullarında turizm de dahil pek çok baskıya maruz kaldığı bilinmektedir. Küreselleşme, kentleşme ve yenileşme hareketleri, çağdaş toplumun dinamik yapısına paralel yoğun ihtiyaçlar, yeni yerleşim alanlarına talepler, buna karşın kent toprağının giderek azalması nedeniyle oluşan baskılar ve çevre sorunları kültürel miras üzerindeki tehditleri artırmaktadır.

Bu tehditler karşısında arkeolojik, doğal ve kültürel koruma alanlarının, kayıplar ya da istem dışı ve kontrolsüz değişimlerine izin verilmeksizin etkin biçimde yönetilmesi bir zorunluluk haline gelmiştir. Bu durum, kültürel ve doğal kaynakların korunması ve yönetiminde, değerler öncelikli olmak üzere sürdürülebilirliğin ve katılımcılığın sağlanması için 'kültürel miras yönetimi' olarak adlandırılan kapsamlı çalışmaların yürütülmesini gerektirmektedir. Türkiye'de de bu ihtiyaç doğrultusunda 'alan yönetimi' kavramı 2004 yılında 5226 sayılı yasa ile koruma mevzuatına dahil edilmiştir.

Mevcut durumda 5226 sayılı yasada tanımlanan alan yönetimi yapılanmasının, Türkiye' nin genel idari sistemi içinde yerinin tanımlanmamış olması açısından idari

anlamda ve bunun yanı sıra kamuda mali düzenlemeleri tanımlayan 5018 sayılı Kamu Mali Yönetimi yasası ile ilişkisinin kurulmamış olması nedeniyle finansal anlamda uyumsuzluklar söz konusudur. Bu uyumsuzluklar 5226 sayılı yasa ile gündeme gelen alan yönetimi kavramının hayata geçirilmesinde olumsuzluklar yaratmakta ve bunların artarak süreceği gözlenmektedir. Bu uyumsuzluğun giderilememesi halinde alan yönetimi kavramının işlerliği güçleşecektir.'

Çalışmanın amacı alan yönetimi kavramının uygulanabilir hale gelebilmesi için Türkiye'deki mevcut idari sistem içerisindeki yerini saptamak, idari ve mali süreç tarifini yapmak, kamu idarelerindeki stratejik yönetim uygulama zorunluluğu çerçevesinde uygulama olanaklarını araştırmak ve bu bağlamda başta 5018 sayılı Kamu Mali Yönetimi Yasası olmak üzere ilgili diğer mevzuat ile ilişkisinin kurulmasını sağlamaktır.

Bu amaçla Türkiye'de 5226 sayılı yasadan sonra uygulanan alan yönetimi yapılarının idari sorunlarını belirlemek hedeflenmiştir.Istanbul, Bursa, Edirne, Efes ve Çatalhöyük ulusal örneklerdir. Uluslararası Dünya Miras Alanları örnekleri olarak Edinburgh, Albi, Florence, Regensburg, Graz and Corfu incelenmiştir.

Anahtar Kelimeler: Kültürel Miras Yönetimi, Koruma, Stratejik Yönetim, Kamu Yönetimi, Dünya Kültür Mirası Alanları

I dedicate my thesis to the memory of my dear grandmother, Sırma Bozkurt, who made all kinds of sacrifices to raise me.

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ABBREVIATIONS

CP	Conservation Plan
CoE	Council of Europe
DPT	Devlet Planlama Teşkilatı
İBBB	Istanbul Büyükşehir Beledite Başkanlığı
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICOMOS	International Council on Monuments and Sites
IUCN	International Union for Conservation of Nature
MP	Management Plan
NGO	Non-Governmental Organization
OG	Official Gazette
OWHC	Organization of World Heritage Cities
RCC	Regional Conservation Council
TBMM	Türkiye Büyük Millet Meclisi
TMMOB	Türk Mimar ve Mühendis Odaları Birliği
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
WHC	World Heritage Committee
YÖK	Higher Education Council

CHAPTER 1

INTRODUCTION

The surge in the movement towards globalization that gained pace and spread in the final quarter of the 20th century thanks to developments in technology and the information and communication sector have become a matter of debate because the opportunities and threats from capital-driven demands have also impacted on public spaces. Markets, shaped by stakeholders in global capital have used this rapid transformation process to exert pressure and sanctions on states regarding matters beyond the normal boundaries of national policy and targets to gain access to new areas of investment and income. These tendencies have adversely affected the conservation areas that form an integral part of community life and culture.

The unintended adverse impacts on tangible and intangible cultural assets caused by the pressures described above has led to the emergence of a widespread view that these adverse effects could be controlled and mitigated by invoking the notions of sustainability, governance, participation, localization and decentralization, thus stimulating new approaches in the fields of planning and management. The roles and functions of the state in a highly competitive environment have required the devising and use of new and strategic instruments in the legal arrangements for planning and management. These new approaches to planning and management have influenced the conservation realm as well. To ensure the possibility of passing on cultural heritage to succeeding generations, new frameworks will be needed for legal, financial and administrative arrangements. These will have to be complemented by practices of practitioners involving flexible and participatory management approaches which will be holistic, systematic and interdisciplinary. This new approach has been dubbed

‘cultural resource management’, ‘cultural heritage management’ or ‘conservation area management’ according to the particular context. International declarations and regulations, recommendation and guidance documents as well as international institutions like UNESCO and IUCN have played a significant role for this approach to come to the fore.

This concept of ‘cultural heritage management’ as it is often generally termed, is utilized for the management of urban sites, archeological, historic and natural sites, biodiversity and coastal areas as well as national parks and world heritage sites. Cultural heritage management may be defined as ensuring the sustainability of the area through organizing a multi-stakeholder and interdisciplinary protection processes in a systematic, planned and participatory manner and by taking into account national and international values. Accessibility, participation, sustainability and evaluation of feedback from implementations are important criteria for the organization of cultural heritage management.

1.1 Definition of the Problem

The factors behind the emergence of cultural heritage management practices as a requirement for conservation areas include the ever growing importance of urban areas in national economies and the pressure from unfettered capital investment engendered by globalization. Rapid economic growth, investment and employment expansion in certain geographical areas, migration driven by regional disparities, high rates of population growth, uncontrolled tourism developments, demand for new housing, pressures from overcrowding and the decline in the amounts of land left for development in urban areas, and the ecological problems resulting from unplanned and irresponsible consumption of resources have exacerbated threats to conservation areas and prompted the need for use of a planning instrument that focuses especially on strategic management to solve these problems.

The worldwide picture of cultural heritage management is one of central governments working in parallel and cooperation with regional and local authorities together with a

significant involvement of non-governmental organizations. The world heritage site management plans produced in various countries in line with the UNESCO criteria for the World Heritage Sites are important in reflecting different backgrounds and experiences.

In the case of Turkey, many legal and institutional arrangements have been made since the 2000s that have been motivated by a changing world order and the EU harmonization process. Law No. 2863 on the Conservation of Cultural and Natural Assets may be considered as a follow-up to initial reforms in the conservation realm, while the preamble to Law No. 5226 dated 2004, which introduced amendments to the former law, states that cultural policies have been reviewed in the light of international movements to institute a focus on the management of cultural areas, the decentralization and financing of cultural activities, and that UNESCO and similar international organizations have reviewed their policies and practices in these fields. The concept of 'site management' appeared in the conservation legislation as one of the important changes brought about by Law No. 5226.

The current situation regarding conservation of sites in Turkey is characterized by the following:

- A national, modern, integrated and principled conservation policy has yet to be developed, leading to legal, administrative, financial, technical and social difficulties impeding the continuity of conservation.
- The processes of conservation and development planning are not integrated but parallel.
- Local or international rent-seeking demands which relegate conservation to the status of a low priority are frequent and persistent pressures.
- The use of resources during the implementation process is inefficient and ineffective in achieving results in terms of strategic management principles.
- Rent-seeking pressure on conservation areas and their neighborhood has also increased on account of international capital and the public interest and opinions of the local communities are frequently ignored

- Although legal regulations exist to ensure a minimal level of community participation, this is often jeopardized by inadequate cultural infrastructure.
- Coordination and cooperation between the various conservation stakeholders are inadequate.
- Institutions involved in conservation face conflicts of duty, authority and responsibility and the absence of mechanisms for resolving them. Their difficulties are exacerbated by organizational problems and shortages of qualified personnel.
- The concepts of conservation culture and awareness have not been promoted effectively and are not part of social culture.
- Local administrations show lack of commitment and competence towards conservation and cultural heritage management.
- Tendencies towards the centralization of planning and conservation aggravated by political interference prevent the introduction of effective measures concerning these issues and obstruct progress.

Even though the notion of 'site management' was added to conservation legislation through Law No. 5226, the following problems have complicated any clear understanding of the legal basis necessary for the implementation of rational site management practice and has hindered any possibility of effective management.

- Lack of clear definition of the relationship between the organizational structure introduced by the newly described concept of 'site management' and existing public and private institutions and the conservation system
- Hesitation about the relationship between management and conservation plans
- Dysfunctional tendencies in the principles of the site management organization, in particular with respect to planning, budget and audit, with potential to create difficulties in the optimum use of resources
- Uncertainties about processes related to participation
- Lack of modern terminological content appearing in the international literature
- Absence of clarity in the relationship between site management and urban management

- Serious difficulties in finding a sufficient number of experts with specified qualifications for the site management teams; especially at a municipality level.
- The fact that the current legislation predominantly refers to the management of archeological sites
- Lack of identification of the administrative sub-instruments needed for carrying out site management and the fact that the site management process is not described through technical specifications or other technical documents in contrast to conservation plans
- Hesitations because the concepts of enterprise and tourism marketing in the regulations describe approaches dominated by economic return rather than prioritizing conservation.

Several studies have been conducted on the problems that have arisen since the law entered into force in 2004. However, there has been no proper survey of the effectiveness of the site management concept and its effectiveness in practice.

1.2 Aim and Scope of the Thesis and Research Questions

The management of cultural assets that are unique, valuable and impossible to replace requires radically different and specific approaches. Conservation of these resources involves both national and international responsibilities. Exercising this responsibility in the public interest necessitates planned and strategic management. A strategy-based planning and management is mentioned in the definition of the conservation plan in Law No. 5226 and in technical specifications for the conservation plan as well as in Articles 5c, 9c, 13 and 17 of 'the Regulation on the Rules and Procedures for the Determination of Foundation, Duties and Management Areas of the Site Management and the Board of Monuments'. Moreover, a strategic management approach in the form of 'planning-implementation-control-feedback' is described as the main operational function of the administrative organization envisaged in creating site management.

The strategic management approach is a modern and long-term style of management that has gained currency since the 1990s. It is process-oriented, flexible and open

ended, and it envisages planning as sustained and developed by means of feedback from implementation. These features of the strategic management approach make it eminently suitable for cultural heritage management. Specifically, it is appropriate for the flexible and sustainable structure of the planning process, which is renewed at five-year periods within the 25-30 years' perspective necessary for cultural heritage management. Furthermore, the process-oriented structure of the strategic management approach provides tools to monitor and solve potential problems emerging from multi-stakeholder and multi-disciplinary systems.

Currently, the administrative structure of site management is not integrated with the existing administrative organization and conservation system of Turkey because of the financial and managerial contradictions relating to Law No. 5018 'Public Financial Management and Control' and the related laws and regulations. These contradictions lead to significant problems with the effectiveness of the site management concept. Regarding Law No. 5226, the consequent problems are escalating. Unless these issues are solved, the usefulness of the site management concept will become problematic.

This study aims to investigate the problems of site management, develop recommendations to overcome these problems and contribute to the creation of a strategic approach to cultural heritage management that focuses on solutions to ongoing conservation problems and could be incorporated into the current legal and administrative structure. This approach would make use of the aspects of international site experiences that could be integrated with the Turkish Conservation Legislation and bureaucracy.

To this end, the main objectives of the study are as follows:

- Examination of the strategic management concept, introduced by Law No. 5018 on Public Financial Management and Control
- Determining and analyzing the functioning and problems, as well as opportunities offered, in conservation of sites in Turkey at present

- Research into potential challenges and opportunities to the notion of site management, brought up by Law No. 5226
- Investigation into the duties, authority and responsibilities of the site management unit and identification of conflicts of authority, organizational and managerial problems
- Exploring the principles and approaches to cultural heritage management that have been adopted by UNESCO for the world heritage sites through selected international examples, the analysis of recent practices and the determination of international good practices
- Evaluation of the site management structuring pursuant to the strategic management principles and Law No. 5018 on Public Financial Management and Control, and development of recommendations to ensure materialization of 'the management plan' as a new instrument
- Presenting a framework proposal to national and local administrative organizations for a strategy-based site management in the light of all assessments and recommendations produced by this study.

In this respect, the study aims basically to emphasize the need for the employment of a strategic management approach for conservation and management of cultural heritage assets; to contribute to theory through introducing new platforms of ideas and discussion and define an administrative framework for the cultural heritage management in Turkey, a country which is still learning from experience on this issue.

The research questions which direct the study are as follows:

1. What are the legal, managerial, technical and social instruments for cultural heritage management in Turkey?
2. What are the obstacles to achieving the envisaged effective results of cultural heritage works in Turkey?
3. Are there models of good practice from foreign conservation practice applicable to Turkey's administrative, financial, legal, technical and social circumstances?

4. Are there any different administrative frameworks for cultural heritage management that can provide proper and effective performance compatible with other legislation in Turkey?

The study incorporates various examples of cultural heritage management in Turkey and the world within the scope of the framework of the research questions. It attempts to draw common principles of general validity from analyses of the selected international examples for public administration, conservation systems and approaches to cultural heritage management, financial opportunities and good practices. In the process of identifying problem points, deficiencies and good practices of the selected national examples in cultural heritage management as well as obstacles and opportunities to them, the study intends to contribute to the development and improvement of the practices of cultural heritage management in Turkey and increase their effectiveness in future. The output of the examination of national and international examples is employed as input to build an administrative framework for cultural heritage management in Turkey. The study area encompasses administrative law, conservation, management and public administration (Figure 1.1).

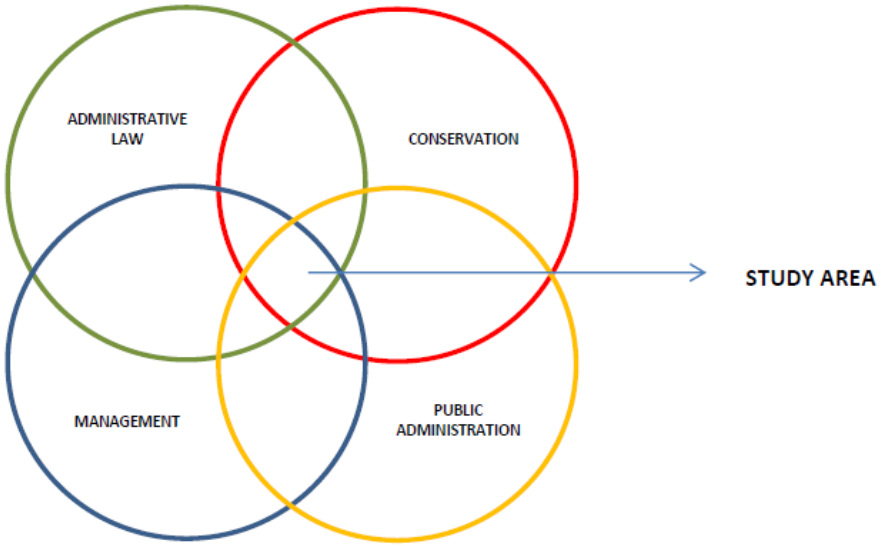

Figure 1.1 Study Area

1.3 Methodology

The research area consists of the sites on the World Heritage List of UNESCO, which provide guidance to the management of urban, archeological, historic and natural sites, are pioneers in the determination of international principles on the subject and have evaluated related implementations by member states in a systematic and scientific manner since the World Heritage Convention dated 1972 come onto the international agenda. UNESCO has been chosen because of its extensive experience, as the World Heritage List encompasses examples from a wide range of geographical regions of the world.

The research examples were chosen according to the following characteristics, while international examples are selected in consideration of the modern targets Turkey aspires to and its regional position:

- Countries with rich cultural heritage and that serve as a model on the international level with their general approaches to conservation
- EU member states, in consideration of Turkey's EU-accession bid and because of the EU harmonization process and the conservation law revised in 2004
- Unitary states characterized by a centralized administration on account of their similarities with the Turkish model of public administration
- Federal states characterized by decentralized administration for the purposes of understanding the practical impact of differences in approaches to public administration.

The strategy of country selection, namely inclusion of countries with public administration structures, socio-economic and cultural approaches similar to and different from Turkey, will enable examination of diverse models of implementation. In this context, the selected countries are the United Kingdom[1], France, Italy, Germany, Austria and Greece. The choice of examples focused on having a sufficient number and variety of examples to draw up proposals for administrative framework for cultural heritage management in Turkey.

[1] The UK left the EU on 24.06.2016 while this thesis was in progress.

This study uses ICOMOS evaluations for the criteria of selection of the case implementations given that the countries chosen have a large number of listed world heritage sites. In particular, the following constitute the selection criteria for 'the international cases':

- Examples with management plans that are evaluated by ICOMOS and published online so that they are accessible
- Examples where the management status is designated as 'adequate' or 'fully adequate' in ICOMOS reports so that they are deemed successful.

Against this background, the international cases chosen include Edinburgh, Albi, Florence, Regensburg, Graz and Corfu.

'The national cases' are determined as comprising examples on the World Heritage List, with management plans, within the boundaries of Turkey's limited experience and examples on the subject. Further criteria of the selection criteria for the national cases are as follows:

- Examples with management plans that are evaluated by ICOMOS and published online so that they are accessible (During the selection, management plans reviewed by ICOMOS and published online on the UNESCO World heritage website were included in the study. These attributed fields are indicated by the [+] sign in Table-1.1. Sites for which a management plan has not been prepared, which have not yet passed the approval phase and / or are not yet subject to the ICOMOS review and which are not published online at UNESCO World Heritage site, are marked and excluded in Table1.1 as [-]).
- Examples where one-on-one interviews were carried out with the site managers[2],
- Examples that fieldworks were carried out in their management area.

In this context, the national case encompasses Istanbul, Edirne, Bursa, Efes and Çatalhöyük (Table 1.1).

[2] A site manager was not yet appointed yet during fieldwork in the Çatalhöyük management site. Thus, the excavation director, Ian Hodder, was interviewed.

The fundamental methods used in this thesis to establish a holistic approach are identified as literature review, field-work, case study and focus group study. The primary sources used for the literature review are the management plans of selected areas, the EU compendium documents, the UNESCO Operational Guidelines, and the Regulation on the Foundation and Duties of the Site Management and Monuments Councils (O.G. 27.11.2005 / 26006). During the fieldwork activities, the existing physical conditions and problems in the world heritage site were determined, the relationship between the conservation area and the connected urban zone was evaluated, the site management unit team members were interviewed (Appendix A) and the Advisory Board meetings in Istanbul (Appendix B) and Bergama were attended. The contractor team in charge was also interviewed. The case studies focus on examining the current issues and good practices for solving problems in selected countries and conservation areas. In the focus group study, it was attempted to obtain information about the opinions of the identified public audience about the current applications, the outlooks on the problems, strategic solutions in the cases and their suggestions. The author participated in seminars, symposiums, panels, workshops and other types of events related to the research area and thereby monitored up-to-date implementations and discussions about cultural heritage management during the entire period of this thesis[3].

The study is structured into five phases in order to answer research questions, scrutinize existing problems and develop recommendations for solutions to problems. The first phase is allocated to the design of the research, in particular to define and describe current problems of cultural heritage implementation in Turkey, the aim and scope of the research, the research questions and methodology. The second phase comprised a literature review including a chronological examination of and evaluations on international documents such as conventions, charters, declarations, resolutions and management guidelines in pursuance of setting the theoretical framework and determining how the cultural heritage development began, the stages of its evolution and the current situation. This phase looks at theoretical evaluations about cultural heritage management in Turkey and in the world

[3] Prior to the thesis, the author took part in the organization of a workshop entitled 'New Conservation Definitions and Concepts: Site Management' on behalf of the Ankara Branch of the TMMOB Chamber of Architects and edited the publication on the outcome of the workshop together with Assoc. Prof. Dr. Emre Madran.

and seeks information about the outcome of existing implementation practice. The development of the concept of conservation is surveyed to establish the relationship between the theoretical framework and the history of conservation. As a result of the definition of the theoretical framework, it was concluded that cultural heritage management has five dimensions, i.e. legal, managerial, financial, technical and social dimensions (Figure 2.3). This finding necessitates evaluation of the research questions within the context of these dimensions.

The third phase of the study uses case study methodology to obtain information about specific situations. It examines administrative structuring and public administration, legislation and organizational forms about conservation, approaches to cultural heritage management along with financial resources in the countries that are selected as the international case studies. This examination utilizes mainly 'compendium' documents, produced regularly by the EU, in order to monitor current affairs. Similarly, for the purposes of acquiring up-to-date information about the legislation and organizational forms in the selected countries, the legislation and reports published on the websites of respective public institutions and organizations are used. In line with the above-mentioned five dimensions of the research interest, collected information about the international cases areas focuses on general knowledge of the world heritage site, the process of nomination, current conservation status of the site, legislation on conservation of the site and planning instruments, factors affecting the site, management approach, management plan, relations with the local community, stakeholders of management and their roles, financial and human resources, and works of monitoring and reviewing the management plan. Since the main aim of this phase is to obtain findings on the management of the site, management plans, ICOMOS evaluations, monitoring and activity reports are all made use of as the primary sources. Existing information and news on the websites related to the world heritage of the cases are also utilized if available.

The third phase continues with the examination and evaluation of the selected cases in Turkey under the headings used for the international cases. One of the methods followed in this phase is the collection of information through face-to-face meetings with the community that is designated as the focus group. The focus group comprises the officials

from the World Heritage Unit of the Ministry of Culture and Tourism, mayors and site managers as well as members of the Advisory Board, the Coordination and Supervision Board and the management plan preparation team. Fifteen people were interviewed between March 6, 2009 and January 31, 2013 about the sites, for which boundaries of the management plan was determined and the site management began at the aforementioned interval. Open-ended questions were employed in the interviews to gather information about administrative, financial, legal, technical and social problems of the site (Appendix A).

Fieldwork was conducted between the same dates and onsite information about the case areas was obtained. In the subjects of the fieldwork and interviews, Alanya and Aphrodisias were also included as the boundaries of the management plan had been identified and the site management started but the nomination process was incomplete. Likewise Bergama, which completed the nomination process and became a world heritage site but a management plan was yet to be submitted to UNESCO. Although these areas are not included in the national cases due to above reasons, the collected information about them is evaluated within the scope of materials for the stage of preparation of the management plan.

At the fourth phase of the study, information obtained in the second and third phases was brought together and current problems scrutinized. Information obtained at this stage was based on two sources with the first one being information acquired during researches within the scope of the thesis and onsite observation, and the second being the material from interviews with the focus group. Elements of the collected information that include negativity, inadequacies, uncertainty, threat or risk are defined as ‘problems’. The phase continues with listing the findings of the respondents’ answers in interviews with the focus group (Appendix A) and evaluation of reports by ICOMOS or Turkey obtained from examination of the national cases, observations in the fieldwork related to the national cases, and good practices that are identified by analyzing the international cases but are not implemented in Turkey. Following the construction of the general list (Appendix C), problems are classified according to the five dimensions of management that are legal, managerial, financial, technical and social dimensions as specified in the contextual phase

of the thesis, which follows the theoretical phase. The managerial factors are expanded in five sub-groups of planning, organization, implementation, coordination and supervision The last phase is devoted to recommendations based on the root causes and description of a national and local administrative framework for an effective cultural heritage management in Turkey.

The spatial limitation of the study is Europe and the UK regarding overseas examples, while national examples are not subject to any regional or provincial limitations. Six sites located in the six case countries selected from abroad and five cases selected from Turkey are examined. The temporal limitation is basically the period since the 1970s, which marked the beginning of conceptual development of cultural heritage management, but varies according to the case examined. All of the problems related to Turkey belong to the 2004-2016 period.

The boundary for data collection encompasses local and foreign literature reviews, previous theses on relevant topics, information about national and international public institutions and organizations, matters discussed with the focus groups, and on-site material for the national examples. One of the factors limiting the information boundary is the avoidance by site management units of sharing management plans and related information especially at the beginning. This explains the strategy of selecting the national examples with management plans published on the website of the UNESCO World Heritage Center as the cases. Moreover, some institutions demanded a written application in response to an information request but they did not subsequently respond with information following the written application. For instance, when the Ministry of Culture and Tourism was asked for data on the total amount and use of contributions from the property tax, a written response from the ministry indicated that the requested information was to be obtained from the governorships, although the ministry is the institution that consolidates this information and so should have information about the matter with respect to the total amount. In some cases, the site management units claimed that they were not authorized to divulge information and recommended that the information should be acquired though the mediation of the mayor's offices. As the projects advance, Istanbul,

Bursa and Çatalhöyük have opened their site management plans to public access by putting them on their websites.

1.4 Contents of the Thesis

The study consists of five chapters. The first chapter includes the problem constituting the basis of the study, the aim, scope, methodology (research area, case selection criteria and methods), and limitations of the study as well as the thesis content and related explanations. The second chapter elaborates three subjects that constitute the theoretical framework for the cultural heritage management, the concept of management, and legal, managerial, financial and technical instruments of the cultural heritage management in Turkey. This chapter aims to provide a clear examination of the notions of cultural heritage and strategic management by explaining the relevant concepts and developments in Turkey and the world.

The third chapter is allocated to national and international experiences of site management and their evaluations. The case countries' administrative structure and public administration, legislation on conservation, approaches to cultural heritage management and financial resources are reviewed. The case studies are evaluated in detail concerning general information about and the situation of the area, its nomination process, the current conservation status of the site, legal regulations on conservation of the site and planning instruments, factors affecting the site, management approaches, management plan, relations with the local community, stakeholders of management and their roles, financial and human resources as well as the work of monitoring and reviewing the site management plan.

The current problems and conditions of cultural heritage management in Turkey are included in the fourth chapter. This chapter scrutinizes the legal, managerial, financial, technical and social dimensions in order to find out the relation of site management to the existing conservation system, its place within the planning priorities and its administrative organization. In the fifth chapter, a strategy-based administrative framework is proposed for cultural heritage management in Turkey in the light of all information produced by the

study. This chapter also evaluates potential contributions of the recommended framework to implementations and the conclusions drawn.

Table 1.1 Selection Criteria for National Cases

WORLD HERITAGE SITES IN TURKEY	**DATE of inscription**	**Status on the WHC web site of the management plan**
Historic Areas of Istanbul (Istanbul)	1985	+
Great Mosque and Hospital of Divriği (Sivas)	1985	-
Hattusha (Boğazköy) – the Hittite Capital (Çorum)	1986	-
Nemrut Dağı (Adıyaman - Kahta)	1987	-
Xanthos-Letoon (Antalya - Muğla)	1988	-
City of Safranbolu (Karabük)	1994	-
Archaeological Site of Troy (Çanakkale)	1998	-
Selimiye Mosque and its Social Complex (Edirne)	2011	+
Neolithic Site of Çatalhöyük (Konya)	2012	+
Pergamon and its Multi-Layered Cultural Landscape (Izmir)	2014	-
Bursa and Cumalıkızık: the Birth of the Ottoman Empire (Bursa)	2014	+
Diyarbakır Fortress and Hevsel Gardens Cultural Landscape	2015	+[4]
Ephesus	2015	+
Archaeological Site of Ani	2016	-
Göreme National Park and the Rock Sites of Cappadocia (Nevşehir)	1985	-
Hierapolis-Pamukkale (Denizli)	1988	-

[4] This site was not included in this thesis as fieldwork could not be carried out on account of security threats in Diyarbakır during this time.

CHAPTER 2

CULTURAL HERİTAGE MANAGEMENT

2.1 Definitions

2.1.1 Cultural Heritage

The concept of culture, no matter from which perspective it is viewed, reflects on an environment that consist of perceptible and built-up elements that result from the interaction between individual components. It is inevitable to accept the existence of the subject and the space it occupies, as a prerequisite in the formation of this environment, which, in turn, is organized within the framework of a values system. In contrast to the chain of subjects, starting from the individual at the lowest level and ending with the international community; the spatial order meets the needs of the individual, such as housing, work, production and entertainment, and extends to the level of the country, starting from the level of the structure (Figure 5). In this spatial regime, which is constantly changing and developing depending on the particular culture, the resource termed heritage or cultural heritage has become an increasingly important and expanding concept in terms of providing cultural continuity in material terms (Figure 5).

The fact that culture progresses through a process and has the character of changing in parallel with time leads to an accumulation by the layering of material and moral productions of the social mass to which it belongs within the process. The community's attitude towards the aforementioned layering in the context of constantly differentiated values, in the course of cultural development and change, gives rise to

the positive or negative influence of the cultural heritage resulting from the constant flux. From the earliest eras of human development, the strength of the concepts of belonging and identity at various levels has shaped the philosophical basis for the conservation of cultural heritage.

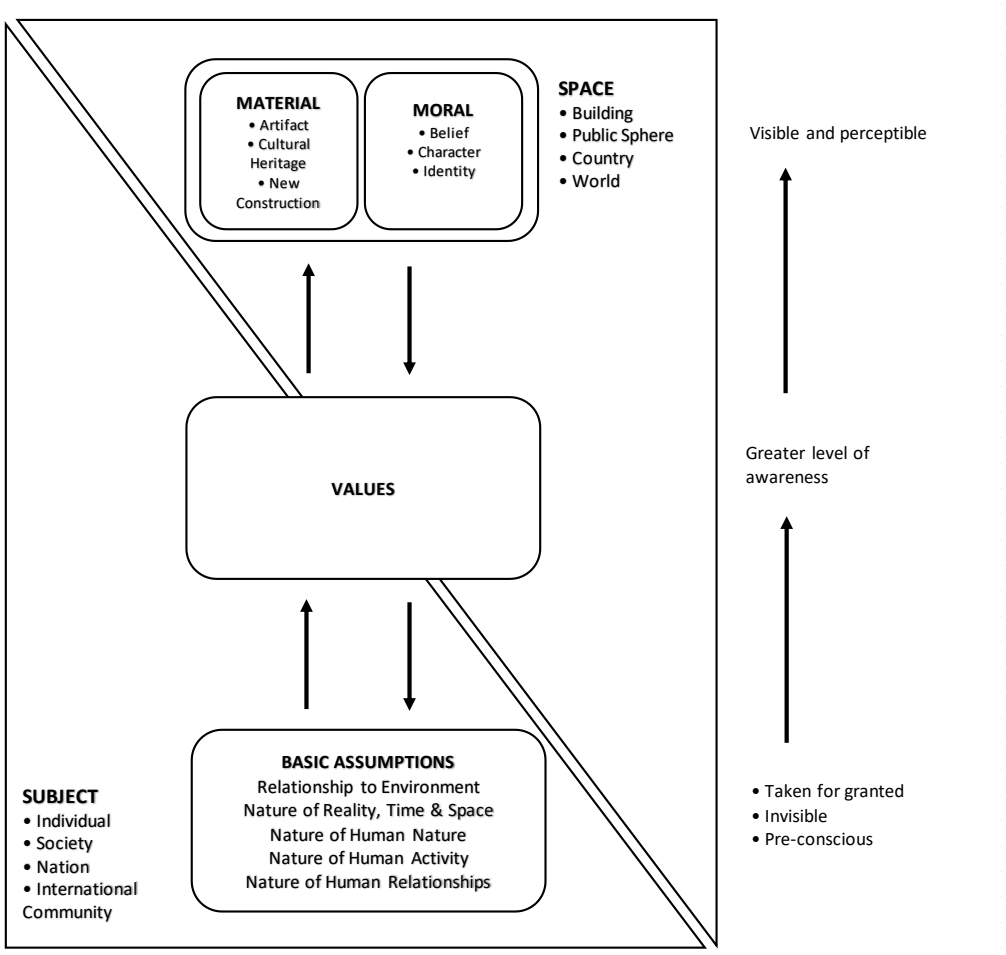

Figure 2.1 The Levels of Culture and their Interaction (Adapted from Oatey, 2012:4)

The identification of a source as a cultural heritage is the first step in moving towards specialized maintenance, conservation and restoration process. The data on which cultural heritage decisions are based can be acquired from mediated international standards, statutory rules or the recommendations of international organizations as an adjunct to national regulations, rules and guidelines (Jokilehto, 2008: 4).

Although there are several definitions and types of cultural heritage (Table 2.1) formulated by various researchers giving emphasis to different features, it is widely agreed that the definition mentioned in international conventions and commonly accepted is the one in the UNESCO World Heritage Convention (1972).

Table 2.1 Heritage in the broad sense (Adapted from Vereenooghe, 2009: 9)

TANGIBLE	**INTANGIBLE**
Archaeological heritage Underwater heritage - underwater archaeology **Immovable** heritage - **built** heritage historical monuments castles historical dwellings fortifications mills ... **Landscape** heritage landscapes, parks, gardens **Mobile** heritage - **transport** heritage maritime heritage rolling heritage riding heritage flying heritage **Industrial** and scientific heritage **Religious** heritage **Military** heritage **Musical** heritage **Gastronomic** heritage **Funerary** heritage **Museum** heritage - **movable** heritage Museum items and collections Museology Artistic heritage **Agricultural** and **rural** heritage Living agricultural heritage Local genetic heritage **Archival** heritage **Documentary** heritage **Digital** heritage **Audiovisual** heritage	**Oral** and **intangible** heritage **Folk culture** **Dialectology** - historical linguistics Traditional **crafts** Traditional **costumes** Heritage performers - **circus, popular theatre, puppet theatre** Heritage performers - **folk dance, folk music** **Festivals** - parades **Ethnology** **Folklore** Traditional **sports and games**

In the first article of the Convention (Convention Concerning the Protection of the World Cultural and Natural Heritage), cultural heritage is defined as follows (World Heritage Convention, 1972):

> **'monuments:** architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science
>
> **groups of buildings:** groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science
>
> **sites:** works of man or the combined works of nature and man, and are as including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view.'

2.1.2 Management

The necessity of people living together and having to produce to survive throughout history, has resulted in the origins of concepts such as organization and management being as old as human history itself. Kramer (2002) states that there is a lot of information in the epic of Gilgamesh, dated to 3500 BC, about management mentality in that period (Cited by Gürüz and Gürel, 2006: 53). The resource and human power used in the construction of large-scale ancient period temples are indications that the 'management' mechanism has always existed in the creation of cultural heritage.

In its broadest sense, management can be described as 'planning, directing and controlling existing resources in a way that will enable them to collaborate in order to achieve a certain organizational objective'. (Cemalcılar, 1975:89; Akat et al., 1994:10; Tortop, 1999: 7; Daft, 2000:8; Eren, 2003: 1; Gürüz and Gürel, 2006: 2,6; Özalp, 2010: 6; Koçel, 2010: 59). The gradual changes in internal and external dynamics of management, developments in science and technology, and new forms of production also entail development and change in management theories and means. This process

of gradual but continuous change produces different management definitions in different periods.

As different definitions of management are evaluated, it is seen that the concepts of:

- Objective
- Organization
- Resource (labor, capital, equipment)
- Activity
- Result

are common to all management descriptions; basic requirements that enable the management process to be realized; and it appears that management is regarded as a process in most definitions.

Objective

The objective is the desired situation reached by realizing certain activities (Eren, 2005:61). The objective of management is to attain the resources that will provide the development and continuity of people and community through the production of goods or services and to ensure the change of the natural environment in line with the needs. Production can be defined as achieving targeted output and results by regulating money, man, machine, material and management, which are expressed as 5M, in accordance with the objective (Gürüz and Gürel, 2006: 20).

Organization

The structure in which the material and non-material means necessary for production are brought together into a certain order can be defined as organization. There are some people-oriented definitions of the concept of organization (Efil, 2002: 134-135) such as;

- relationship between people or groups, which have different duties and responsibilities, coming together for a common endeavor, or

- a system that is formed by intentionally organized activities or powers of two or more people (Barnard, 1950: 73)

Resource

Simple or modified raw materials obtained from the external environment for the production of goods and services, manpower working for the achievement of organizational objectives, financial resources which are the assurance of economic activity and technology can be listed as basic management resources (Can, 2005: 63).

Activity

Activity can be defined as a sequence of actions to be taken by organizations to achieve their objectives. The data to be used in the control process are acquired by measuring activities in terms of quality and quantity (Besler et al., 2012:14). Activity in process management applications is defined as the process step that is usually carried out on a person / people basis, does not need evaluation in terms of added value and a course of action that needs to be done by obligation of duty (TSE, 2008:15).

Result

It is defined as the change that occurs in the situation of individuals or community due to the services or products provided by the management (Ministry of Forestry and Water Affairs, 2009).

Consideration of the concept of management as a science different from law and politics on their own; emerged as a result of Wilson's article argued that public administration was a separate science from politics, published in the United States in the late nineteenth century. Following this study, Goodnow and White mentioned in

their reviews that functions of identification and implementation of public policies should be separated from each other, and this brought the handling of management as a scientific issue onto the agenda. Researchers such as Willoughby, Gulick and Urwick studied the principles of public administration between 1920 and 1930. While in field of business management, Taylor, Gilbert, Mayo and Fayol have described planning, organizing, steering, coordinating and implementing functions as the universal principles of management. The concept of management, assessed in Europe under the administrative law until the 19th century, began to be discussed as a separate science by Bonnin and Stein in the light of developments in the United States. In Europe, the separate evaluation of public administration of administrative law improved after the 1990s (Besler *et al*., 2012: 8-10).

When the progress of management science is assessed chronologically, it seems that it is basically divided into two parts: as traditional and contemporary management thinking (Table 2.2) (Türengül, 2005: 108; Besler *et al*. 2012: 9-11).

1. Traditional Management
2. Contemporary Management
    - Classical Management
        - Scientific Management Movement
        - Administrative Theory
        - Bureaucracy Model (Theory)
    - Neo-classical Management
    - Modern Management
    - Neo-Modern Management

In the development process of the theory of management, approaches once extending from authoritarian management to democratic management have given way to participatory management nowadays (Gürüz and Gürel, 2006: 2). Contemporary management practices, started in the 1970s and has continued to progress until today employing a wide variety of means and methods, and has enabled the implementation of management and designation of systematic approaches to be applied to various

issues. Gürüz and Gürel (2006:2, 110) state that, in the literature, there are 54 different management approaches[5] that they describe as linking processes, when they touch upon the diversity of managerial practices. In addition, concepts such as perception management, resource management, management by objectives, facility management, tourism management, stakeholder management, exception management, and open book management are other approaches that management focuses on within the priorities needed for the successful achievement of desired objectives.

Functions of Management

Although there is no universally accepted definition of managerial functions, it is generally accepted that efficient management is directly related to functions. Four fundamental functions are widely acknowledged namely: planning, organization, steering (execution) and control (Figure 2.2). Fayol (1916) defines the primary functions of management as planning, organizing, commanding, coordinating and controlling (reporting and budgeting). Urwick and Gulick, representatives of the classical management approach, list the functions of management as planning, organizing, staffing, directing, coordinating, reporting and budgeting.

[5] These 54 management types are production management, public administration, environmental management, change management, total quality management, process management, competition management, marketing communication management, communication management, public relations management, advertising management, event management, sponsorship management, creativity management, innovation management, crisis management, disaster management, brand management, product management, sales management, image management, reputation management, customer management, customer experience management, complaint management, human resources management, wage management, performance management, career management, conflict management, time management, stress management, financial management, accounting management, health management, art management, sport management, education management, classroom management, risk management, information management, document management, document management, archive management, office management, technology management, system management, supply chain management, category management, logistics management, fund management, cash management, portfolio management and project management.

Table 2.2 Chronology of Management Approaches (Adapted from Besler, 2006: 10)

TRADITIONAL MANAGEMENT APPROACHES	CLASSICAL MANAGEMENT APPROACHES	NEO-CLASSICAL MANAGEMENT APPROACHES	MODERN MANAGEMENT APPROACHES	NEO-MODERN MANAGEMENT APPROACHES AND TECHNIQUES
5.000 B.C-1880	1880-1930	1930-1950	Post 1950s	Post 1970s
Written rules and principles of management	Scientific approaches	Hawthorne researches	System approach	**Approaches** Resource dependency theory
Adjudging complaints	Management process approach	Tavistock Institute researches	Contingency approach	Organizational Strategy approach
Dispensation of justice	Bureaucracy approach	X and Y Theory by Douglas McGregor		Agency theory
Criteria for control		System 4 Model by Rensis Likert		Transaction costs theory
Building organizations		Maturation Theory by Chris Argyris		Institutional theory
Centralization				Organizational ecology approach
Hierarchy				**Techniques** Total Quality Management
Specialization				Change Management
Leadership				Reorganization
Birth of scientific methods				Benchmarking
				Learning Organizations
				Basic Talents
				Outsourcing
				Lean Six Sigma
				Empowerment

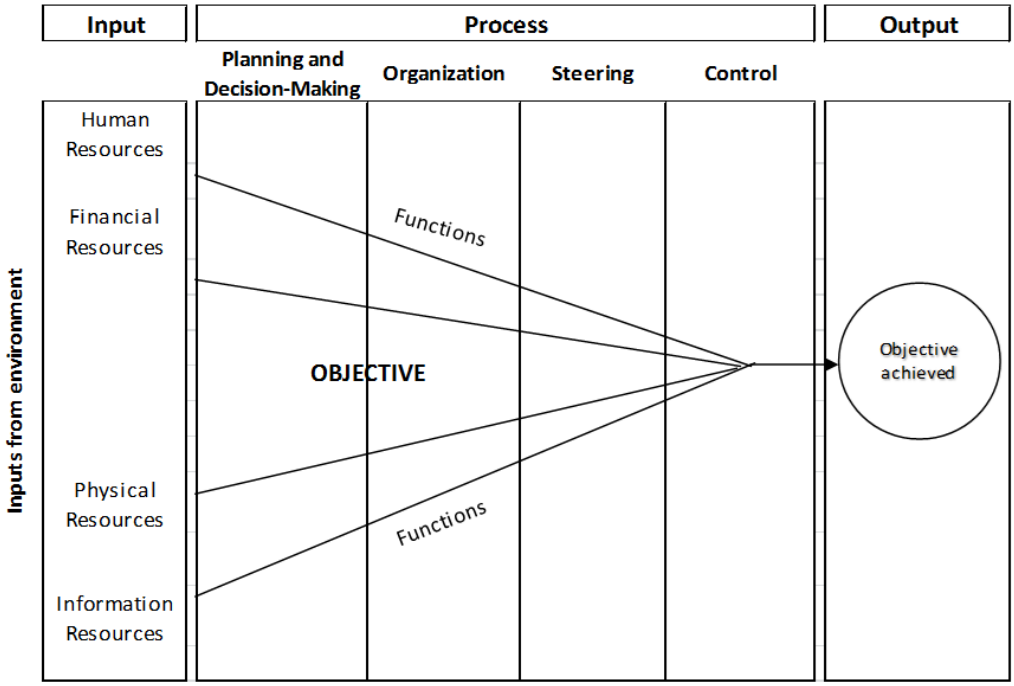

Figure 2.2 Primary Functions of Management

Urwick and Gulick (1937) formulated management functions with the abbreviation POSDCORB, the initials of these words in English (Gürüz and Gürel, 2006:110).

- **P**lanning
- **O**rganizing
- **S**taffing
- **D**irecting
- **C**oordinating
- **R**eporting
- **B**udgeting

Planning: Planning, as a function of management, is the process of predicting the objectives and future activities required to achieve those objectives. At this stage, answers are sought to questions such as: 'what, where, why, how, when and who'. In planning, instruments such as policies, procedures, budgets, programs, strategies, tactics, standards, rules and principles are employed. Planning is the management

phase in which the objectives, mission and vision of the organization are identified and pioneered into the other phases (Koparal, 2003: 8; Can, 2005: 87; Gürüz and Gürel, 2006: 112-118).

Can (2005: 102-106) enumerates the basic components of the planning process as follows:

- Evaluation of the current situation
- Evaluation of the time factor
- Collection and evaluation of data
- Configuration of the hierarchy of plans

Organizing is the determination of which work is to be done by whom, the level of authority/responsibility and physical conditions. Organizing includes job descriptions, information about team, scope of authorities and responsibilities and determination of management units to carry out the tasks accurately. It makes the necessary descriptions of plans to turn them into action. By means of organizing, the relations between tasks and working groups are combined within a system (Can, 2005: 143; Koparal, 2003: 8) Can (2005: 145) and Efil (2002: 136-137) enumerate the basic components of organizing process as follows.

- Determination of the objectives
- Determination of the work to be carried out
- Evaluation of human resources
- Evaluation of physical possibilities

Directing is related to activating the system. It includes execution of the activities related to realization of the duties given to members of organization in conformity with the plans. It creates the motivation to ensure that the tasks are realized efficiently, effectively and economically (Can, 2005: 233; Koparal, 2003: 8).

Coordination is a mechanism of cooperation and system. It is the component, which ensures that all activities undertaken in the enterprise follow-up, complement and integrate with each other. Coordination ensures that employees in the organization are aware of each other's actions. Maintenance of organizational performance depends on the coordinated implementation of activities (Efil, 2002, 174; Koparal, 2003: 9).

Controlling is determining whether there is a positive or negative (deviation) between the results obtained in a certain period and the originally planned and expected results. In this respect, by evaluating the activities performed and the point reached, it is determined whether the objectives have been realized or not. A positive deviation indicates that goods/services have been produced beyond the planned and brings the question of whether or not a planning mistake has been made in the agenda. However, a negative deviation indicates less production than planned. In this case, it is necessary to research whether the activities carried out are productive, efficient and economical or not. Where there is a negative deviation between the results obtained (the present situation) and the planned results (the expected situation), it would be necessary to take corrective measures (Efil, 2002: 187; Koparal, 2003: 9).
Efil (2002: 188) lists the phases of this function as follows.

- Determination of standards
- Determination of the actual situation
- Determination of the deviations by comparing standards with actual situation and their assessment
- Determination of the causes of deviations and corrective measures

System and Contingency Approaches in Modern Management

Modern management theory is based on the idea that analysis and synthesis are inextricably complementary to each other. Modern management is built upon two basic approaches called system approach and contingency approach. Both approaches contain an understanding of separation of the whole, which can be termed as administration, business or management into its constituent elements by the way of

analysis, examination of these elements one by one and then the reconstruction of structure of administration, business or management by recombining of these elements through synthesis. In this way, the essence of the organization that is called administration, business or management can be comprehended and the contributions of separate units to the whole can be examined (Ürper and Besler, 2013: 43).

According to the contingency approach, a management and organizational structure that can be defined as 'the most accurate' or 'the best' and valid in all circumstances and conditions does not exist. As a result of the internal and external analysis that performed by the management, determination of which implementation and structure of organization are the most compatible with the management's own objectives is essential. According to the contingency approach, which argues that there is no ideal management practice or organizational structure, 'technology and the environment' are two important factors that determine management practices and organizational structure, and these factors have a direct impact on the organizational performance of the management (Ürper and Besler, 2013: 13-14, 43).

The systems approach was proposed by Bertalanffy in the 1920s. According to this approach, each system should be examined as a whole, not independently of its surroundings, but taking into account its relation to its surroundings and environment. The system approach is based on the view that dealing with individual parts and processes to comprehend the whole would be insufficient, therefore, the interaction between the parts and processes should be examined as well (Ürper and Besler, 2013:13).

Ürper and Besler (2013: 13) enumerate the main features of system approach as follows:

- System is a set of operations that enables the components of the whole to function in conformity, and the components represent sub-systems of the system.
- Components that define the system are input, process, output and feedback.

- All the systems in nature eventually dissipate; negative entropy means survival of the system.
- An open system is a system, which interacts with other systems in its environment, whereas a closed system is a system, which does not interact with other systems.
- Synergy means that the whole creates more value and is greater than the sum of its single components.

Types of Management

The concept of management with general and human characteristics, which exists in all social situations, is categorized under two main headings as public administration and private sector management. The concept of public administration is used to describe the type of management designated to public functions, while the concept of private management is used to describe the dimension applied in private sector enterprises outside public institutions. The discipline called business administration or management deals with the reflection of management in private sector. Public administration and private management, although they are both sub-branches of management, have different objectives, methods and status, in spite of having some common features (Ekodialog, 2009).

As a result of some developments initiated in the public sector after the 1970s in the direction of adapting and employing private sector management means because of concerns about efficiency and productivity, the differences between the two types of management in terms of instruments and methods have almost disappeared nowadays. In both types of management, managerial functions overlap, while objective, organization, human resources, financial resources and external environmental elements and problems share common characteristics. An example of the growing similarity between the two types of management is the increasingly widespread use of outsourcing in the public sector. The implementation of many public activities by the private sector through service procurement methods and the practice of privatization has strengthened the interaction between the two categories of management. The ‘new

public administration approach' shaped by the employment of practices from the private sector, such as total quality management, strategic management, strategic planning, project management, performance management and business analysis and enacting them in legislation has led to a reduction in sectoral differences in terms of tools and methods. When the services are evaluated in terms of beneficiaries; the approach called 'governance' which increase the quality of services by means of regarding citizens as customers and some viewpoints that struggle to provide more participation and say to the citizens in the administration have started to be defended more vigorously. Despite these similarities, the differences stemming from structure and practice can be listed as follows:

- Political environment
- Differentiation of public interest and private interest
- Flexibility
- Public power
- Intensity of rules

2.1.3 Cultural Heritage Management

From the 1970s, the consequences of the process of industrialization, an increasing population, the negative effects of unplanned consumption on resources and the rapid development of cultural tourism have combined to increase environmental concerns, while, in parallel, new approaches have emerged regarding the utilization and preservation of resources. As it is explained in detail in Section 2.2.1 and 2.2.2., international organizations have repeatedly voiced such concerns through in the course of several meetings such as the 1972 Stockholm Conference, the 1976 Vancouver Habitat Conference, the Principal Resolution of the 1983 Brundtland Commission (General Assembly Resolution 38/161), the 1987 Brundtland Report (Our Common Future), the 1992 Rio Summit (Agenda 21), the 1996 Habitat II Istanbul Conference, as well as in the resulting documents. Thus, the realization of economic growth and development in conjunction with taking the environment, resources and quality of life into account became an international principle (Madran and Bozkurt, 2007: 220).

A reflection of developments in protecting the environment by ensuring sustainability was represented by the signing of The Convention Concerning the Protection of World Cultural and Natural Heritage in 1972. Articles 5.d. and 29 of the convention oblige the signatory countries to take appropriate legislative, scientific, administrative and financial measures for the area to be protected and to inform the World Heritage Committee about these measures (The Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972).

A similar approach was included in article 11.b. of the Recommendation on the Conservation of Europe's Architectural Heritage, adopted by the Council of Europe in 1975, and the need to take legal, financial and managerial measures to encourage conservation was emphasized. In the same year, the Amsterdam Declaration (European Charter of the Architectural Heritage) emphasized the need to support these policies in terms of their legal, financial, technical and administrative aspects by bringing initiatives to the concept of 'integrated conservation', and stated that the public is a stakeholder in making decisions that will affect the environment (Madran and Bozkurt, 2007: 220).

At the end of the 1970s, the Burra Charter, drawn up by ICOMOS Australia, added initiatives to a number of concepts, including the concept of 'cultural significance', which was also previously emphasized in the Article 1 of the Venice Charter. These include concepts such as space, fabric, value, statement of significance, understanding, interpretation, change and conservation. The Burra Charter, which was revised in 1981, 1988, 1999, and 2013) examines the conservation process under three headings such as understanding of the significance, the development of policies and management. Although initially a local declaration, The Burra Charter is now regarded as an important internationally accepted document (Madran and Bozkurt, 2007: 221).

Similarly to the Burra Charter, The Management Guidelines for World Cultural Heritage Sites, prepared by Feilden and Jokilehto in 1993 and updated in 1998, defined in three chapters as management, identification of the area, formulation for evaluation, objectives and integrative management (Madran and Bozkurt, 2007: 221).

In addition to these documents, still widely used today as guidelines, the Operational Guidelines of UNESCO have also stimulated the preparation of management plans. UNESCO's acceptance of the management plan document, as a preliminary condition as a proof that the areas on the World Heritage List have an understanding of the required quality of management, led to the widespread adoption of this planning concept in the practices in the entire world and brought it to the foreground as a standard (Madran and Bozkurt, 2007: 221).

From 2000s, thanks to conceptual additions of the Burra Chapter and management guide documents, it can be said that definition of conservation has been expanded in a way that includes management action, and the academicians working on this issue have adopted common approaches regarding 'cultural heritage management'.

2.2 Development of the Concept of Cultural Heritage Management

The concept of conservation, which has been ongoing, almost ever since time immemorial, has changed in terms of objectives, context and criteria for eligibility in parallel with the lifestyle of different societies and their perspectives on cultural heritage. In the modern era, conservation has become a priority for civilized communities and is associated with the enhancement of common cultural concepts, international principles and contemporary methods of preservation and management. Over the course of time, the scope of conservation activities, originally actualized for symbolic, religious, political and ideological purposes, has changed and extended to the site scale from earlier concerns for single buildings. The documentary value of the historical environment has gained importance, quite apart from its functionality, and the conservation of cultural heritage has become a national and universal responsibility in order to maintain the cultural accumulation of the past and preserve and transfer it for the benefit of future generations.

Even though the foundations of the conservation of cultural assets go much further back, the emergence of systematic approaches, conducted using scientific methods dates only to the 19th century. In particular, in the second half of the 19th century, as

a result of renewed interests in history and the associated theoretical approaches, aided by more advanced practical techniques, actions oriented towards the conservation of building, formerly restricted to repairs, have acquired a scientific legitimacy.

During the 20th century, large-scaled reconstruction projects, especially numerous in the wake of the ravages of World War II (1939-1945), led to discussions about, and the enhancement of conservation concepts through forums provided by international organizations. These conceptual discussions and the international exchange of ideas arising during the postwar period have become resources for various international organizations. Thus, this period saw the establishment of several pivotal organizations; UNESCO in 1945, in 1959 ICCROM, Europa Nostra 1963 and, in 1965, ICOMOS.

The extension of conservation to the site scale from the building scale brought with it new approaches to the rehabilitation and preservation of cultural assets along with their necessary conservation. This fresh perspective has required the setting up of multi-disciplinary work teams embracing specialties like anthropology, sociology, urban and city planning, economics, and public administration, as well as disciplines like architecture, archeology and art history which were already involved in conservation. The gradually increasing importance of the added value originating from cultural assets in today's economic order, has engendered the commercialization of culture and conscious efforts to develop conservation activities.

In addition to the pre-existing risks threatening historical sites, the approaches of actors with differing value judgements and aims who are now directly or indirectly involved with conservation necessitates a very disciplined and systematic management of conservation activities. More than merely taking cultural heritage as a resource, the concept of cultural heritage management has become an indivisible part of the conservation process, extending to, and encompassing the management of all the financial and human sources necessary to modern cultural heritage management. The unrestrained worldwide spread of factors such as globalization, aggressive measures for the commercial development of historical sites, the negative effects of tourism, etc., have highlighted the necessity for implementing cultural heritage management

programs using sophisticated methods and means derived from developments in business management disciplines.

2.2.1 The Historical Development of Conservation

2.2.1.1 Conservation Concepts before the 20th Century

Throughout history, the built environment, a concrete expression of communal life and culture, has been one of the principal tools for transferring identity and a sense of belonging to future generations. As time passes, common sensitivities to the value and importance attributed to the built environment has motived communities to adopt the idea of conservation.

If the history of the conservation concept is relatively recent, the very existence of surviving buildings from ancient times brings to mind that ideas related to conservation have a respectable lineage. (Erder, 1986:15; Ahunbay, 1996:8; Erder, 1999:9; Kuban, 2000:23). The use of caves for habitation by successive generations of primitive mankind is an important indicator regarding the existence of variously motivated conservation oriented approaches in prehistoric times (Stubbs, 2009: 157). The conservation instinct related to spaces, initially conserved for purely practical reasons and handed on to succeeding generations has thereafter ceded its place to symbolic, religious and political concerns.

In primitive communities, monuments were important for their symbolic value, rather than being traces of the past, and therefore conservation for their political and religious significance was of primary importance. (Erder, 1986:15 - 25)

The theocratical importance of the temples and palaces symbolizing the political strength and religion can be observed in Aegean civilizations as well as Mesopotamia. Archaeological excavation findings reveal that first period shrines have been conserved carefully, and each succeeding settlement was organized with a more aesthetically elaborate approach than the previous ones (Erder, 1986: 27).

Rules established for aesthetic and religious purposes in the Roman State, which was a significantly important reference point for aesthetic standards, and medieval mature states where religious standards played an important role paved the way for the survival of plentiful until the present day. Even though a law protecting historical artifacts existed in Ancient Rome, it is not possible to speak of an entirely systematic legal framework until the beginning of Renaissance (Mumcu, 1969: 53 - 54). The existence of penalties and enforcements against damage in the historical environment significantly affected the awareness of the community regarding artifacts (Erder, 1999: 36, 39, 40, 43). During the Renaissance period residential buildings were constructed according to the traditions of former periods, and decorated accordingly and papal ordinances legislated in favor of conservation. Erder (1975: 15) states that, it is possible to identify this period with the inception of conscious studies in relation to conservation.

Even though the initial fundamentals of some concepts outlining a framework for conservation were established before the 19th century, it cannot be said that they approached the matter scientifically. The 19th Century marked a period when major social, political and economical changes occurred both in Europe and America and a trend towards nationalism evolved in conjunction with industrialization. Action to promote conservation actions encouraged by the attention of wealthy travelers, aristocrats and the papacy started to become a serious and scientific discipline. Academic developments in art history, archeology and the history of architecture played an important role in raising concerns about the conservation of heritage to become a recognized subject at an international level (Stubbs, 2009: 203). Studies conducted on the Colosseum as the first large-scaled conservation project can be seen as studies directed at the conservation of all its authentic components; carefully considered, prescriptive about possible interventions in the future they laid the foundations of modern conservation theories (Jokilehto, 2001: 76-77). The Arch of Titus, which was restored by French in 1817, in Rome constitutes a landmark in the evolution of conservation studies regarding international involvement. In Italy, Papal Ordinances were issued in order to collect and record all the decisions about conservation that had been previously taken. Among them is one dated 1802, by Editti

Doira Pamphili decreeing the preparation of a list of historical artifacts, and another in 1820, by Editti Pacca, ordering the establishment of organizations for the inspection of historical artifacts (Zeren, 1981: 11). In France, in the year 1830, studies regarding the documentation and classification of monuments came to the fore with the provision of financial support from the budget reserved for the Ministry of Internal Affairs; proposals for the conservation of monuments for the public benefit were accepted and official declarations preparing the legal basis for expropriation started to be published (Erder, 1986: 135-136). Restoration approaches shaped by conservative opinions in 1840's in France, started to change as a result of arguments arising from religious and nationalist pressure with ideas dominated by concepts of stylistic unity which advocated the restoration of buildings according to the architectural style of the period they belonged to, producing results unrelated to their original appearance (Stubbs, 2009: 214).

The most important proponent of this approach was Eugene Emmanuel Viollet le Duc, brought up in the scientific environment of the 19th century. Viollet le Duc conducted important projects between 1840-1870, including, Paris Notre Dame, Saint Denis, Clermont-Ferrand, Amiens and Saint Just Cathedrals and the Carcassone city walls. Violet le Duc, who was both praised and criticized, was a pioneer with respect to bringing a coherent approach to restorations which had previously been done indiscriminately; supporting restoration studies with research into architectural history and transforming restoration into a systematic discipline by developing a theoretical basis. In his 'Dictionnaire Raisonné de l' architecture Française du XIe au XVIe Siècle', he explained the concept in the process of commenting on the restoration of medieval structures. During the 19th Century, the Stylistic Unity approach, which created serious distortions of the original details, and added new annexes to monuments, was widely applied in Europe (Ahunbay, 1996: 13-14). This was the same period when the first large-scaled planning exercises for European cities started.

Sitte referred to the necessity of conserving historical urban fabric in his book 'City Planning According to Artistic Principles', and drawn attention to the importance of learning lessons from the past in planning (Zeren, 1981: 13). In France, a regulation

regarding the conservation of monuments which had been on the agenda since 1875 and which laid out the the property rights for the public benefit and recommended strict bureaucratic control, passed into law in 1887 and rapidly became an example of best practice and an effective legal document. In 1889, accompanied by extended regulations about the registration and classification of monuments, the Commission of Historical Monuments was elevated to the level of an organization with precisely defined authority. During this period, in addition to the official conservation approaches determined by French government policies, studies about the history of architecture and conservation conducted by Warwickshire Archeological Association and the Royal Institute of British Architects, both founded in 1836, and the Oxford Architectural Society, which was founded in 1839 in England, were effective in raising social awareness of the importance of conservation. However, perceptions created as the result of the architectural blunders caused by misguided repairs resulted in the word 'restoration' becoming synonymous with inappropriate repairs in England. John Ruskin commented critically on these matters in 'The Seven Lamps of Architecture' published in 1849. Following the publication of a French translation of his book, reaction against these practices gained strength in France.

The romantic vision espoused by Ruskin, defending the sacred identity of artistic structures, and his opposition to restoration, was supported by William Morris who founded the SPAB (Society for the Protection of Ancient Buildings) in 1877 and promoted Ruskin's opinions in the form of a strongly worded manifesto (Ahunbay, 1996:14-16). The conservation of Monuments in England became a cause celebre, with The Society of Antiquaries, founded in 1751, and The British Archaeological Association, founded in 1843, as well as the SPAB, an extremely active institution in this field, being particularly effective. In response to the pressure of archeological associations in England, the first legislative proposal was presented to Parliament in 1873 and but only passed into law in 1882 in consequence of extended discussions about property rights. The National Trust, whose remit also encompasses the conservation of open spaces as well as architectural and historical edifices for public benefit is an example in particular of private enterprise and public opinion; established in 1895, it now covers the whole country (Erder, 1986: 221-229).

At the end of the 19th century, between 1880-1890, two new discourses opposed to both stylistic unity and the romantic vision made their appearance. The first of these two approaches, usually known as historical restoration and contemporary restoration, developed under the leadership of Luca Beltrami in Italy. This theory conceived of the restoration of monuments according to the tangible data obtained from historical documents. The restoration of the Sforza Chateau in Milan, conducted by Beltrami based upon drawings, models and chart data, attracted criticism due to the lack of tangible data and the reconstruction of some details by the architect himself. The second approach, instigated by the Italian Camillo Boito, contemporary restoration theory, combined components of stylistic unity, romantic vision, and historical recomposition opinions in a scientific manner, has been accepted as the pioneer of theoretical principles which form the basis of current theories. Boito, who made the basic differentiation between restoration and conservation, rejected consideration of only the architectural characteristics of structures and espoused ideas about emphasizing additions using different materials, alterations made necessary for structural and regulatory reasons as precautions to avoid the possible damage caused by the annexes (Ahunbay, 1996: 18; Erder, 1975: 84).

2.2.1.2 Conservation Concepts in the 20th Century and Onwards

The series of principles Boito developed at the end of the 19th century has shaped the agenda of conservation in Italy as well as other European countries in the 20th century. The conservation legislation, drafted with contributions by Boito became effective in the year 1902, and was subsequently revised in 1904 and 1906. The law dated 1906 provides a coherent framework for the administrative side with conservation organized into four groups: monuments, ancient-museums-excavations, galleries and art works and the export of artifacts (Erder, 1975:77-81).

In the VI. International Architects Congress, held in Madrid in 1904, monumental structures were classified as ‘dead’ or ‘living’, and an international decision was made that expert architects alone, licensed by the government should be allowed to perform the maintenance and repair of these structures (Zeren, 1981:14).

The separation of government and religious institutions in France in 1905 led to difficulties in the conservation of religious structures. Due to the short-comings of the legal regulations passed in 1887 and the need for the protection of religious structures, a new regulation covering private and religious structures by prioritizing public benefit instead of national importance in conservation was established. By this regulation, the right to expropriation by the state was broadened through prioritizing environmental planning, any changes in catalogued structures were brought within the scope of supervision, and limitations were proposed on settlements near the monuments (Erder, 1975:177-179).

After the destruction wrought by the First World War (1914-1918), Europe's interest in historical and cultural values increased, and ideas regarding monuments being preserved together with their environment began to develop. Comprehensive regulations aimed at conservation were created in Austria in 1923, Poland in 1928, France in 1930 and the United Kingdom and Belgium in 1931 (Zeren, 1981:15). In France, the Historical Monuments Commission extended its work to include unlisted structures. It continued its work on cleaning monuments, identifying architectural pieces to be reused, and the prevention of demolition until 1922. In 1930, new legal regulations proposing environs of architectural structures to be expropriated or additional cataloging were mandated (Erder, 1975:178-180). By the late 30's, France had achieved a legal and administrative structure which qualified it to lead the world on the issue of conservation (Stubbs, 2009: 218).

Similarly, in the United Kingdom where legal changes were needed, the scope of the law dated 1882, which had adopted a restricted approach, was extended to cover monuments, built in medieval times and after. Consultative committees were set up which had the duty of providing owners of monuments with advice on repair methods and information regarding endangered structures for monuments listed under the law passed in 1913. In 1931, in an attempt to rectify the deficiencies of the 1913 law, a new amendment was included. With this amendment, steps similar to those in France were taken, controlling the felling of trees around monuments and restricting new structures. Regarding the conservation of the environs of monuments, it was decided

in the year 1944 that works affecting the quality of monuments would be prevented. In 1947, a law on urban and rural planning was enacted with important benefits for environmental protection (Erder, 1975:233-234).

At the First International Congress of Architects and Technicians of Historic Monuments, organized in Athens in 1931, issues regarding the use of historical structures, the techniques and methods of conservation, the conservation of monuments together with their surroundings, documentation, anastylosis and the setting up of an international knowledge exchange were discussed. The concluding statement was written under the leadership of Gustave Giovannoni, who had contributed to the development and dissemination of Camillo Boito's theory internationally. This laid out basic principles for the conduct of conservation. Giovannoni's ideas, which categorized interventions, in a way that still shape conservation strategies, under five groups; fortification, recomposition, cleaning, integration and renewal, were passed into law under the name Carta del Restauro in Italy in 1932. Kuban (2000:34) states that in the 1930's, when restoration began to develop as a scientific discipline, Carta del Restauro, through contributions from Viollet le Duc, gave direction to applications in Italy until the 1970's.

The International Modern Architecture Congress (CIAM), which was convened in Athens in 1933, also discussed issues on conservation, and the final text called the Athens Charter, underlined the need for protecting historical architectural values. This charter stated that the concept of conservation should be evaluated from the perspective of public benefit and public rights, and it defined the issue of conflict between the concepts of personal right and personal good and those of public benefit and public rights as the most important problem (Kuban, 2000:32).

Legislation in the 30's adopted approaches to the conservation of urban spaces in addition to the conservation of monuments and planning regulations started to include conservation measures. The Artistic Heritage Law, passed in Spain in 1933, the Historical Protected Area Law passed in the USA in 1935, and the laws passed in Italy in 1939, Holland in 1940, Finland in 1932 and Sweden in 1942 included provisions

that protected urban spaces and the surroundings of monuments in addition to the monuments themselves (Zeren, 1981: 16).

The devastation after the Second World War (1939-1945), described as the greatest war in history, where even nuclear weapons were used, helped increased support for conservation as a social idea, and strengthened the concept of site scale protection. With the need to revive city centers, large-scaled reconstruction had to be implemented, despite reservations about the process. The reconstruction of Warsaw, Poznan and Gdansk were examples of this.

It is useful to explain the development of the notion of conservation and cultural heritage management by studying some important local and international documents within the 10-year periods after the 1950's, where international principles, in the modern sense, began to take shape.

2.2.2 Development of Cultural Heritage Management

2.2.2.1 Evaluation of International Documents

1950-1960

The 1950s marked a revival in the conservation of architectural heritage as a vehicle for strengthening national identity and national consciousness rather than just rebuilding the edifices destroyed as part the social and physical destruction created by World War II (Ahunbay, 1996:19). Therefore the prewar concept of conservation, previously defined within the framework of monumental buildings such as churches and palaces, now turned in the direction of idea of the historical city and environment as well, and large-scaled reconstruction projects began (Ahunbay, 1996:19; Kuban, 2000:34). The concern for the protection of national values now expanded concepts of conservation, once almost exclusively the concern of intellectuals, to involve the general public (Kuban, 2000:34). Fitch (1982: 22-23) states that the declining interest in the past in the western world before the war regained genuine importance in the

aftermath of the war and now embraced all material evidence from previous civilizations.

The protectionist approaches of countries shaken by the wartime destruction of their cultural heritage were enshrined in UNESCO's Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed in May 1954. It states that the destruction of cultural property, irrespective of its national identity, was an assault on the heritage of all mankind. It indicated that conserving current cultural properties was important for all nations, and this protection should be extended to cover an international scale. This convention is significant because it defines cultural property and describes conservation as a responsibility for all humankind and it stipulates international behavior in the event of war.

Similar concerns were also reflected in the European Cultural Convention published by the European Council in December 1954, with the concept of cultural cooperation based on a shared heritage and history of Europe comprising the main principle of the convention. Article 5 of this convention states that each party should conserve the objects of European cultural values under their control as an integral part of the common cultural heritage of Europe and that the appropriate measures to protect them and provide reasonable access should be taken. The term of cultural heritage, which is one of the essential component for Cultural Heritage Management, was incorporated into this international document for the first time. Pickard (2002:11) states that the cultural policy shaped by this European Council convention embodies the aim of carrying out common activities to protect cultural heritage as well as to develop the cultural identity of Europe.

UNESCO's Recommendation on International Principles Applicable to Archaeological Excavations in December 1956 referred to the administration of archaeological excavations. It states that even though the same level of administrative service is not expected from all member countries due to differences in conventions and financial resources, the application of some common principles in the administration of excavations had become an aim. This administrative body is

expected to carry out discovery excavations and provide for the maintenance of excavations and protected areas, to carry out a national work program directed to the research of archeological resources including scientific publications, to provide the regular resources required for excavations, to foster cooperation by universities and research institutes on general administration of archeological works as well as to implement the training of the archeologists (Article 6). This recommendation was characterized by being the first in terms of setting internationally accepted standards for archaeological excavations regarding administrative matters.

1960-1970

The awareness created by promoting the concept of protecting national identity and values in the 1960s also engendered the concept of the sustainability of the physical environment, and historical structures were no longer only defined as cultural images but also the scope for their conservation was discussed. As conservation began to cover a wider area of activity extending beyond great monuments, it became apparent that economic matters were becoming an increasingly dominant a factor as speculation in land and buildings grew in cities (Kuban, 2000:35).

Although only national in character, the French Ancient Monuments Law (Malraux Law) issued in 1962 was a noteworthy landmark in conservation. Kuban (2000:37) states that this law is a document providing important contributions even though it was issued two years before the Venice Charter. With the term of ‘conservation areas’ described as ‘secteurs sauvegardés’ in the law, a building ensemble having the right qualities to be protected and restored or having a historical, aesthetical character was defined. The restrictions on ownership rights were stipulated by a final protection and evaluation plan for these areas. Kuban (2000:37) also points out that urban areas were taken under protection for the first time by this law in its legal, economic and methodological dimensions together.

UNESCO’s Recommendation concerning the Safeguarding of the Beauty and Character of Landscapes and Sites, dated December 1962, cited in articles 30, 31 and

32 recommendations concerning the implementation of protective measures; detailing the main norms and principles on the protection of landscape and conservation areas that should be reflected in legislation by each member state, the actions required to be performed within legal framework by the authorities in charge, and the creation of specialist organizations to offer administrative and consultancy services on conservation. It was stipulated that these administrative bodies should take preventive measures through central or local authorities. The duties of these authorities were to identify the conservation problems and take the necessary actions about planning, surveying, monitoring of applications and mitigation of threats. In cases where member states set up structures to provide consultancy services, it was recommended that commissions linked to these structures at national, regional and local levels be established and resources provided to solve the problems related to conservation. When it is evaluated in terms of the development of management concepts in conservation, this recommendation is crucial in establishing criteria to determine administrative mechanisms and duties, stressing the importance of the participation of NGOs and signifies an integrated and broad concept of the environment in defining urban landscape and urban conservation areas (Article 34).

The Second International Congress of Architects and Technicians of Historic Monuments was held to make decisions about the protection and repair of ancient structures and confirm these on an international basis in Venice in 1964, and the decisions agreed at the end of the meeting were published under the title of 'Venice Charter' (Jokilehto, 2005:227). One of the most significant provisions of the charter was encapsulated in Article 1[6] where the concept of a historical monument was defined in detail.

The Venice Charter carries significance because it extends the notion of conservation, which had hitherto been limited to the concept of 'monument' into rural and urban

[6] Venice Charter Article 1: 'The concept of a historic monument embraces not only the single architectural work but also the urban or rural setting in which is found the evidence of a particular civilization, a significant development or a historic event. This applies not only to great works of art but also to more modest works of the past which have acquired cultural significance with the passing of time.'

scales. It also encompasses simpler works that have historical importance as well as larger and more complex artifacts. The charter also emphasizes that structures subject to conservation should be regarded of historical value as well as being works of art. In the charter, which was widely internationally accepted, issues of ensuring the sustainability of conservation, reuse of monuments for contemporary purposes, the need to use contemporary techniques in renovation were all discussed. The topics of landscaping, restoration, building additional structures, carrying out archeological excavations, and documentation were clarified.

The term 'cultural significance' mentioned in Article 1 of the Venice Charter is important in terms of the emergence of one of the basic concepts comprising cultural heritage management, something emphasized especially in the Burra Charter produced by the Australia- ICOMOS at the end of the 1970s. In the preamble section of the Venice charter;

> 'It is essential that the principles guiding the preservation and restoration of ancient buildings should be agreed and be laid down on an international basis, with each country being responsible for applying the plan within the framework of its own culture and traditions.'

Regarding the term 'plan' above, Jing (2004:56) comments: 'The Venice Charter of 1964, in fact, does not even mention the word 'management', and 'plan' is only used in another sense'. Similarly, Lee et al. (2007: 1) stated that the basic principles of cultural heritage management are expressed in the Venice Charter. Although in the Venice Charter, the determining principles agreed upon at the international level considering especially its physical aspects, do not use the term 'management', the meaning of 'plan' differs from the literal dictionary definition, and instead it indicates decision mechanisms taken under international principles through the organizational structures of each country.

In the recommendation of UNESCO in November 1964 (Recommendation on the Means of Prohibiting and Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property) implies that member states should form official

institutions of suitable size and competence to protect cultural assets, and establish national service units for them if necessary. It was requested that these structures should be shaped by some common principles. One of these principles concerned a body working within the framework of national legislation and equipped with administrative, technical and financial instruments to realize its functions, or a state-operated administrative body. The term 'cultural property' is defined within Article 1 of this Recommendation as well.

The approach the European Council brought to the issues of conservation after a series of meetings held between 1965 and 1968, had important implications for the emphasis of research in the basic principles and approaches of efficient conservation, efforts for development of a common terminology and the need for conservation to be practiced within the scope of planning. The five meetings in this context were held in Barcelona in May 1965, in Vienna in October 1965, in Bath in October 1966, in The Hague in May 1967 and in Avignon in October 1968. Defining the cultural heritage values, site and natural or monumental ensemble concepts in the Palma Recommendation; the introduction of the participation concept in the Bath Recommendation; the addressing of the coordination of urban and national planning in the Hague Recommendation; emphasizing the importance of providing financial resources and staffing for determining the policies and co-operation between regional and local authorities in the Avignon Recommendation are significant in terms of the increasing importance of governance-related concepts.

The Second Meeting oversaw the Vienna Recommendation, which was published by the European Commission in October 1965 (Vienna Recommendation-Finding New Uses for Monuments in Their Natural or Aesthetic Surroundings, which are of Cultural Interest but No Longer Fulfill Their Original Purposes). It explained that 'conservation is a collective responsibility and cannot be left completely to the monument owner'. This expression is significant in terms of emphasizing indirectly the necessity of controlling conservation activities through a common framework in the name and behalf of the public. Defining conservation as a common responsibility, the Vienna Recommendation also signaled the emergence of the concept of 'public participation

in conservation', a concept which gained acceptance in parallel with democratization and became one of the main concepts of cultural heritage management. In the second article of the Vienna Recommendation, which emphasizes the need for legal rules and regulations on the conservation of monuments and archeological sites it stipulates:

> '2. To establish new legislation or regulations adapted to the needs of monuments and site protection:
> (i) Fiscal (very considerable tax relief for owners of such monuments, including dispensation from certain taxes, death duties and tax on entrance fees)
> (ii) Financial (in the form of loans and other facilities for owners, including grants)
> (iii) Administrative (by aiding owners who are unable for financial reasons, to maintain their monument to obtain addition voluntary public or private help).'

This statement in the Vienna Recommendation points to an approach aimed at the activation of conservation practices through including financial and administrative solutions in legal regulations. The Brussels Decision, dated November 1969, evaluates the results of the series of five symposiums including the Vienna Recommendation. In mentioning the administrative, financial, legal and technical tools regarding conservation, it lists the elaboration of the operational methods and principles needed by the national and regional governments as among the primary issues. This prioritization can be primarily interpreted as the emergence of the need for the management of conservation activities.

One of the most significant documents is the Quito Norms: It redirected the process of conservation from purely physical interventions to an integrated administrative activity in the direction of an organization shaped by a formal central policy in the name of public interest (Final Report of the Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and Historical Value) by OAS (Organization of American States) which was published in December 1967. It foresaw the implementation of conservation activities through development plans, defines cultural resources as economic resources as well, and emphasizes the fact that conservation policies should be an integral part of urban planning policies. The three

prerequisites stated are efficient legislation, technical organization and national planning. Even though it describes the administrative issues of conservation within the scope of 'project management', the main approach of the Quito norms, since it is based on the notion that cultural heritage, because of its economic potential, should be evaluated with the approach of 'resources management', bears significance as giving direction to cultural heritage management. Recommendations at the national level stressed that coordinated administration of the project for centralizing the activities by means of a qualified institution, equipped for bringing together its execution in all stages. In Article 3, it is understood that financial, historical, technical and managerial issues all exist in conservation implementation, and one way to deal with taking care of these issues is to set up a qualified managerial mechanism to provide coordination at every project level. Thus, it is observed that economic, historical, technical and managerial problems exist in conservation actions and one of the solutions of these problems is determined as the establishment of a qualified management mechanism at the national level to provide coordination.

These recommendations deserve attention because they include ideas that remain relevant today, such as the limitations of the incentives for economic enterprises for the conservation of monuments, and legislation to ensure the sustainable nature of public interest so that these do not hinder conservation, which is the primary purpose. The Quito norms state that conservation activities can take place through legal, technical and financial measures as well as physical interventions. This emphasis marks a turning point in the notion of conservation towards the transformation from solely physical to administrative approaches. The approach taken in this document highlighting the need for conservation activities to be led by an official and central institution[7] was also adopted in the UNESCO and European Council documents.

[7] Among the technical measures in Article 1 the following were included: 'The enhancement of a monument or urban area of environmental interest is the result of an eminently technical process; consequently, its official management should be entrusted to a specialized agency that centralizes all work.'

The UNESCO Recommendation dated November 1968 (Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works), states that the work of protection of cultural property under the threat from public or private sector activity should be the domain of suitably qualified official bodies, and that member states should comply with some common principles in establishing these bodies. These managerial principles are stated in Article 20[8] included in the section titled Administrative Measures.

It is obvious in this recommendation that, starting from the end of the 1960s, a realization was emerging of the need for more detailed recommendations on the administrative organization of conservation. Even though this recommendation decision had not the weight and significance it would have today regarding the administrative structures mentioned, it defines a stakeholder network that includes public authorities, the private sector, urban planning institutions, and research and education institutions, along with central government involved in conservation activities. It foresees the local promotion of centralized organization and the role of local government in conservation being carried out by specialized departments. The personnel structure defined as architect, urban planner, archeology, historian, auditing personnel and other specialists, bears significance as recognizing the need for a multi-disciplinary working environment now the main approach to cultural heritage management. The inspection of construction activities taking place in conservation areas is projected as being carried out with the aid of urban development programs involving the coordination of different departments. The urban development program

[8] A coordination or advisory body; consisting of representatives of the official authorities, public and private business representatives, city planning authorities, representatives of research and educational institutions; shall be established and charged with the conservation of cultural property. This body will be an expert on consulting on disputes that may arise due to demands of public or private sector during the protection of the threatened cultural assets.
- Local governments in rural, province or different forms will also form service units responsible for conservation, which will assist national bodies in line with their qualifications and capacities.
- These service units will be composed of the required number of architects, city planners, archaeologists, historians, supervisors and other experts and technicians.
- Administrative measures are defined as coordinating the activities of the units responsible for conservation, the units providing public and private sector services, and the different units responsible for the settlement of the problems related to protection.
- It is also one of the administrative measures to form a commission or a unit responsible for the preparation of an urban development program for the conservation of historic districts, archeological sites or monuments threatened by public or private constructions.

in this recommendation refers to the control and determination of undesirable changes in conservation areas as a result of rapid urbanization movements. The emphasis on the notion of supervision not only underlines the need for supporting conservation activities through monitoring, but also shapes the development of the concept of cultural heritage management.

In the resolution dated October 1969 of the European Council (Resolution [69] 36, Preservation of the Countryside in the Regional Planning of Non-Urban Areas), the importance of preserving the natural environment and its rational management were pointed out. The expression given in this declaration stating that 'the natural environment carries not only natural aspects but also cultural and historical aspects as well', indicates that cultural landscape concept has been enhanced within conservation terminology. The explanation of protection and management activities in the resolution separately from each other is remarkable in terms of showing the difference from former international texts. Through this distinction, a special emphasis is placed on the need for the inclusion of administrative approaches in conservation activities.

1970-1980

The 1970's saw the emergence of, and focus on, the importance of the concept of integrated conservation, a holistic approach started to become more general with more emphasis on legal, administrative, financial and social aspects. In addition, the issues of public participation and the increased effectiveness of local administrations in management also gained significance. Extensive housing development in urban areas in 1970s resulted in the construction of new roads to connect residential and industrial areas. This created problems in historical urban areas because the necessary transport and infrastructural activities inherent in providing for an increasing urban population, together with the problems occurring during the infill of modern architectural buildings into old fabric in urban areas, required that conservation matters be handled in an integrated structure not only including physical aspects but also social, financial and administrative ones. In particular, the rights of residents, which need to be protected in the process of rehabilitation, have accelerated the development of this

approach. Thus, integrated conservation concepts have gained in importance, with emphasis on their social aspects.

In January 1970, Resolution of the European Council (Recommendation 589 [1970]), cultural, economic, social and human values were stated in terms of heritage as actively integral to modern society and all projects concerning protection should be included in regional planning policies. It was especially emphasized that the consolidation of perceptions of conservation in modern society require the cooperation of the bodies responsible at every level, and this action should be widely based, giving responsibilities in particular to local authorities.

Representatives from the historical cities of the member states of the European Council meeting held in October 1971 in Split highlighted the significance of the protection and rehabilitation of monuments, building groups and historical places as well as the integration of administrative, technical, social and financial aspects of conservation into dynamic urban and regional planning. It was pointed out that the protection of historical cities can be facilitated by a continuous dialogue among voluntary organizations, committees of city residents, non-governmental organizations and other groups.

In November 1972, Recommendation of UNESCO (Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage) natural and cultural heritage areas was defined at an international level. These definitions were also included in the UNESCO International Convention of the same date (Convention Concerning the Protection of the World Cultural and Natural Heritage 1972). In the part of the convention titled 'Definitions of the cultural and natural heritage' in Article 1 monuments, groups of buildings and sites were defined[9]. In Article 2 natural sites

[9] 'Cultural Heritage;
Monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science
Groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science

were described[10]. This convention mentioned the subject of member states taking administrative measures. Thus, the administrative dimension of conservation was clearly stated in this agreement, which is still an important document internationally. Even though the word 'management' was not used, it was an important turning point that administrative issues were included as an article of the agreement, which was the product of the highest tier of international conservation cooperation. In Rössler's opinion (2003; 45) the convention has become a key legal instrument in heritage conservation and plays an important role in promoting the recognition and management of heritage in many regions of the world. Its implementation has had a considerable effect on many other programs and projects beyond World Heritage sites.

Under this convention an Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, called 'the World Heritage Committee' was established within UNESCO. The World Heritage Committee, the main body in charge of the implementation of the Convention, has developed precise criteria for the inclusion of properties on the World Heritage List and for the provision of international assistance under the World Heritage Fund. The Commitee's first session was held in 1977, and the rules for procedures of the Convention were adopted. These are all included in the document entitled 'Operational Guidelines for the Implementation of the World Heritage Convention'. This document has been periodically revised by the Committee to reflect new concepts, knowledge or experience. The Committee can also defer its decision and request further information on properties from the States Parties. It examines reports on the state of conservation of listed properties and asks state parties to take action when properties are not being

Sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view.'

[10] 'natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;
geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;
natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.'

properly managed. It also decides on the inclusion or deletion of properties on the List of World Heritage in Danger.

Article 29 of this international convention implies that member states should explain the legal and administrative measures taken with respect to the implementation of the convention in detail through the reports submitted in general conferences of UNESCO, and these reports will be taken into consideration by the World Heritage Committee. Therefore, it is highlighted that the reporting of the related administrative transactions of member states on heritage areas to UNESCO has become an obligatory aspect of the convention. One of the concepts defined in this convention, which later gained importance, is the criterion of 'universal value' for the admission of cultural and natural values to the world heritage list.

In Article 13 of the first Operational Guidelines of World Heritage Committee published in 1977, the documents to be prepared by member states were designated, and mention of a management plan made in the chapter titled 'State of preservation/conservation'. There is no definition what a management plan is or how it should be compiled in the 1977 Operational Guide. However, this guide has great importance as the first declaration of conservation studies containing mention of a management plan.

The preparation of a management plan was not introduced as an obligation by the World Heritage Committee until 1997 but it has become an obligatory document required for nomination since then. Acceptance of Management Plan as a precondition by UNESCO as evidence that the areas included in the list of World Heritage Areas have an understanding of, and competence in management has led to the importance of planning becoming increasingly widely accepted, and at the forefront as a standard in world practices.

The year 1975 witnessed an intensive program of Architectural Heritage Year events in Europe. Kuban (2000:40) states that a positive momentum was created, especially in terms of conserving historic sites after an international campaign which created a

great public awareness of these efforts. The European Charter of the Architectural Heritage, published in October 1975, specifies that the concept of historic monument should also include urban and rural areas and the original situation should be preserved while conveying them for future generations. Architectural heritage is defined as a unique moral, cultural, social and economic value and an important part of education. Public participation was accepted as an important element for integrated conservation to be effective. The Charter states that integrated conservation can be realized with legal, administrative, financial and technical support. It is emphasized, in the section on administrative measures, that service units equipped with appropriate staff should be established to sustain integrated conservation policy.

The Amsterdam Declaration, dated 1975, was the result of Amsterdam Conference, organized by the participants in European Architectural Heritage Year. The charter draws attention to the fact that the European architectural heritage is an integral part of the whole world's cultural heritage, and its conservation is the responsibility of Europe. It states that conservation should be the main purpose of urban and national planning. The Amsterdam Declaration stresses the strengthening and actuating of legal and administrative measures, responsibilities of local authorities about integrated conservation and the participation of residents. It also remarks that no European country has yet employed an ideal administrative system to meet the economic requirements of an integrated conservation policy. This document raises significant awareness stressing on the notion of management through drawing up a structure detailing accountability, qualified personnel, scientific, technical and financial resources as elements of the administrative mechanism.

The UNESCO recommendation, dated November 1976 (Nairobi Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas) emphasizes that not only should steps for maintenance and restoration be taken for safeguarding of historic cities and urban areas, but also the necessary practices should be implemented for development and integration of these areas into contemporary life.

Nairobi Recommendation underlines the administrative measures[11] in a similar way mentioned in the European Charter of the Architectural Heritage.

Recommendation 848 (1978) on Underwater Cultural Heritage by the European Council dated October 1978, states that both national and European Community level measures should be taken for the protection of underwater cultural heritage. It emphasizes, concerning underwater archaeology, that lack of professional personnel, scarcity of economic resources and insufficient legal arrangements and administrative experience cause problems in this field, and requires that legal and managerial arrangements should be made.

ICOMOS Australia published the first edition of the Burra Charter in 1979 based on the results of the 5th Meeting of ICOMOS in Moscow, 1978. The Charter was revised in 1981, 1988, 1999, and 2013. It defined and clarified the 'place', 'cultural importance', 'fabric', 'preservation', 'maintenance', 'value' concepts leading eventually to the concept of Cultural Heritage Management. This text not only created an important milestone in the emergence of Cultural Heritage Management in the late

[11] Among the recommendations related to management are the following information. 'Because the concept of the architectural heritage has been gradually extended from the individual historic building to urban and rural architectural complexes, and to the built testimonies of recent periods, far-reaching legislative reform, in conjunction with an increase in administrative resources, is a pre-requisite to effective action. In order to increase the operational capacity of the authorities, it is necessary to review the structure of the administration to ensure that the departments responsible for the cultural heritage are organized at the appropriate levels and that sufficient qualified personnel and essential scientific, technical and financial resources are put at their disposal.'
- Reviewing the legal regulations about protection, city and territorial planning and housing from the perspective of conservation of the architectural heritage,
- Identifying the general principles, programs, actions, public services required regarding planning and documentation for the development of a system for the conservation of historic sites;
- Describing conservation plans and documents,
- For a permanent protection mechanism to be established for each member country in accordance with its own particular circumstances; coordination of national, regional and local public institutions and individual groups by a competent institution,
- Preparation of conservation plan and documentation by a multidisciplinary team of experts on conservation,
- Taking the views of various circles on protection and organizing public participation by authorized institutions
- Keeping authorized institutions accountable for taking effective safeguards and making of regulatory arrangements at national, regional and local levels and ensuring that there are sufficient number of personnel and adequate technical, managerial and financial resources for protection by these institutions.

70’s, but it is also a crucial document accepted internationally, rather than being restricted in relevance to Australia.

1980 -1990

Cultural heritage management started to be included as a factor desirable also at local levels in the 1980s. Opinions about the desirability of public participation in conservation decisions should be supported as a requirement of democratization started to become widespread. This was also the time when rapid changes in social values reflecting the requirements of modern life occurred and the concept of sustainability as opposed to consumption started to gain ground. In the light of the results of industrialization, ever increasing populations, and the negative impacts of the unconsidered consumption on resources, together with rapidly developing cultural tourism movements and increasing environmental anxieties, international efforts concerning protection of resources have also been made in this period.

Declarations published by national committees were also included in administrative aspects of conservation in addition to international meetings in the 1980s. The Deschambault Declaration (Charter for the Conservation of Quebec's heritage- Canada ICOMOS April 1982), Declaration of Rome (Italian ICOMOS-June 1983), the Appleton Charter (Charter for the Safeguarding and Enhancement of the Built Environment-August 1983), and the First Brazilian Seminar about the Conservation and Revitalization of Historic Centers (ICOMOS Brasilia July 1987) are among such studies.

The International Committee on Historic Towns and Villages (CIVVIH) was established by the ICOMOS Executive Committee in 1982. The Committee concerns with the planning and management of historic towns and villages. A year after, in 1983 Brundtland Commission General Assembly Resolution 38/161, and the 1987 Brundtland Report (Our Common Future) are significant documents expressing environmental anxieties. This led to the provision of economic growth and

development taking into consideration the environment, resources and quality of life became an international principle.

The declaration prepared at the conclusion of the seminar organized by UNEP, MAP and PAP in May 1985 (Conclusions and Recommendations of the Seminar on Rehabilitation and Reconstruction of Mediterranean Historic Settlements) emphasizes that legal, economic, managerial and technical tools appropriate for the implementation of effective and integrated conservation approaches do not exist in many Mediterranean countries. It has been stated that the absence of a correct administrative framework in the protection work causes the conservation projects to be implemented incorrectly or not at all.

The European Council Convention (Convention for the Conservation of the Architectural Heritage of Europe) dated October 1985 states that conservation, culture, environment and planning actions should be strengthened at every level of the member states' political and managerial structures and management methods should be included in formulating conservation policies in order to ensure integrated conservation.

The European Charter of Local Self-Government, organized by the Council of Europe in October 1985, was shaped by the view that the strengthening of local administrations and the defense of their autonomy are essential to the establishment of a Europe based on the principles of local administration and democracy. It is specifically emphasized in this charter that the right of citizens to participate in the referral and administration of public affairs is a democratic principle shared by all the member states. The principal approaches in the Charter are based on the idea that equipping the local authorities with the necessary powers will provide both effective and citizen-friendly management. While defining the scope of autonomous local government; it is stated that public responsibilities should be used generally and preferably by the authorities closest to the citizens and, the scope and nature of the assignment, competence and economic requirements should be considered for assigning a responsibility to another authority. When the municipalities' active role

and responsibilities in cultural heritage management are taken into account, this charter is a remarkable document in terms of being a reference to the principles of the site management as an upper discourse text.

The conclusions of the First Brazilian Seminar about the Conservation and Revitalization of Historic Centers organized by ICOMOS Brasilia Committee in July 1987 state that historic cities require integrated action by state and local units and participation in planning decisions is a right of citizenship. This is elaborated on with a statement that strengthening of civil participation through institutional mechanisms should be ensured to guarantee the democratic governance of cities. This included the thought that social participation in conservation actions is a requirement for democratic governance.

The ICOMOS Washington Charter (ICOMOS Charter for the Conservation of Historic Towns and Urban Areas) published in October 1987 states that conservation of historic cities should be an integral part of city and regional planning at every level in order to be effective, success of the conservation program is only possible if residents of the city participate and take a leading role, this makes supporting such participation essential. It is also emphasized that conservation of a historic city or urban area requires common sense, a systematic approach and discipline. In this charter, detailed explanations of the conservation plan have been made and it has been emphasized that the main targets and the legal, administrative and financial instruments to be used to reach these targets are clearly stated in the plan.

In May 1988, the Council of Europe organized an international meeting on tourism and recreation in rural areas. At the conclusion of this meeting, tourism and recreation activities in rural areas are denoted as an already important economic factor for autonomous regional development in several rural areas of Europe. It was stated that rural tourism, as an aspect of rural development, should be governed by modern techniques that provide opportunities for establishing the required facilities.

The Sixth Historic Cities Symposium of the European Council met in September 1989. Symposium topics included tourism management, tourism services and guidance, public-private sector cooperation and disputes in the administration of historic cities, and growth in the tourism sector. It was decided as a result of the symposium that new agencies should be created to debate common conservation issues among local authorities to encourage institutional approaches for the administration of historic cities. It also recommended launching comparative studies on the legal implementation of local and regional authorized bodies related to the administration of historic cities.

1990-2000

New market search of the international capital movement during the 1990s, had a negative impact on urban areas. However, measures were taken to identify principles upon the deployment of conservation processes to be widespread on site level. ICAHM (The Internatıonal Commıttee on Archaeologıcal Herıtage Management) is a sub-committee of ICOMOS, established in 1990 to promote international cooperation in the field of archaeological heritage management, and to advise ICOMOS on archaeological heritage management issues. The Charter for the Protection and Management of the Archaeological Heritage was published by ICAHM in October 1990. It is a significant document, in which the needs for clear cultural heritage management techniques are presented. The statement 'The conservation of this heritage cannot be achieved by the implementation of archeological techniques alone' in the introduction of the charter points out that in the sustainability of conservation activities, good technical knowledge resources are insufficient by themselves and managerial approaches should be used as well. In this principal statement, the charter provides a clear description of the inception of the notion of management within the framework of preserving archeological heritage through explaining the transition process specified by the statements: administrative, legal, managerial measures to be taken regarding 'cultural heritage management', the need for qualified human resources, training of the workforce, inclusion of society in conservation and creation of multidisciplinary areas in work. This charter is important as it sets out the basic principles of the management of the archaeological heritage.

At the Quebec City Declaration-First International Symposium of World Heritage Cities held in July 1991, it states that irrespective of size or status, historical sites suffer problems of equilibrium and adaptation to the rapid development of urban areas. It was pointed out that World Heritage Cities facing similar problems to other historical sites suffer from the negative effects of tourism and real estate speculations because of the attention they get as a result of their status. This and similar problems can not be solved by conservation specialists alone but require cooperation between managers, application specialists and residents. The World Heritage Cities Management Guide prepared after the symposium states that historical city centers face important problems arising from the consequences of rapid changes in social structure. The guide says that 'Towns are the particular victims of change; this is why we feel it is the responsibility of urban administrators to manage the change facing them'. The identification indicates that change is one of the most important factors threatening historical cities. Various definition about urban conservation and management and some important principles and recommendations are included[12].

In this guide, besides the new studies and definitions on the principles of historic urban sites, it is pointed that the historical sites are changing and developing, and there is a need for different management strategies to meet the differing needs emerging and chaotic situations appearing in this process. The key attributes of management strategies for historic cities are defined as follows:

- 'Respect for the dynamic nature of cities
- Respect for the value of public participation
- Integration with complementary goals

[12] These are;
- Identification of the qualifications of historic urban sites and the application of conservation and development approaches to protect these qualifications,
- The systematic use of inventory, research and evaluation phases to ensure that urban sites can be assessed in accordance with widely accepted standards,
- Making the assessments on the site under the scope of the protection plan by defining the protection levels in the featured areas,
- Making legal arrangements to enable the integration of heritage related objectives with social and economic development objectives in conservation planning,
- Organizing education and training programs on conservation to ensure public participation in conservation activities.

- Positive approach to conflict management
- Cultural adaptability'

It has been emphasized that it is important to decide how good the approaches recommended to achieve the intended outcomes are, once the appropriateness of conservation actions and programs has been determined. The planning process is determined as five sequential steps;

'1. Analysis of the existing situation
2. Analysis of the desired situation (vision)
3. Definition of desired results (necessary to attain vision)
4. Choice of appropriate means to achieve desired results
5. Monitoring: reviewing and adjusting the strategy'

This guide is an important text in terms of explaining cultural heritage management with clear and detailed definitions and expressions, and giving space to management approaches applied in World Heritage Cities in its appendix. On the other hand, it is remarkable that the planning approach defined is compatible with the strategic planning method. This text is also significant because it is the first time the organization of World Heritage Cities dealt with the issue of management. In this respect, it can be regarded as a document as remarkable as the World Heritage Convention.

The Council of Europe, which has produced various documents on urbanism and local governments since 1960, published the European Urban Charter in March 1992 that are a kind of manifesto among the documents produced in this context. One of the main objectives of this charter is to create a practical urban management guide for local governments. The document is organized under 20 basic headings.[13] One of the important emphasis of the document is that city plans, which are the product of urban policies, can only be implemented with a decisive 'local political will'. Urban policies, which are extensions of past democratic institutionalization, have been envisaged as a

[13] 'Security, An Unpolluted and Healthy Environment, Employment, Housing, Mobility, Health, Sport and Leisure, Culture, Multicultural Integration, Good Quality Architecture and Physical Surroundings, Harmonisation Of Functions, Participation, Economic Development, Sustained Development, Services and Goods, Natural Wealth and Resources, Personal Fulfilment, Inter-Municipal Collaboration, Financial Mechanisms and Structures, Equality.'

guiding and intrusive local sanction and the product of a constantly recurrent collaboration between the elected officials and the public. In the section entitled ‘city of the future’, the importance of establishing a balance between modern development and preservation of historical heritage, integrating the ancestor without destroying it, and achieving sustainable development principles are mentioned. Local governments are defined as the most relevant institutions in terms of interest and responsibility in the protection and maintenance of urban heritage. The principles regarding urban architectural heritage are as follows:

- A prudently created legal basis is fundamental for urban conservation
- Policies for information partnerships should be constructed to preserve the urban heritage
- Sufficient and mostly unique finance tools and corporations should be found
- Expertise needed crafts and techniques should be maintained and sometimes revived
- Integration of urban heritage and contemporary life should be maintained by incorporating urban heritage in whole planning as an essential component
- The heritage can frequently encourage economic growth.

Based on the urban policies of the Council of Europe, this document explains the expectations from the local authorities resulting from the matters transferred by the European citizens to local governments with various reactions. European urban policies were organized within the framework of the ‘European Campaign for Urban Renaissance’ realized by the council between 1980 and 1982. Unlike other documents, it was opened to the signature of local governments, not governments. This charter was renewed in 2009 under the title of 'Manifesto for a New Urbanity - European Urban Charter II'.

The primary endeavor to assemble a thorough idea of the components of cultural heritage management was in 1993 with Management Guidelines for World Cultural Heritage Sites written by B. Feilden and J. Jokilehto. The premise of the guidelines is that the standards of management are centered on human values as they identify with

the social and economic setting in connection with an architectural framework. The document aims to present principals related with conservation and management and the general system and to make suggestions for the correct implementation of the World Heritage Convention. For this point, the way and levels of implementing cultural heritage management strategies and resources and responsibilities of implementation which support the management plan were attempted to be characterized. This guideline has been broadly accepted as a pioneering document in building up the principals of cultural heritage management. In May 1998, ICCROM revised the Management Guidelines (Table 2.3). Today one of the provisions to be designated for World Heritage is to have a management plan compliant with this guide (World Heritage Committee Operational Guideline, 2015). This document defined management process in three main levels including:

‘1. The description of the site
- General Information
- Cultural Information
- Environmental Information
- Interests
2. Evaluation and Objectives
- Conservation Status of the Site
- Evaluation of Site Features and Potential
- Identification and Confirmation of Important Features
3. Prescription for Overall Site Management
- Projects
- Work Schedule
- Costs and Staging of Works’

This document considers conservation as the most important part of the management process and states that the management team should have a multi-disciplinary structure. The entire management team’s comprehension of cultural value, the preparation of special guidelines based on the statement of significance of the protected area, the provision of an inventory containing the complete area to be protected, preparation of reports as a result of regular inspection by experts with sufficient qualifications and equipment, preparation of strategic maintenance plan according to priority order in annual program, and processing in accordance with the protection ethics in the framework of international documents are foreseen in the

management plans prepared for a period of five to thirty years. Cultural and natural heritage is defined as a unique and non-renewable source, and the concept of strategy in the management of cultural heritage has come to the forefront as it is in the World Heritage Cities Management Guide. The concept of change has been stated to be inevitable, but that change can be guided through effective planning and minimal intervention.

The Organization of World Heritage Cities (OWHC) was founded at Fez in September 1993 after discussions at the second International Symposium of World Heritage Cities. The Statutes adopted at that time specify the mission, goals and powers of this international non-profit non-governmental organization. The Fez Charter, produced at the end of the Symposium, prescribes participation of city residents, and the existence of modern, reliable and effective management techniques and financial resources. The OWHC Third International Symposium of World Heritage Cities was organized in Bergen in June 1995 the Bergen Protocol, drafted at the end of this symposium states that appropriate management instruments should be developed for UNESCO World Heritage Cities within OWHC by taking into account symbolic values concerning vital bonds between these sites and their surroundings on one hand, and symbolic values of these urban environment concerned for the regions, countries and the whole world they belong to, on the other hand. The OWHC General Secretariat has decided to communicate with member countries in the areas of education of local people, environment, tourism, natural disasters and terrorism related to urban management of heritage cities, to exchange information and to exchange experts of urban heritage management. In the protocol, the importance of local governments playing an active role in cultural heritage management is mentioned.

The recommendation dated September 1995 (Recommendation No. R[95]9 of the Committee of Ministers to Member States of the Integrated Conservation of Cultural Landscapes Areas as part of Landscape Policies) includes detailed approaches to the issues of implementing definitions, evaluations and policies widely covering the strategies related with conservation and management of cultural landscape areas, legal measures, creating awareness, education and research and international collaboration.

A definition of ‘cultural landscape’ was included in this recommendation. Aims of the recommendation were as follows;

Table 2.3 The Principles of the Management Guidelines (Feilden and Jokiletho)

P H A S E I	**BASED ON THE MANAGEMENT GUIDELINES**	
	DESCRIPTION of THE SITE	**PREFACE** -Status and context of the site
		GENERAL INFORMATION -Location, summary description, tenure -Maps,Charts, Photographs
		CULTURAL INFORMATION -Antrhropological,ethnographic, archaeological,historical, art historical architectural, technological, scientific
		ENVIRONMENTAL INFORMATION -Climate, hydrology, geology, geomorphology,seismology,soils, man-made-hazards
		INTERESTS -Land use and resource use history -Public and private interests, ownership pattern -Economic interests, including tourism **APPENDICES TO PART I** - List of references for PART I - List of amendments to PART I
		CONSERVATION STATUS of THE SITE -World Heritage Status, historic status -Indication of potentially damaging operations or threats -Resource definition and boundary
P H A S E III	**EVALUATION and OBJECTIVES**	**EVALUATION of SITE FEATURES and POTENTIAL** -Cultural values relatedto the original historical material and the archaeological potential of the site (authenticity of materials, workmanship, design and setting) - Cultural values associated with the site (universal significance, memorial, legendary and sentimental values, relative art value, uniqueness) - Contemporary economic values and use values
		IDENTIFICATION and CONFIRMATION of IMPORTANT FEATURES - İdeal management objectives -Factors influencing management -Operational objectives and management options -Conservation management options -Use management options -Study and research options -Education and interpretation options
		APPENDICES TO PART II - List of references for PART II - List of amendments to PART II
P H A S E III	**PRESCRIPTION for OVERALL SITE MANAGEMENT**	**PROJECTS** -Project identification, title, classification -Project register -Project description
		WORK SCHEDULE -Annual work plan -Relationship of the annual plan to the medium and long term plans
		COSTS and STAGING of WORKS
		APPENDICES TO PART III - List of references for PART III - List of amendments to PART III
		BIBLIOGRAPHY -Selected bibliography and register of unpublished material -General bibliography -Amendments to bibliography

- To create a guideline aiming to make landscape policies regarding and improving European cultural identity
- To make conservation and management recommendations, and ensure these areas to be evaluated in an integrated way among regional/spatial/agricultural and forest areas.

Similarly, European Council R (95)10 numbered decisions for recommendation (Recommendation No. R[95]10 on a Sustainable Tourist Development Policy in the Protected Areas) also gave definitions of such things as sustainable tourism and protected areas and emphasized key points of the actions (protected areas, carrying capacity, guest welcome-information-education, monitoring, collaboration with all relevant bodies) to be implemented within the framework of the conservation and management plan.

The ICOMOS Nara Document, dated November 1995, drew attention to the issue of respecting authenticity of cultural properties by taking into account the basis adopted in principle in the Venice Charter for awareness of intercultural differences and diversities. It also states that globalization and uniformity movements also create an element of oppression for cultural entities. It is also marked significant change in emphasis primarily by stating that management responsibility belongs to the society where the cultural property is located and by defining management as a social responsibility[14].

The General Recommendations of the San Antonio Declaration created as a result of the symposium organized by the ICOMOS American National Committee in March 1996 (Inter American Symposium on Authenticity in the Conservation and

[14] In the Article 8 states that 'It is important to underline a fundamental principle of UNESCO, to the effect that the cultural heritage of each is the cultural heritage of all. Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that has generated it, and subsequently to that which cares for it. However, in addition to these responsibilities, adherence to the international charters and conventions developed for conservation of cultural heritage also obliges consideration of the principles and responsibilities flowing from them. Balancing their own requirements with those of other cultural communities is, for each community, highly desirable, provided achieving this balance does not undermine their fundamental cultural values.'

Management of the Cultural Heritage) emphasized that the issues of cultural value, managerial context and history of area to be protected should be evaluated in the process for creating a definition and protection of authenticity. It is also emphasized that the Burra Charter and its operational guidelines may constitute a model for this process and this process creates a management mechanism including all relevant bodies.

The October 1996 ICOMOS Charter on the Protection and Management of Underwater Cultural Heritage emphasizes that underwater cultural heritage is a limited and nonrenewable resource and is a potential factor encouraging tourism if it is managed sensitively. Site management and maintenance in conservation efforts are covered in Article 10, where it states that a site management plan including detailed protection measures must be prepared. This document is significant since it is the first document developed by ICOMOS with a full managerial approach. Similarly, in this period, the Council of Europe also highlighted the importance of cultural heritage management techniques. The declaration of the fourth European Conference of Ministers Responsible for The Cultural Heritage of the European Council, dated May 1997, tackled the issue of establishing a methodology[15] specific to Europe for heritage management within the framework of sustainable development.

The Burra Charter, initially published in 1979 and slightly amended in 1981 and 1988, was considerably revised by Australia ICOMOS in November 1999. In the version of Burra Charter in 1979, while the Venice Charter was mainly referenced with the

[15] This methodology involves:
- Development of a tool for assessing the effects of public and private sector cultural heritage investments,
- Identification of the role of cultural heritage in the creation of new employment areas in which alternative local development and urban renewal approaches are considered,
- Taking into account technical and professional operation programs and action plans carried out by the Council of Europe regarding the cultural heritage in the settlement of problems arising from investments in countries dominated by market economies,
- Formulating criteria for evaluating cultural heritage programs with long-term investment value by the public and private authorities that will avail benefit not only economically but also in public spheres,
- Development of evaluation methods based on the vital life of structures, comparing the rehabilitation of old structures with the construction of new structures produced by modern production techniques for the evaluation of environmental effects,
- Promoting co-operation with the participation of authorized institutions, voluntary organizations, private firms and the local community to ensure sustainable development.

technical expertise and maintaining historical fabric, the 1999 revision referenced the concepts of community processes and intangible values (Truscott and Young, 2000:101-116). The subject of conservation and managing the significance of the cultural heritage areas was notably emphasized in the Burra Charter, and the fundamental framework of management approach was underlined with the concept of cultural significance. The Burra Charter defined the management process in three main stages including 'understanding significance', 'developing policy' and 'management' (Table 2.4). Even though the Burra Charter was a document written with local relevance, over time it has gained the nature of being an important document especially relevant to the management plans of the World Heritage Cities as a reference point since it defined the process clearly.

This Charter includes definitions of 'place', 'cultural significance', 'fabric', 'conservation', 'maintenance' and 'the values of heritage'. Taylor (2004:425) states that a vital part of the Burra Charter is that it utilizes the term 'place' to characterize cultural heritage assets supporting the idea of place as a basis. The charter deals with the relationship between the concepts of conservation and management in Article 2.3. by noting that 'Conservation is an integral part of good management of places of cultural significance'. This expression, with a perspective that takes conservation as a part of management, is significant in its characterization of the concept of management as a primary priority. The importance of management was thus underlined in this approach. In Article 14, the conservation process was defined as such:

> 'Conservation may, according to circumstance, include the processes of retention or reintroduction of a use; retention of associations and meanings; maintenance, preservation, restoration, reconstruction, adaptation and interpretation; and will commonly include a combination of more than one of these.'

Article 26.2. of the charter states that the policies related with cultural significance and place should be prepared, with their justification, in written form, and it was requested that this written information should be conveyed in the management plan related to specific locations, and updates should be made if required through regular reviews.

Table 2.4 The Principles of the Burra Charter

	BASED ON THE BURRA CHARTER	
PHASE I	**UNDERSTAND SIGNIFICANCE**	**IDENTIFY PLACE AND ASSOCIATIONS** -Secure the place and make it safe
		GATHER AND RECORD INFORMATION ABOUT THE PLACE
		SUFFICIENT TO UNDERSTAND SIGNIFICANCE
		-Documentary -Oral -Physical
		ASSESS SIGNIFICANCE
		PREPARE A STATEMENT OF SIGNIFICANCE
PHASE II	**DEVELOP POLICY**	**IDENTIFY OBLIGATIONS ARISING FROM SIGNIFICANCE**
		GATHER INFORMATION ABOUT OTHER FACTORS
		AFFECTING THE FUTURE OF THE PLACE
		-Owner/manager's needs and resources -External factors -Physical condition
		DEVELOP POLICY
		-Identify options -Consider options and test their impact on significance
		PREPARE A STATEMENT OF POLICY
PHASE III	**MANAGE**	**MANAGE PLACE IN ACCORDANCE WITH POLICY**
		-Develop strategies -Implement strategies through a management plan -Record place prior to any change
		MONITOR AND REVIEW

Sullivan (1995: 15) states that the principles of the Burra Charter are used to design a planning method that significantly improves the management and ongoing protection of conservation areas. Sullivan (1995: 15) also notes that this method has successfully been adapted in the United States and China. The adaptation process is essential if the management approaches are consistent with local conditions and traditions, including the social, economic, political and physical environment. Today, the Burra Charter is implemented in accordance with the 'National Heritage Management Principles' developed in Australia under the 'Environment, Protection and Biodiversity Conservation Protection Act' (Egloff, 2002: 145).

Management issues receiving a larger and more important place in the notion of conservation resulted in ICOMOS' continuing the drafting of documents which included a fully management approach for specific issues, as well as a Charter for the Protection and Management of Underwater Cultural Heritage and an International Cultural Tourism Charter - Managing Tourism at Places of Heritage Significance.
The document titled the International Cultural Tourism Charter-Managing Tourism at Places of Heritage Significance published by ICOMOS in October 1999 states that the concept of heritage includes both natural and cultural content, and this concept is a reference point and a positive instrument for improvement and change. It was emphasized that the conservation and presentation of heritage and cultural diversity include significant opportunities in the period of ever increasing globalization. It also states that the first purpose of the management action is to convey the significance of the heritage and the needs for protection to the society and visitors. It is prescribed in principle 2.6 of the charter concerning management plans that the evaluation of natural and cultural values by means of a management plan is a necessity before opening the heritage area to tourism. This enables the required evaluation concerning the limits of applicable changes, effects of the number of visitors in the physical structure, integrity, ecological status of the area and biodiversity, local transportation systems and social, economic and cultural welfare of the society.

The October 1999 Santiago de Compostela Manifesto of the OWPM emphasized that the World Heritage cities confronted serious urban, cultural, functional, technological

and environmental changes, and innovative management methods are required to cope with these changes in the 21th century and to maintain the heritage for future generations. It states that some progress can be also achieved on the issue of fulfilling the social commitments of conservation in this way. It also states that the conservation of cultural heritage through international institutions and its use with responsible understanding would become a firm commitment once culture became was appreciated as a development factor and cultural heritage became a strategic resource in the 21th century.

2000s

The globalization process, which accelerated in the 1990s, continued in the 2000s. The economic crises experienced at the international level have caused the concept of globalization and capitalism to become questionable again during these years. While sustainable development concept maintained its effect, the impressions that the new social values imposed by the change influenced the quality of life negatively, also made the ‘quality of life’ concept remarkable. Achieving high quality of life in all urban areas, including protected areas, has gained importance as an urban right. The relevance of spaces to quality of life have under pinned the importance of the conservation and management of protected areas to high standards in this respect in the 21st century. It was understood that the orientation of spatial development policies in such a way as to contribute to the integrated management of cultural heritage is not only significant in terms of conservation but also for provision of the quality of life in the light of societal needs.

The Vienna Memorandum is the result of an international conference on 'World Heritage and Contemporary Architecture' in Vienna, Austria, requested by the World Heritage Committee in May 2005.The memorandum focused on the effects of contemporary developments on all urban landscapes and stated that there is a need for a wider regional and landscape understanding by using the concept of 'historic urban landscapes' beyond traditional concepts and conservation actions such as historical centers, building ensembles and their surroundings used in most charters. The

memorandum addresses the need for new approaches to define the historic urban landscape, addresses the importance of collaboration in management, the nature of management plans, and emphasizes change and quality management concepts. The Vienna Memorandum provides significant and detailed explanations of urban heritage management; in other words, it reaches integrated conclusions about urban heritage management by adapting fifteen years of accumulated experience about this issue to current requirements. The Memorandum defined requirements for the conservation areas included in the World Heritage List:

- Outstanding universal value should be adapted to all conservation policies and management strategies
- New approaches and methodologies are required to be developed for urban conservation and development to take account of the increasingly expanding content of the concept of cultural heritage especially in the last decade, existing charters and recommendation decisions have not completely included these developments yet
- While the modernization and development of the society has to be taken care of, the policy makers, city planners, architects, entrepreneurs, conservators, property owners and city residents need to come together and resolve the issues of conservation with a culturally and historically sensitive approach so as to strengthen identity and social cohesion
- Dynamic changes and developments in World Cultural Heritage cities will be carried out by means of scientifically determination methods, relevant acts, regulations, instruments and procedures formulated in the management plan prepared using the Operational Guidelines for the implementation of the World Heritage Convention referring to all items related to areas to be conserved and heritage significance
- Preparation and implementation of the management plan should be fulfilled by an interdisciplinary team composed of specialists and professionals with processes involving comprehensive public participation held periodically
- The quality management of historical urban landscape aims to develop space, function and design based values through sustainable conservation, and studies of cultural and visual impact assessment should be employed when formulating

recommendations when contemporary interventions and architectural practices are proposed with this aim.

The XI'AN Declaration emerged as a result of the 15th General Assembly of ICOMOS organized in China in October 2005 and states that the implementation of effective planning, legal tools, policies, strategies and experiences would be only possible with stability and sustainability. Another important concept that the XI'AN Declaration emphasizes is the concept of change. This declaration also means that the rapid and increasing transformation of cities, landscapes or cultural heritage affects on the way of life, agriculture, development, tourism, as well as natural disasters that occur man-made or naturally. The Declaration stipulates that management tools should include specific legal measures, occupational training, comprehensive protection and management plans or systems, and adequate levels of heritage impact assessment methods. Similarly, planning tools should include measures which would effectively control the impacts of consecutive or rapid changes on settlements. At the same time, it was stated that all new developments and their impacts on heritage, site or conservation areas should be controlled by means of heritage impact assessments. Furthermore, it emphasized that the most significant component of the ability to formulate sustainable strategies is the creation of multidisciplinary study areas with the collaboration and concern of local communities.

Furthermore, both the XI'AN and Vienna Memorandum made use of contemporary interpretations of experiences related to conservation such as change management, quality management and strategic approaches. One of the significant points of XI'AN Declaration is its importance in terms of emphasizing the approach of strategic planning commonly used in the business world. In relation to this, in Article 13 notes that: 'Economic resources should be allocated to the research, assessment and strategic planning of the conservation and management of setting of heritage structures, sites and areas'.

Another important point is that the XI'AN Declaration has brought the concept of change management to the agenda. The fourth title of the Declaration is ‘Monitor and Manage Change Affecting Settings’ and under this title it is stated that

> ‘the rate of change, its singular and cumulative impacts on the area concerned and the transformation of settlements is a continuous process which should be monitored and managed, this monitoring should be effected using quantitative and measurable indicators.’

In relation to change management, it has been stated that change management about conservation actions is not preventing or obstructing the change.

The meeting of the Council of Europe in Faro, Portugal, held in October 2005, resulted in the publication of the Framework Convention on the Value of the Cultural Heritage for Society. It is noteworthy that this framework defines cultural heritage as a resource for human development and quality of life, and a part of an economic development model based on sustainable resource use principles. The contractual explanatory report reveals the value of cultural heritage as a resource. The Convention emphasize that contributing to the cultural heritage and participating in cultural life in this way is important for democracy and this right is also defined in the Universal Declaration of Human Rights, and make the definition of cultural heritage. The Convention states that the proposed approaches can be applied by formulating holistic strategies. Article 10 of the Convention refers to the economic aspects of cultural heritage. Other points that attract attention in this contract are that Article 5 emphasizes the concept of public interest regarding the cultural heritage, Articles 7 and 11 encourage other stakeholders, including public authorities and non-governmental organizations, to adhere to ethical principles. This international document mentions the notion of change as it is in the XI'AN declaration and the Vienna Memorandum, and emphasize that change decisions should come to light if they involve an approach to cultural values. According to the Convention, public authorities at all levels and all sectors should adopt a holistic and knowledge-based approach in relation to cultural heritage management. The need for legal, financial and professional frameworks and innovative ways was emphasized, in which joint action among all stakeholders would be possible. It is desirable to

encourage voluntary initiatives that complement the roles of public authorities. The Steering Committee for Culture, Heritage and Landscape Faro Action Plan was enacted in 2013 to encourage the implementation of this convention among member countries.

As a conclusion of the meeting in Québec, Canada in October 2008, the ICOMOS Québec Declaration on the Preservation of the Spirit of Place was published. This declaration gives definitions, strategies and management recipes especially for the spirit of place concept. According to the declaration, the concept of Spirit of Place has a pluralistic and dynamic character; it can have more than one meaning as well as carrying singular meanings, it can change over time and belong to different groups. It is stated that the national and local authorities should contribute to the conservation and development of the spirit of place concept by making legislation, policy making, planning processes and management recipes. Climate change, mass tourism, armed conflicts and urban development have been identified as threats to the concept of sprit of place, and it has been suggested that all institutions involved in heritage management should prepare long-term strategic plans to take counter actions against them. Thus, towards the end of the 2000s, the importance of strategic planning in the management of cultural heritage has begun to come to the forefront in international documents.

CIVVIH (ICOMOS -The International Committee on Historic Towns and Villages) published the Valetta Principles in November 2011 to update the Nairobi Recommendation (1976) and Washington Charter (1987) and to redefine the objectives, approaches and tools based on the references in these documents. Likewise the Faro Convention, this document describes the cultural heritage as an essential resource, which is part of the urban ecosystem. The main objective of this document was defined as identifying the first phase strategies to be followed in response to any interventions in historic cities and urban areas, and additionally, the importance attributed to strategic approaches in this period has been noted. These principles and strategies aim on the one side to preserve the value of historic cities and their surroundings and on the other side to integrate them to the social, cultural and

economic life. One of the concepts that have been described in the document is 'Safe Guarding' and this concept is explained by means of protection, conservation, enhancement and management concepts. Moreover, the 'Management Plan' concept, which has not been defined in international documents other than the UNESCO Operational Guidelines, is also included.

> ‘A Management Plan is a document specifying in detail all the strategies and tools to be used for heritage protection and which at the same time responds to the needs of contemporary life. It contains legislative, financial, administrative and conservation documents, as well as Conservation and Monitoring Plans.’

In addition, it is stated that an effective management system can develop depending on its own character, culture and natural context of every historical city or urban area. In pursuant of the document, preparing the management plan is a participatory process that is based on knowledge, tangible and intangible resources. The core characteristics to be included in the management plan are listed below.

- ‘Defining the cultural values
- Determining the stakeholders and their values
- Detecting probable conflicts
- Identify conservation goals
- Identify legal, financial, administrative and technical methods and tools
- Realize the strengths, weaknesses, opportunities and threats
- Identify appropriate strategies, work deadlines, and required actions.’

The concept of change is also one of the focal points of the Valletta Principles as it is in other documents of this period. The effects of change on natural environment, built environment, social environment and intangible heritage are included by emphasizing that the historical cities and urban areas are exposed to constant changes as living organisms and have various effects on urban elements (natural, human, tangible, and intangible). With respect to the said principles, evolution may have cumulative negative effects on historical cities, urban areas and on the values of these areas, therefore major qualitative and quantitative changes with unknown effects on the urban environment and cultural values should be avoided and these changes and their rapidity should be controlled, managed and monitored. The document also emphasizes

the facts that protection and management are systematic approaches, they need to be based on multidisciplinary work, and dialogues with all stakeholders are important. In addition to multidisciplinary working order; effective communication, cooperation and governance are required. The Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas, contain important definitions and approaches to the problems of the time in terms of conservation, management and change of historic cities and urban areas.

2.3 Cultural Heritage Management in Turkey

2.3.1 Historical Development of Conservation in Turkey

While international approaches to conservation have been adopted at a global level in terms of, differences in social and cultural structure, as well as economic and social conditions require each country to formulate its own approaches and arrangements in assessing its own cultural heritage. While being influenced by international principles, regulations and initiatives in Turkey; when the first Asar-ı Atika (Ancient Monuments Ordinance) of the Ottoman Empire dated back to 1869 is taken into consideration in terms of finding its place in the legal platform, conservation has a background history of about 150 years. It is possible to evaluate the conceptual development of conservation in Turkey in two historical periods: namely, the Ottoman Period and the Republican Period.

2.3.1.1 Conservation Approaches in the Ottoman Period

It is not possible to speak of the existence of a conscious approach to conservation until the second half of the 19th century, during the Ottoman Empire. Many works of pre-Islamic Anatolian civilizations, ignored due to indifference, were either presented to foreign statesmen at the command of the sultan, or were illegally exported, or unwittingly destroyed. Prior to the Asar-ı Atika act, the legal status of ancient monuments was based on fiqh, i.e. Islamic jurisprudence principles. According to these provisions, the immovable historical monuments, such as other immovables,

belonged to foundations, to private persons or to the state, and their owners enjoyed unfettered ownership rights. This allowed the private property to be freely demolished and destroyed. However, during this period, regular maintenance and repairs have been particularly effective in conserving religious and monumental structures.

During the classical periods of the Ottoman Empire (16th-18th centuries), conservation approaches were governed by religious considerations, the traditions, the usage of the structures and their economic value, together with the necessity to maintain the property of foundation institutions. Madran (1996: 60, Madran, 2006: 2) states that the conservation approach during the Ottoman period, which he considers as being contradictory because of the coexistence of both positive and negative aspects, led to the devastation and destruction of cultural property mainly unwittingly due to fanaticism and ignorance. The negligence of the past during the Ottoman period, and the religious restrictions on the making of paintings and sculptures were also influential in the development of plastic arts (Mumcu, 1969: 65).

The lack of history as a curriculum subject until the Tanzimat period (Madran, 2006: 1), the lack of interest in and consciousness of the past, the looting of ancient building materials for new buildings, the shrinking amounts of money available for repairs, and the physical degradations attributable to human or natural causes are the factors responsible for the damage in this period. However, despite the lack of coordinated development activities, institutional approaches from the foundation institutions in repair activities positively affected conservation action. The necessity for the foundation institution to maintain the buildings in its possession in order to provide income on the one hand, and on the other hand, without any further quest for other source this income could be allocated to the maintenance and repair, thus created a virtuous circle which provided the most important economic support for conservation. Apart from the influence of sentimental approaches originating from traditions, obedience to God's command to repair mosques and masjids is considered as a positive factor.

The foundation system, which still exists today, has been active in Islamic societies since the birth of Islam, and was a pivotal influence on the Ottoman period social structure and the approaches to urbanism (Ertem, 2004: 328; Kahya *et al.*, 2008: 171). The foundation, which means to allocate a property for eternal benefit for the common good (Pakalın, 1993: 577), is a legal and social system for sharing wealth acquired by individual endeavor with society (Bayartan, 2008: 157). The foundation system, which is an important contributor both to the urbanization and to conservation concept, especially aimed at encouraging charity from religious motives without expecting something in return and without any time limits, has enabled the construction of many public buildings. The constructions built and restored with for these reasons during the Ottoman period were left to the property of the General Directorate of Pious Foundations in the Republic Period, and subsequently registered as immovable cultural property and designated for protection.

Another positive feature is that all phases of the repair process can be defined by a specific process[16], a three part local system consisting of local judges (kadı), repairmen[17] (technical staff) and local notables. This started immediately after the completion of construction, while meeting social needs by making the utility of the building permanent, regular maintenance-repair activities were the systems most important contribution in terms of physical conservation (Madran, 2002: 4; Madran, 2012: 54-55). The practices in this period show that historical buildings are not regarded as cultural property to be protected, and civil architectural buildings not protected for religious reasons were considered only as goods maintained only to preserve economic and usage value.

[16]This process includes the following: the request for repairs by the person responsible for the construction or by the public, a committee consisting of persons with different professions in charge of estimation and report preparation, the receipt of 'huccet' (deed) and 'ilam' (written decree) by Kadı, the sending of Kadı (local) permission to Divan (headquarters), registering the records for approval of the local administration, execution of repair works, the reporting of the results of the Works to Kadi by reviewing the technical and financial aspects of the repair and the Kadı concludes the local procedures for the information from there by forwarding the information to the court (Madran, 2002: 5 -6).

[17]In accounting, exploration and construction books belonging to 16th-18th centuries, there are about 30 different professional groups working in construction and repair field (Madran, 1996: 139). By the 19th century, this number reached 50 (Ergin, 1995: 1018; Madran, 2002).

In this period, new buildings other than the housing structures owned by state (miri) were constructed by the state and individuals. They included state constructions, military facilities, roads and bridges, and palaces. All the other structures based on religious, social, economic and cultural needs were built by individuals. The repairs provided under the auspices of the foundation institutions were the most important factor in the survival to this day of these buildings; which are in perpetual trust for public use and benefit. The most high profile organization in this field of construction is the Hassa Architects, a central organization which was affiliated to the palace. About 40 Hassa Architects were employed in tasks involving the construction of miri, other construction and repairs in Istanbul, the estimation of repairs for minority worship places, providing services to the army, and calculating the daily wages of building technical staff and of material standards As it was not possible for this organization to service the whole imperial domain, provincial and city architectural offices were created. Provincial and city architects were responsible for carrying out construction works in their urban architectural regions, supervising the work of the technical staff and solving problems in construction work (Madran, 2002: 4, 7).

The most important financial resource in practice was effectively the foundations. In addition, this was used to supplement treasury resources, public works, defense structures and palace repairs, damage from natural disasters, or foundations that have run out of resources. Personal contributions were not very important monetary resources (Madran, 1996: 61).

During the periods of Selim III (1789-1807) and Mahmut II (1808-1839),that the official declaration of a process of westernization or reform movements produced some improvement, was accepted in the Tanzimat Fermanı (Reform Decree) dated 1839. Under the influence of military defeats, economic and diplomatic relations with European capitals and the intellectuals educated in Europe, the need for renewal in the Ottoman Empire resulted in new institutional arrangements and reforms enacted during Tanzimat (Reform) period.

After the second half of the 19th century, a centralized organization was established and new institutions[18]were formed based on western models involving the qualifications and job descriptions capable of meeting the needs of the work, replacing redundant institutions while still emphasizing the local organizations (Sezgin, 2005: 5; Kayın, 2008).

The impact of the regeneration movements was also observed in the area of construction and repair. In 1822, Mimarbaşılık (Head of Architects) and Şehremini (administrative and monetary services) were merged under the name 'Ebniye-i Hassa Müdürlüğü' (Imperial Construction Directorate) in Istanbul. Following the announcement of the Tanzimat (Reform), in 1845 as a result of a meeting also attended by local participants, it was decided that 'urban assemblies' should be formed in some centers to resolve development problems (Madran, 2002: 7-8).

The assignment of Fethi Ahmet Paşa to organize the work collected in St. Irene Church in 1846 was a turning point in initiating the concept of preserving historical assets in this period. With this first museum, awareness of conservation by collecting and preserving old movable artifacts was raised, the 'collection and storage' period of movable artifacts was replaced by the 'exhibition and research' period. The artifacts were divided into two categories, and the 'Military Museum' and 'State Museum' were defined. Between 1869 and 1871, the museum, was administered under the direction of the Museum Directorate, but closed down in 1871, and re-established in 1872 and moved to the Chinese Pavilion in 1876 (Madran, 2012: 58).

Legal arrangements related to conservation during this period can be classified into two types: those directly related to conservation and those indirectly related to conservation. The Criminal Code dated 1840 Article 133rd, being part of an indirect arrangement, provides for the punishment for those destroying and demolishing any

[18]The most important indicator in this regard is the formation of 'supervision' (ministry) which started during Mahmut II period to provide specialization and organization in various fields. In 1826 'Evkaf-ı Hümayun Nezareti' (Ministry of Foundations), in 1826 'Seraskerlik' (Ministry of War), in 1838 'Ministry of Finance', in 1839 'Ministry of Imperial Treasury', 'Ministry of Gendarmerie' and 'Ministry of Education' and 'Ministry of Public Works', and in 1878 'Maritime Ministry' were established (Madran, 2002: 4).

structures of the city, especially the religious ones such as mosques, masjids and tombs.

The Ebniye Nizamnameleri (Construction Regulations) also contain provisions regarding old buildings together with definitions related to new constructions. The Regulations dated 1848 contains provisions that foresees the case where a structure that could be repaired would be have to be pulled down in order to widen the road, that is to say be demolished and rebuilt, and the construction of timber structures was restricted. With the regulation dated 1849, building in the courtyards of mosque was banned. Although the 'Turuk and Ebniye Nizamnamesi' (Regulation on Roads and Buildings) published in 1864 was basically designed to prevent fires, it also included provisions prohibiting the use of wood for the repairs of the façades, shutters, cornices, etc. (Madran, 2012: 56-57).

It can be argued that the 1st Asar-ı Atika Regulation dated 13 February 1863 constituted the basis of an ancient buildings law (Mumcu, 1969: 68). Asar-ı Atika refers to archeological artifacts, moneys and goods found above and below ground. This regulation defined a historical monument in a very limited way. With its seven articles this regulation, only applying to ancient works found through excavations, was aimed at reducing to a certain extent the inconveniences of transactions made according to the provisions of Islamic law, to restrict and foreign excavations and make them require permission, to prevent the seizure of artifacts abroad; but its scope was quite restricted (Mumcu, 1969: 68).

On 7 April 1874, the Asar-ı Atika Regulation was revised and a new one was enacted. Even though the scope of this legislation was intended to be very broad, it was far from the concept of historical artifacts in a real sense. As in the previous law, cultural property was not defined and, in terms of conservation, only archeological heritage above and below ground was dealt with. It was emphasized that ancient monuments belonged to the state, although from a conservation point of view it fell far short of what was required but it is accepted as being significant because it recognized the necessity of conserving structures by the state under Article 6 (Mumcu, 1969: 69).

With the help of the 3rd Asar-ı Atika of 9th February 1884, Osman Hamdi Bey's opinions helped to restore the original regulations; taking historical artifacts overseas and the rights of landowners over immovable assets found on their lands were restricted and destroying immovable assets was forbidden. Thus, as a development in the concept of conservation, historical artifacts were collected and stored in the museum and subsequently the principle of in situ conservation and the prevention of the destruction of architectural monuments emerged. The regulation of 1884 was revised on 23rd April 1906. The new regulation, which entered into force in the last period of the Ottoman Empire, continued in force during the Republic period and re-affirmed that the state was the fundamental institution in this field (Madran, 1996: 48). Madran (2003: 1) lists the common features of these regulations as follows.

- In principle, historical artifacts are state property
- The concept of 'old' is limited to pre-Ottoman culture
- In particular movable artifacts are the property of those who find them. For this reason, artifacts found in archaeological excavations could be removed oversees
- There are not enough provisions to protect immovable cultural property.

Muhafaza-i Abidat (Preservation of Monuments) Regulation dated 28th July 1912, caused a destructive delay until 1936, until when it stayed in force, with its provisions such as the documentation and then destruction of unused structures such as fortifications, bastions and walls, with the land being transferred to the municipality (Mumcu, 1969: 69).

2.3.1.2 Conservation Approaches in the Republican Period

During the first years of the Republic of Turkey, with the desire to modernize and wipe out the last vestiges of the Ottoman Empire, historical structures were left without any status and the idea of museology was dominant. In 1931, it became obvious that the historical structures used by various public departments since the early years of the Republic were not adequately conserved and had not been evaluated, and that many ancient buildings had been destroyed due to reconstruction activities by the

municipalities. One of the reasons for the inadequacy of restoration activities during this period was the lack of financial resources and qualified experts (Madran, 2012: 61).

After the 1930's, academic research revealed the problems clearly and accurately, the solutions, methods and procedures were suggested but application was limited due to the lack of public interest and the necessary financial resources. Although conservation implementations carried out during this period remained at the monumental level and were not very successful; in terms of awareness it is important that the necessity of restoring the architectural structures within the scope of conservation and preserving them through development plans was recognized. During this period, the General Directorate of Pious Foundations increased its effectiveness, and in 1936 the Law on Foundations entered into force. Urban conservation practices started with interest focused on historical and natural values. Jansen in Ankara, Agache and Prost in Istanbul implemented important planning examples. In 1944, the Department of Antiquities and Museums was established in order to develop the services related to the museums (Madran, 2012: 62-64).

Madran (2012: 65) makes the following comments for the first 30-year period of the Republic:

- The number of civil society organizations were very few
- The interest and effort of a restricted group in the absence of broad public support for conservation
- Ineffectiveness of political support for the acceptance of this subject by the public and local governments
- Conservation actions being mainly developed in the area of museology
- The institutionalization of the conservation and the failure to constitute the rules as required.

The rapid urbanization after 1950 brought the problems related to immovable historical monuments back onto the agenda; it was deemed necessary to establish a

special authority to supervise the conservation of immovable artifacts and to resolve the disputes concerned. On 2 July 1951, Law No. 5805 related to the 'Foundation and Duties of the High Council of Immovable Historical Assets and Monuments' entered into force and the Higher Council of Real Estates and Monuments (GEEAYK) was established to establish the principles and programs to be followed in the conservation, maintenance, repair and restoration works of monuments and other immovable monuments having architectural and historical features that should be protected within the country, to observe and monitor the implementation of the principles and practices it established, to submit scientific opinions on all kinds of issues and disputes brought to it, and to inform the members of the board by means of special research in relation to monuments and immovable artifacts. Kuban (2000: 163) points out that the 1951 law was established in in response to the latest developments in Europe, with an understanding beyond the idea of conservation conceived by the society, even compared to today.

Ahunbay (1996: 119) states that although GEEAYK adopted the Venice Charter principles, in practice those principles were not applied successfully. Although this institution appears to be affiliated to the Ministry of Education, the Ministry of Culture and the Prime Ministry Under secretariat of Culture respectively, during its active years, it was an independent establishment when carrying out its operations. Among the important decisions taken in these years by the council, which started to take important decisions about the conservation of immovable historical buildings immediately after its establishment, was to provide them with a function and modern use in order for the historical structures to survive, to repair them even if they are in danger of collapsing and to present architectural plans to the board prior to the demolition of buildings not considered worthy of protection by the board. The fact that the members of the board were elected from universities and operated in accordance with scientific principles were a positive development in the organization of the conservation site (Madran, 2012: 65).

In terms of the development of the concept of conservation, the most important point about the 1961 Constitution was that the state was obliged to protect artifacts and

monuments of historical and cultural value. This is a non-constitutional ruling in countries other than Switzerland, Austria and Portugal. The Council adopted the Venice Charter in 1967 and showed its sensitivity to international principles. After the 1970s, the adoption of contemporary approaches to conservation and efforts to regulate the legal framework have been observed. The acceptance of the Tax Act of 1972 and the application of a tax reduction of 1/10 to ancient certified structures were important in terms of providing monetary support to the owners of ancient monuments (Akın, 1992).

The Ancient Monuments Law No. 1710, dated 6th May 1973, introduced new definitions of and restrictions on the assets to be preserved after classifying the monumental architectural assets, the building groups, and the sites or topographical areas which are the products of nature or common to nature and humans were classified as monuments, building complexes and sites, and then the sites were classified as historical, archaeological and natural. However, a definition of an urban site was not provided. As in the case of the previous regulations, all movable and immovable ancient monuments were considered to be state property, the obligation to notify the relevant institutions about the discovery of ancient monuments was included, to damage, change, excavate, drill, demolish, use, change the form or to repair the monuments without permission were strictly prohibited. The Law appointed the Ministry of National Education (later the Ministry of Culture) as the responsible organization for conservation, it was decided that monuments should be listed and classified by the committee of decision makers that included tourism experts established by the Ministry of National Education. After the approval by the GEEAYK, the registration of the title deeds and announcement was anticipated, and it was proposed that development plans had to be discussed with Ministry of National Education and changed if necessary (Akın, 1992).

Although Law No. 1710 has been criticized by various organizations since its inception, it introduced new concepts and new restrictions on the subject of historical and natural conservation, and it has not been supported by the necessary regulations and directives, and not included in the development laws and regulations; as a result,

it has failed to solve the problems. In particular, it has become impossible for GEAAYK to follow the procedures of immovable cultural and natural property for the whole country. First affiliated to the Ministry of National Education, and then to the Ministry of Culture and Tourism, it did not accept the Commission and the services provided by itself, did not declare the registration decisions in a timely and legitimate manner, did not use the annual funds available for the conservation of registered immovable cultural property for years, did not support the implementation of the decisions taken. The fact that the organization and the administrative authorities are not involved in educational initiatives in this regard has created an environment in which the High Commission's work was made difficult and complaints were widely received about the commission and the laws (Akın, 1992).

In the 1970s, the concept of conservation of the environment began to develop. The Law on Antiquities, No. 1710 dated 1973, was considered as positive developments, especially in clarifying provisions that were not clear, to add deficiencies, in revising the provisions contradicting existing development legislation to favor cultural property, introducing the site in terms of a definition in the law, and in changing development plans, with priority given to conservation (Akın, 1992).

In 1983, Law No. 2863 on Conservation of Cultural and Natural Property entered into force. Although this law has not been successful enough in providing a holistic and effective understanding of conservation, it has some positive qualities in terms of defining conservation on the site scale as a planning problem, bringing up the concept of the development plan, and ensuring that conservation is understood at the local level. Law No. 2863has defined the policy-making role as belonging to the Superior Council for the Conservation of Cultural and Natural Property as the central organization, and at the local level it provided for the competency of the Regional Council for Conservation.

The laws on the conservation, which have been issued since 2003, are Law No. 4848, 5226, 5225 and 5228. With Law No. 4848 on the Organization and Duties of the Ministry of Culture and Tourism, the Ministry of Tourism and the Ministry of Culture

have been merged. This law provided for the consolidation of preexisting units in both ministries, rather than a comprehensive reorganization.

Law No. 5226 enacted in July 2004, the Law on the Amendment of the Conservation of Cultural and Natural Property Law and Various Other Laws contain significant changes regarding conservation planning and practices in Turkey and introduce innovative attitudes.

- Definitions have been introduced, although not detailed, regarding important means and concepts such as the Conservation Plan, Management Site, Management Plan, Junction Point, Participatory Site Management.
- The formation of expert commissions regarding monumental works and museums has been foreseen.
- With the new means in this law, there is a new perceptiveness that did not exist in the field of conservation in Turkey before that sees the planning not just a physical plan but as a 'process' together with its implementation.
- However, the fact that correct and effective definitions to the interdisciplinary subjects have not been introduced is considered as a negative point.
- Conservation, Implementation and Inspection Offices (KUDEB) composed of experts shall be established in municipalities authorized by the Governorships and the Ministry. Moreover, project offices shall be established in Special Provincial Administrations to prepare and implement surveys, restitution, and restoration projects with the aim of conserving cultural property and training units to provide certified training to construction craftsmen.
- In terms of new financial resources created by this law, it is a substantial development that 10% of the real estate tax and 10% of the loans given by the Housing Development Administration will be used for cultural property, as well as the announcement of tax exemptions for the architectural projects to be produced in this respect.

The significance difference of Law No. 5226 from the laws concerning local government is that it is prepared not only for the cultural property legislation but also

for solving the different problems in the conservation site and trying to resolve the contradictions with other related laws. In addition to Law No. 5226, Law No. 5225 was introduced with the aim of supporting investments in the cultural site in a manner similar to the Tourism Encouragement Law that existed in the past. Law No.5225, which aims to preserve and maintain cultural property and intangible cultural heritage, is such as to support any cultural investment in accordance to its purpose. In this respect, it covers the procedures and principles regarding the incentive, certification and supervision of investments or initiatives of legal entities, either domestic or foreign.

With Law No. 5228, on the amendment of some laws, and Decree Law No. 178 (Official Gazette 31.07.2004/25539), expenses of all kinds related to cultural activities to be carried out within a very broad framework, and the exemption of up to 100% of income tax on any grants and donations in accordance with this purpose is brought onto the agenda. This law, also known broadly as 'the sponsorship law', covers all cultural activities related to intangible cultural property and arts, as well as research and implementation projects.

Prior to the local elections in June 2011, the Authorization Act No. 6223 effected on 3rd June 2011, authorized the Council of Ministers, for a period of six months, to issue a decree law (KHK) to ensure that the public services were carried out regularly, effectively and efficiently. Based on this authorization act, 11 decrees in the power of law have been issued. In particular, Decree Law No. 644 dated 29 June 2011 and Decree Law No. 648 dated 8 August 2011 made significant changes concerning the conservation of cultural and natural property, urban regeneration and the authority of local government. Decree Law No. 648 has anticipated amendments to many laws, among which is law No.2863 on the Conservation of Cultural and Natural Property.[19] Article 42 of Decree Law No. 648 and Article 17 of Law No. 2863 on the Conservation of Cultural and Natural Property have been revised and the period for the formulation

[19] These are Law No. 4708 on Building Inspection, Law No. 3194 on Reconstruction, Law No. 2873 on National Parks, Law No. 2863 on Conservation of Cultural and Natural Property, Law No. 4848 onOrganization and Duties of the Ministry of Culture and Tourism, Law No. 3234 on Organization and Duties of General Directorate of Forests, and Law No.6107 on İller Bank.

of conservation plans has been extended from 2 years to 3 years. Before the amendment, this period of 2 years could be extended, where necessary, for the sites in the conservation areas for one year by the Regional Council for Conservation, but with the Decree Law it has been directly regulated as 3 years and the Regional Council for Conservation have been authorized to extend this period indefinitely. This has allowed the long-term implementation of transitional period conservation and exploitation conditions in areas where conservation is necessary and involves risks of increasing unplanned settlements in the conservation areas.

With Article 45 of Decree Law No. 648, the amendment of Article 51 of Law No. 2863 on the Conservation of Cultural and Natural Property, the ministries and local administrations can report directly to the Superior Council for Conservation and the decisions of the Superior Council for Conservation cannot be discussed in the relevant Regional Councils for Conservation. In this respect, the issues that have not been accepted in the Regional Councils have been brought to the decision of the Superior Council, which is susceptible to political pressure and composed of central government bureaucrats, with the majority of undersecretaries, deputy undersecretaries and general managers, and the autonomy of the Regional Councils for Conservation has been compromised.

Another regulation that would damage the autonomy of the Regional Councils for Conservation is the amendment made in Article 47 of Decree Law No. 648 and Article 55 of the Law No. 2863. With this amendment, the appointment of members to Regional Councils for Conservation by the Higher Education Council (YÖK) has been abolished. Thus, all appointments to the Regional Councils for Conservation are being made by the Ministry of Culture and Tourism. This leads to process that will alienate the Regional Councils, in particular regarding scientific-based and universal principles and approaches that were followed by academics appointed by YÖK.

Another amendment is Article 49 of Decree Law and Article 58 of Law no. 2863, that prevents the participation of the trade associations, which have previously been entitled to attend as observers, in the meetings of the Regional Councils for

Conservation. In this arrangement, the participation of the trade associations in the meetings of the council is subject to the invitation of the management of Regional Council for Conservation.

The objections made to the decisions of the Regional Council prior to the Decree were evaluated by the Superior Council for Conservation and were concluded within six months, at the latest. However, with Article 50 of the Decree Law and Article 61 of the Law on the Conservation of Cultural and Natural Property, it has been decided that the objections should be taken into consideration by the Ministry of Culture and Tourism and then placed on the agenda of the Superior Council of Conservation. This approach means that a democratic right like objection can be prevented at a certain level, and it can also lead to the implementation of discriminatory practices depending on the objection subject and objection holder.

One of the implementations of Decree Law No. 648 is the evaluation of cultural and natural property in different institutions. Within this context, authority on natural assets and natural sites was given to the Ministry of Environment and Urbanization. In this respect, a decision has been taken to establish the Central Commission for the Conservation of Natural Properties and Regional Commissions for the Conservation of Natural Properties. However, this practice, which will create confusion in the protected areas where cultural and natural property are coexistent, is also contrary to the concept of cultural landscape which is not as yet legally defined in Turkey.

On the other hand, the Ministry of Environment and Urbanization has been granted authorization for planning, and which obliges it to determine policy, coordinate and supervise the policies related to settlement and construction. Accordingly, the Ministry of Environment and Urbanization has the authority to make, to have made and approve environmental plans, master and implementation development plans and changes, agglomeration of land plots, plans and changes in all types and scales of any type of construction to be carried out in public lands. This arrangement interferes with the competence of the local governments and opens up the possibility of taking decisions on a small scale. In addition to this, the authority to make and approve all kinds and

scales of surveys, maps, environmental plans, statutory and application development plans, parceling plans and changes, which were not approved within the three months, has been given to the Ministry of Environment and Urbanization. On the other hand, in cases where the licenses have not been issued by the authorized administrations within three months, issuing the authorization has been granted to the Ministry of Environment and Urbanization by the Decree Law. Thus, the Ministry of Environment and Urbanization has been given the privilege of making plans, approving and licensing all the parcels throughout the country. This situation may cause the increase in negativities in planning arrangements which are directed by the developments.

2.4 Development of Cultural Heritage Management in Turkey

2.4.1 Legal Framework

When analyzing current heritage practices in Turkey, it seems that the county's cultural and natural assets are not being protected in line with best practice in contemporary conservation approaches, although the country proudly promotes its status of being a cradle of civilization on many platforms. At the moment, conservation practices in Turkey are victims of the general planning approach which is unduly influenced by construction interests. On one hand, scientific studies on the conservation of cultural assets continue, on the other hand, personal and sectoral commercial interests are increasingly overriding national interests. In this context, the problems for heritage conservation are increasing in Turkey, where there are many obstacles to using a factual and analytical approach (Madran and Bozkurt, 2007: 223-226).

The most important tool in general use in the field of conservation in Turkey is the Conservation Plan. As of 2007, 384 Conservation Plans were made (The Ministry of Culture and Tourism, 2007). Despite these plans, since conservation planning is only seen as a physical tool in Turkey and since planning process approaches focusing on new fields of commercial development have in practice prevented conservation planning reaching the desired levels of success. The concepts and tools of planning

and conservation are treated as two separate entities, and from time to time, both central and local authorities make decisions leading to conflict between these two notions. This situation is also among the reasons for inadequacies and problems in the field of conservation (Madran and Bozkurt, 2007: 223-226).

In the 2000s, concern about the deficiencies and mistakes in conservation realm began increasingly to spread beyond academic circles with a growing realization of the need for a more modern framework of regulations. This disquiet led to structural reforms, primarily aiming to integrate with EU acquis and relevant legislative regulations, were brought to the agenda, especially in 2004 (Madran and Bozkurt, 2007: 223-226).

The text of Law No. 5226, one of the much needed legal reforms, stated that cultural policies on the international platform had to be evaluated in light of modern approaches and in this context, the concepts of cultural site management, decentralization, and financing cultural practices were highlighted; UNESCO and similar international organizations were making new adjustments in this regard. The goals set by the justifications of Law No. 5226 designed to make the changes mentioned in the five-year development plan were (5226 Sayılı Kanun Teklifi Gerekçeli Yasa Metni, 2004: 2-4):

- Developing a new conservation model with the citizen as the central agent for the revitalization, protection and recovery of cultural values and to pave the way for entrepreneurs and other concerned parties in this regard, as well as leading, supporting and encouraging them
- Making changes prioritizing public interest and making it the central principle of conservation that helps and guides the vast majority of the public. New legislation should be in accordance with legislations that are directly or indirectly related to the issue, that reorganizes central and local administrative authorities,
- Establishing an appropriate modern system that takes into account the balance between public welfare and private property

- Developing new management models in line with the principles of governance and local ownership; models that aim to effectively conserve, protect, plan, manage and present cultural assets, and ensure public interest in such assets.

There are additional factors adding urgency to the need for reform. The applications of nominated sites like Ephesus and Mardin to enter the World Heritage Site list are still incomplete due to the lack of management plans, the failure to initiate the candidacy process for these sites, and the criticisms directed at Istanbul Word Heritage Site are among these factors (Ahunbay, 2005). The need for new models of planning for conservation sites that comply with international standards achieved prominence thanks to the 2003 Public Finance Management and Control Law, which also came into effect during the structural reform process. This law is based on the efficient, economical and effective usage and management of public funding by employing strategic management models in public administration. In this context, Law No. 5226 may be evaluated as a reflection of the principles of Public Finance Management and Control Law No. 5018 on conservation and cultural domain (Madran and Bozkurt, 2007:223-226).

2.4.1.1 Legislation on Site Management

Site management, which would normally be a concept by definition used in national legislation, began to be used more generally, both with regard to the 'administration' that would provide this service, and with regard to the 'method' used in its content. Both the methodological and institutional concepts are based on the legal framework engendering this definition. When site management is considered as a methodology, i.e. technically, the legal framework that it is most closely related to is certainly conservation law. However, when it is taken into account administratively or with regard to administrative organization, site management must abide by a large volume of legislation which is primarily concerned with administrative law and public administration, in addition to conservation law. This involves the two relevant fields of law as important factors. In addition, when site management is taken into account with regard to the context in which actions are taken and relations are built, many

parameters including administrative, financial, legal, technical and social parameters have to be considered, which makes a wide range of legal framework involving all respective legal framework relevant. To sum up: the organization of site management is a complex structuring process that involves multiple inputs and stakeholders (Figure 2.3).

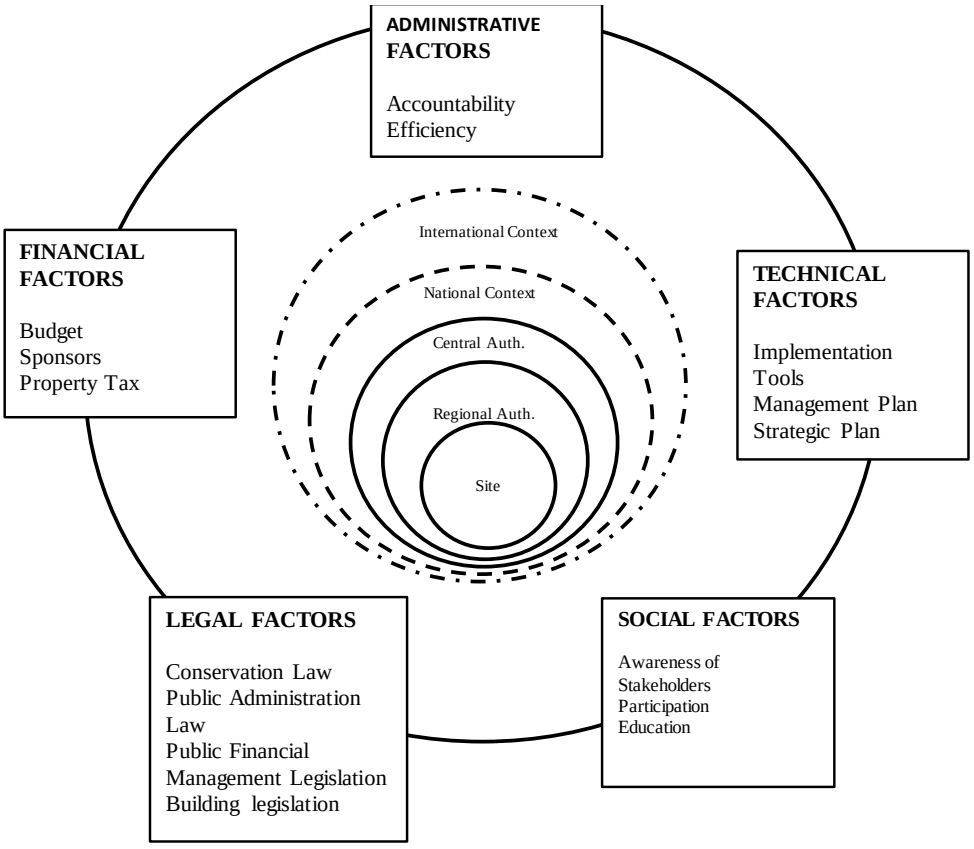

Figure 2.3 Contextual framework of site management

The legal framework is evaluated within the scope of the conservation and financing of the conservation of cultural and natural heritage properties. In this respect, international conventions, the constitution, laws, by-laws, charters, the Superior Council for the Conservation of Cultural and Natural Property (Superior Council for the Conservation of Cultural Property after the Decree Law. No. 648 - SCC) resolutions, regulations, communiques, directives, decree laws, circular letters and

other relevant legal regulations concerning conservation, and which also affect site management implementation, are presented.

International Conventions

International conventions on preservation that have been legally adopted by Turkey are: the Venice Charter (1964), the Convention Concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003), the Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter -1987), the Charter on the Built Vernacular Heritage (1999) and Vienna Memorandum (2005).

The Constitution

The fundamental legal framework regarding conservation in Turkey is Article 63 of the 1982 Constitution. Section XI, Article 63 of the Constitution states that the State shall ensure the protection of the historical, cultural and natural assets and wealth, and shall take supportive and promotive measures towards that end.

Laws

The main law on conservation in Turkey is Law No. 2863, dated 23.07.1983. on the Conservation of Cultural and Natural Property. The regulations on site management are based on this law. The determination and registration processes for tangible and intangible cultural and natural properties, maintenance, repair, functional changes of registered buildings, planning issues that involve construction and structures are in accordance with Law No. 2863. On 14.07.2004, Law No. 5226 made important amendments to this law, one of which was that 'Municipalities, governorships and other relevant institutions shall pass the conservation plan to the Regional Council for Conservation within three years a plan that has been prepared, evaluated and completed'. In addition, the concepts, 'management area' and 'management plan', were defined. Regulations were prepared in accordance with Annex 2, which defines

site management and management areas. The establishment of Conservation, Implementation and Inspection Offices (KUDEB) for sites, and the generation of financial resources for the maintenance and repair of cultural assets are also among the changes. Furthermore, the amendment made to Law No. 2863 on 04.02.2009 reorganized the article on the use of accrued and collected real estate tax for expropriations, plans, projects, and other implementations concerning conservation and evaluation.

Law No. 5737 (Foundations Law)

Foundations Law was renewed and put into effect on 20.02.2008. This law gave the responsibilities of 'the management, operations and monitoring of the foundations; ensuring that their movable and immovable listed properties at home and abroad are to be registered, safeguarded, repaired and maintained; securing that the assets of the foundation are economically managed' to the Directorate of General Foundations. The law states that public institutions and enterprises shall ask the Directorate General for its opinion while making conservation plans for the cultural assets owned by.

Law No. 5366 on Revitalization and Re-functioning of Degraded Historic and Cultural Immovable Assets

Law No. 5366 on the Revitalization and Re-functioning of Degraded Historic and Cultural Immovable Assets was passed on 16.06.2005 and published in the Official Gazette on 05.07.2005. This law defines 'renewal areas' in sites, the boundaries of which are approved by the Council of Minister irrespective of the plan, and gives local administrations the authority to prepare and implement 'renewal projects' in renewal areas. In addition, it regulates the establishment of Regional Councils for Conservation that only assume the responsibilities of renewal areas.

Law No. 5225 on the Encouragement of Cultural Investments and Initiatives

Law No. 5225 on the Encouragement of Cultural Investments and Initiatives was put into effect on 21.07.2004. The purpose of the law is to ensure that cultural assets are maintained and treated and used as an element in generating contributions to the national economy and that cultural investments are encouraged. Some of the subjects defined as issues regarding encouragement are the activities involving research, compilation, certification, archiving, publication, training, education and promotion in connection with cultural assets and intangible cultural heritage, which is defined by Law No. 2863, and activities involving the use of immovable cultural heritage in accordance with Law No. 5225.

Decree Law No. 644 on the Foundation and Organization of the Ministry of Environment and Urbanization

Decree Law No. 644 on the Foundation and Organization of the Ministry of Environment and Urbanization was published in the Official Gazette and put into effect on 04.07.2011. This decree law set up the Ministry of Environment and Urbanization. It also included some regulations about the 17.08.2011 dated Decree Law No. 648 Amending Several Laws, and Law No. 2863 on the Conservation of Cultural and Natural Property. In this context, duties and authorities involving the natural assets and natural sites that are under the jurisdiction of Law No. 2863 were given to the Ministry of Environment and Urbanization. The foundation of the General Directorate of Natural Heritage was organized. The word ‘natural’ was removed from the name of the Regional Council for the Conservation of Cultural and Natural Property.

By-laws

The by-laws that explain how to enforce the laws on cultural and natural properties, and how actions on these matters shall be taken were issued by the Council of Ministers. These were the By-law on the Rules and Procedures Concerning the Works

Owned by Public Institutions and Enterprise, which was published in the Official Gazette on 16.10.1986, and the by-Law on the Enforcement of Law No. 7054 on the Transfer of Valuable Historical and Architectural Artifacts that Used to Be Owned by Foundations to the Directorate of General Foundations, which was published in the Official Gazette and put into effect on 03.01.1964.

Resolutions

These are the resolutions of the SCC concerning conservation areas, sites and interaction-transition zone, and about conservation and restoration activities concerning immovable cultural and natural properties.

Regulations

Regulations are prepared to enforce laws and by-laws on the conservation of cultural and natural properties.

Communiques

The most important communique issued by public institutions and enterprises on the protection of cultural and natural property is Communique No. 26237 dated 23.07.2006 on the Implementation of Conservation Plans.

Directives

There are directives show how the legislative provisions on the protection of cultural and natural property should be applied.

Other Relevant Legislation

This consists of other legislation that is indirectly related to the conservation of cultural and natural properties, and includes provisions related to conservation, although their primary purpose is not protection per se.

Law No. 5216 on Metropolitan Municipalities

Law No. 5216 on Metropolitan Municipalities was put into effect on 10.07.2004. Article 7 of the law states that one of the duties and responsibilities of metropolitan municipalities is 'to ensure the conservation of cultural and natural assets, of the historical urban fabric and of areas and functions of historical significance to the town, carry out maintenance and repairs for the purpose and, where conservation is impossible, reconstruct them in their original form'.

Municipal Law No. 5393

Municipal Law No. 5393 was put into effect on 13.07.2005. The law mandates municipalities with the following duties: the conservation of cultural and natural resource and places having historical value; conservation of their functions; repair and maintenance of historical urban environment in accordance with the development of the city; implementation of urban transformation and development projects to protect the historical and cultural fabric of the city.

Law No. 5302 on Special Provincial Administration

Law No. 5302 on Special Provincial Administration was published in the Official Gazette on 04.03.2005 and put into effect. The law gives special provincial administrations the responsibility to fulfill the duties of municipalities outside the boundaries of the municipality, hence also the responsibility to engage in cultural and touristic activities.

The Municipal Law No. 6360 on The Establishment of Fourteen Metropolitan Municipalities and Twenty-Seven Districts and Amendments to Certain Laws and Decree Laws

The Municipal Law No. 6360 on The Establishment of Fourteen Metropolitan Municipalities and Twenty-Seven Districts and Amendments to Certain Laws and Decree Laws was published in the Official Gazette no. 28489 on 06.12.2012 and was put into effect as of April, 2014. This law made amendments to some articles of certain laws on local administrations. Accordingly, special provincial administrations were abolished in cities with metropolitan municipalities, and in accordance with their relevance, references to special provincial administrations were to be regarded as references to ministries, ministry subsidiaries or their filed services, the treasury, governorships, metropolitan municipalities and their subsidiaries or district municipalities. The authority, duties and responsibilities given to special provincial administrations would be assumed by these institutions and enterprises in accordance with their relevance as of April, 2014. In addition, the boundaries of metropolitan municipalities in thirteen cities were changed to provincial administrative boundaries, and legal bodies of town and village municipalities that lay within district administrative boundaries were abolished; villages were merged with their respective district municipalities as neighborhoods, while municipalities were merged with their respective district municipalities as a single neighborhood with their town names.

Law No. 6306 on the Transformation of Areas under Disaster Risk

Law No. 6306 on the Transformation of Areas under Disaster Risk was published in the Official Gazette and put into effect on 31.05.2012. The law determined the rules and procedures concerning the improvement, evacuation and renewal of areas under disaster risk and other areas and premises that have risky structures to ensure healthy and secure living environments that comply with specifications and standards. The law states that metropolitan municipalities shall implement urban transformation and development projects to build residences, industrial parks, commercial areas, technology parks, recreation and social reinforcement areas in public service zones; to

rebuild and restore parts of the city that become dilapidated; to protect the historical and cultural fabric of the city; or to take measures against earthquake risk.

In addition to the legal framework given above, the laws related to site management are Law No. 3194 on Development, Law No. 2872 on Environment, Law No. 2873 on National Parks, Law No. 4046 Concerning Arrangements for the Implementation of Privatization and the Law No. 2634 on Tourism Encouragement

The concept of site management was passed into legislation by the amendments made to Law No. 2863 on the Conservation of Cultural and Natural Property by Law No. 5226, dared 27,07,2004, amending Several Laws Including the Law on the Conservation of Cultural and Natural Property. Supplementary Item No. 2, which had the title, 'site management, museum management and monuments', ensured the establishment of site managements in management areas. The rules and procedures about the implementation of Supplementary Item No. 2 were regulated by a by-law prepared by the ministry. This by-law was published in the Official Gazette No. 26006 dated 27.11.2005 under the name 'Regulation on Foundation and Duties of Site Management and Monument Councils and Condition and Principles related to Establishment of Management Areas'.

2.4.1.1.1 Definitions

Although it does not describe site management directly, the regulations made through Law No. 5226 dated 27.07.2004 paved the way for the following definitions: 'management area' in the article 3.10 of Law No. 2863, which is about definitions and abbreviations, 'management plan' in the article3.11, 'junction point' in the article3.12. In addition to these definitions, article 41 of Decree Law No. 648, dated 17,08,2011, amending Several Laws Including the Law on the Establishment and Duties of the Ministry of Environment and Urbanization defines interaction-transition zone.

The definitions made in this context in current legal framework are as follow:

Management site:

> ‘Management site shall mean an area that is delineated by the ministry by obtaining the view of the relevant administrations to ensure coordination in planning and conservation with the competent central and local administrations and civil society organizations with the aim of effective protection, revitalization, evaluation, development of conservation sites, architectural sites and surrounding interactive areas in their natural beauty around a specific vision and theme and meeting the community’s cultural and educational needs’ (Law No. 5226 Article1.10, 2004).

Management plan:

> ‘Management plan shall mean a plan revised on a five-yearly basis drafted with the view of protecting the management area, ensuring its revitalization, evaluating, also indicating the annual and five-yearly implementation phases and budget for the conservation and development project prepared by taking into account the operational project, excavation plan and landscaping project or conservation plan’ (Law No. 5226 Article1.11, 2004).

Junction point:

> ‘Junction point shall mean cultural property not within the boundaries of the management area, but associated with the same in terms of management and development on the basis of archaeological, geographical, cultural and historical considerations or the same vision or theme’ (Law No. 5226 Article1.12, 2004).

Interaction-transition zone:

> ‘areas that affect cultural property and archeological sites to be conserved, areas that are integrated with archeological sites, streets, squares, building ensembles etc. that were previously included within the borders of the site but removed later, or that are between archaeological sites, affecting the sites directly, or areas that shall be taken into account during the preparation of the conservation plan’ (Decree Law No. 648 Article 41, 2011).

2.4.1.1.2 Scope of Site Management

Primarily, the legal definition of site management and other definitions and explanations given by relevant legislations indicate that site management will be pursued in the context of the cultural heritage to be protected within the scope of the 'site'. Sites subject to site management may be examined under two main headings in accordance with the definition of 'site management' given in Sub-clause a(10) of Article 3, 'Definitions', of Law No. 2863: 'sites' and 'ruined areas' (ören yerleri)[20].Hence 'sites' that have potential for site management are archeological, historical, urban and natural sites, as suggested in its general definition, and mixed sites, which have more than one qualification. Furthermore, rural sites and cultural landscape, which do not appear in national legislation at the moment, are suitable areas for site management.

There are no obligations or restrictions concerning site management defined in the law or legislation; no priorities are mentioned either. In this respect, in the framework of current national legislation, it is possible to establish site managements in all areas potentially qualified as 'sites' all over Turkey. So there is serious scope for future development (Table 2.5). There is no information in current legislation regarding which criteria and necessities will be considered while choosing which sites as suitable for establishing site managements. Despite not being mentioned in the law or regulations, other sites for which site management shall be established are World Heritage Sites. Sites that are in the World Heritage List or sites that were previously in the list but required site management preparations are in this domain.

[20]The description of the 'ruined area' is basically 'archaeological site' and is perceived as a different term in the legislation because it is mistakenly translated as 'örenyeri' in the translation of the Convention for the Protection of the Architectural Heritage of Europe of 1985 into Turkish (Madran ve Özgönül, 2005: 15).

Table 2.5 Overall Sites for Turkey in 2015 (The Ministry of Culture and Tourism, 2015)

SITES	**NUMBERS**
Archaeological Sites	13947
Urban Sites	267
Historical Sites	159
Urban Archaeological Sites	32
Mixed Sites	77
Overlapping Sites (with Natural Sites)	358
TOTAL	**14840**

2.4.1.1.3 Objectives of Site Management

The goals of site management are stated in Article 5 of the site management regulations as follows:

a) To determine site borders in a historically, socially, culturally, geographically and artistically holistic manner; to conserve, develop and evaluate interaction-transition zones and historically, culturally, socially, geographically and artistically related junction points

b) To search for ways in the site management plan to establish a balance between the needs of conservation, access, sustainability, economic development and local communities' interest

c) To create general strategies, methods and tools, as well as financial resources, to enhance the value of sites and comply with international standards

d) To build an activity network to enhance international cooperation in developing cultural tourism

e) To prepare implementation plans to develop regional cultural systems in sites that have potential to form a sector in relation to one another within certain regions

f) To enhance cooperation between public institutions, non-governmental organizations, those who have property rights within sites, volunteers and local public in order to protect management areas

g) To determine the principles and limitations of usage and development for repairs, maintenance, restoration, restitution, presentation, organization and environmental planning of the sites, ruined areas and interaction-transition zones and preserving and enhancing them according to the site management goals and in accordance with the international conservation principles and convention provisions

h) To employ high standards in the management, conservation, design and implementation, expertise and equipment of cultural heritage management.

2.4.1.2 Legislation Framed by Public Administration

Together with the high degree of mobility provoked by the globalization of social life, the market approach in almost every sphere of human activity has engender the predominance of liberal policies and the effect of such policies has paved the way for inevitable transformations in the field of public administration as well. Changes in economic and management theories, tendencies based on competition in the private sector, together with mounting social dissatisfaction with the status quo have become elements with serious effects on administrative concepts and structures (Dinçer, 2003:21). In the last 30 years, a period which has seen many such transformations, different fractures and transformations have occurred bringing about new terms and notions in the field of public administration (Ömürgönülşen, 2003: 9-13; Güler, 2005:7; Ozan, 2009: 1).

This transformation is referred to as a transition;

- from an industrial society → to an information society
- from fordist production → to flexible production
- from nation states → to a globalized world
- from modernist understanding → to postmodern approaches

This transition activity is reworded within the notion of ‘the new world order’ on a global level. As the role of the state has been put under the microscope as a consequence of this new notion, privatization has come into prominence and the necessity of reforming the public sector has been put high on the agenda. Radical

changes in approaches and function in the public sector and the provision of cost effective, efficient, and competent service became crucial (Specialization Commission Report, 2000:10). In parallel, and connected with developments in information technology, pressure has been growing to replace weakening forces towards centralization by moves towards a more decentralized state allowing delegation of authority to local administrations have had an impact on the reform activities in the field of public administration, both in OECD countries and the European Union (Çınar and Güler, 2004:8-9).

Within the scope of the reforms, every country has created different administrative structures in line with political, cultural and administrative disparities. Performance management (New Zealand, Australia, England, Canada, United States of America, Ireland, Sweden, Finland, Denmark and Holland) and performance oriented combined management (Norway, Austria, Germany, Switzerland, Belgium, France) are two ideas which stand out among these different structures. The necessity for reforms observed in OECD countries could be summarized under three headings: Adaptation to changing economic conditions, reviving the confidence of people in governments, transparency and necessity for modernization in consequence of current developments (Specialization Commission Report, 2000:10-11). The common features of these reforms comprise elements such as participation, transparency, accountability, strengthening of the strategic dimension, placing emphasis on decentralization and flexibility (Dinçer, 2003:30).

In common to experiences at the international level, reform activities, which have gathered momentum in the aftermath of the 1980s in Turkey date back, in effect, to the 1930s.[21]1 Along with the internal dynamics of the country, the need to adapt to the

[21] The reference studies in the field of public administration are summoned below (Karaer, 1987: 27-34; Polatoğlu, 2003: 160-163; Dinçer, 2003: 12-13; Şencan, 2006: 97; Usta, 2012: 6)

- The report themed 'Rational Functioning of Public Departments and Institutions' prepared by Fritz Neumark in 1949
- The report with the theme of state personnel system prepared by a council under the presidency of James M. Barker with the support of the World Bank in 1951
- 'The Report about State Personnel in Turkey' prepared by the Institute of Public Administration for Turkey and the Middle East (TODAİE) in 1958

legal acquis of EU is another factor accelerating reform pressures in Turkey. Having a parallel organizational structure to that of EU along with the financial aids has been set as priority for the candidate countries. Candidate countries are expected to have modern, effective and efficient institutions and procedures able to implement the same standards exist in member countries. Generally speaking, no single public administration model exists which is imposed on all member countries in the EU; however there are basic principles and policies concerning health, education, culture, environment, social policies, human rights, regional development, indigenization and governance etc. which have to be accepted across all the member countries. Thus the principles of;

- reliability and predictability
- openness and transparency
- accountability
- efficiency and effectiveness

- 'Central Government Organization Research Project-MEHTAP' focusing mainly on st ate personnel prepared by the State Planning Organization and TODAİE in 1962 which was presented to the Office of Prime Minister in 1963
- Proposals on restructuring in the public domain in development plans
- The report 'Redesigning of the Administration: Principles and Proposals' drawn up in 1972
- Studies realized at the beginning of 1980s years concerning the revision of organizational structures of the Prime Ministry, Ministries and some public institutions and organizations
- Public Administration Research (KAYA) project: the works about this project were initiated by TODAİE in 1988 within the scope of the 6th Development Plan and published in 1991. It was the first citizen-oriented study which also brought adaptation to the EU onto the agenda for the first time.
- Action plan prepared in 2001 within the scope of 8th Development Plan during the work aiming to establish a Steering Committee and a Study Group with the objective of enhancing transparency and developing efficient management in our country. It was presented to the Council of Ministers in January 2002.
- World Bank, Public Financial Management Project, 1995
- 8th Five-Year Development Plan, Restructuring of Public Financial Management and the Report of Financial Transparency Specialization Commission, 2000
- World Bank, the Report regarding Public Expenditures and Organizational Revision (PEIR), 2001
- 17th, 18th and 19th Stand-By agreements with IMF (1999, 2002, 2005)
- The study of the Prime Minister's office, 'Restructuring in Public Administration: Change in the Management in Order to Manage the Change' 2003
- Draft of the Project of a Fundamental Law on Public Administration and the Draft of Local Administration Reform, 2003
- World Bank, Revision of Public Expenditures Report (PER), 2006

underlined in the report of European Principles for Public Administration published within the program of SIGMA (Support for Improvement in Governance and Management in Central and Eastern European Countries) initiated by EU and OECD in 1992 have focused and guided the work concerning Public Administration in Turkey to a great extent.

Similarly the importance of the principles of;

- openness
- participation
- accountability
- effectiveness
- coherence

were underlined in the document of the White Paper published by the EU Commission in 2001 (Ökmen and Canan, 2009:148-150).

The Fundamental Law of Public Administration put on the agenda during the work concerning Public Administration Reform in 2003 was a reform packet which sparked a considerable debate. Under this reform, there was an aim to change not only the administrative structure, but also the administrative paradigm (Table 2.6), thus. As indicated, that enhancing efficiency and participation was taken as the principal axis (Dinçer and Yılmaz, 2003:11). It has been emphasized that the restructuring is framed from a system point of view, the orientation of change would be directed at the system as a whole, rather than its individual parts. This would reduce the level of inconsistency and produce long term benefits. This draft project aims at a restructuring, using a system approach, and is comprised of the following fundamental administrative fields in terms of public administration:

- Central Administration
- Local Administrations (Provincial special administration, municipalities)
- Public finance management

- Public Personnel Management
- Administrative Procedures Law.

There is the additional aim of making the new arrangements more responsive in fields such as transparency, right to information, computerization, simplification of bureaucratic procedures, satisfaction measurement of the citizens, transition to performance and awarding system, revision of ethical rules in the public domain (Office of the Prime Minister, 2003: 87-91).

It was stated that the privatization of the management of diverse goods and services traditionally undertaken by the public sector, providing flexibility in the activities of public institutions, providing diverse services from the market, adoption of private sector approaches by public institutions, assuming public functions by the triangle public-market-civil society were now on the agenda. In the face of all these changes, public administration has lost resources and tools and has to face the challenge of providing services which are more effective and diverse than the old ones (Dinçer and Yılmaz, 2003: 55,56).

The relationship between internal and external processes necessitated such a change in public administration.

The internal causes:

- strategic deficiency
- budget deficit
- performance deficiency
- deficiency in credibility

The external causes:

- Non transference of the economic liberalization realized in the economy, trade and capital movements with restructuring into the domain of public administration

- Stabilization programs built up together with international finance institutions
- Economic stagnation and regional crisis on the global level
- Developments in transportation, information and communication, demands for more democracy (Dinçer and Yılmaz, 2003:55, 65).

The objective of the Fundamental Law on Public Administration is indicated in the 1st article of the draft as follows:

> 'Realization of a public administration system based on human rights and liberties, that is participative, transparent and accountable at the same time; specifying the duties, authorities and responsibilities of central and local administrations in order that public services are carried out in a fair, fast, qualified, effective and productive way; restructuring of the central administration and making arrangements in fundamental principles and rules concerning public services.'

The 2nd article of the draft specifies that the law comprises the central and local administrations and the related institutions and organizations which are subordinated or connected with them (Draft of Fundamental Law on Public Administration, 2003: 11). The denomination of the law was changed during the meetings in the Grand National Assembly into 'Draft of Law on Fundamental Principles of Public Administration and its Restructuring' (Grand National Assembly, Minute Periodical, 2004). The Law on Fundamental Principles of Public Administration and its Restructuring is a framework text with regards to public administration in which Objectives, Principles and Duties of Public Administration, Principles and Procedures concerning the Organization of the Ministries and Subordinated and Related Institutions, Audit in Public Administration, Diverse and Temporary Provisions have been specified in 51 basic articles and 9 provisional articles. The draft was made public on 03.11.2003; it was presented to the National Assembly on 29.12.2003 with some modifications and finally it was enacted by the parliament on 15.7.2004.

Table 2.6 The new public administration approach (adapted from Dinçer and Yılmaz, 2003: 30-31)

FUNDAMENTAL PHILOSOPHY	➢ Respectful for the market ➢ Makes use of market tools as much as possible
OBJECTIVE	➢ Accountability ➢ Being informed
METHOD	➢ Rational ➢ Programmed ➢ Participative ➢ Open for comments and critics
PRIORITY	➢ Decentralized and local administration
GUARANTEE	➢ Based on law ➢ Leaving a wider field for civil society institutions and individuals
LEGISLATION	➢ Short ➢ Simple
ADMINISTRATIVE TOOLS	➢ Strategic administration ➢ Performance measurement ➢ Quality standards ➢ Information technologies
ORGANIZATION	➢ Horizontal ➢ Transfers authority ➢ Effective and potent employee ➢ Predisposed to work in a group or in a team

However, after being sent by the Presidency of the National Assembly to the President of the Republic to be published, the Law on the Principles of Public Administration and its Restructuring codified 5227 was returned by the President of the Republic to the National Assembly on 3.8.2004 to be debated once more, on the grounds that the articles 4, 5, 6, 7, 8, 9, 11, 16, 23, 38, 39, 40, 46, 49 and the temporary articles 1, 3, 4, 5, 6, 7, 8 and 9 were not in compliance with 'the basic principles of law, constitutional rules and public benefit'[22] In the following years the law in question was not put on the agenda again and thus became obsolete.

Other laws which were debated in the Parliament at the same time as the Law on the Principles of Public Administration and Restructuring No. 5227 were Metropolitan Municipality Law, Provincial Special Administration Law, Municipality Law, and Public Finance Management and Control Law. All these laws underlined the same principles and the same administrative objectives as 'Law on the Principles of Public Administration and its Restructuring' and they also proposed important financial and administrative changes in the public administration. However, as the Law on the Principles of Public Administration and Restructuring codified 5227 was not

[22] The reasons for returning of Law by the President of the Republic can be evaluated under six headings:
- Non-compliance of the arrangements made in the Law with the structure of single state as expressed in the Constitution, the principles of 'integrity of administration', 'decentralization of authority' and 'administrative tutelage' and public benefit; characteristics of the proposals therein that could cause to pass on to an administration model not envisaged in the Constitution
- Restriction of duties and authorities of the central government and thus relegating it to emissary status, entrusting national responsubilities to local administrations, weakening the central administration in terms of its organizational and functional characteristics, weakening the 'administrative tutelage' and opening up the opportunity to a state model with a predominant 'local' characteristic instead of single state model, paving the way to localize and privatize almost all of the public services
- Indicating that removing the obstacles regarding personal rights and liberties is the fundamental objective and duty of public administration without taking the constitutional limits in consideration, giving an impression that these rights and liberties are limitless
- Contradictions in the execution of foreign services concerning public institutions and organizations
- Abolishment of the audit structure established by the Committee of Inspection, changing its characteristics, abolishment of the State Auditing Board
- Contradictions in arrangements regarding the personnel in the public domain.

The President of the Republic added the following comment at the end of the text accompanying the returned law text: '…… It is an undeniable reality that there exists a need of restructuring in the public domain. It has become compulsory to make the necessary arrangements in order that public administration could function in a quick, efficient and productive way and provide qualified services. However it is of crucial importance to take care that the arrangements to be made are in compliance with the constitutional principles, public benefits and the requirements of the public service and they should not injure the unity of the country and nation, single state structure, and the balance between central and local governments' (Office of the President of the Republic, 3.8.2004).

implemented, many arrangements in this framework text envisaging transfer of authority to local administrations were included in laws regarding local administrations and for this reason some of them were vetoed.

The Metropolitan Municipality Law codified 5216, Provincial Special Administration Law codified 5302 and Municipality Law codified 5215 were approved in the Parliament in 2004. The Metropolitan Municipality Law codified 5216 entered into force on 23.07.2004 after being ratified by the President of the Republic. Provincial Special Administration Law codified 5302 was returned to the National Assembly on the grounds that some of its articles were to be debated once more; it was approved on 22.2.2005 by the National Assembly after being debated and amended in some articles in the General Assembly and it entered into force on 4.3.2005 after being ratified by the President of the Republic. The Municipality Law codified 5215 was returned by the President of the Republic to the National Assembly on 22.7.2004 by the reason that the articles 3 and 14 and the temporary article 4 were to be discussed once more and entered into force under the codification of 5272 after being amended in the required articles. This law was annulled on 18.1.2005 as a consequence of the law suit brought by the Republican Peoples Party in the Supreme Court on the grounds of its non-compliance to the Constitution in its form (Decision of the Supreme Court, 18.1.2005). The law was deliberated once more in the National Assembly and it came into force on 3.7.2005.

2.4.1.2.1 Changes in The Public Administration and Strategic Management Implementations in Turkey

Public Financial Management and Control Law No. 5018

The General Accounting Law No. 1050 originating from 1927 regulated the Turkish Financial System until quite recently. But a need arose to adapt this law to the current changing and improving conditions within the scope of the work done in the framework of general public administration reform. This law remained in force until 2006, but establishment of new public administration units, organization in the public domain and serious functional changes occurred in this context, adaptation of modern

financial management techniques and the complexity of different budgets of public entities established by law imposed the necessity to make new arrangements in this respect.

The factors that necessitated a new financial management restructuring are as follows (Kolçak, 2006:1; Arcagök and Erüz, 2006:4-10):

- Absence of a legal substructure that handled public expenditure in an integrated manner
- Restriction of budget implementations with annual fiscal budgets
- Ineffective public expenditure made without any concrete plan
- Violations of financial discipline by adding new allocations during the year
- Disconnection between budget and large-scaled planning documents
- Inability to implement good financial management principles and strategic management and planning tools such as accountability, transparency, effectiveness, efficiency and productivity
- Necessity to reconstruct the definitions in terms of duties, authorities and responsibilities during the course of spending activities
- Incompatibility with the implementations on an international level

Public Finance Management and Control Law codified 5018 was approved in the National Assembly on 10.12.2003 and published on 24.12.2003 in the Official Gazette, but date of entry into effect of the law was graded in two stages as 1.1.2004 and 1.1.2005. It was decided that the provisions of the law about budget preparation would enter into effect on 1.1.2005 (Public Finance Management and Control Law, 2003), however the entry into force of the those articles about budget implementation was postponed until 2006 in virtue of the j paragraph of the 37th article of Fiscal Year Budget Law for the year 2005 (Fiscal Year Budget Law for the year 2005; 2004).

The law codified as 5433 which was enacted for the modifications in the law codified 5018 was approved in the General Assembly on 30.11.2005, however it was returned by the President of the Republic to the National Assembly to be debated there once

more on the grounds that article 8 and the temporary article 1 was not in compliance with the principles of state of law (Kenthaber, 2005). Making the required modifications in it, the law was redesigned under the codification of 5436 and it was published in the Official Gazette numbered 26033 on 24.12.2005 and thus entered into effect after being approved by the National Assembly on 22.12.2005 and being ratified by the President of the Republic.

The objective of the Public Finance Management and Control Law was defined in the 1st article of the law as follows:

> '…to regulate the structure and functioning of the public financial management, the preparation and implementation of the public budgets, the accounting and reporting of all financial transactions, and financial control in line with the politics and objectives covered in the development plans and programs, in order to ensure accountability, transparency and the effective, economic and efficient collection and utilization of public resources.'

This Law comprises the financial management and control of public administrations within the scope of general government, encompassing public administrations within the scope of central government, social security institutions, and local administrations (Law no. 5018, 2003).

Public Finance Management is defined in the Law as 'legal and administrative systems and procedures enabling effective, economic and productive usage of public resources in compliance with standards'. Although the terms 'system' and 'procedure' are exclusively defined for this law, the main philosophy of the Law on Fundamental Principles of Public Administration and its Restructuring, envisaging strategic administration in the public administration in Turkey, can be observed both in the total text of the law and the related legislation, and the related legislation concerning local governments.

Taking the public finance principles in the 5th article of the law, budget principles in the 13th article and law justifications into account, it can be said that the finance

management is built on four fundamental principles; these are financial discipline, financial transparency, accountability and cost-effectiveness (Arcagök and Erüz, 2006: 34-42).

Law no. 5018 classified the budgeting styles in the implementation of investments in public administrations as central government budget in the 12th article (General Budget, Special Budget, Budgets for Regulatory and Auditing Institutions), budgets for social security organizations and budgets for local governments. The law also provides that no types of budgets would be drawn up other than these.

As also specified in the objective of the law, it is essential that those policies and objectives, which are found in development plans and programs, are taken as the basis for the preparation and implementation processes of the state budget enabling the usage of public resources. Planning and programming works orientating these budget processes are carried out on the international and organizational levels and fundamental policy documents give form to these works (Table 2.7) (Ilgın; 2008).

When the spending process are evaluated in accordance with the law, the activities regarding practices and auditing are classified as financial pre-control, internal control, internal auditing and external auditing (Figure 2.4). The actors evolved in the budget realization process are as follows:

- Budget Preparation
    - Ministry of Finance Ministry
    - Ministry of Development
    - Under-secretariat of the Treasury
    - Related Public Institutions and Organizations
- Budget Approval
    - Grand National Assembly
    - Office of the President of the Republic
- Budget Implementation and Accounting Process
    - Ministry of Finance

- Related Public Institutions and Organizations
    - Managing Director
        - Spending Units
            - Spending Authorizing Officer
            - Realization Officer
        - Financial Services Unit
            - Accounting Unit
                - Accounting Authorizing Officer
- Budget Auditing
    - Internal Audit Unit for internal auditing
    - Court of Accounts for external auditing
        - Budgeting process begins in May with the publication of Medium Term Plan prepared by the Under-Secretariat of State Planning Organization (Ministry of Development), and continues until the end of December, culminating in its publication (Table 2.8). Public administration units prepare the strategic plans and their proposals concerning budget revenues and expenditures with the related justifications within the framework of the rules stated in the Budget Preparing Guide and send them to the Ministry of Finance by the end of September in copies signed by the relevant authorizing officers. Investment proposals of public administration units are presented for evaluation to the Under-Secretariat of State Planning Organization within the same time limit (Law codified 5018, 17th article; 2003).
        -

Table2.7 Main Policy Documents (Ilgın, 2008)

Long-Term Strategy (2001-2023)	A document that determines long-term macroeconomic policies, sectoral objectives and policies and depicts the framework for development plans.
Development Plan	A document produced under coordination by the Ministry of Development for a five-year period in line with the long-term strategies. Development plans, which are subject to approval of the Grand National Assembly of Turkey (TBMM) to take effect, identify development objectives, targets and policy priorities.
Medium-Term Program (OVP)	A document prepared each year under coordination by the Ministry of Development in order for the government to set priority objectives, targets and policies for the next three years in conformity with the development plan. The OVPs are subject to approval by the Council of Ministers.
Medium-Term Fiscal Plan (OVMP)	A document produced each year by the Ministry of Finance in coordination with other public institutions and based on the OVP that specifies the fiscal policy, the central government budget amounts, ceiling budget allocations to the general and special budget institutions for the next three years. The OVMPs are issued as decrees by the Planning High Board (YPK) of the Ministry of Development.
Annual Program	A statement, in which the government sets out economic, fiscal, social and cultural policies, and policies on foreign economic relations as well as concrete measures for the next one-year period in line with the OVP.
Central Government Budget Plan	The central government budget plan is prepared in accordance with the OVMP and enters into effect with the release of the TBMM's approval of the draft plan on the Official Gazette. The budget plan, which is produced on an annual basis, includes both forecasts on revenue and expenditure realizations of the current year and expenditure targets for the following year.
Investment Program	A document that specifies parameters of public investment projects such as name, destination, scope, cost, cumulative expenditures and annual budget allocation as well as distribution among sectors and institutions. Investment programs are produced annually as supplement to the annual program. They encompass investments within the scope of the central government budget along with investments by SOEs, institutions under the privatization program, revolving funds, the Social Security Institution (SGK) and local administrations. Foreign-funded projects of all of these institutions are also included in the scope of the investment programs.
Government Program	A paper that details objectives, principles and policies of the government work for its whole term in office.

Table2.7 Main Policy Documents (Ilgın, 2008) continued

Government Action Plan	A statement that determines concrete actions to be taken by specific institutions and the schedule of planned actions, based on objectives, principles and policies in the government program.
Sectoral and Thematic Strategy Documents	Documents prepared to outline strategies and policies for various sectors and thematic areas such as agriculture, industry, energy, tourism, transportation, information society and SMEs.
Regional Plans and Programs	Documents developed with the aim of development of a certain region such as Southeastern Anatolia Project Master Plan (GAP), Eastern Anatolia Master Plan (DAP).
Urban Development Plans	Papers prepared at the province level with the initiative of governorships and with participation of local actors under coordination by the Ministry of Development. Among examples of such documents are the Bolu Urban Development Plan, the Duzce Urban Development Plan and the Samsun Urban Development Plan.
Institutional Strategic Plans	Strategic plans that are obliged to be produced as per the Law No. 5018 on Public Fiscal Management and Control by public institutions listed under the tables I,II and IV of the law, which respectively include general budget institutions, special budget institutions and the SGK, as well as by local administrations. An institutional strategic plan covers the field of activity of the respective institution and shall be compatible with the development plan, the OVP and other national, regional and sectoral plans and programs.
National Programs	Documents prepared under coordination by the ABGS (Turkey's Secretariat-General for EU Affair,) for the purpose of determining the main basis and procedures of Turkey's short- and mid-term work for adoption of the EU acquis in its process of accession to the bloc.
Programme for Alignment with the EU Acquis	A program produced by Turkey in order to identify actions to be taken in the 2007-2013 period for adoption of the EU acquis.
Pre-Accession Economic Programme (KEP)	A document developed under coordination by the Ministry of Development each year since 2001 for a three-year period with the aim of setting the general terms of economic policies to be pursued in order to fulfill the Copenhagen economic criteria as part of the pre-accession fiscal surveillance procedure of the EU and the perspective on structural adjustment during the accession process. The KEPs are submitted to the European Commission after approval by the YPK.
Strategic Framework	The Instrument for Pre-Accession Assistance (IPA) encompassing the 2007-2013 period and its successor IPA II for the 2014-2020 period constitute a financial framework of the EU funds for the enlargement countries. The IPA and IPA II consist of five components of transition period and institutional structuring, cross-border cooperation, regional development, human resources development and rural development. The Strategic Framework Document (SCB) is a strategic document that serves as a 'source

Table2.7 Main Policy Documents (Ilgın, 2008) continued

Document (SCB)	of reference' to Operational Programs (OP) encompassing the regional and human resources development components of the IPA and IPA II. The Ninth Development Plan forms the basis for the SCB, while the OVP, annual programs, the KEP and sector policy documents are also taken into account during preparation of the SCB. The SCB is produced by the Ministry of Development. (
Operational Programs	Programs prepared for a three-year period for the purpose of determining actions and projects to be implemented in the fields of transportation, environment, regional competitiveness and human resource development in accordance with priorities indicated in the SCB. Operational programs also specify the schedule of actions and projects and their financing sources.

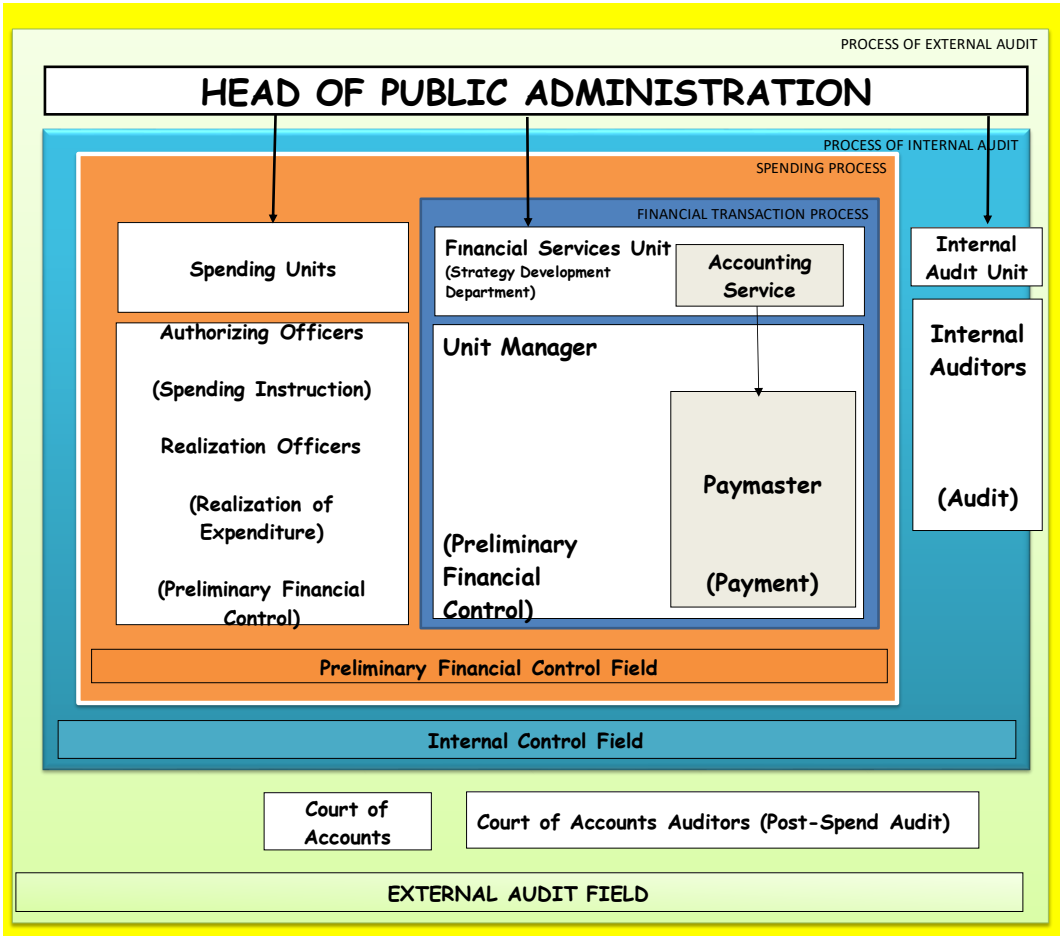

Figure 2.4 Spending Process

Table 2.8 Budgeting Procedure (Arcagök and Erüz, 2003: 80)

May	• The publication of Medium Term Program prepared by the Under-Secretariat of the State Planning Organization after being approved by the Council of Ministers (Until the end of May)
June	• Publication of the Medium Term Financial Program prepared by the Ministry of Finance in the Official Gazette after being approved by the Higher Planning Council (until 15th of June) • Publication of the Budget Call and the Budget Preparation Guide prepared by the Ministry of Finance in the Official Gazette (Until the end of June) • The publication of the Investment Circular and the Budget and the Investment Program Preparation Guide prepared by the Under-Secretariat of the State Planning Organization in the Official Gazette (Until the end of
July	• Presentation of proposed performance programs and budget proposals to the Ministry of Finance (Until the end of July) • Presentation of investment proposals to the Under-Secretariat of the State Planning Organization (Until the end of July)
August	• Deliberation of the proposals with the Ministry of Finance and the Under-Secretariat of the State Planning Organization.
September	• Deliberation of the proposals with the Ministry of Finance and the Under-Secretariat of the State Planning Organization. • Presentation of the budget of National Assembly, Accounts Court and the regulatory and auditing institutions to National Assembly and the Ministry of Finance (until the end of September)
October	• Deliberations over macro-economic indicators and budget sizes in the Higher Planning Council (in the first week of October at the latest) • Presentation of the Central Government Budget Law Draft to National Assembly (Until 17th of October at the latest) • Debates in the Planning and Budget Commission (maximal 55 days)
November-December	• Deliberations in the Planning and Budget Commission (continued) • Deliberations in the General Assembly • Voting of the Central Government Budget Law and approval • Approval by the President of the Republic • Publication in the Official Gazette (Until the end of December)

Strategic Plan as A Fundamental Tool of Law No. 5018

Important constituents in terms of public finance management, such as preparation of strategic planning and budgeting based on performance, have been introduced with the law codified 5018. Observing the developments on the international level continuously, the Ministry of Finance realized pilot projects in 2001 within the scope of 'the Restructuring Project of the System of Continuous Quality Improvement and Public Budgeting'. Budgeting practices based on performance concerning diverse activities and projects were carried out in six institutions (Ministry of Public Education, The Ministry of Agriculture and Rural Affairs, General Directorate of Highways, General Directorate of Social Services and Child Protection Agency, Middle East Technical University, Turkish Industry Management and Administration Institute) within the scope of the project and strategic plans covering the years of 2003 – 2007 and performance plans (programs) for 2003 for these activities/projects (Bumko, 2012).

State Planning Institution published the Strategic Planning Guide for Public Institutions in 2003 in an effort to assist them and direct these institutions into a strategic planning process. It was indicated therein that the strategic plans to be prepared in accordance with this guide could be used as reference documents in the allocation of public resources in concordance with strategic priorities. Furthermore, it was envisaged in this guide that the relationship between planning on national and organizational levels could be established through strategic plans (Figure 2.5) (State Planning Organization, 2003:2).

The decision concerning the Program for 2004 and Macro Framework for the Fiscal Year Budget envisaged that strategic planning was to be initially started in eight institutions (The Ministry of Agriculture and Rural Affairs, Turkish Statistical Institution, General Directorate of Highways, General Directorate of Health for Borders and Coasts, Hacettepe University, Metropolitan Municipality of Kayseri, Special Administration of the Province of Denizli and the Provincial Bank) to be generalised later in all the institutions in the medium term, and it was further indicated

in the decision that budgeting works based on performance in line with strategic plan practices in these institutions would be continued.

The term ‘Strategic Plan’ is defined in the 3rd article in the section under the heading ‘Definition’ in the Law codified 5018 as follows:

> ‘It is the plan which comprised of the medium and long term objectives, fundamental principles and policies, goals and priorities, performance standards of public administrative units and the methods and resource distributions to be used in reaching and realizing such constituents of the plan.’

Within this context, the strategic plan has the role of a key element in the budget implementation process so that decisions made on national scale can be passed on to the institutional level and the priorities in using public resources could be specified accordingly.

Envisaging that strategic planning becomes a legal obligation, Public Finance Management and Control Law codified 5018 has been a text which has paved the way for preparing the legal substructure of strategic management implementation in the public domain. The strategic management process (Table 2.9) comprises the phases of situation analysis, specifying of the mission, vision, principles, objectives and aims, identification of strategies and projection of activities and projects to realize the objectives, follow-up and evaluation of the performance.

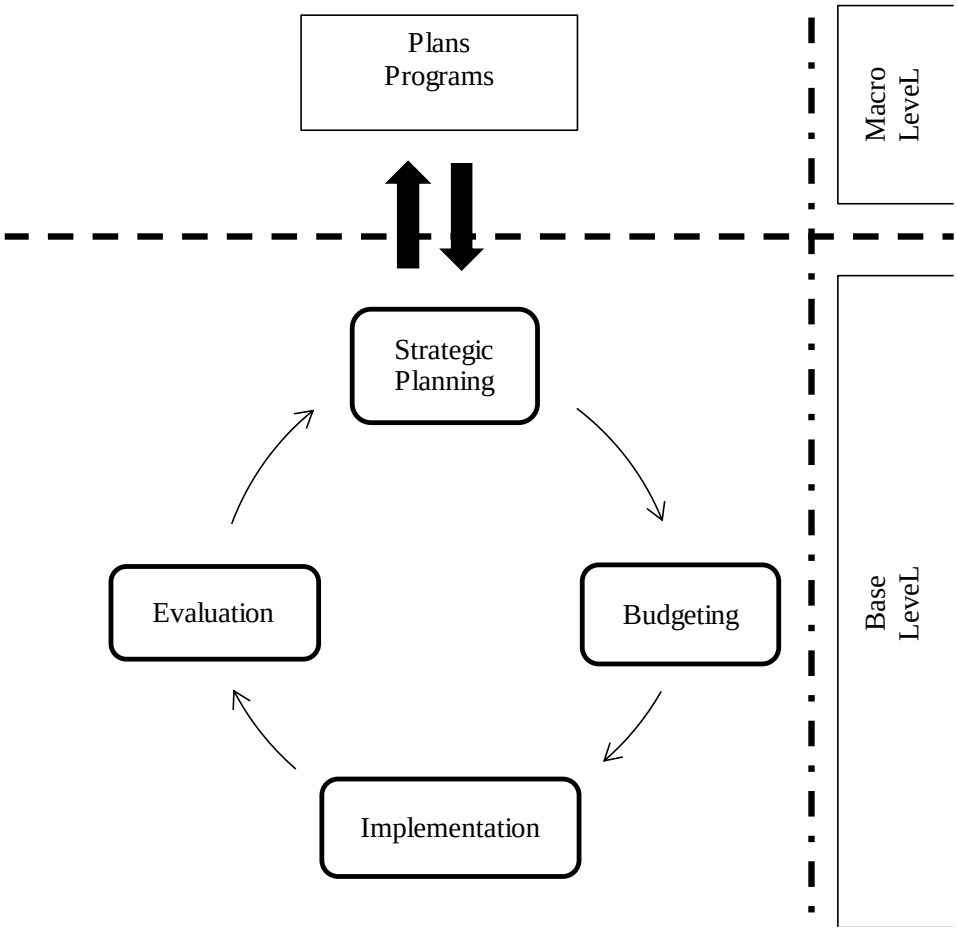

Figure 2.5 Stratejik Planlama Makro Planlama İlişkisi (DPT, 2003:2)

Table 2.9 Strategic Management Process (Strategic Planning Guide for Public Administration Units, 2006:5).

• Plans and Programmes • Stakeholder Analysis • Swot Analysis	**SITUATION ANALYSIS**	Where are we?
• Ground of existence of the institution • Fundamental Principles	**MISSION AND PRINCIPLES**	Where do we want to reach?
• The future desired	**VISION**	
• Objectives to be realised in medium term • Specific, concrete and measurable goals	**OBJECTIVES AND GOALS**	
• Methods enabling to reach the objectives and goals	**STRATEGIES**	How can we go to the place we wish to reach?
• Detailed business plans • Pricing • Performance programme • Budgeting	**ACTIVITIES AND PROJECTS**	
• Reporting • Comparison	**FOLLOW-UP**	How can we follow-up and evaluate our success?
• Feedback • Specifying the measurement methods • Performance indicators • Evaluation of the outcomes and the progress of implementation	**PERFORMANCE MEASUREMENT AND EVALUATION**	

The following provisions are decreed in the 9th article of the Law under the heading 'Strategic Planning and Performance Based Budgeting':

- In order to form missions and visions for the future within the framework of development plans, programs, relevant legislation and basic principles adopted; to specify strategic goals and measurable objectives; to measure their performance according to predetermined indicators and monitor and evaluate this overall process, public administrations must prepare strategic plans in a participative manner.
- In order to produce public services at the required level and quality, public administrations shall base their budgets and their program and project-based resource allocations upon their strategic plans, annual goals and objectives and performance indicators.
- The Under-Secretariat of State Planning Organization is authorized to determine the strategic planning calendar and specify the public administrations to be in charge of preparing strategic plans and set out the principles and procedures concerning the correlation of strategic plans with development plan and programs.
- Public administrations shall prepare their budgets on a performance basis and in agreement with the mission, vision, strategic goals and objectives included in the strategic plans.
- The Ministry of Finance is authorized to define the procedures and principles on the compatibility of public administration budgets with the performance indicators stated in the strategic plans and activities to be carried out by these administrations within this framework and other issues on performance based budgeting.
- The performance indicators that shall be jointly specified by the Ministry of Finance, the Under-Secretariat of the State Planning Organization and relevant public administration unit shall be included in the budgets of these administration units.
- Performance audits are carried out in the framework of these indicators.

Some articles enabling the provision of the adaptation to Public Finance Management and Control Law on strategic management were also taken into the laws enacted after the Law codified 5018.

Strategic Management in the Metropolitan Municipality Law no. 5216

It is indicated in the 7th article of the Metropolitan Municipality Law codified 5216, that preparing the strategic plan of the Metropolitan Municipality, also taking into account the opinions of county and first-stage municipalities, setting the annual goals, designing the investment programs and preparing an adequate budget in this respect, are among the duties of Metropolitan Municipalities.

Management of the municipality in concordance with the strategic plan, formation of institutional strategies of the municipal organization, preparation of a conformable budget and its implementation, determination of the performance standards concerning communal activities and municipal personnel, follow-up and evaluation and presentation of the reports thereof to the municipal council are defined among duties and authorities of a metropolitan mayor in the 18th article of the law.

In the 21st article of this law, on the other hand, it is specified that the services in a metropolitan municipality are carried out by the general secretary and their assistant officers in the name of the metropolitan mayor and under their authority following their instructions in compliance with the legislation; objectives, policies, strategic plan and annual programs of the related Metropolitan Municipality.

Strategic Management in the Municipality Law no. 5393

Deliberation about, and approval of strategic plan, investment and work schedule, performance standards of communal activities and municipal personnel are indicated among duties of a municipal council in the 18th article of the Municipality Law codified 5393.

The provision designed in the 34th article imposes on the municipal board the duty and authority to view the strategic plan, annual work schedule, budget and final account and express its opinion about them.

Management of the municipality in compliance with the strategic plan, formation of institutional strategies of the municipal organization, preparation of a compatible budget and its implementation, determination of the performance standards concerning communal activities and municipal personnel, follow-up and evaluation and presentation of the reports thereof to the municipal council are specified among duties and authorities of a mayor in the 38th article.

The following provisions are decreed in the 41st article with the heading of Strategic Plan and Performance Program:

- The mayor will prepare the development plan and the related program, and if any, strategic plan in compliance with the regional plan within six months starting from general local elections; and the annual performance program before New Year's Day in the relevant year and present them to the municipal council.
- The standpoints and opinions of universities and professional chambers if any, and those of the relevant civil society organizations will be taken into consideration during the preparation of the strategic plan and it will enter into force after approval by the municipal council.
- The municipalities in settlement areas with a population under 50.000 inhabitants are not obliged to draw up a strategic plan.
- The strategic plan and performance program will be taken as the basis in the preparation of the budget and it will be deliberated and approved by the municipal council prior to budget.

It is indicated in the 61st article regulating the municipal budget, on the other hand, that the budget, which is prepared in compliance with the municipal strategic plan and performance program, is a document that reflects the projections about revenues and expenditures of the municipality in the current fiscal year and the following two years and allows collection of revenues and the authorization of expenditure. It is specified in the temporary 4th article of the law that municipalities had to prepare their first strategic plans within one year after the entry into force of the Law.

Strategic Management in the Provincial Special Administration Law no. 5302

Deliberation and approval of a strategic plan, investment and work schedule, performance standards of the activities and personnel of the provincial special administration are indicated among duties of the general provincial council in the 10th article of the Municipality Law codified 5302.

The provision in the 26th article imposes on the commission the duty and the authority to view the strategic plan, annual work schedule, budget and final account and give its opinion about them to the general provincial council.

Management of the provincial special administration in compliance with the strategic plan, formation of institutional strategies of the provincial special administration, preparation of a compatible budget and its implementation, determination of the performance standards concerning the activities and personnel of the provincial special administration, follow-up and evaluation and presentation of the reports thereof to the council are specified in the 30th article among duties and authorities of a governor as the most senior official of the special administration.

The following provisions are decreed in the 31st article with the heading of Strategic Plan and Performance Program:

- The governor will prepare the development plan and the related program, and if any, the strategic plan in compliance with the regional plan within six months beginning from general local elections; and the annual performance program before New Year's Day in the relevant year and present them to the general provincial council.
- The standpoints and opinions of universities and professional chambers if any, and those of the related civil society organizations will be taken into consideration during the preparation of the strategic plan and it will enter into force after approval by the general provincial council.

- Strategic plan and performance program will be taken as basis in the preparation of the budget and it will be deliberated and approved in the general provincial council prior to budget.

It is indicated in the 44th article, on the other hand, that the budget of the provincial special organization, which is prepared in compliance with the provincial strategic plan, is a document that reflects the projections about revenues and expenditures of the provincial special administration in the current fiscal year and the following two years authorizing the collection of revenues and making expenditure.

Within the scope of these legal arrangements, 206 municipalities with a population over 50,000 inhabitants prepared as per 13.07.2006 their first strategic plans in accordance with Metropolitan Municipality Law No.5216 and Municipality Law No. 5393; on the other hand, Provincial Special Administrations in 81 provinces prepared strategic plans for the first time as per 4.3.2006 in compliance with the Provincial Special Administration Law codified 5302.

2.4.2 Managerial Framework

2.4.2.1 Organizational Structure of Site Management

According to Article 14, 15, 16 and 17 of the 'Regulation on Procedures and Principles for the Establishment, Duties and Determination of Administrative Fields of Site Management and Monumental Work Board', a Site Management Unit consists of the Site Manager, Secretariat, Plan Preparation Team, Advisory Board, the Coordination and Supervision Board and the Audit Unit (Figure 2.6).

Site Manager

According to the Articles 14, 15, 16 and 17 of the Regulation, the Site Manager is the head of the Plan Preparation Team, Advisory Board, the Coordination and Supervision Board and the Audit Unit. They is appointed by either the Ministry or the Municipality depending on their administrative area. The Site Manager can be chosen from almost

any profession. The Site Manager will work on issues such as research, management, budget planning, management planning of the resources; technical preparation on all kinds of needs; cooperation and coordination with relevant administrations; and reporting. On the other hand, the Site Manager is the most effective member of the management as they are either a member of the units responsible for preparation and implementation of the management plan or they appoint the members of these units.

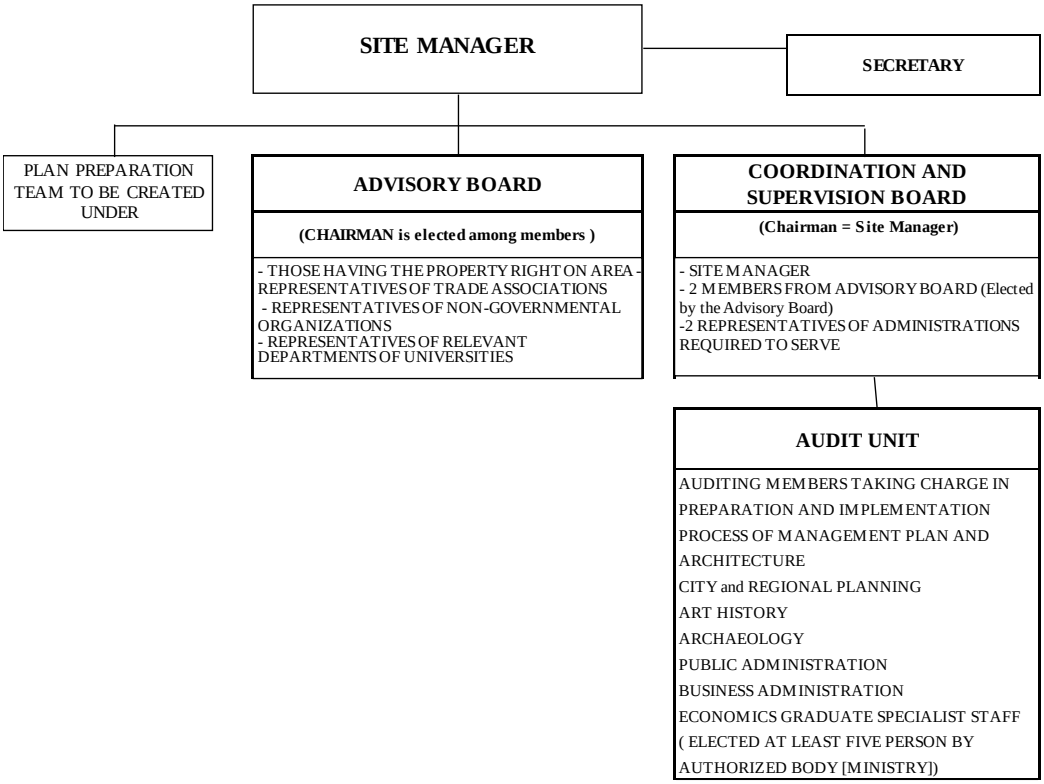

Figure 2.6 Organizational Structure of Site Management

Prior to the amendment made by Law No. 6745, the appointment of the Site Manager by the competent authority would mean that this appointment would be made by either the Municipality or the Ministry, depending on where the site was located. Therefore, made the Site Management a part of the administration which appointed the Site Manager (Figure 2.7). However, due to the fact that there is no provision in the Regulation regarding how to establish a relation system between the Site Management and the administrative structure (Ministry or Municipality) in which the Site

Management is integrated, there is a high probability that confusion about authority and responsibility will arise. On the other hand, currently all of the Site Managers in all sites have been appointed by the Ministry resulting from the amendment of Article 26 of Law No. 6745 and additional Article 2 of Law No. 2863, thus site management is now under central government administration (Figure 2.8).

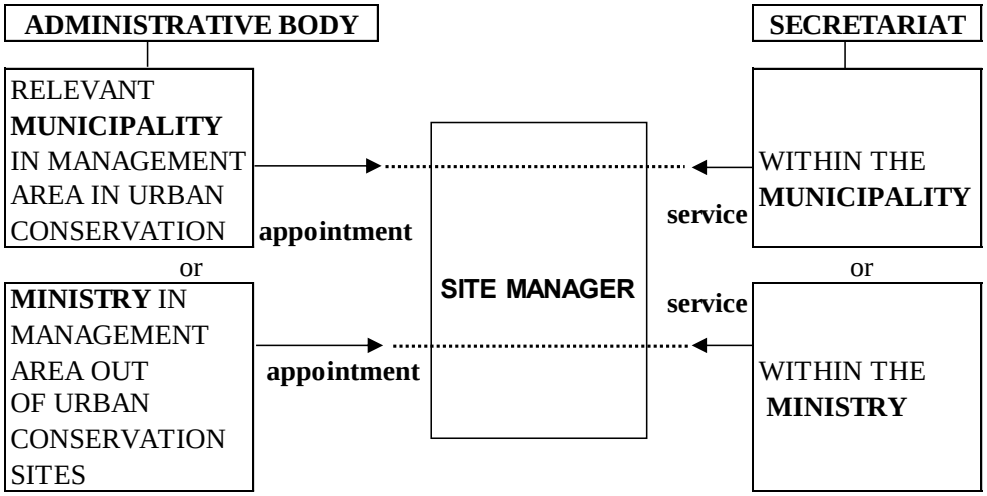

Figure 2.7 Site Manager's qualifications, duties and appointment procedure – Prior to the Decree Law No. 6745

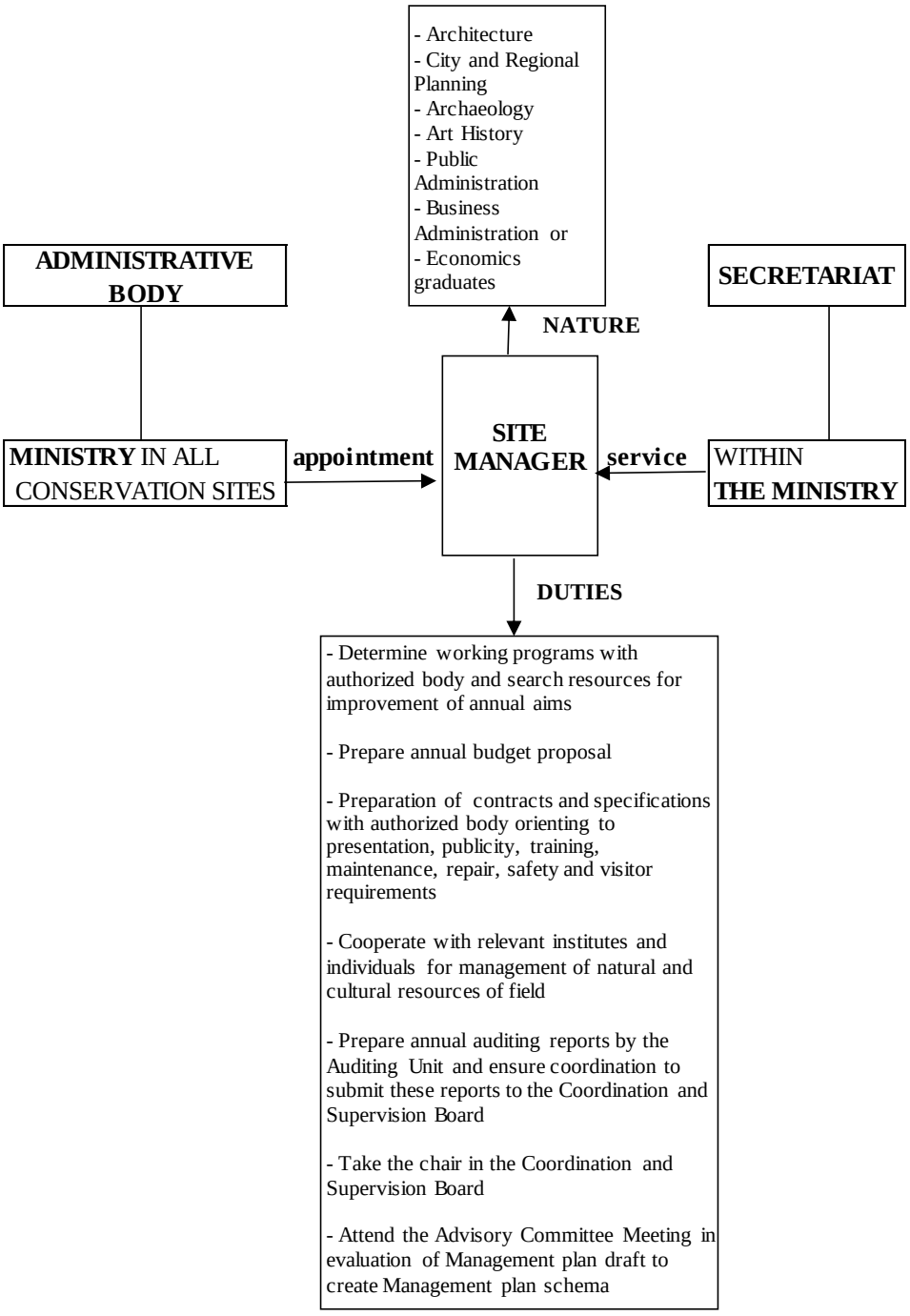

Figure 2.8 Site Manager's qualifications, duties and appointment procedure – After the Law No. 6745

The Site Manager is subject to the Article 14 of the Regulation; someone who has worked on the site before, knows the site well enough, has developed a specific vision of the area, is knowledgeable about new approaches to cultural and natural heritage management, and has experience in management policies and practices. The Site Manager, who is appointed by the Ministry and actively on duty, is paid from Ministry of Culture, Central Directorate for Revolving Fund Administration budget on the first payday of the month following the working period concerned. This fee is determined by the Minister according to the job description, is not subject to any taxation other than stamp tax, and shall not exceed the amount to be calculated by multiplying the monthly coefficient of civil servants (20000) by the indicator figure.

The secretariat services of the site management are provided by the competent authority. The competent authorities also provide suitable premises for the site management units to carry out their work. Adequate numbers of staff shall be assigned to this work and sufficient funds shall be allocated for their budget. According to the regulation made by Decree Law No. 6745, the term of office of the site manager is 3 years. The site manager can be reassigned by the Ministry, after their term of office ends. The site manager carries out the following tasks:

a) To determine the work programs and to carry out resource research together with the competent authority for the realization of the annual targets of the management plan;
b) To prepare annual budget proposals;
c) To prepare drafts of contracts and specifications together with the competent authority for the procurement of services and equipment for presentation, promotion, training, maintenance, repair, security and visitor needs of the site;
d) To arrange cooperation with relevant institutions and persons for the management of natural and cultural resources of the site;
e) To arrange the preparation of the annual audit reports by the Audit Unit and to coordinate the presentation of these reports to the Coordination and Supervision Board.

Management Plan Preparation Team

Article 10 of the Regulation specifies the formation of the Management Plan Preparation Team under minimum conditions. Management Plan Preparation Team consists of experts that graduate from below departments depending on the characteristics of area:

a) For urban sites and historical sites: Architecture, urban and regional planning, art history, public administration, business administration and economics departments of the universities

b) For archeological sites: Architecture, urban and regional planning, art history, archaeology, public administration, business administration and economics departments of the universities

c) For the natural sites: urban and regional planning, public administration, business administration, environmental engineering; and depending on the natural character of the site, forestry engineering, geology / geomorphology / geology engineering, agricultural engineering, landscape architecture, hydrology, biology and zoology departments of the universities.

Depending on the characteristics of the site, experts from professions such as sociologists, anthropologists, historians, economists, tourism operators, advertisers, public relations and communication, and a consultant who is a specialist in management planning can be included in the team.

Advisory Board

The Advisory Board elects a president from within and convenes at least once a year. When the Ministry and the Coordination and Supervision Board deem necessary, they can call an extraordinary meeting for the Advisory Board. Advisory Board meetings are held in the site. The Advisory Board reviews the draft of the management plan and makes recommendations on its finalization and implementation. All issues and

recommendations discussed in the Advisory Board are recorded in the minutes of the meetings to be communicated to the Coordination and Supervision Board.

The formation of the Advisory Board and the selection of its members are specified in Article 15 of the Regulation. Accordingly, before Law No. 6745; the members of the Advisory Board would be selected by the Municipality or the Ministry, depending on where the site was located, with the Site Manager sitting with property right owners, representatives of the professional chambers, representatives of non-governmental organizations and related departments of the universities (Figure 2.9). However, with the amendment made in article 26 of Law No. 6745 and in the additional Article 2 of the Law No. 2863, the authority to create advisory board in all sites is given to the Ministry (Figure 2.10)

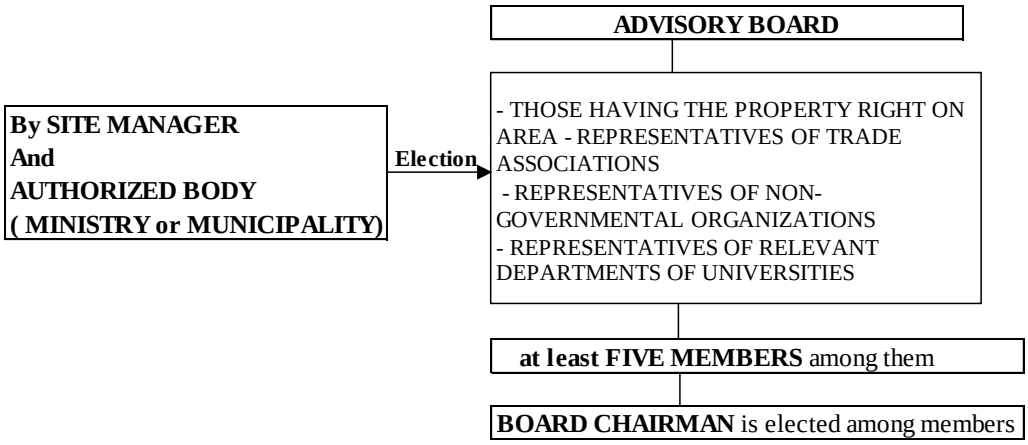

Figure 2.9 Formation of the Advisory Board and its duties (Prior to the Decree Law No. 6745)

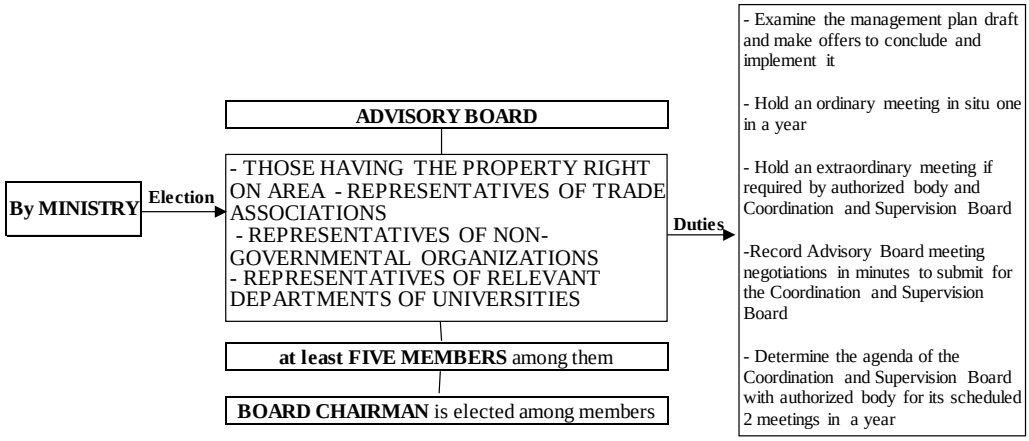

Figure 2.10 Formation of the Advisory Board and its duties (After the Decree Law No. 6745)

Coordination and Supervision Board

The Coordination and Supervision Board consists of at least five members; one of whom is the Site Manager, two members to be elected from the Advisory Board, and representatives of the each administration whose services are needed under the draft management plan. The Site Manager is also the head of the Coordination and Supervision Board. The Coordination and Supervision Board meets at least twice a year at the behest of the competent authority. The Audit Unit and the competent authority determine the agenda of the Board meeting. The Board may be called to an extraordinary meeting at the request of the Site Manager, or if it is deemed necessary by the competent authority. The Board convenes with a simple majority and takes its decisions with the votes of at least three fourths of members who participate in the meeting. The Coordination and Supervision Board meetings are held in the site. The Coordination and Supervision Board reviews the draft management plan and approves it within six months and supervises the implementation of the plan.

Formation and duties of the Coordination and Supervision Board is specified in Article 16 of the Regulation (Figure 2.11).

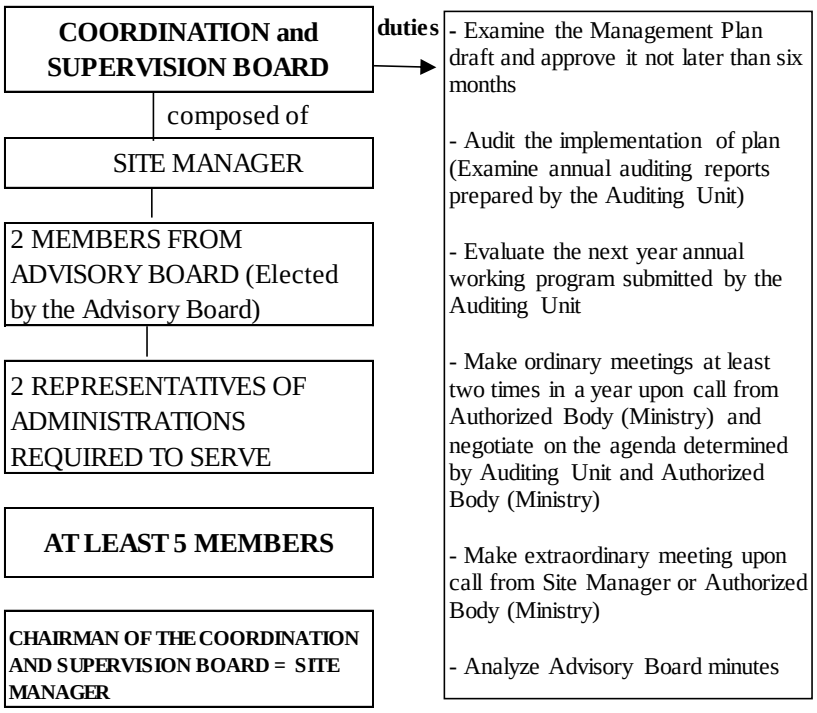

Figure 2.11- Formation and duties of the Coordination and Supervision Board

Audit Unit

The Audit Unit consists of at least five members who will be appointed by the competent authorities among the supervisory staff involved in the preparation and implementation of management plans, and expert staff who have graduated from the architecture, urban and regional planning, art history, archeology, public administration, economics and business administration departments of the universities. The Audit Unit supervises the implementation of the management plans. It carries out the annual performance evaluations of the work carried out in the site by the Audit Unit in line with the management, protection, presentation, promotion and visitor management strategies determined by the management plan and it also prepares the work program of the next year and presents it to the Coordination and Supervision Board. The Audit Unit is authorized to request all kinds of information and documents related to the management plan and its implementation from the relevant public institutions and organizations, and third parties.

It has been determined in Article 17 of the Regulation that an audit unit can be established in order for the Coordination and Supervision Board to fulfill the supervisory function (Figure 2.12).

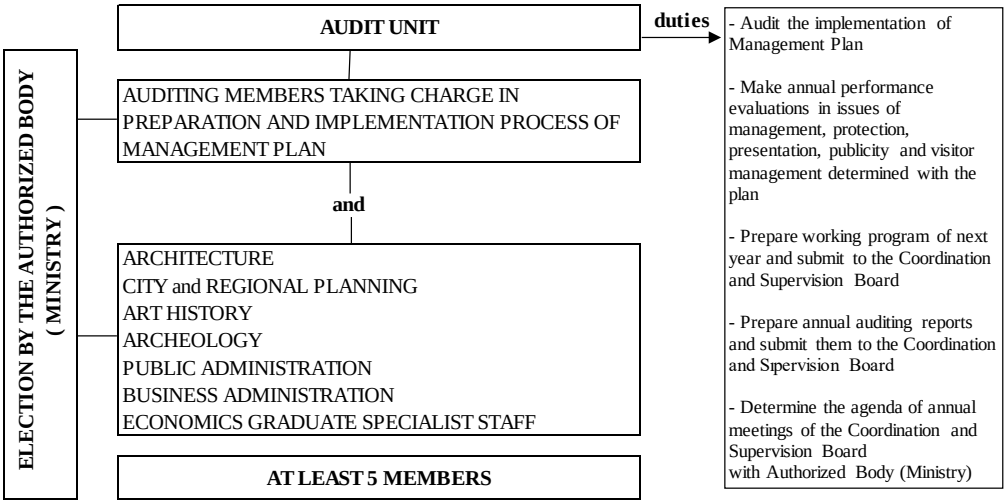

Figure 2.12 Formation of the Audit Unit and its duties

2.4.2.2 Processes Of Site Management

It has been determined that according to the law, for the site management organization, there are some processes that include partial or complete information, however not all the information is available about the processes that can be classified under the 4 categories of administrative, financial, legal and technical (protection related). These are:

- Administrative Processes
    - Human Resources / Recruitment (Figure 2.13; Figure 2.14)
        - Appointment of the Site Manager
        - Appointment of the Unit Officers
    - Formation of administrative sub-units
- Technical (Conservation Related) Processes
    - Determination of the Management Area (Figure 2.15)

- Preparation of the Management Plan (Figure 2.16)
- Implementation of the Management Plan
- Supervision of the Management Plan

Administrative Processes

Determination of the Management Area

Before Decree Law No. 6745, the management areas were determined by the competent authority. With amendment made by Decree Law No. 6745, all management areas are now determined by the Ministry of Culture and Tourism. In determining the management areas, studies are carried out in order to research the sites, archeological sites and interaction zones of the site and the junctions, and to evaluate the data obtained. According to the results of this study, the boundary of the recommended management area is determined in accordance with the Law, Regulation and Resolutions. Proposals of relevant institutions and organizations, profession chambers, universities, non-governmental organizations and those with property rights in the area are also considered in relation to the determination of the recommended management area. The boundary of the recommended management area shall be communicated to the related public institutions and organizations whose services are related to the area and are needed within this boundary. Organizations submit their suggestions and opinions to the competent authority within thirty days. A coordination meeting shall be held to coordinate the central and local administrations and non-governmental organizations and to receive their views, on planning and conservation of the area. If the relevant non-governmental organizations apply with a proposal for determination of the management area, this proposal shall be evaluated by the competent authority in accordance with these principles. As a result of these studies, the boundaries of the final management area are determined and shall be transmitted to the related institutions and organizations by the competent authority.

Preparation of the Draft Management Plan and Its Content

The draft management plan is prepared by the plan preparation team, which is composed of experts and consultants belonging to different profession groups, depending on the characteristics of the area, in coordination with the Site Manager and according to the regulations. Before the preparation of the draft plan, and in the preparation process, the competent authority shall convene at least two meetings. These meetings are held to determine the topics generating data for the management plan and for information purposes. Relevant institutions and organizations, local people, relevant non-governmental organizations, professional chambers, universities, private sector representatives those are considered necessary, and those having property rights in the area shall attend these meetings. These meetings shall be announced to the public by the local administrations through their notice boards, and to the others via written notice by the competent authorities.

Before the Decree Law No. 6745, the management plan was prepared as below:

a) Municipalities prepared it for the urban sites
b) Ministries prepared it for archeological, natural and historical sites
c) Ministries prepared it for the urban sites without a relevant municipality
d) The relevant municipality prepared it if urban site and other sites coexist
e) If the borders of the urban site management area involve more than one municipality, these relevant municipalities prepare it. The Metropolitan Municipality prepare it if they are located within the borders of the Metropolitan Municipality; if they are located outside of these borders, with the coordination of the relevant municipalities, the Ministry directly prepares or outsources it according to the procedures and principles specified in the procurement legislation. However, after the Decree Law, the responsibility for preparing or outsourcing the management plan in all sites is given to the Ministry.

The content of the management plan for the management area consists of five main sections:

a) Determining the current situation: Determining the management, function and conservation needs of the area and establishing a connection with the related institutions and organizations.

b) Area analysis: Determination of the area's importance, determination of problems, determination of the bearing capacity of the area, and functional and administrative analysis.

c) Identification of a vision for the area and the formation of the main policies: Determination of the management, protection, use, presentation and promotion, visitor policy and strategies for the management plan; those will determine the vision for the future of the area, include business, management, administrative and financial models, ensure presentation and promotion of the area in the national and international platforms.

d) Determination of work programs, timetables and projects: Preparation of job descriptions of institutions and persons involved in site management, preparation of work programs and budget analysis for their implementation, identification of financial resources, preparation of an action plan for works to be carried out in short, medium and long term, and making project definitions.

e) Identification of monitoring, evaluation and training processes: Monitoring and evaluation of the implementation of the management plan and preparation of programs for the training of the parties to be involved in the process.

Evaluation and Approval of the Draft Management Plan

The draft management plan is evaluated by the Advisory Board. At the evaluation meeting of the Board, the Site Manager also attends. As a result of the meeting, the draft management plan is finalized and the management plan scheme is prepared by the Ministry in consideration of the matters proposed and decided by the Advisory Board. The management plan scheme shall be examined and communicated to the Coordination and Supervision Board for approval by mutual consent. The Coordination and Supervision Board reviews the plan and, if necessary, requests the Plan Preparation Team to make the necessary corrections. In order for the management plan to be accepted, a positive vote of three quarters of the members of the Board

participating in the meeting is required. Approval will be completed within six months at the latest. After the approval of the management plan, the copies will be forwarded to the responsible institutions and organizations by the competent authority. Management plans are public. It is the duty of the competent authorities to provide this publicity. Decisions of the Coordination and Supervision Board can be objected in the administrative jurisdiction within the due time.

Implementation and supervision of management plan

Public institutions and organizations, municipalities, and real and legal persons are obliged to comply with the management plan approved by the Coordination and Supervision Board. Competent authorities are obliged to prioritize the services covered by the plan and allocate the necessary appropriations from their budget for this purpose. In the process of fulfilling the duties defined in the management plans, the site manager, institutions and organizations responsible for implementation and the Ministry work in coordination.

The annual performance evaluations of the works carried out in the area by the Audit Unit in line with the protection, presentation, promotion and visitor management strategies determined by the management plan is carried out, and the following year's the draft budget and work program are prepared. The reports to be prepared as a result of these evaluations are evaluated by the Coordination and Supervision Board, and the work program and budget of the next year are approved. Apart from the annual review, the Audit Unit reviews the vision, objectives and policies once in every five years and presents the results to the Coordination and Supervision Board.

If the Audit Unit proposes an amendment to the vision, objectives and policies during the implementation of the management plan by the Coordination and Supervision Board, the draft amendment of the management plan regarding the envisaged amendments shall be prepared by the competent authority. This draft shall be presented to the Advisory Board and after taking their views the draft shall be approved by the Coordination and Supervision Board. Temporary project teams may be established by

the Ministry to provide technical contribution to the projecting and implementation of the activities defined in the management plan.

It is compulsory to obtain the approval of the Regional Council of Conservation for Cultural and Natural Properties for all kinds of construction, physical intervention and function changes that were envisaged in the management plan related to the immovable cultural and natural assets and the sites within the scope of the management area and for plans and projects of this work.

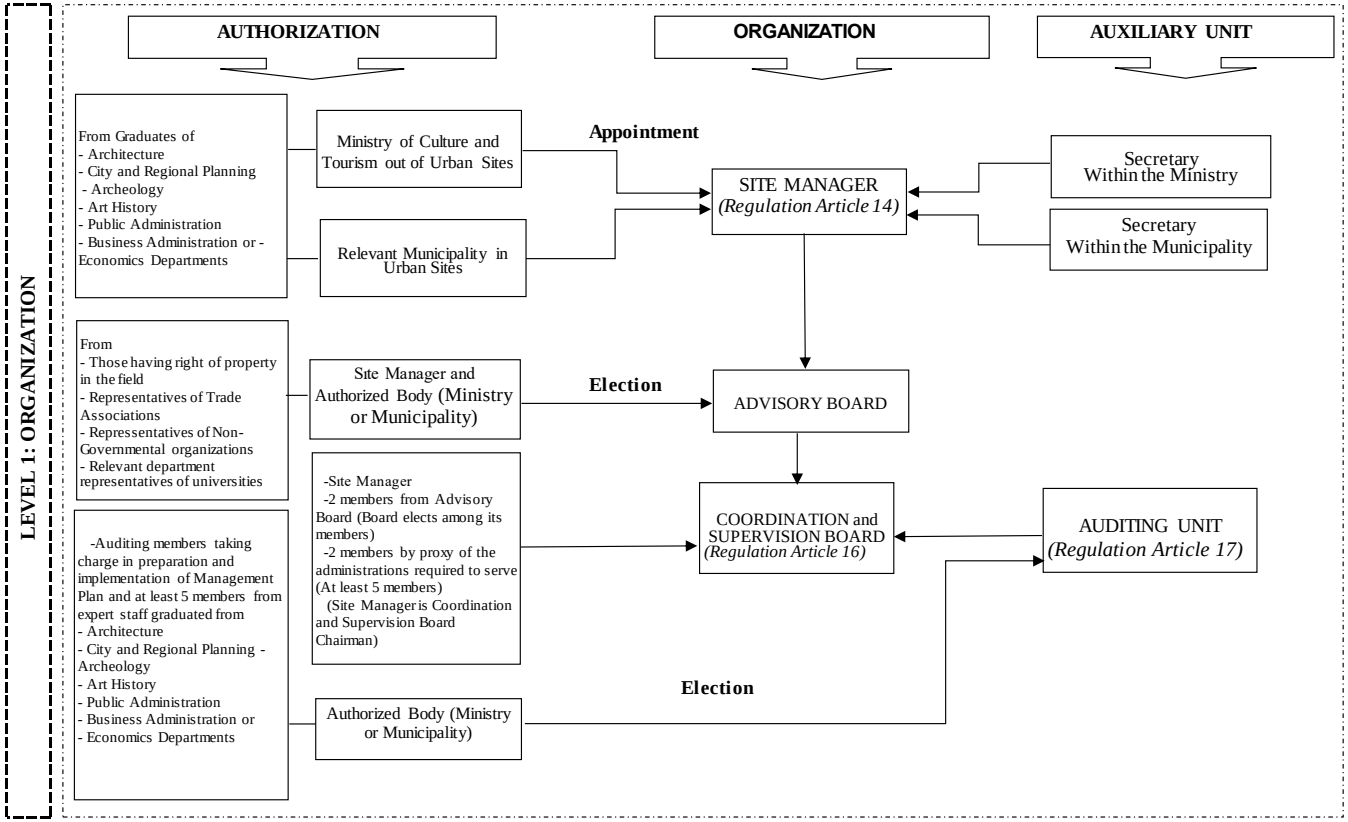

Figure 2.13 Appointment of the Site Manager and Formation of the Competent Authorities – Prior to the Law No. 6745

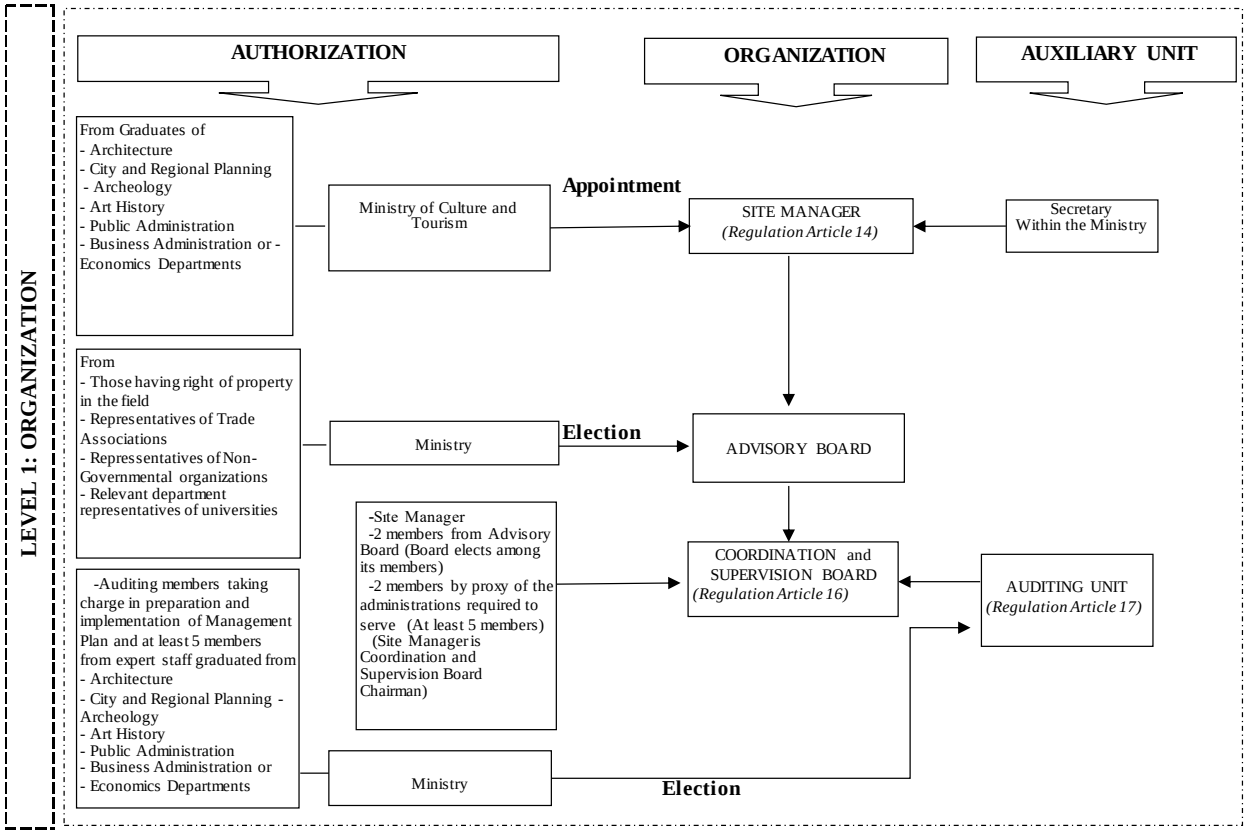

Figure 2.14 Appointment of the Site Manager and Formation of the Competent Authorities – After the Law No. 6745

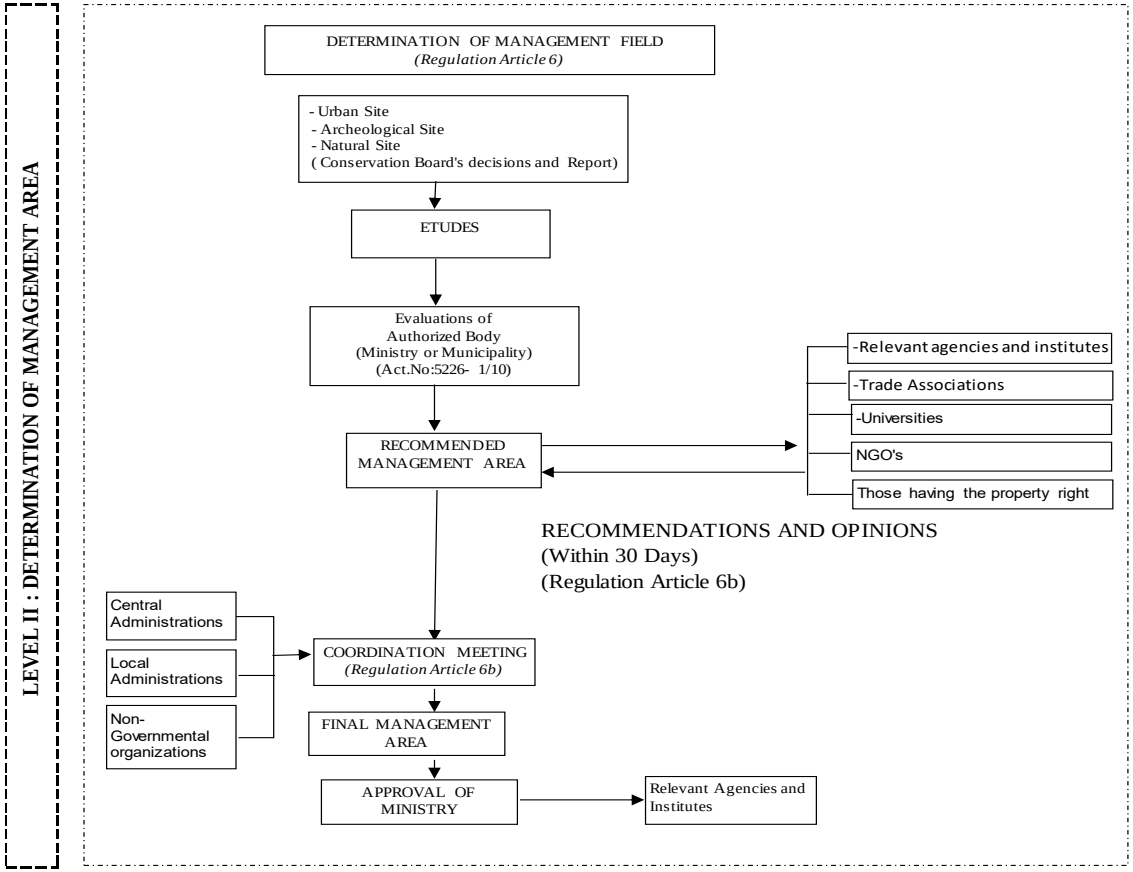

Figure 2.15- Determination of the Management Area

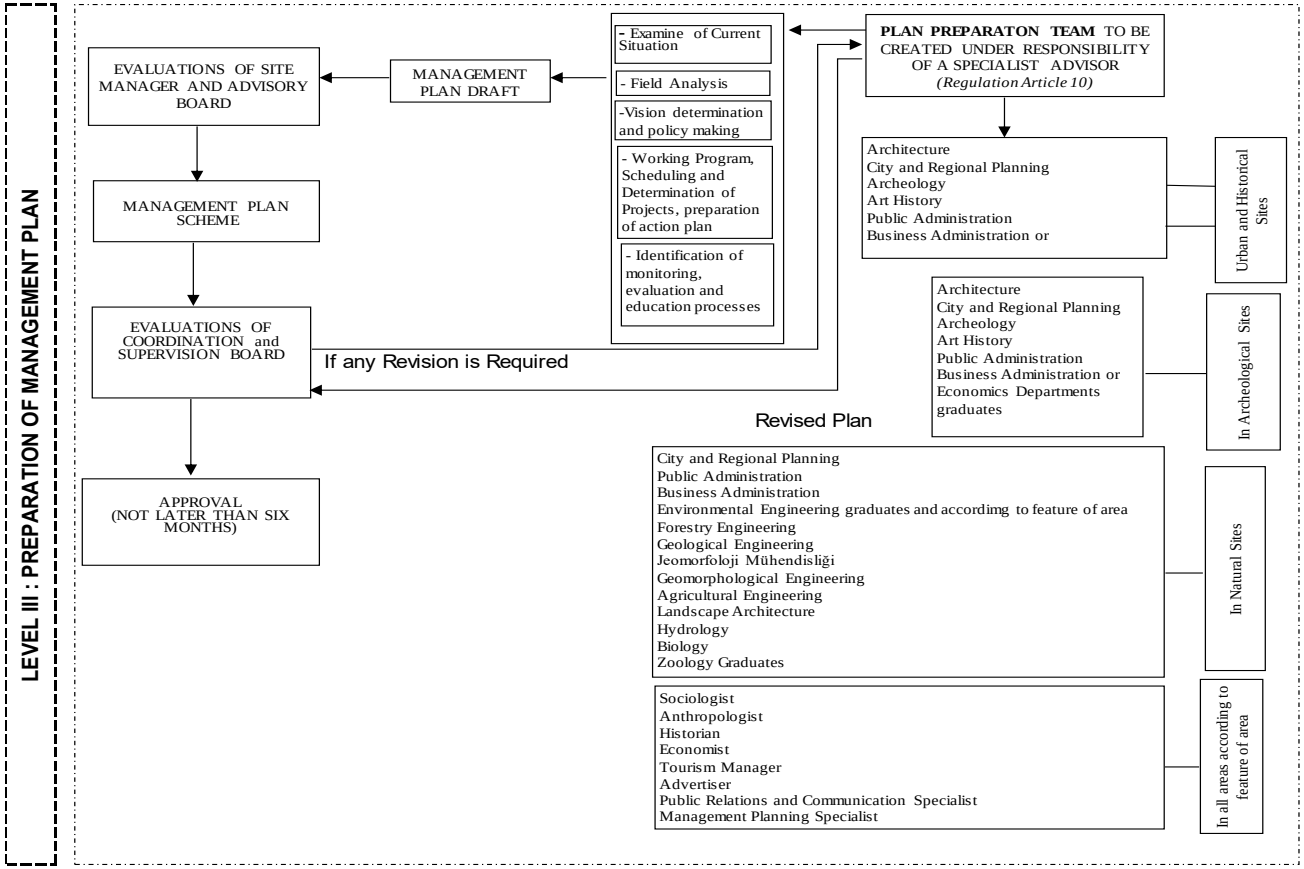

Figure 2.16 Preparation of the Management Plan

2.4.2.3 Stakeholders and Their Responsibilities

2.4.2.3.1 Central Authorities

Ministry Of Culture And Tourism

Between 1982 and 1989, the Ministries of Culture and Tourism, operated under a single name, but became two separate ministries between 1989 and 2003. They have been reorganized as the Ministry of Culture and Tourism in accordance with 'Law on Organization and Duties of the Ministry of Culture and Tourism' No. 4848, published in the Official Gazette dated 29/04/2003 and No. 25093. The objectives of the Ministry of Culture and Tourism, which has the leading role in the conservation of cultural assets in Turkey, are determined as, according to Article 1 of the Law No. 4848, to conserve, develop, disseminate, promote, evaluate and adopt cultural values; to prevent the devastation and destruction of historical and cultural assets; to evaluate every potential of tourism as a form of contribution to the economy of the country; to take necessary measures to develop, market, promote and support tourism; to direct and cooperate with public institutions and organizations related to culture and tourism issues and to develop and cooperate with local administrations, non-governmental organizations and private sector.

According to Article 2 of the Law, the duties of the Ministry are summarized as; to contribute to national integrity and economic development through the conservation and development of historical and cultural values; to direct public institutions and organizations in culture and tourism; to communicate and cooperate with public institutions, local administrations, NGO's and the private sector; to provide financial assistance to the projects of associations and foundations established for this purpose in the fields of culture, art, tourism and promotion activities; to conserve historical and cultural assets; to evaluate tourism opportunities; to develop tourism, to direct all kinds of investment, communication and development potential in the fields of culture and

tourism; to expropriate, survey, prepare projects, construct or commission them where necessary as well as to carry out promotion duties related to culture and tourism.

The Ministry of Culture and Tourism comprises central, provincial, organizations outside Turkey and affiliated corporations. The main service units, consultative, control and auxiliary service units constitute the central organization of the ministry. The head of the central organization is the Minister of Culture and Tourism and the undersecretary is his deputy. The General Directorate of Cultural Assets and Museums and the General Directorate of Investment and Enterprises, which are the main service units of the central organization, and Central Directorate of Revolving Funds, an affiliated body of the ministry, have various duties concerning the conservation of cultural assets.

General Directorate of Cultural Assets and Museums

The duties of the General Directorate of Cultural Assets and Museums have been determined in accordance with Article 9 of Law No. 4848. Accordingly, the General Directorate carries out activities related to excavation, research, conservation, evaluation and promotion of movable and immovable cultural assets and takes preventive measures against their destruction and smuggling. It ensures the establishment of museums, Surveying and Monuments Directorates, Restoration and Conservation Laboratories, where it is deemed necessary. It provides for the development of state museums and encourages the establishment of private museums. It identifies, maintains and repairs immovable cultural assets outside the country's borders. It takes necessary measures and encourages practices on the maintenance and restoration of cultural assets. It ensures the establishment of a Council for Conservation of Cultural Assets where necessary. It performs services for research, investigation, determination, evaluation and planning within the duties assigned to the Superior Council for the Conservation of Cultural Assets and Regional Council for Conservation. It ensures the making of decisions by the Superior Council for the Conservation of Cultural Assets and the Regional Councils for Conservation, execution of the procedures for implementation of decisions and the coordination of

them. It provides for the development of conservation culture. It conducts certification processes of cultural investments and initiatives in coordination with relevant departments, supervises their activities, and conducts tendering and control works related to allocation, restoration and restitution of cultural assets.

The Superior Council for the Conservation of Cultural Assets and 35 Regional Councils for the Conservation of Cultural Assets operate as affiliates to the General Directorate with the purpose of the implementation of services related to immovable cultural assets[23]. Furthermore, 20 Museum Chairmanships, 107 Museum Directorates, 14 Surveying and Monuments Directorates, a Restoration and Conservation Central Laboratory Directorate and 10 Restoration and Conservation Regional Laboratory Directorates serve under the authority of the General Directorate (2015 Annual Report, 2015: 9).

The Superior Council for the Conservation of Cultural Assets

The Superior Council for the Conservation of Cultural Assets was established as an affiliate of the ministry to conduct services based on scientific principles regarding immovable cultural assets that need to be protected pursuant to Article 51 of the Law No. 2863. The main task of the Superior Council is to determine the principles to be applied in the work related to the conservation and restoration of immovable cultural assets. Moreover, it provides the necessary coordination among the Regional Councils for Conservation. It gives opinions by evaluating general problems arising in practice as a result of decisions taken by the Regional Councils for Conservation. It decides on matters, which were put on the agenda, sent by ministries, local administrations and other public institutions and organizations requesting discussion in the Superior Council for Conservation. It makes decisions by evaluating the objections of public institutions and organizations and real and legal persons against resolutions of Regional Councils for Conservation.

[23]These Regional Conservation Boards are Adana, Ankara 1, Ankara 2, Antalya, Aydın, Bursa, Çanakkale, Diyarbakır, Edirne, Erzurum, Eskişehir, Gaziantep, İstanbul 1, İstanbul 2, İstanbul 3, İstanbul 4, İstanbul 5, İstanbul 6, İstanbul 1 Renewal, İstanbul 2 Renewal, İzmir 1, İzmir 2, Karabük, Kars, Kayseri, Kocaeli, Konya, Kütahya, Muğla, Nevşehir, Samsun, Sivas, Şanlıurfa, Trabzon and Van.

The Undersecretary of the Ministry, Deputy Undersecretary of the Prime Ministry, the related Deputy Undersecretary of the Ministry, Director General for Cultural Heritage and Museums, Director General for Investments and Enterprises, the related Director General from Ministry of Environment and Urbanization, Director General or Deputy Director-General for Forestry and Water Affairs, Director General or Deputy Director-General for Foundations, six members of Regional Councils for Conservation to be selected by the Ministry, General Director or Deputy Director General for Mineral Works, Director General or Deputy Director General for Nature Protection and National Parks are all members of the Superior Council for the Conservation of Cultural Assets. The chairperson of the Superior Council for Conservation is the Undersecretary of the Ministry. The Minister presides over the council if he/she deems necessary, but they cannot vote. The agenda of the Superior Council for Conservation is determined by the ministry. After the setting of the agenda, the Superior Council for Conservation is invited to the meeting. The Council convenes with a quorum of an absolute majority and decides with an absolute majority of the members attending the meeting.

The Regional Council for Conservation of Cultural Assets

The Regional Councils for Conservation perform their authorities and duties within the framework of the resolutions of the Superior Council for Conservation. Accordingly, registration and grouping of cultural assets that need to be protected and determined by the ministry, are carried out by the Regional Councils for Conservation. The Regional Councils for Conservations determine the transition period building conditions within three months of the registration of conservation areas. It examines and makes decisions about conservation plans and all kinds of related changes. It also determines conservation site of immovable cultural and natural property requiring protection. It removes registration of immovable cultural assets which have lost their qualifying characteristics. Additionally, it makes decisions about the implementation of decisions about immovable cultural assets, protected areas and conservation sites.

The Regional Council for Conservation consists of seven representatives to be appointed by the Ministry who are specialists in archaeology, art history, law, architecture and city planning; if the subject of negotiation is within municipal borders, the mayor or their technical representative, if it is outside municipal borders, a technical representative to be appointed by the governorate; if the subject of negotiation is related to the Ministry of Environment and Urbanization, a technical representative from the Directorate of Environment and Urbanization: if the subject of negotiation is related to the General Directorate of Pious Foundations, the Regional Director for Foundations or their technical representative; if the subject of negotiation is related to the Ministry of Forestry and Water Affairs, the relevant technical representative; and if the subject of negotiation is related to the museum directorship, the relevant museum director. Furthermore, the council can invite an expert as a consultant, but the consultant has no voting rights. Professional chambers, relevant to the agenda of the Regional Council for Conservation, can attend the meeting as observers at the invitation of the Directorate of Regional Council for Conservation. The Chairperson of the Regional Council for Conservation and his deputy are elected at a meeting, where seven representatives of the ministry attend among the members of the council. If more than half of the members of the council change, the chair and his/her deputy are re-elected. In the absence of the chairperson, the deputy chairperson chairs the Regional Council for Conservation. The tenure of membership of representatives from the institutions to the Regional Council for Conservation continues until the end of their appointment in their respective institutions. The tenure of the members of the Regional Council for Conservation appointed by the ministry is three years.

The Regional Council for Conservation convenes at least four times a month. However, if there are no pending issues on the agenda, the Regional Councils should hold a minimum of twice a month. The frequency of meeting can be increased in the light of the number of issues to be negotiated and any extraordinary situations so as to prevent the accumulation of business. The Directorate of Regional Council determines meeting days and agendas for the conservation, and a meeting call is made to the members of the Regional Council for Conservation. The Regional Council for

Conservation convenes with the absolute majority of the members who are required to attend the meeting and decide by an absolute majority of the members attending the meeting. However, the quorum for decisions cannot be less than four. Decisions are recorded in writing, stating the grounds and scientific reasons in the law and the principles determining decisions.

Public institutions and organizations, municipalities, real persons and legal entities are obliged to comply with the decisions of the Superior Council for Conservation and the Regional Councils for Conservation. The principle decisions of the Superior Council for Conservation are published in the Official Gazette. Objections raised by public institutions and organizations, municipalities, real and legal persons against decisions of the Regional Council for Conservation are evaluated by the ministry and put on the agenda of the Superior Council for Conservation, if deemed necessary. These objections are examined in the Superior Council for Conservation and are decided on within three months. Subjects of objection discussed in the Superior Council for Conservation are not put into the agenda of the Regional Council for Conservation separately.

Surveying and Monuments Directorates

The Surveying and Monuments Directorates, established in accordance with article 9.b of Law No. 4848, performs or have performed, the works in the investment program or the works, which are within the framework of its duties concerning museum buildings and registered immovable cultural assets, to be implemented by using DÖSİMM and similar resources. It also carries out all kinds of survey, projects and implementation services (project preparation, approximate cost preparation, procurement procedures, construction supervision services, temporary and final acceptance procedures, etc.) related to maintenance, repair, construction, survey, restitution, restoration, landscaping, street rehabilitation, transportation, conservation and evaluation works defined in the Cultural Assets Tender Regulation or the Public Procurement Law No. 4734. If deemed necessary, it provides technical support for procurement, implementation, inspection, realization, construction supervision and

similar matters of the works to be carried out by other institutions. It prepares information and documents related to the restoration of the immovable assets located in provinces, which are within the scope of its duties, in coordination with the related institutions and organizations and carries out studies regarding possible works to be included in the investment program for the following year. It regularly submits information and documents concerning the work carried out by the Directorate General of Cultural Assets and Museums. It conducts assistance for maintenance, repair and restoration of the immovable cultural assets required to be conserved and works and operations about loans provided for these immovables in coordination with the instructions of the Directorate General. It provides technical support for the promotion of cultural investments, besides initiatives and promotion (sponsorship) of activities in the cultural realm within the scope of the Encouragement of Cultural Investments and Initiatives Law No. 5225. The Surveying and Monuments Directorate can comprise a Planning - Project Units, Construction, Repair and Restoration Units, Examination and Final Account Units and Administrative and Financial Affairs Units according to work and personnel situations.

Museum Chairmanships and Museum Directorates

According to Annex 2, which was added to Law No. 2863 in 2004 with the Law No. 5226, it was envisaged establishing the Museum Chairmanships within national museums determined by the Ministry. According to the Article 12 of the Regulation on the Establishment and Duties of National Museum Chairmanships, prepared in the context of the said article, the inventory management, exhibition service, registration and supervision service, training and librarianship services can be established within the Museum Directorates. Carrying out studies on the determination of the immovable cultural assets falling within the scope of the law and preparing related documents and necessary reports for the registration are among duties of the Museum Chairmanships.

According to the Interior Service Regulation, which is valid for museums other than Museum Chairmanships organized as the directorate, providing protection, and ensuring utilization of movable and immovable cultural assets that fall within the scope

of the Law No. 2863 are among the duties of the Museum Directorates. Where appropriate, the Museum Directorate has the duty of conducting studies on the determination of immovable cultural assets included in the scope of Law No. 2863 and preparing documents for registration. The ministry carries out businesses about requests of the Regional Councils for Conservation or other institutions and organizations for examination and research in the museum or region.

General Directorate of Investments and Enterprises

The General Directorate of Investment and Operations is one of the main service units of the Ministry of Culture and Tourism. The duties of this General Directorate are to establish tourism policies, carry out research on tourism investments, determine priorities and the resources to be allocated for tourism, cooperate with other public institutions and organizations, prepare annual investment programs, inspect touristic investments and enterprises and upgrade their qualifications and finally carry out certification of investments and enterprises.

Furthermore, with the Tourism Encouragement Law No. 2634, the ministry carries out the duties and authorities assigned to the ministry regarding the determination, announcement and plans of the tourism regions, areas and centers. It establishes cultural and tourism protection and development zones whose boundaries are determined by the decision of the Council of Ministers. In these regions, it has the authority over granting planning permission or formulating plans at all levels, directing investments towards cultural and tourism development zones and investing to ensure planned development.

Central Directorate of Revolving Funds Management (DÖSİMM)

The Central Directorate of Revolving Funds Management of the Ministry of Culture and Tourism was established pursuant to the Revolving Fund Law No. 2252, enacted on 19.06.1979. Central Directorate of Revolving Fund Management (DÖSİMM) is an institution that is a public legal institutions operating with its own resources without

receiving assistance from the general budget. DÖSİMM, with the largest budget and staff of any unit of the Ministry of Culture and Tourism, conducts the commercial operations of the ministry, provides resources for conservation and development of cultural assets, cultural and tourism infrastructure investments and the promotion of the country's image (URL 1).

In accordance with Article 3 of Law No. 2252, the revolving fund of the Ministry of Culture and Tourism is used for enterprises operating in the fields of production and sale of goods and services such as ancient arts, monuments, museums, librarianship, bibliography, documentation, information, publications, promotion, fine arts, performing arts, archive, folklore, handicrafts, cinema arts, organization of festivals and cultural centers. Applications such as infrastructure participation shares, obtained from public land allocations in the scope of the Tourism Encouragement Law No.2634, and funds created in the revolving fund are used in survey, restitution and restoration projects of immovable cultural assets.

Any amount not spent from the annual budget of the Radio and Television Supreme Council are transferred to the account of the Central Accounting Directorate of the Ministry of Finance at the end of the year and are recorded as income in the budget, according to paragraph 5 of the Article 12 of the Law No. 3984 on the Establishment of Radio and Television Enterprises and their Broadcasts. However, an appropriation is allocated to the budget of the Ministry of Culture and Tourism every year, not less than the amount of income recorded in the previous year in the budget. This appropriation is transferred directly to the DÖSİMM of the Ministry of Culture pursuant to Article 45.b of Revolving Fund Regulation. This appropriation is then transferred to the public institutions that will carry out the services for the purpose of conservation and revival of cultural heritage and natural properties in the country, and Turkish cultural assets abroad; thus constituting an important financial resource. Additionally, under Article 45.b of the Revolving Fund Regulation, the amount determined for the fulfillment of compulsory infrastructure services can be transferred to special provincial administrations for the conservation of cultural heritage on

condition that the expenditure is directly related to culture and tourism investments within the scope of the Revolving Fund Management's business and services.

Provincial Directorates of Culture and Tourism

The Provincial Directorates of Culture and Tourism were established with the objective of planning, administering, supervising, developing and evaluating the duties of the Ministry of Culture and Tourism at provincial and district levels. The Provincial Directorate of Culture and Tourism serves at the disposal of the Provincial Governor in accordance with the Provincial Administration Law No. 5442, dated 10.06.1949. The Provincial Directorate of Culture and Tourism is the administrative and supervisory authority that ensures the proper and efficient functioning of the affiliated departments under its administrative auspices. The Provincial Directorate of Culture and Tourism consists essentially of the Section of Cultural Affairs, Section of Tourism Affairs and Section of Administrative and Financial Affairs and the directors attached to these sections.

The Provincial Directorates of Culture and Tourism are charged with duties on the conservation of cultural assets in addition to the duties regarding culture and tourism. In this context, they ensure coordination of operations regarding the implementation of the decisions of the Superior Council for the Conservation of Cultural Assets and the Regional Councils for Conservation. Additionally, they monitor the activities actually run by the Museum Directorates such as securing and conserving historical and archaeological assets, preventing the smuggling of cultural assets, taking necessary precautions to prevent unauthorized treasure hunting and illegal excavations, supervising the activities of licensed movable cultural assets businesses and collectors, guiding, encouraging and improving activities of these businesses and collectors as well as cooperating with other public institutions and organizations related to these activities. They do the work necessary to develop culture and tourism awareness in provinces. To this end, they provide cooperation between the relevant public institutions and organizations, professional and non-governmental institutions, private sector and universities; evaluate the tourism potential in the regions regarding development plans and annual programs; as well as to plan and carry out training for

the public institutions and organizations and private sector staff on the subjects of culture and tourism.

They also receive the applications from real or legal persons owning immovable cultural and natural assets for aid in kind, in cash or technical assistance from the ministry for conservation, maintenance and repair of these immovables, carry out the examination and evaluation of these applications and notify the ministry accordingly.

The Grand National Assembly of Turkey (The Directorate of National Palaces)

Pursuant to the article 10 of Law No. 2683, the conservation of cultural and natural assets managed and controlled by the Turkish Grand National Assembly are the responsibility of the Presidency of the Turkish Grand National Assembly. The Directorate of National Palaces under the Office of Deputy Secretary-General of Technical Services carries out the services for conservation, maintenance and repair of the national palaces, mansions, pavilions and curtilages that are under the management of the Turkish Grand National Assembly.

The Ministry of National Defense

According to article 10 of the Law No. 2683, the Ministry of National Defense conserves and evaluates any cultural and natural assets under its administration, control or along the country's borders in restricted zones. The protocol between the Ministry of National Defense and the Ministry of Culture and Tourism signed on March 25th, 1997, sets forth the principles for determining the cultural and natural assets and deliberation of survey, restoration and utilization projects at the Regional Conservation Councils. According to the Turkish Armed Forces Immovable Property Regulation, the immovable cultural and natural assets, within the scope of the Conservation of Cultural and Natural Property Law No. 2683, are counted and registered regularly every year.

The Ministry of Interior

The Ministry of Interior, within the framework of its authority on the subject of local administrations, organizes national campaigns regarding the documentation, protection and restoration of cultural and natural assets and utilization of them by the public. The Ministry cooperates with various non-governmental organizations regarding implementation. The Ministry, in particular, promotes and informs the roles and responsibilities of governorates and municipalities in the field of conservation, undertakes a guiding role, prepares declarations and encourages activities in accordance with the principles described herein. It also contributes to restoration of cultural assets in addition to efforts to foster a culture of conservation in the public and to increase the awareness of local administrations (Madran and Özgönül, 2005: 124).

The Ministry of Finance (The General Directorate of National Property)

The General Directorate of National Property of the Ministry of Finance is the generally authorized institution regarding state land ownership with the exception of the authorization given by specific laws. Pursuant to the Article 13 of the Decree Law No. 178, the General Directorate of National Property is authorized to manage immovables under private ownership of the treasury or the immovables unregistered but under the jurisdiction and possession of the State, to keep the inventory records, to register, to sell, to rent, to exchange, to conduct transactions regarding allocation of immovables to public institutions or organizations in need. The Directorate General of National Property conducts these duties through the Directorates of National Property or Departments of National Property organized under district treasures in provinces. The General Directorate of National Property should obtain the opinion of the Ministry of Culture and Tourism before establishing the transactions (rent, sale, allocation, etc.) regarding immovables within the scope of Law No. 2683.

Ministry of Environment and Urbanization

The ministry, was established under the name of The Ministry of Public Works and Settlement between 1983-2011, was restructured under the name of The Ministry of Environment and Urbanization by the Decree Law No. 648 dated 17.08.2011. The

authority of the Environmental Protection Agency for Special Areas, which was closed down by Decree Law No. 648, were transferred to the Ministry of Environment and Urbanization. The duties regarding natural protected areas, which were previously under the authority of the General Directorate for Nature Conservation and National Parks, formerly within the Ministry of Environment and Forestry (currently, the Ministry of Forestry and Water Affairs), were transferred to the General Directorate of Conservation of Natural Properties, established within the body of the Ministry of Environment and Urbanization. The General Directorate is responsible for the registration and approval of national parks, nature parks, natural monuments, natural conservation areas, wetlands and areas with similar protection status. Furthermore, it is responsible for ensuring that these areas are managed, determining resolutions for their use and construction, having plans made for all types and at all levels and implementing them. The Central Commission for the Conservation of Natural Properties and Regional Commissions for Conservation of Natural Properties operate within the Ministry of Environment and Urbanization to decide on matters pertaining to natural properties and natural protected areas with the participation of biologists, landscape architectural, agriculture, environmental, forestry and aquaculture engineers as well as law experts according to the specific circumstance of properties and areas.

Authority on planning and enforcement, which mainly belong to local administrations pursuant to Article 1.c of the Decree Law No. 648, were given to the Ministry of Environment and Urbanization. In this context, in relation to all kind of buildings to be constructed on land owned by the public, the Ministry of Environment and Urbanization has the authority directly to make, have made and approve all kinds and scales of environmental plans, master and implementation development plans and their changes, subdivision plans and their changes, besides directly granting licenses and occupancy permits in the event of no license being issued by the competent authorities within two months. In addition, the authority to make, have them made and approval of studies, maps, all kinds and scales of environmental plans, master and implementation development plans, subdivision plans and their changes, which are prepared or ordered to be prepared by the state, the treasury, public institutions or private persons but not approved by the competent authorities within three months,

upon applications of the parties involved, moreover, the authority of directly granting licenses and occupancy permits if no license is issued by the competent authorities within three months from the date of application were given to the Ministry of Environment and Urbanization.

General Directorate of Pious Foundations

The foundation institution, transferred from the Ottoman State to the Republic of Turkey, is now managed by the Foundations Law No. 5737 dated 20.02.2008. The General Directorate of Pious Foundations is authorized for identification, registration, conservation of the movable and immovable cultural assets possessed by the foundations at home and abroad as well as expropriation, exploitation, repair, restoration and re-construction, if necessary, of the cultural assets of foundations and conservation sites whose ownership has changed. The General Directorate of Pious Foundations is the determining authority in the conservation of cultural heritage due to the actions it has undertaken on foundation assets, which are the cultural assets it owns or is responsible for, operates through 25 regional offices. Pursuant to the article 7 of Conservation of Cultural and Natural Assets Law No. 2863, the General Directorate of Pious Foundations identifies and inventories immovable cultural and natural assets owned by foundations administered and controlled by the General Directorate of Pious Foundations, mosques, tombs, caravanserais, madrasas, inns, public baths, masjids, zawiyas, sebils, mevlevihanes, fountains and similar immovable cultural and natural assets, which are necessary to be protected and owned by real and legal persons.

According to the article 57 of the Conservation of Cultural and Natural Assets Law No.2863, with the amendment made by the Law No. 5226 in 2004, the General Directorate of Pious Foundations has the authority for renovation and repair of foundation properties, those it is responsible for and are not covered by licenses, by submitting reports to the relevant Regional Conservation Council before and after the implementation. The General Directorate of Pious Foundations can provide technical staff and allowances to the owners of the immovable cultural assets for conservation,

maintenance and repair of immovable cultural and natural assets in cases where it is necessary, if deemed appropriate by the ministry. The General Directorate of Pious Foundations, an affiliate of the Prime Ministry, consists of the Foundations Council, the central and provincial organizations.

The General Directorate of Highways

According to Article 2 of the Law on the Establishment and Duties of the General Directorate of Highways No. 5539 and dated 16.2.1950, the General Directorate of Highways is responsible for construction, reclamation and repair of roads and bridges, keeping them under constant maintenance to ensure their safe use and provision of necessary training on these subjects. With regard to the conservation of immovable cultural assets, there is Division of Historical Bridges under the Department of Structures affiliated to the General Directorate of Highways. The protection, maintenance and repair of many bridges having the status of cultural heritage are among the duties of the General Directorate of Highways.

The Presidency of Public Housing Administration (TOKI)

With the Law No. 2985, which entered into force in 1984, the Presidency of the Housing Development Administration (TOKİ) was established outside of the authority of the general administration, with an autonomous collective housing fund. According to article 12 of the Law No. 2863, a minimum 10% of the loans given according to the Housing Development Law No. 2985 will be allocated to the applications regarding the maintenance, repair and restoration of registered cultural property. The Ministry and the TOKİ will determine priority projects within this scope jointly. In addition to the duty of TOKİ to allocate resources for the protection of immovable cultural assets, as applications in conservation areas are considered, it has duties in accordance with Article 3 of Law No. 5366 on the Revitalization and Rehabilitation of Degraded Historic and Cultural Immovable Assets, regarding applications. According to this, it is possible to implement urban renewal works carried out by the special provincial

administrations or municipalities together with the Housing Development Administration, or the TOKİ can carry them out alone.

General Directorate of Iller Bank

The General Directorate of Iller Bank was established as the relevant organization of the Ministry of Environment and Urbanization with the Law No. 6107 and dated 26.01.2011. According to the law of establishment, its duties are meeting the financing needs of the local administrations, developing projects, providing consultancy services, helping to carry out technical urban projects, infrastructure and superstructure works for these administrations and finally, carrying out all types of development and investment banking functions. Since it has the authority to make development plans within the framework of its activities, it provides services for making conservation plans. The bank makes plans, either itself or offering them for tender. In line with the article 58 of the Decree Law No. 648, it is authorized to carry out or have carried out, special projects, urban infrastructure projects, and construction works requested by the Ministry of Environment and Urbanization.

2.4.2.3.2 Regional Institutions

Regional Development Agencies (RDA)

Within the framework of the 'Establishment, Coordination and Duties of Development Agencies Law' No. 5449 dated 25.01.2006, 26 Development Agencies were established, on the basis of the Level 2, regions under the coordination of the Ministry of Development. It is thought that Regional Development Agencies (RDA) will play a very significant role in activation of regional potentials and dynamics, improvement of the income distribution and elimination of regional disparities (Tutar and Demiral, 2007: 65).

According to the Establishment, Coordination and Duties of Development Agencies Law No. 5449, the RDAs are obliged to provide technical support to planning studies

of local administrations and to support the activities and projects ensuring the implementation of regional plans and programs. The RDAs contribute to the improvement of the capacity of the region concerning rural and local development in line with the regional plans and programs and to support the projects within this remit. In this context, the RDAs have duty of using or having used, the resources allocated to the agency in conformity with regional plans and programs.

The RDAs invest heavily in cultural heritage under their mission to contribute to regional and local development. Governorates, District Governorates, Municipalities, Universities, Special Provincial Administrations, and Unions of Village Delivery Service can apply to the RDAs to receive assistance for projects that will enable the utilization, conservation and increase of tourism diversity of existing natural, historical and cultural assets, with the objective of improving infrastructure and landscaping (URL 2).

In this context, in 2013, a project about survey and restoration of the Knidos Ancient City Theater, with a budget of approximately 1,000,000 TL. financial support from the General Directorate of Cultural Assets and Museums, and under the project partnership of Marmaris Museum Directorate, was approved by the Southern Aegean Development Agency (GEKA). Similarly, a project regarding survey and restoration of the Kelendiris Ancient City Port Bath, located in Aydıncık town of Mersin province, with a budget of approximately 1,000,000 TL. financial support from the General Directorate of Cultural Assets and Museums and under the project partnership of Silifke Museum Directorate, was carried out by the Çukurova Development Agency (ÇKA) (URL 2).

2.4.2.3.3 Local Authorities

Special Provincial Administrations

Special Provincial Administrations are public legal bodies with administrative and financial autonomy, established to meet the local and common needs of the provincial

people, and their decision-making bodies are elected by the votes of electorates. The decision-making authorities of a Special Provincial Administration are the general provincial council, provincial executive committee, and governor.

According to Article 6 of the Special Provincial Administration Law, which regulates the duties and responsibilities of the special provincial administrations, they are mandated and authorized to provide services for those metropolitan municipalities whose boundaries are the boundaries of the province, such as provincial environmental plan, public works and settlement, culture, arts, tourism, provision of landlots to primary and secondary education institutions, construction, maintenance, and repair work of the buildings, as well as services to respond to other needs within the boundaries of the province; and services that are related to development planning, road, water, sewer, solid waste, environment, emergency aid and rescue, supporting the forest villages, forestation, establishment of parks and gardens outside the municipal boundaries.

Ministries and other central government agencies may make investments relating to development within the purview of ministries and other central government agencies by transferring the appropriations in their budgets earmarked for such services to special provincial administrations; however, such appropriations may not be used for other purposes. The special provincial administrations may transfer appropriations from their own budgets within their budgetary means. The mentioned investments may be carried out within the provincial boundaries without limitation as to the purview.

Additionally, in accordance with article 10 of the Law No. 2863, project offices are established within special provincial administrations to prepare and implement survey, restitution and restoration projects with the objective of conserving cultural assets and training units that will train certified master builders. Pursuant to the article 11, if deemed appropriate by the Ministry of Culture and Tourism, the General Directorate of Pious Foundations, special provincial administrations, municipalities and other public institutions and organizations can assist to owners of immovable cultural assets, if necessary, in conserving, maintaining and repairing the immovable cultural and natural assets with technical expertise and allocation of funds.

A contribution share for conservation of immovable cultural assets at a rate of 10% of the real estate tax is accrued and collected by the relevant municipalities along with the real estate tax for the purpose of conserving and exploiting the cultural assets remaining in the task areas of the municipalities and special provincial administrations. The sums are transferred to municipalities by governors. Furthermore, public institutions and organizations, municipalities, special provincial administrations and local administrative unions can expropriate their registered immovable cultural assets provided these are used in line with the functions prescribed by Regional Councils for Conservation. Immovable property owned by real and legal persons in civil law in a conservation site with an absolute prohibition of construction, according to the conservation plan, can be exchanged with immovable property belonging to the municipality and the special provincial administration upon request of the owner.

According to Article 1 of the Revitalization and Refunctioning of Degraded Historic and Cultural Immovable Assets Law No. 5366 dated 05.07.2005, conservation areas registered and declared by the Regional Councils for Conservation and their conservation zones, which have become degraded and on the verge of losing their features, can be reconstructed and restored by metropolitan municipalities, district and first degree municipalities within the borders of metropolitan municipalities and by provincial, sub-provincial, district municipalities and municipalities with a population exceeding 50,000 and by special provincial administrations in regions outside the jurisdictions of these municipalities in coordination with regional development activities. Furthermore, the creation of residential, commercial, cultural, touristic and social facilities, taking measures against natural disaster risks, conserving historical and cultural assets by renovation and utilizing them by revitalization is possible in these zones.

By the Law No. 6360 entitled ‘Establishment of Fourteen Metropolitan Municipalities in Fourteen Provinces and Twenty-seven Districts and Amending Certain Laws and Decree-Laws’, published in the Official Gazette dated 06.12.2012 and No. 28489,

special provincial administrations were abolished and their legal bodies ceased to exist in provinces with a Metropolitan Municipality[24].

Investment Monitoring and Coordination Presidency

Investment Monitoring and Coordination Presidencies were established under governorates in the provinces where special provincial administrations were abolished in accordance with the 'Regulation on the Duties, Authorities and Responsibilities of the Investment Monitoring and Coordination Presidency and Its Working Procedures and Principles' published in the Official Gazette dated 04.04.2014 and No. 28962. Administrative Directorates of Investment Monitoring and Coordination Presidencies consist of Directorate of Administrative and Financial Affairs and Directorate of Natural Resources, Licenses and Cultural Assets. The Directorate of Natural Resources, Licenses and Cultural Assets is obliged to carry out all kinds of duties and to assume the rights and authorities given to the special provincial administrations, whose legal personalities were abolished, within the scope of the related provisions of the Law No. 2863.

Design Offices

Design offices have been set up within the body of special provincial administrations, to prepare and implement survey, restitution, restoration projects and reports for the conservation of cultural assets. The governor determines the qualifications and responsibilities of the unit and unit supervisor of the design offices set up in the special provincial administrations. It is necessary to employ an architect and construction engineer in design offices. In case of necessity, participation of other professional

[24] With Law No.6360, metropolitan municipalities were established and provincial municipalities transformed into metropolitan municipalities in Aydın, Balıkesir, Denizli, Hatay, Malatya, Manisa, Kahramanmaraş, Mardin, Muğla, Ordu, Tekirdağ, Trabzon, Şanlıurfa and Van.The number of metropolitan municipalities has been increased to 30 with the new established ones. The duty and responsibility areas of the newly established metropolitan municipalities and the metropolitan municipalities of Adana, Ankara, Antalya, Bursa, Diyarbakir, Eskişehir, Erzurum, Gaziantep, İzmir, Kayseri, Konya, Mersin, Sakarya and Samsun have been extended to provincial boundaries. As the borders of Istanbul and Kocaeli Metropolitan Municipalities have been extended to the provincial boundaries with Law No. 5747 entitled Establishment of Districts within the Borders of Metropolitan Municipalities and Amending Some Laws, and provisional article 2 added to Metropolitan Municipalities Law No. 5216, no arrangement has been made for these two municipalities.

groups is allowed. The design offices carry out their work by taking into account the Law No. 2863 and the regulations issued in accordance with this law, principle decisions taken by the Superior Council for Conservation and decisions taken by Regional Council for Conservation.

Duties of design office are as follow:

a) To prepare survey, restitution and restoration projects of the immovable cultural assets, which are in the possession on and under supervision of special provincial administrations, possessed by the owners lacking the financial capacity to carry out restoration of immovable cultural assets and determined by General Provincial Council, within the programs decided by the relevant administration

b) To collaborate with universities and research institutes on issues requiring special expertise in this process

c) To participate in the authorization and approval processes of the prepared projects and to follow up the accomplishment of these processes

d) To ensure the implementation and supervision of the projects approved by Regional Conservation Councils concerning immovables owned and controlled by special provincial administrations.

e) To provide expert opinion to the governor by evaluating the projects prepared by municipalities for conservation and exploitation of cultural assets within the scope of 'contribution share' of conservation of cultural assets that was created for the conservation and exploitation of immovable cultural assets.

Training Units

Training units are established within the special provincial administrations to train certified construction craftsmen. The specific building arts of that province are taken into consideration in the establishment of the training units. Studies related to the local training units are carried out in coordination with the National Education Directorate of that province. The duties of the local training units are:

a) To organize training programs with the objective of training local construction craftsmen

b) To ensure the participation of local construction craftsmen in training programs

c) To determine who has successfully accomplished the training program and ensure the award of the required certificate to them.

The trained and certified construction craftsmen are given priority in the essential repair of immovable cultural assets registered as the first group. The training units have a full-time executive team. Experts who provide training in various traditional building arts can be employed on a part-time basis if necessary.

Metropolitan Municipalities

Pursuant to the Law No. 5216 dated 10.07.2004, 'a metropolitan municipality' is defined as a public entity having administrative and financial autonomy, whose boundaries are provincial boundaries, coordinates district municipalities in its boundaries, performs its statutory duties, responsibilities and exercises statutory powers, and whose decision-making body is elected by the electorate. Metropolitan municipality decision-making units are the Metropolitan Council, the Metropolitan Executive Committee and the Metropolitan Mayor.

According to article 7 of the Law No. 5216, describing the duties and responsibilities of metropolitan and district municipalities, metropolitan municipalities have the duty of preparing, having prepared, approving and implementing the master plan at every scale between 1:5.000 and 1:25.000 in compliance with the environmental plan within the borders of the metropolitan municipality. The metropolitan municipalities approve and supervise implementation of development plans, the changes to be made in these plans, subdivision plans and reclamation development plans prepared by district municipalities, which are within its unit, in exact compliance with the master plan, or by changing it. Furthermore, metropolitan municipalities have the authority to prepare or have prepared the implementation of development plans and subdivision plans of district municipalities, which fail to draw up those plans within one year from the date

when the master plan enters into force. A metropolitan municipality draws up land development plans, subdivision plans of all scales, and all development plan implementations in relation to design, construction, maintenance and repair works as required by duties and services given to the metropolitan municipality by law. In this regard, a metropolitan municipality has significant authority over the preparation and implementation of conservation plans. Additionally, ensuring the conservation of cultural and natural assets, the historical urban fabric and areas and functions of historical significance to the town, carrying out maintenance and repairs for these purposes and, where conservation is impossible, reconstructing them in their original form are among the duties of metropolitan municipalities.

Other Municipalities

Pursuant to the Article 3 of the Municipal Law No. 5393 dated 03.07.2005, a municipality is a public legal entity having financial and administrative autonomy, established to meet the local and common needs of the county residents. The decision-making bodies of a municipality consist of the Municipal Council, Municipal Committee and Mayor. According to article 14.b. of the Municipal Law, the municipality can ensure conservation of cultural and natural assets, of the historical urban fabric and of areas and functions of historical significance to the town, carry out maintenance and repairs for the purpose and, where conservation is impossible, reconstruct them in their original form. Pursuant to the article 73 of the Municipal Law, the municipality, upon the decision of the Municipal Committee, may adopt urbanization and development projects in order to reconstruct and restore the ruined parts of the city; to create housing areas, industrial and commercial zones, technology parks, public service areas, recreation zones and all kinds of social facilities; to take measures against the earthquake risk or to protect the historical and cultural property of the city.

The Duties and Responsibilities of the Municipalities under Law no. 2863

Pursuant to the article 10 of the Conservation of Cultural and Natural Assets Law No.

2863, the Ministry of Culture and Tourism may be authorized to take necessary measures or to have public institutions and organizations, municipalities and governorships take the necessary measures to conserve immovable cultural and natural assets, regardless of ownership, control or have them carry out monitoring. The conservation and utilization of immovable cultural and natural assets owned by other public institutions and organizations will be under the municipality's responsibility in accordance with the provisions of Law No. 2863. The conservation of immovable cultural and natural assets owned by the municipalities is carried out with appropriations to be given to their budgets each year to this end. In this regard, the Ministry of Culture and Tourism should receive adequate budget appropriations each year to deliver this service. The Municipalities also use the sums allocated to them by the governorates from the contribution share at a rate of 10% of the real estate tax in expropriation, design, planning and implementation of the projects prepared for the purpose of conservation and exploitation of the cultural properties. Pursuant to the article 15 of the Law No. 2863, the municipalities can expropriate their registered immovable cultural assets on condition that these are used in line with the functions prescribed by Regional Conservation Councils. If the protection areas of the immovable cultural and natural assets that need to be conserved conjoin with road, parking lot and green field in the development plan, expropriation of these is essential.

The municipalities are obliged to have a conservation plan prepared and submit it to Regional Conservation Councils to be examined and finalized within three years regarding the areas in their territory of authority designated as conservation sites. The General Directorate of Iller Bank receives sufficient budgetary appropriations to transfer to municipalities to be used in the implementation of the conservation plan. Furthermore, immovable property owned by real and legal persons in civil law in a conservation site with an absolute prohibition of construction, according to the conservation plan, can be exchanged with immovable property belonging to the municipality upon request of the owner. The relevant municipalities supervise implementation regarding the approved plans and projects in conservation sites, cultural assets needing protection, as well as their conservation zones. When any implementation outside the scope of approved plans and projects is detected, it will be

reported to the ministry and the relevant professional chamber. Within the municipality, the Ministry of Culture and Tourism can establish site management units by defining the borders, appointing a site manager and making a management plan.

The Municipalities can allocate any immovable properties in their ownership to investors or entrepreneurs, as per the provisions of the Encouragement of Cultural Investments and Enterprises Law No. 5225, upon the approval of the Ministry of Culture and Tourism. Furthermore, the municipalities can transfer their rights through development plans. The municipalities have the authority to transfer ownership of registered immovable cultural assets, the building rights of which have been restricted or of the immovable property situated on its conservation site or the building right of which has been restricted through a conservation plan or parts thereof subject to building restriction to areas owned by them or by third parties that are marked as authorized for building in the development plans within the scope of a program prioritizing exercising the rights from such transfer.

The municipalities are obliged to comply with the decisions of the Superior Council for Conservation and Regional Conservation Councils. The municipalities can object within sixty days to the past and future decisions of the Superior Council for Conservation regarding the conservation site, its grading, principles of conservation and terms and conditions of use to apply during the transition period of the conservation site, conservation plans and their revision. Additionally, if the subject of negotiation is within municipal borders, the relevant mayor or their technical representative can attend the meeting of the Regional Conservation Council.

Conservation, Implementation and Supervision Offices (KUDEB)

Pursuant to article 10 of the Law No. 2863, Conservation, Implementation and Supervision Offices (KUDEB), comprising of experts on art history, architecture, city planning, engineering, archaeology and similar professions, are established in metropolitan municipalities, governorates, municipalities authorized by the ministry to process and implement various aspects of cultural assets. These offices are obliged

to supervise the implementation of conservation plans, project and material changes and to undertake building inspection as deemed appropriate by the Regional Conservation Councils.

According to the Regulation on the Foundation, Permission, Working Procedures and Principles of Conservation, Implementation and Supervision Offices, Project Offices and Educational and Training Units, published in the Official Gazette 11.06.2005 / 25842, KUDEBs serve under the department or directorate related to construction within the body of Special Provincial Administrations, head of department on development within metropolitan municipalities and development directorates within the other municipalities. In regard to the concentration of the cultural assets, head of departments can be established, within the body of the metropolitan municipalities where the provincial borders and metropolitan municipal boundaries are common, to carry out the duties assigned to KUDEBs in line with the principles and the basis of the norm staff application. Laboratories and workshops can be established in order to examine and supervise the implementations of renovation, repair and restoration within the scope of this head of department.

At least one expert from each of the professions of architecture, city planning, engineering and art history and when an archeological site is discovered, according to the characteristics of the site, at least one archeologist, are all obliged to be employed in KUDEBs. Besides these experts, specialist personnel in the relevant professions of anthropology, conservation and restoration, and engineering can take charge of these works. The qualifications and numbers of experts are determined considering the nature and concentration of the cultural assets in the KUDEB's territory of duty. The specialists assigned to KUDEB do internship in the relevant Regional Conservation Council for a period of three months. Pursuant to Article 7 of the Regulation, KUDEBs fulfill the following duties, provided that they comply with the rules and procedures set out in the legislation:

a) To examine the building and issue preliminary permit certificate for repair indicating the content of repair, prior to renovation and repair of the immovable

cultural assets

b) In the immovable cultural assets and their protection and conservation areas; to supervise the realization in accordance with the original form and material, to prepare a conformity certificate to those approved, to submit a preliminary permission document after the completion of the repair, reports prepared in the supervision process, photographs of the pre-repair and post-repair of the immovable, and a copy of the repair conformity certificate and other documents about renovations and repairs to the related Regional Conservation Council within one month

c) To terminate the maintenance and submit the issue with relevant documents to the Regional Conservation Council, in case that the necessity of a substantial maintenance is determined in maintenance process launched within the scope of restoration and repair

d) To permit and supervise the renovation and repair of unregistered and licensed immovables according to the regulations in force, which exist in the plots of land adjacent to the immovable cultural asset plot and their conservation areas, if exists, by considering the conditions of conservation plan

e) To supervise implementation of the conservation plans approved by the Regional Conservation Councils in line with the principles of the plan

f) To supervise implementations regarding survey, restitution and restoration projects approved by the Regional Conservation Councils, to issue permit certificate for use for implementations accomplished in line with their projects

g) To carry out the required procedures in line with the development legislation about the unlicensed construction activity which has been made contrary to the resolutions of the Superior Council for Conservation and the decisions of the Regional Councils for Conservation regarding the immovable cultural assets and their conservation sites; about the constructions contrary to conservation plans; about the constructions which has been built in contradiction to the conditions of conservation site; to terminate the implementation and submit the issue with relevant documents to the Directorate of Regional Council for Conservation

h) In case that the registered cultural assets are in danger of collapse, to take necessary measures to ensure the safety of life and property and notify the Directorate of Regional Council for Conservation about the situation

i) To conduct arrangements with respect to the financial assistance to be made by the relevant administrations to the owners of property who are unable to carry out repair of their immovable cultural assets

j) To directly take part in the provision of technical staff or supervise those taken on, this duty to be provided by the relevant administrations for the owners of property who are unable to carry out repair of their immovable cultural assets

k) Where implementations are determined contrary to the Conservation of Natural and Cultural Assets Law No. 2863 dated 21.07.1983 and the Land Development Planning and Control Law No. 3194 dated 03.05.1985, to notify the relevant authority

l) To participate in the activities related to immovable cultural assets, if requested by the Directorates of Regional Conservation Councils.

2.4.2.3.4 Non-Governmental Organizations

Non-governmental organizations related to cultural heritage and its conservation in Turkey have become common after 1980's. The leading non-governmental organizations can be named as, TMMOB-Union of Chambers of Turkish Engineers And Architects-Chamber of Architects (1954), ICOMOS Turkey (1974), TMMOB Chamber of City Planners (1954), ÇEKÜL- The Foundation for the Protection and Promotion of the Environment and Cultural Heritage-1990, Union of Historical Towns (1999), The Foundation for the Conservation of Monuments, Environment and Tourism Assets-TAÇ (1976), The Foundation for the Historical Turkish Houses (1976), Association of Specialists of Conservation and Restoration-KORDER (1998), Turkish Archaeologists Association (1992).

2.4.3 Financial Framework

Financial Resources, Incentives, Exemptions

The resources on the conservation of cultural heritage can be divided into two categories: one being national and the other international resources. National resources are divided into central government resources, regional resources and local

government resources. Central government resources consist of financial aid, aid in kind, technical assistance, incentives, exceptions, exemptions and reductions in culture and conservation provided by various public institutions and organizations. Regional resources are those belonging to regional development agencies organized at the regional level. Local government resources consist of resources and exemptions allocated for municipalities and special provincial administrations. International resources are the resources and aid provided by the organizations aiming to establish a common language and universally accepted methods for culture and conservation.

2.4.3.1 Central Government Resources

Law on the Conservation of Cultural And Natural Property (Law no. 2863)

Aid in Kind, Aid in Cash and Technical Assistance

In Article 12 of Law No. 2863, it is stated that the Ministry of Culture and Tourism shall provide aid in kind, aid in cash and technical assistance for the conservation, maintenance and repair of the cultural and natural properties to be protected, and owned by the natural and legal persons subject to civil law. In accordance with the aforementioned Article, 'Regulation on Aid for the Immovable Cultural Properties' was published in the Official Gazette 27.05.2015 / 29368 which determines the rules and procedures of the aid.

The competent authority for the aid is the Commission for the Assistance to Immovable Cultural Properties. The Commission consists of the General Manager of the General Directorate of Cultural Properties and Museums, the relevant Assistant General Manager, the Head of Department and the Head of Section under the chairmanship of the Deputy Undersecretary. The Commission takes its decisions by absolute majority and the decisions enter into force with the Undersecretary's approval. The Commission assesses the aid requests according to the following criteria:

a) The immovables in the UNESCO World Heritage and Temporary Heritage Lists

b) The immovables that form street or fabric integrity

c) The immovables that require urgent repair due to their structural condition

d) The immovables with period and regional value in architectural and cultural terms

e) The immovables where the projects and implementation must be completed within the year

It is essential to sustain immovable cultural properties by conserving their original position, design, function, material and construction technique qualities, and ensuring participation of the relevant authority in aid activities. Aid for immovable cultural assets are classified under two headings as project and implementation aid. These are:

a) Project aid for construction drawings and restoration projects to be prepared for the documentation, preservation and repair of immovable cultural assets and approved by the relevant Regional Conservation Council.

b) Implementation aid is provided for the interventions to be carried out in accordance with the projects approved by the relevant Regional Conservation Council.

Project and implementation aid are made in cash. Project aid is given in proportion to the cost of the survey and restoration projection the single structure scale approved by the Ministry. This rate is determined by the Commission for the Assistance to the Immovable Cultural Properties and the aid shall not exceed 75,000 TL in any one case. Implementation aid is paid according to the approximate costs calculated based on the unit price analyzes used by the ministry and/or other institutions: For collective petitions on street rehabilitation, up to 80% of this approximate cost; and for individual applications (for a single immovable cultural property), up to 70% of this approximate cost is paid as an implementation aid. The amount of the implementation aid is determined by the commission and does not exceed 300,000 TL. The monetary limits for the aid are updated annually based on the Domestic Producer Price Index (D-PPI) rates.

In addition to aid in cash, the ministry provides the necessary technical assistance for the preparation of projects on conservation and repair of immovable cultural properties, and during the project phase and implementation of those projects. At the same time, if the commission considers it necessary, the ministry will give aid in kind by providing construction materials equal to the whole or part of the amount of the implementation aid.

Aid in cash and/or aid in kind and/or technical assistance can be made to the immovable cultural property together. Where assistance includes several aid elements; the total cost of the aid cannot exceed the monetary limits stated in the regulation. Amounts of aid cannot exceed the ministry's related allowance in the annual budget. Aid is granted in consideration of budgetary limitations. Provincial Directors of Culture and Tourism sign contracts with the immovable owners who have been selected for aid by the commission.

The projects prepared by the designer architect for the immovable cultural property deemed suitable for granting project aids are presented to the Regional Conservation Council. The appropriateness of the projects will be evaluated by the Regional Conservation Council and then a decision will be made whether to grant aid or not. The fulfillment of the project aid contract is audited by the General Directorate of Cultural Properties and Museums or the provincial organization. A supervision committee shall be established consisting of technical experts from the General Directorate of Cultural Properties and Museums and/or the provincial organization and/or the Provincial Directorate of Culture and Tourism to examine the works and transactions carried out in the immovable cultural properties for which implementation aid has been deemed appropriate. The supervision committee supervises the appropriateness of the use of the aid in accordance with the projects approved by the Regional Conservation Council. The supervision committee conducts on-the-spot inspections at the implementation stages and prepares reports for the basis of payment. At the end of the process, the fulfillment or otherwise of the implementation aid contract is audited by the General Directorate and/or the provincial organization.

Property Tax Contribution

As stated in Article 12 of Law No. 2863, a contribution share for preservation of the immovable cultural assets at a rate of 10 % of the real estate tax accruing on the tax payers as per Articles 8 and 18 of Law No 1319 of 29/7/1970 on the real estate tax is accrued and collected by the relevant municipalities along with the real estate tax for use for the purpose of preserving and exploiting the cultural assets falling in the task areas of the municipalities and provincial special administrations.The sums collected accumulate in the special accounts to be opened by the provincial special administrations. Such sums are transferred by the governors to the provincial special administration and municipalities in the provincial territories for use in expropriation, design, planning and implementation of the projects prepared by the provincial special administrations and municipalities for the purpose of preserving and exploiting the cultural assets and such shares are used under the supervision of the governors. The sum used for the projects carried out by the provincial special administrations may not exceed 30 % of the respective special account.

Housing Development Administration (TOKI) Credits

As stated in Article 12 of Law No. 2863, a minimum of 10% of the loans given according to the Housing Development Law No. 2985 shall be allocated to the maintenance, repair and restoration of registered cultural property. The Ministry and the Housing Development Administration shall determine priority projects within this scope jointly.

Expropriation and Swap

As stated in Article 15.a of Law No. 2863, immovable cultural and natural property to be protected and conservation sites partially or wholly owned by real and legal persons shall be expropriated according to the programs of the Ministry of Culture and Tourism. To this end, the Ministry of Culture and Tourism shall receive adequate

budgetary appropriations. Public institutions and organizations, municipalities, special provincial administrations and unions of local administrations can expropriate registered immovable cultural property provided these be used in line with the functions prescribed by Regional Conservation Councils. According to the Article 15.f of the Law, the plots accommodating the immovable cultural and natural assets to be protected, which are declared as the conservation sites and subject to a definite ban for construction under the 1/1000 scale approved conservation plan, may be exchanged for any other treasury land plot or plots independently or in return for shares.

Allowance for Conservation Plan

The General Directorate of Iller Bank shall receive adequate budgetary appropriations to be transferred to the municipalities for conservation plans.

Transfer of the Construction Right

Within the municipal and adjacent areas municipalities, other than those area governorates, are responsible for the transfer of property rights or limited parts of the construction rights of the registered immovable cultural properties that their construction rights are limited or immovables those are in their conservation sites or immovables that their construction rights are limited by the conservation plans, to the areas those are owned by themselves or third parties and reserved as (with the construction plans) transfer area open for construction. These transfers shall be made within a program setting out the priority rights to benefit from the transfer.

Exceptions and exemptions

According to Article 21 of the Law, immovable cultural property registered as ‘immovable cultural property to be protected’ and plots of immovable cultural and natural property in archaeological sites and natural sites under absolute building prohibition shall be exempt from all kind of taxes, duties and levies. However, this exemption provision for half of the real estate tax and the environmental cleaning tax

is not applied to those properties used for commercial activities; except those that are located within the borders of the metropolitan municipality, and the immovables specified above are taxed in simple manner. On the condition that they be used for identification, projects, maintenance, repair, restoration, excavation and security in museums aimed at conserving cultural property all kind of tools, equipment, machinery, technical materials and chemical substances, gold and silver leaf to be imported by the Turkish Grand National Assembly, the Ministry of National Defense, the Ministry and the General Directorate for Foundations shall be exempt from all kind of taxes, duties and levies. Repair and construction works concerning immovable cultural property undertaken in line with the decisions of the Regional Conservation Council shall be exempt from taxes, duties, levies and expenditure contribution collected according to the Municipal Revenues Law.

Law on the Promotion of Cultural Investments and Enterprises (Law No. 5225)

According to Article 4 of Law No. 5225; the use of immovable cultural assets within the scope of Law No. 2863 in accordance with this law, and the researching, compiling, documenting, archiving, publishing, education, teaching and promotion activities regarding cultural assets and intangible cultural heritage are in the scope of promotion. Other promotion implementations are; allocation of immovable properties by the Ministry for cultural investments and enterprises, rebates on income tax withholding, reductions in employers' national insurance contribution, water cost reduction and energy support, employment of foreign experts and artists, and permission to operate on weekends and official holidays.

Law on Income Tax (Law No. 193)

According to Article 89 of the Law on Income Tax (Law No. 193); maintenance, renovation, sustenance, survey, restoration, restitution projects and transfer works, rescue excavations, scientific excavation studies and surface surveys of the immovable cultural assets within the scope of the Law on the Conservation of Cultural and Natural Property, on-site conservation of immovable Turkish cultural assets abroad or the

efforts to bring Turkey's cultural assets back to Turkey, the efforts to create a culture inventory and the donations and aids made for this purpose shall be subject to a deduction from the incomes to be declared in the income tax declaration.

Law of Foundations (Law No. 5737)

According to Article 77 of the Law No. 5737, immovable properties owned by the Directorate General of Pious Foundations or by mazbut foundations[25] shall enjoy the privilege of being government property, so that they shall be immune to being sequestered or pledged. All kinds of transactions involving the said properties shall be exempt from taxes, duties, levies and charges. Funds, donations and sponsorships to be provided by real persons and legal entities for the maintenance, repair, restoration or sustenance of movable and immovable properties owned by the foundations, for landscaping works and expropriation of such property under the Directorate General's control shall be deducted from their income and corporate tax base. Movable and immovable properties donated to a foundation during or after its establishment shall be exempt from inheritance tax.

2.4.3.2 Regional Resources

Resources of the Regional Development Agencies

According to Article 5 of the Law on the Establishment, Coordination and Duties of Development Agencies (Law No. 5449), within the framework of their duties including; to provide technical support to the planning studies of local authorities, to support the activities and projects ensuring the implementation of regional plan and programs, to contribute to the capacity development concerning rural and local development and to support the projects within this scope, the agencies can provide a

[25]Mazbut foundations and mülhak foundations are the foundations which were founded before the Civil Law dated 1926. According tothe VakıfLaw No. 2762 dated 1935, while mazbut foundations are administered by General Directorate of Pious Foundations mülhak foundations are administered by their mütevellis and supervised by the General Directorate of Pious Foundations.

variety of support for cultural heritage conservation under annual financial support programs.

2.4.3.3 Local Government Resources

The major revenue sources of the municipalities are their municipal tax revenues together with their share from government general budget tax revenues. In addition, some ministries provide financial assistance to municipalities providing services and projects in certain areas. The most important resource in the field of cultural heritage is the contribution comprising 10% of the real estate tax.

In addition, the Regulation on Assistance to the Projects of Local Governments, Associations and Foundations published in the Official Gazette, 01.03. 2007 / 26463, states that local governments aiming to develop and promote culture, art and tourism, and the projects of associations and foundations where the core areas are culture, art, tourism and promotion activities shall be supported through the budget of the Ministry of Culture and Tourism.

Furthermore, the Ministry of Forestry and Water Affairs has provided outright aid to the municipalities for the purposes of preventing environmental pollution and improving the environment in accordance with the Regulation on the Follow-up and Collection of Environmental Income and Provision of Predicted Payments. In accordance with the Regulation on the Use of the Allowance Allotted for the Urban Infrastructure Needs of the Municipalities, financial aid is provided through the allowance allotted by the Ministry of Finance to the budget of the Ministry of Environment and Urbanization for urban infrastructure needs (such as mapping, construction plan, drinking water, waste water, solid waste and so on); these are added into the annual investment programs of the municipalities lacking financial resources.

2.4.3.4 Resources of NGOs and Private Sector

Non-governmental organizations (NGOs) that support culture and arts in Turkey create various forms of support for cultural heritage including financial support and non-material support such as education and awareness activities. Within this scope, institutions such as the Association of Historical Cities, ÇEKÜL, TEMA, TURING, TAÇ Foundation, Archaeologists Association, Culture Consciousness Development Foundation, Human Settlement Association, KUMID, History Foundation, Science and Art Foundation, The Union of Chambers and Commodity Exchanges of Turkey, Chambers of Turkish Engineers and Architects, Chambers of Trade and Industry are the institutions that can be included in cultural heritage management processes. It is also possible to benefit from KOSGEB (Small and Medium Sized Enterprises Development Organization) support. This support includes entrepreneur loans, promotion supports, marketing, research and development projects, employment projects, and electricity and tax support during the business period. In addition, TUBITAK R and D Support, Turkish Employment Agency Projects, IGEME (Export Development Center) support and individual donations and grants can be listed among other resources.

2.4.3.5 International Resources

Within the framework of the universal understanding for conserving the cultural heritage, institutions such as UNESCO (The United Nations Educational, Scientific and Cultural Organization), ICOMOS (International Council on Monuments and Sites), ICRROM (International Center for the Study of the Preservation and Restoration of Cultural Property), Organization of World Heritage Cities, Council of Europe, IUCN (International Union for Conservation of Nature and Natural Resources), UNDP (United Nations Development Program), REC (The Regional Environmental Center) have established several support programs.

Among these institutions, UNESCO provides limited financial assistance and technical expertise support for the conservation of the universal cultural heritage.

ICCROM is assisting research, and providing technical support and development of restoration practices in conservation field. ICOMOS provides technical support for scientific conservation. The resources provided by the UNDP Fund are intended to support cultural tourism.

According to Article 22 of the World Heritage Committee, Convention Concerning the Protection of the World Cultural and Natural Heritage, assistance granted by the World Heritage Fund may take the following forms:

a) Studies concerning the artistic, scientific and technical problems encountered in the protection, conservation, presentation and rehabilitation of the cultural and natural heritage

b) Provision of experts, technicians and skilled labor to ensure that the approved work is correctly carried out

c) Training of staff and specialists at all levels in the field of identification, protection, conservation, presentation and rehabilitation of the cultural and natural heritage

d) Supply of equipment which the State concerned does not possess or is not in a position to acquire

e) Low-interest or interest-free loans which might be repayable on a long-term basis

f) The granting, in exceptional cases and for special reasons, of non-repayable subsidies.

In addition, it is possible to benefit from the EU Programs for conserving cultural heritage. The Union Programs are a set of activities implemented to promote co-operation between the EU member states and candidate countries, covering specific areas of the Union policies for a specific period of time. Citizens, businesses, non-governmental organizations, public institutions can participate in the Union Programs. Turkey has participated in nine Union Programs between 2007 and 2013 (URL 3). For the 2014-2020 period, the European Union Cultural and Creative Sectors Program has allocated a total budget of € 1,046,000 for use in the cultural and creative industries, including the issue of cultural heritage conservation.

2.4.5 Technical Framework

It is possible to define the planning and management tools designated in the legislation of the Ministry of Culture and Tourism, which has the primary responsibility for conservation, as technical tools or implementation tools in the management of cultural heritage. Before examining the tools in this context, it is useful to start with the definitions related to conservation at the area scale, stated in Law on Cultural and Natural Properties No. 2863 and related legislation.

2.4.5.1 Definitions

Cultural Property

According to the Article 3.a.1 of Law No. 2863;

> 'cultural property shall refer to movable and immovable property on the ground, under the ground or under the water pertaining to science, culture, religion and fine arts of before and after recorded history or that is of unique scientific and cultural value for social life before and after recorded history.'

Site

According to Article 3.a.3 of Law No. 2863,

> **'**conservation sites shall be cities and remains of cities that are product of various prehistoric to present civilizations that reflect the social, economic, architectural, etc. characteristics of the respective period, areas that have been stages of social life or important historical events with a concentration of cultural property and areas the natural characteristics of which have been documented to require protection.'

Conservation

According to Article 3.a.4 of Law No. 2863,

> ‘conservation shall mean all conservation, maintenance, restoration works and function modification of immovable cultural and natural property and the conservation, maintenance, repair and restoration works of movable property.’

Archaeological Site (Ruined Areas)

According to Article 3.a.7 of Law No. 2863,

> ‘archaeological site shall mean an area where man-made cultural and natural property converges as the product of various prehistoric to present civilizations, that is adequately defined by topography and homogenous, at the same time historically, archeologically, artistically, scientifically, socially or technically valuable, and exhibits partial structures.’

Site

According to the national legislation, for an area to be a site, the first requirement is for it to be a product of one of the various prehistoric to present civilizations. There is no limitation regarding time or period in this stipulation. The law does not distinguish between archaeological sites, urban sites or natural sites; but in contrast, as a reference for these distinctions, the terms below are used;

- For an urban site, ‘cities that reflect the social, economic, architectural, etc. characteristics of the respective period’
- For an archeological site, ‘remains of cities that reflect the social, economic, architectural, etc. characteristics of the respective period’
- For a historical site, ‘areas that have been stages of social life or important historical events with a concentration of cultural property’
- For a natural site, ‘areas the natural characteristics of which have been documented to require protection’.

Detailed definitions for the sites and the conditions for the use of conservation are determined by the resolution of the Superior Council for the Conservation of Cultural and Natural Property / Superior Council for Conservation (SCC).

Archeological Site

In accordance with the resolution of the SCC dated 5 November 1999 No. 658, in order to solve the problems and contradictions in implementation, archeological sites and urban archeological sites are defined, the conditions for the use of conservation are defined and archeological sites are graded. According to the resolution No. 658, the archaeological site is the settlements and areas where all kinds of cultural assets that reflect the social, economic and cultural characteristics of their respective periods and the products on the ground, underground and underwater of ancient civilizations from the beginning of the existence of mankind to present, are located.

Conditions for Conservation and Use in the Archeological Sites

In resolution No. 658, the sites are graded according to their importance and characteristics. Within this framework, **the first grade archeological sites** are areas where construction is absolutely forbidden, designated as conservation areas in the development plan, and which cannot be excavated except for scientific purposes. Nevertheless, seasonal agricultural activities or greenhouses can be allowed without breaking new ground for agriculture, with the evaluation of the RCC, in accordance with the opinion of the museum directorate and the head of the excavation, if existing. Agriculture resulting in the ploughing of soil in mounds and tumuli is prohibited. No new afforestation can be carried out. However, existing trees can be felled. No collection of material (stone, soil, sand) is allowed, quarrying (lime, stone, brick, marble etc.) cannot be started and material (soil, slag, garbage) cannot be dumped. Within the permission of the RCC, pathways and open space arrangements can be made, together with outdoor parking. WC's, ticket offices and security cabins can be built. Burials can continue in existing cemeteries in the area, if present. With the permission of the RCC, consolidation (tevhid) and separation (ifraz) operations can be made in plots of land, without damaging the immovable cultural assets.

Second grade archaeological sites are sites that must be conserved. However the conditions for conservation and use are determined by the RCC; and they shall be

conserved exactly as they are, except for the scientific works aimed at conservation. The conditions that apply to the first degree sites also apply to these areas. In these areas, simple repair of unregistered buildings is allowed to be made in line with the resolutions.

Third grade archaeological sites are archaeological areas where new arrangements may be allowed in line with the conservation - usage decisions. Provided that the archaeological assets in the area are preserved, conservation plan works can be carried out in areas those have been opened for settlement in accordance with the approved landscape plan and master plan decisions, if these exist. With regard to the new construction, drilling excavation shall be carried out by the experts of the relevant museum directorate before construction permits are granted. The results of these excavations shall be sent to the RCC (RCC) and shall be implemented after the decision of the RCC. If there is a director of excavation, their opinions will be taken before sending the results of excavation to the RCC. As in the first grade archeological sites, with the permission of the RCC, consolidation (tevhid) and separation (ifraz) operations can be made in plots of land; collecting material (stone, soil, sand) is not allowed, quarrying (lime, stone, brick, marble etc.) cannot be started and material (soil, slag, garbage) cannot be dumped. Wind farms can be built if in the public interest, after approval by the RCC.

Urban Archaeological Site

According to resolution No. 658, urban archaeological sites are areas which include archeological sites and immovable cultural properties requiring protection and urban fabric that must be conserved according to the law.

Conditions for Conservation and Use in Urban Archeological Sites

In these areas, before plot scale implementation, a robust and comprehensive inventory study of archaeological assets should be made and the plans prepared as a result of this study must be approved. The adaptation of the functions in the area during the planning

will be made by ensuring that the infrastructure services do not damage the cultural layers and the land use is kept to a minimum. It will be ensured that the building height, construction technique and material usage are compatible with the traditional fabric. In these areas, it is possible to carry out reconstruction work on the existing ruins, if the old structure of the foundation is a cultural property to be protected, and if it provides an important contribution to the site where it is located. Structures and ruins at a single structure scale in these areas, if they are cultural properties to be conserved, can be repaired and used if the survey and restitution projects are approved by the RCC. Simple repairs can be made to the immovables not covered by the law.

Urban site

According to the Resolution of the SCC dated 4 October 2006 and No. 720, urban sites are areas in which cultural and natural environment elements (constructions, gardens, plant coverings, settlement fabrics, walls) coexist; and these elements are more valuable as they coexist; and have architectural, local, historical, aesthetic and artistic characteristics.

Conditions for Conservation and Use in Urban Sites

The transitional conservation rules and conditions of use, that define the rules to be followed until a conservation plan is prepared for urban sites within three months from the announcement of the urban site, are determined by the RCC depending on the urban site qualities. Conditions such as density, mass, location, height, architectural features, building material, color, etc. are defined depending on the properties of the fabric of the site, for determining the transitional conservation rules and conditions of use.

In urban sites, it is not possible to carry out consolidation (tevhid) and separation (ifraz) to form new development plots until the transitional conservation rules and conditions of use have been determined. However, necessary consolidation (tevhid) and separation (ifraz) can be made for border arrangements, etc. Since the density and

the community facility decisions to be foreseen in the conservation plan are not yet clear, new construction is not allowed in the plot of the immovable cultural asset requiring protection. Implementations concerning the quality and density that can affect the criteria of the conservation plan are not allowed. New constructions with the position and height that can negatively affect the urban skyline are not allowed.

Implementation in the Urban Sites

Urban sites that do not have transitional conservation rules and conditions of use:

New construction or development implementation is never allowed. Substantial repairs of the registered cultural property structures and unregistered structures can be made in accordance with the decision of the RCC. Modifications and repairs to the unregistered immovable properties with certificates and registered cultural property structures can be made within the scope of the relevant regulations. Mandatory infrastructure implementations can be made in accordance with the decision of the RCC.

Urban sites where the transitional conservation rules and conditions of use are determined:

New construction or development implementations and compulsory infrastructure implementations can be made if the projects have been prepared in line with the transitional conservation rules, and the conditions of use are approved by the RCC. Substantial repairs of the registered cultural property structures can be carried out with the condition that the projects are approved by the RCC. Modifications and repairs to the unregistered immovable properties with certificates and registered cultural property structures can be made within the scope of the relevant regulations.

Urban sites where conservation plans have been approved:

It is necessary to obtain permission from the RCC for all construction and physical implementations, and new restructuring in the plots adjacent to the registered

immovable cultural asset plot. For new construction or development implementations in other plots, the relevant administrations should give permission in line with the conditions specified in the conservation plan and its annexes. Substantial repairs of registered cultural property structures can be carried out on the condition that the projects prepared in line with the provisions of the conservation plan are deemed appropriate by the RCC. Modifications and repairs to the unregistered immovables with certificates according to the existing legal provisions and to the registered cultural property structures can be made within the scope of the relevant regulations.

Supervision in Urban Sites

According to the Resolution of the SCC dated 4 October 2016 No. 720, the supervision of the implementations in urban sites consists of the following steps:

a) Post-implementation reports and photographs about the implementations related to the modification, and repair permits issued by the RCC are conveyed to the Directorates of the RCC and approval of the Directorate is given. A document for permission to use can be granted in line with this approval. This document may also be provided by Conservation, Implementation and Inspection Offices (KUDEB), where these exist.

b) Owners of unregistered buildings, those obtaining substantial repair permission in accordance with the project approved by the RCC, can get an occupancy permit with the approval of the Directorates of the RCC. To obtain this approval from the Directorates of the RCC, the owners should submit the technical report prepared by the implementation manager and the responsible authorities showing that the implementation is within the scope of the approved project, and attaching the photographs taken after the implementation.

For registered buildings, responsible authorities are authorized to issue an occupancy permit in accordance with the RCC decisions. Occupancy permits can be provided by the responsible authorities within the scope of the relevant regulations in line with the approval of KUDEB, where this exists.

a) A technical report, showing that the implementation is in accordance with the transitional conservation rules and conditions of use and conservation plan and project, is prepared by the project author and the relevant administrations for any new buildings that their projects have approved with an RCC decision and that have construction permits, together with those where construction is already completed. When this technical report and the post-implementation building photographs are submitted to the Directorates of the RCC, an occupation permit can be given in line with the approval of the Directorates.

b) A technical report showing that the implementation is in accordance with the conservation plan and project, is prepared by the relevant administrations for new buildings approved in the projects by the relevant administrations and which have construction permits and those where construction is completed. In line with this technical report and post-implementation building photographs, an occupation permit can be given by the relevant authorities.

c) In the event that an implementation is made that is contrary to the approved project, the transitional construction conditions and the conservation plan, technical reports and photographs to be prepared by the relevant administrations within the scope of the relevant regulations shall be submitted to the Directorates of RCC for evaluation. If the construction is incomplete, the construction cannot be continued before the approval of the RCC is given. If the construction is completed, the occupation permit cannot be given and the decision about the future of the construction shall be taken by the RCC. In addition, the sanctions laid down in the Development Law and in Law No. 2863 shall apply to whoever is responsible for the implementations contrary to the transitional conservation rules and conditions of us and, the approved project and conservation plan.

Implementations in urban sites shall be carried out and inspected in accordance with the resolution No. 720 and below regulations stated as ‘the relevant regulations’ in the resolution No. 720:

- Regulation on the Establishment, Authorization, Working Procedures and Principles of Conservation, Implementation and Inspection Bureaus (KUDEB), Project Bureaus and Training Units
- Regulation on the Construction Principles and Inspection of Immovable Cultural Properties Require Protection
- Regulation on Procedures and Principles on the Preparation, Demonstration, Implementation, Inspection and Authors of Conservation Plans and Landscaping Projects.

Historical Site

The resolution of the SCC dated 19 April 1996 No. 421 has been amended by the resolution dated 16 January 2014 No. 271. According to this, the historical site is an area where important historical events have taken place in terms of the national history and the history of military war and that must be protected along with its natural structure.

Conditions of Conservation and Use in the Historical Sites

In historical sites; except for the requisite infrastructure implementations and public service structures, no construction and physical implementation, which may destroy or damage the vegetation cover, topographic structure, or affect the skyline is allowed, until the long-term development plans (in places where national parks are built) and conservation plans (in places where national parks are not built) are approved by the relevant RCC. In historic sites, it is required to do the necessary work and get the approval of the RCC for the landscape plan. In the site, any necessary work should be done by public institutions for the reclamation of all kinds of implementations which disrupt the natural balance existing the registration. The necessary work can be done by the Ministry of Forestry and Water Affairs in the forest areas within these sites. It is necessary to obtain permission from the RCC for arrangements and necessary repairs (along with their projects) of public service buildings, infrastructure services and monuments and martyrdoms in the historical sites. Pre-existing agricultural activities,

and vineyards and horticulture can be continued, but these areas cannot be used for other purposes without approval of the conservation plans.

2.4.5.2 Implementation Tools

Conservation measures at the area scale take place within a process that involves a certain length of time and planning. The beginning of the process is the identification and registration step in which the quality of the conservation of the property (whether this property is a single structure scale or an area scale) requiring conservation is evaluated; and an inventory study is made and documented.

Identification and Registration

According to Article 7 of Law No. 2863, the identification of immovable cultural and natural property and natural sites shall be coordinated by the Ministry of Culture and Tourism by obtaining the view of the relevant institutions and organizations whose activities will be affected. The identifications made for the immovable cultural and natural property to be protected shall be registered by a decision by the RCC. However, the identification and inventory of the immovable cultural assets under the management or inspection of the General Directorate of Pious Foundations are carried out by the General Directorate of Pious Foundations; then RCC evaluate and register them by taking the opinion of the General Directorate of Pious Foundations.

Identification

In the identifications to be made; the history, art, region and other characteristics of cultural and natural properties are taken into consideration. Within the bounds of possible government resources, a sufficient amount of exemplary works that reflect the properties of the period they belong to are determined as cultural properties to be protected. According to Article 4 of ‘the Regulation on the Identification and Registration of Immovable Cultural Assets and Sites to be Protected’, published in the Official Gazette 13.03.2012 / 28232, the following considerations are taken into

account as evaluation criteria in the identification and registration of the various structures[26] and sites to be protected:

- Being an immovable artifact built before the end of the nineteenth century
- Although built after the nineteenth century, the immovables need to be protected in terms of their importance and features, and document value
- For single structures: in addition to the value of the immovable in artistic terms, the following architecture, history, aesthetics, local, decorative, symbolic, documentary, functional, material, memory, impression, originality, uniqueness, rarity, homogeneity, reparability; its special structural condition, material, construction technique, style; contribution to the urban and environment identity and fabric, reflection of the local lifestyle are considered
- For urban sites: single structures with the features of cultural property to be protected, having density, architectural, historical integrity, or reflecting the traditional urban fabric as a whole
- For archaeological sites: reliance on written information, surface remains or scientific research; having adequate qualifications from the aspects of environmental observations and scientific assumptions or topography
- For urban archaeological sites: coexistence of archaeological sites and the traditional urban fabric in which social life continues today
- For historic sites: written information and documents, and scientific research proving that important historical events in terms of our national history and military history have occurred;
- Buildings and identified areas in which important historical events in terms of the War of Independence and the establishment of the Republic of Turkey have

[26]Rock-cut tombs, stones with inscription, painting, and relief, cave paintings, mounds (höyük), tumuli, archaeological sites, acropolis and necropolis, castle, fortress, tower, wall, historic barrack, bastion and fortification with their fixed weaponry, ruins, caravanserai, inn, public bath and madrasa, cupola, tomb and tablets, bridges, aqueducts, waterways, cistern and wells, ancient road ruins, stones indicating distance, stones with holes delineating ancient borders, obelisks, altars, shipyards, quays, ancient palaces, pavilions, dwellings, waterside residences and mansions, mosques, masjids, musallahs, namazgahs, fountains and sebils, imarethane (public kitchen), mint, şifahane (hospital), muvakkithane (room for the mosque timekeeper), simkeşhane (silver shop), tekke (dervish lodge) and zaviyahs, cemeteries, hazire (graveyard), arasta, bedesten, bazaar, sarcophagi, stelae, synagogue, basilica, church, monasteries, külliye (complex of buildings adjacent to a mosque), ancient monuments and mural ruins, frescoes, reliefs, mosaics, chimney rocks a.s. immovable are examples of immovable cultural property.

occurred; and buildings used by Mustafa Kemal Atatürk. Due to the significance of these immovables in national history, they are exempt from time constraint and registration

- For the interaction-transition zone: areas that directly affect the sites and the cultural properties to be protected; integrated with the sites; are located in the middle of the sites; either affect the sites directly or should be taken into consideration in preparation of the conservation plans; where streets, squares, building groups, etc. are to be protected, these are either not included in the site from the beginning or excluded from the site boundary, are located
- For conservation sites to be determined by the RCC: conservation of the cultural assets require protection; areas that are considered to affect the silhouette, appearance, etc. of the registered (or in the registration process) immovable which will be sufficient for the preservation of their appearance and compatibility with their surroundings.

As a result of the identification, a monument and site file forming a basis for the registration, and containing the written and visual information necessary for the registration of the immovable cultural properties and sites; photographs sufficient for promotion; maps showing the location and the boundaries of the site; and report containing the opinion on the identification shall be prepared.

According to Article 7 of Law No. 2863, the opinions of the institutions and organizations the activities of which will be affected and are related to the area subject to identification shall be taken by the General Directorate of Cultural Heritage and Museums or the relevant Directorate of RCC. Until the registration of the identified immovable cultural assets and the sites is made by the RCC, necessary measures for conservation are taken by the relevant governorate, provincial special administration, district governorate, Directorate of RCC, and/or municipality.

Registration

Cultural properties and sites identified by the Ministry of Culture and Tourism are evaluated and registered by the RCC. The building group of the immovable cultural property and the conservation area are determined in accordance with the decisions of the SCC, when a decision on the registration of a single structure is being made. The documents which are prepared after the identification are evaluated and approved by the RCC and then a registration decision is made. The circulation of this registration decision to the relevant persons and organizations is done by the Directorate of the RCC that made the registration decision. Decisions on registration of cultural assets on a single structure scale and conservation areas shall be communicated to the property owners. The registration decisions of the sites, and the immovable properties where the addresses of the owners are unknown are registered in the single structure scale and their conservation areas are published in the Official Gazette and announced on the web page of the ministry for one month. For the property or area being registered, a note to the property/land registry should be added indicating 'immovable property to be protected'; 'conservation area'; or 'site' by specifying the type, grade and whether a part or whole of the property/area is located in the site. In these areas, a new restriction and the addition of plots are made with the permission of the RCC.

Conservation Plan

Depending on their nature, the conservation of urban, archeological, natural and historical sites is carried out in accordance with certain planning principles. Law No. 1710 dated 1973 introduced the concept of 'site' to the conservation legislation. In 1983, 'conservation plan' was defined in Law No. 2863. A conservation plan is a plan that determines legal, administrative, social, economic and cultural strategies; defines physical interventions; includes implementation financing and participatory site management models, for creating value and ensuring sustainable conservation in the area.

According to Article 3.a.8 of Law No. 2863; ‘Conservation plan’ shall mean the plan of a conservation site as defined by the law, at the scale prescribed for a master and implementation development plan comprising the entirety of objectives, tools, strategies, planning decisions, positions, planning notes, explanation reports, drafted in a way to entail strategies on job creation and value addition, principles of conservation, terms and conditions of use, settlement limitations, rehabilitation, areas and projects of renewal, implementation phases and programs, open space systems, pedestrian walkways, vehicle transport, design principles of infrastructure facilities, densities and plots of land designs, local ownership, participatory site management models on the basis of financial principles of implementation, improving the social and economic structure of households and offices situated in the conservation site on existing maps on the basis of field studies providing archaeological, historical, natural, architectural, demographic, cultural, socio-economic, ownership and settlement data taking into account surrounding interactive areas with the view of protecting cultural and natural property in line with the sustainability principle.

Conservation plans are prepared in line with the Regulation on Procedures and Principles on the Preparation, Demonstration, Implementation, Inspection and Authors of Conservation Plans and Landscaping Projects prepared in accordance with Law No. 2863, and published in the Official Gazette 26.07.2005 / 25887, and entered into force. In accordance with Article 6 of the Regulation, in the preparation of conservation plans, the technical specifications for conservation plans (entered into force with the Ministerial Consent 22.04.2005 / 52418) shall be taken as a basis.

Conservation plans can be made, as defined in the regulation, by the ‘relevant administrations’; which are: ‘metropolitan municipalities’ where a metropolitan municipality exists; ‘municipalities’ within the municipal borders and outside of them ‘special provincial administrations’. Furthermore, conservation plans can also be made by the relevant public institutions and organizations having the authority to prepare, outsource and approve the development plan in the areas determined by special laws. In addition, the Ministry of Culture and Tourism can also make conservation plans by getting authorization from the aforementioned administrations. Conservation plans can

be prepared directly if there is a plan preparation team defined in the legislation, or can be effected by tendering, or can be made by giving authorization to the General Directorate of Iller Bank.

The project author of the conservation plan must be either a city planner or city and regional planner or urban planner. In consideration of the position, site status and characteristics of the area, a sufficient number of experts from the professional groups such as architects, architects with a master's degree in restoration, art historians, archaeologists, sociologists, engineers, and landscape architects shall work in the in the planning team. Experts on the team must have the minimum qualifications specified in the regulation.

The first condition of the conservation plan is that the area subject to the plan has 'site' status. When an area is declared as a site by the RCC, all of the implementations of plans in every scale shall stop in this area. If there is any 1/25000 scale planning decisions and notes for the interaction environment of the site, these are reviewed and approved by the relevant administrations in consideration of the site status of the area. The conservation plan and the interaction-transition zone, if any, can be planned together.

In the period until the conservation plan is completed, the RCC shall determine the transitional conservation rules and conditions of use within three months. The municipalities, governorates and relevant institutions are obliged to prepare the conservation plan for the area concerned within three years and give it to the RCC to be evaluated and finalized. If the plan cannot be prepared due to unavoidable reasons within three years, this period of time can be extended by the RCC together with a justification. Transitional conservation rules and conditions of use shall be applied within the extended period. If the site plans that were prepared at all scales, and entered into effect with the approval of the RCC, are cancelled or suspended from execution by adjudication, transitional construction conditions shall be re-determined by the RCC.

After the approval, the administration shall send the conservation plan to the Directorates of the RCC. Then, Directorates of the RCC shall examine the conservation plan in terms of whether there are any deficient documents according to the provisions of the law and regulations. The RCC shall return the plans that have missing documents to the administration. The RCC shall make a decision within six months from the date on which the plans with complete documents have been submitted. Conservation plans discussed and approved in the RCC are sent to the administrations for approval. The relevant administrations shall evaluate the conservation plan within two months and if there are any issues they wish to reassess, they shall notify the RCC. These matters are then assessed in the RCC. Then the plans, as deemed appropriate by the RCC, are sent to the relevant administrations for approval. Plans, as deemed appropriate by the RCC, must be approved within sixty days by the relevant administrations. Plans that are not discussed or approved within this timeframe will become final and enter into effect. With the introduction of the conservation plan, the transitional conservation rules and conditions of use will be revoked without any further decision.

In the places declared as sites by the RCC; the construction of buildings with their plinth level completed before the announcement of this decision, in accordance with the building permit that is in accordance with the development legislation and approved construction plans, can be continued. Building permits of the buildings where the plinth level is not completed are canceled.

Landscape Project

According to Article 3.a.9 of Law No. 2863, ‘Landscape project’ shall mean projects at the scale of 1/500, 1/200 and 1/100 taking into account the unique characteristics of each archeological site with the view to protecting the archaeological potential of the area, with controlled opening of the area to visitors, promotion, solving existing problems related to use and circulation and meeting the needs of the area through modern state-of-the-art facilities.

According to Article 12 of the Regulation on Procedures and Principles on the Preparation, Demonstration, Implementation, Inspection and Authors of Conservation Plans and Landscape Projects, landscape projects are carried out at the archeological sites that are declared as a site by the RCC. Landscape projects can be carried out directly by the Ministry of Culture and Tourism or can be outsourced.

In order to carry out the landscape project of the archeological sites located in the conservation sites, it is essential that there is a conservation plan for the site. However, in cases where it is necessary to take urgent measures regarding the conservation and utilization of archeological values in the archeological sites, a landscaping project can be prepared without a conservation plan. This project shall be evaluated in the preparation of a conservation plan and management plan and, if necessary, reorganized in accordance with the main approaches of the conservation plan and the management plan.

After the preparation of the landscaping projects, these projects are sent to the RCC for consultation. If the RCC determines that there are issues requiring amendments in the project, it specifies these issues in its decision and requests the ministry to make the necessary amendments. After the required amendments are made in line with the decision, the projects deemed appropriate by the RCC are approved by the Ministry.

Street Rehabilitation Projects and Implementations

According to Article 3.a.15 of law No. 2863, street rehabilitation projects and implementations are survey, restitution, restoration, urban design projects aiming at the documentation and protection of immovable cultural assets requiring conservation and other structures in the street with all the elements necessary to define the original street fabric, and all kinds of projects to be done in the engineering branches and their implementations, in the urban sites and conservation sites. In accordance with Article 2 of the 'Technical Requirements for Rehabilitation Project of Streets Requiring Conservation' prepared by the Ministry of Culture and Tourism, the project shall be carried out with an understanding that preserves and promotes the natural, cultural,

architectural, historical, economic, aesthetic, visual values and original identity of the environment and the area.

Relationship between Conservation Plan, Management Plan and Landscaping Project

The definition of a Conservation Plan was introduced into the national regulations by Law No. 5226, dated 14.07.2004, which amended the Law No. 2863. This definition includes not only physical planning data, but also a planning process that evaluates social, economic and managerial data. In addition, it emphasizes sustainability and states that conservation plans to be prepared should cover participatory site management models. As assessed from this point of view, it is possible to say that concepts in the international literature were included in the regulations by the amendments made in 2004.

In the Regulation on the Procedures and Principles of Preparation, Demonstration, Implementation, Supervision, and Authors of Conservation Plans and Landscaping Plans, published in the Official Gazette dated 26.07.2005 and No. 25887, it is stated that in the existence of a conservation plan regarding the conservation area, it is essential to make a landscaping project for archaeological sites located in the conservation areas, however, in cases where it is necessary to take urgent measures regarding conservation and utilization of the archeological values in the archaeological sites, a landscaping project may be prepared without a conservation plan. In addition, it was emphasized that a landscaping project could be evaluated in the preparation of conservation plan and management plan, additionally, if necessary, it could be revised in line with the main approaches of the conservation plan and management plan.

Differences between Conservation Plans and Management Plans

In Article 4.1. of the Technical Specifications of the Conservation Plan, it is stated that the conservation plan includes not only physical dimension of the conservation process, but also the economic, legal, social, cultural, administrative and technical

aspects of it. In Article 4.2., it is mentioned that it covers appropriate, realistic and guiding programs from legal, administrative, economic and technical aspects.

Article 5.3. of the technical specifications touches upon decisions on the conservation plan, model production for implementation of conservation plan and management plan. It is expected that a conservation plan prepared according to this article includes a management plan.

According to this, the management plan defined in the technical specifications is determination of staging, action plan, juridical, administrative, legal, financial etc. Instruments about achievement of objectives and decisions determined for physical space organization of the planning area and design of process for practice. Within this scope;

- Staging / Action Plan / Subprogram / Projects / Identification of Activities / Specification and Timing
- Social and Economic Development Model Proposal,
- Model Production Related to Strengthening the Economic Structure According to the Users' Requirements (Strengthening Local Production and Service Forms, Organization of Spatial Structure by Types of Local Production and Services, Suggestions and Decisions on Forms of Supply / Sales of Products and Services, Tourism Model Proposal, etc.)
- Ability to organize for different economic activities
- Organization of participation in conservation,
- Identification of the actors (local people, public/private sector/civil society, local, national, international institutions etc.) and the functions of the planning process (management, investment, operation, monitoring/evaluation/supervision etc.)
- Determination of financial options (effective use of existing resources, resource creation, etc.)

are required.

In accordance with Article 6.7. of the technical specifications, the management plan consists of various maps, plans, graphical representations, reports and similar documents that include the necessary policies, strategies as well as legal, administrative, organizational and financial processes to achieve the aims and objectives of the conservation plan.

This framework administrative plan, which is specified in the Technical Specifications, comprises the base line content that forms the minimum requirements for management plans. Therefore, it has some differences from the management formed by the structure organized as site management unit. The basic difference is about the goals of plans. The basic goals of the management plan are providing cooperation and coordination of public institutions and organizations, non-governmental organizations, people with property rights on the site, volunteer persons and organizations as well as local people by employing participatory and sustainable methods in the conservation, evaluation and development processes, in addition to creating consensus about conservation. In this context, while site management plans include the planning of management process, organization, preparation and approval of the management plan, supervision and renewal processes of the management process, the conservation plan only describes planning and implementation models and does not aim to manage actions on how, using which resources and by whom it will be carried out. Furthermore, whereas there is an arrangement that boundary-setting studies on site management should be carried out on a participatory basis, arrangement of the boundaries for the conservation plan is closed to participatory methods. On the other hand, it can be said that the management plans, which are prepared within the scope of conservation plans, are preliminary works that determine the basic principles and are designed by the owner of the conservation plan before preparing the management plan for the site management.

Conservation plans in Turkey are left in their natural state after approval, like other plans, and therefore the sites for which the plan is intended to conserve are inevitably damaged as a result of the plan not being actively put into practice (Tunçer, 2015). In this respect, the management plan is an operational plan aimed at actively

implementing and supervising the physical conservation resolutions envisaged in the conservation plan.

On the other hand, as the result of an amendment made in the article 17.a. of Law No. 2863 by Decree Law no. 648, the statement of ‘conservation plan’ being prepared by holding meetings with the participation of the municipalities, governorates, related institutions, related profession chambers in the field, non-governmental organizations and the people who are affected by the plan is removed. In this context, one of the most basic retrograde steps implicit in Decree Law no. 648 is the destruction of the public participation process envisaged in the preparation of the conservation plan.

2.4.6 Social Framework

2.4.6.1 Participation

Participation is an important factor that ensures democracy in management and public preferences in activities. The concept of participation emerged as a perspective that guided the practices of public administration all over the world, especially under the influence of the Agenda 21 and Local Agenda 21 projects within the Rio Conference held in 1992. In particular, participation in world heritage practices is developing in a way that can be termed a 'partnership approach' in the broader context where local and regional stakeholders involved, both within the buffer zone and outside of the world heritage (Leask and Fyall, 2006: 39).

It is not possible to say that the participation process discussed conceptually in various aspects in Turkey, is applied effectively due to the collective specific dynamics and traditional management habits which define the state as the single dominant factor. In this context, participation in conservation planning and implementation processes is also generally limited to non-integral, single applications defined and directed by legislation. For example, two meetings foreseen in the process of conservation planning are regarded as steps for legal reasons, rather than for the main purposes of creating awareness of conservation, pioneering the use of democratic rights, and

strengthening ownership and sense of belonging. The issues shared by ICOMOS Turkey and Europa Nostra on 03.02.2012 in Istanbul Beyoğlu, Istiklal Caddesi, Taksim and Tarlabaşı also draw attention to the general problems in Turkey regarding participation.

> ‘Apart from the contents of the decisions, the second important dimension of the issue is that the processes of making plans and projects are not transparent, and that participation and information processes are being implemented. The information meetings that are said to have taken place after decisions are made, not all relevant stakeholders are invited, limited and incomplete information is given and stakeholder opinions are not taken into account.’

Although the participation in the management plans was provided for in this parallel process, it also contributed to the creation of active processes through the diversity of instruments used in participation applications and the presence of different participant profiles with different expectations and goals. However, the lack of pressure groups on conservation, the lack of knowledge of the concept of urban rights, the economic, social and cultural structure of the people living in historical environments, and lack of education and awareness are obstacles for a realistic and effective participation. Due to these obstacles, there are no social precautions being taken for problems such as a gentrification tendency in the renovation works made in accordance with Law 5366 in the historical areas and the exclusion and displacement of the inhabitants out of the site.

2.4.6.2 Cultural Heritage Awareness and Education

It is extremely important that the conservation and maintenance of individual historical buildings and the ensembles making up the cultural heritage are managed to ensure preserving their authenticity and integrity by people who are properly trained and have suitable experience. The prevention of unforeseen problems or damage to cultural property as a result of unsuitable interventions can only be ensured if the work is done by specialist and experienced persons and companies. For this reason, the quality and scope of education provided in the training of experts and intermediate staff should be

considered within the scope of national cultural policy. Cleere (2000: 104) notes that while governments must play a central role in the conservation and management of cultural heritage within the framework of legislation, practice and financial resources, the importance of the vital role of professionals in the field of conservation as supervisors and advisors through NGOs should not be overlooked. In addition, Feilden and Jokilehto (1998: 57) emphasize that professionals such as architects, archaeologists and art historians should have an awareness of world heritage sites and be encouraged to take an interest and be employed in the field of conservation as a national policy. Pearson and Sullivan (1995: 80) also list expertise along with finance, teamwork, planning, infrastructure, policy, research, public support and legislation among the qualities of a well-managed archeological site.

With the recognition of restoration as a scientific discipline in Europe since the middle of the 19th century, the foundations of the education on this field have begun to take shape. In Britain, the Society for Protection of Ancient Buildings (SPAB) established the principles of conservative repair and set standards for the quality of workmanship in the guidelines published in 1903 and the handbook published in 1911. Field training and practical execution of maintenance and repair organized by SPAB enabled it to take leading role in this field. At the annual conservationist meetings in Germany which have been held since the end of the 19th century, one of the topics of discussion has been training and education, and the meetings have laid the foundation for the development of international approaches in this regard. In the 1920's, studies in the university education for the restoration of historical buildings and monuments started in Italy. Education and training in the restoration of historical buildings has become an urgent and priority issue, especially in terms of restoring the damage caused by World War II, and experiences in this area have been a reference point for initiating various studies in other countries (Jokilehto, 2006).

Article 5.e of the World Heritage Convention of 1972 envisages that the countries which are party to the Convention should establish training centers on a national and regional basis and contribute to the development of these centers. Article 27, contained in ‘educational programs’ titled Chapter 6, contains the provision to establish the

necessary incentives for education. On the other hand, in Article 22, training staff and specialists in terms of conservation is included among the issues for which the World Heritage Fund will provide financial assistance. Similarly, the Amsterdam Declaration of 1975 emphasized that the encouragement of educational programs addressing all ages will increase awareness about keeping the architectural heritage alive.

Many training programs have been organized by universities, institutes and NGOs since the 1970s. One of the leading institutions in this regard is ICCROM. ICCROM's educational concerns include conservation of mural paintings, archives, museum collections, earthen architecture, stone structures, wooden buildings, historic urban areas and cultural landscapes. ICCROM organizes training in cooperation with numerous national and international conservation organizations, universities and also the Getty Conservation Institute as well as conducting their own programs. One of the institutions organizing education in Europe is English Heritage. English Heritage supports vocational and technical education regarding conservation and restoration by organizing courses, conferences, seminars and publications. In the UK, SPAB organizes conferences and specialist workshops for residents within historical sites; conferences for architects, engineers, urban planners, contractors and master craftsmen, travel and training programs and craft programs for construction specialists. The European Centre for the Training of Craftsmen in Venice-San Servolo in Italy was established in 1977 to raise the levels of skills for master builders working on architectural heritage. In this center, theoretical and practical training on architectural history and conservation are organized for the students, and different conservation techniques and training on traditional techniques and crafts are demonstrated and taught. The Chaillot School in France (L’école de Chaillot formerly Centre d'études supérieures d'histoire et de conservation des monuments anciens –CESHCMA) which was established in 1887 is anI institution of higher education running two year courses where the architects are awarded qualifications through written and oral exams. Its curriculum includes urban and rural areas, history, law and heritage management. In France, the Les Compagnons du Devoir's training centers are also widespread throughout the country and offer trainings in stone processing, masonry, plastering, painting, woodworking, roofing and plumbing. The training is developed through

doing practical placements at companies that work in this field, so that the companies who operate in the sector are provided with a supply of trained human resources. Another educational institution in France, the Avignon School (L'école d'Avignon - Le Center de formation à la réhabilitation du patrimoine ancien) organizes a large number of training programs for different target groups. In addition to the short workshop and site training, there are more intensive courses involving longer cycle modules. The school's activities include renovation, cleaning techniques, rehabilitation in traditional buildings, training in cultural heritage policies, national and international internship programs, consultancy activities and collaborations with local authorities. The Association for the Handicrafts and Heritage Protection (Die Beratungsstelle für Handwerk und Denkmalpflege) in Fulda, Germany, is an association of guilds of artisans which provides advice, training and education on technical, operational and legal issues in the fields of conservation and restoration. The Nordic Center for Traditional Crafts was founded in 1987 in Denmark. In addition to research activities, it also organizes advanced training in crafts for traditional construction techniques and preservation of buildings.

Knowledge and skills gained through master-apprentice relationships in the past in the field of conservation and restoration have now become vocational and technical education fields. Despite the fact that there are a large number of formal education institutions in Turkey that provide high school, associate degree and postgraduate programs, it is hard to say that the quality and form of these are in alignment with international principles regarding conservation practices. Kuban and Kahya (2016: 149) present the reasons for not achieving the desired level of success in the vocational high schools as the problems in the central education system, lack of technical infrastructure in schools, inadequacy of teaching staff and the fact that teaching is not related to the practical concerns of the sector.

In addition to formal education institutions, there have been a growing number of non-formal education institutions in the field of architectural conservation since the 2000s. The Conservation and Restoration Firms Association (KOREFD), Istanbul Metropolitan Municipality Directorate of Conservation, Application and Supervision

(KUDEB) and the Foundation for the Protection and Promotion of the Environment and Cultural Heritage (ÇEKÜL) are organizations with a continuous presence among these institutions. KOREFD members are architects and construction engineers who have been carrying out restoration practices for at least 10 years. In 2005, KOREFD initiated the 'Program for the Training of Qualified Implementation Personnel in the Preservation of Cultural Heritage' by using EU funds, and this program has been continued with the support of the General Directorate of Pious Foundations, Istanbul 2010 Agency and Istanbul Development Agency. Within the scope of the program, a nine-month training program consisting of theoretical training, practical training, technical trips and technical training days was organized to satisfy the need for qualified intermediate staff in the conservation field and to create employment for young people who are willing and able to work in this field. The studies conducted by KOREF in order to tackle the problems within the sector and the training on conservation and restoration provide important contributions to raising standards. In addition, KUDEB, which was established within the scope of the Istanbul Metropolitan Municipality, has been training intermediate staff with carpentry training workshops and masonry training workshops since 2008. This training is carried out in cooperation with the KUDEB Conservation and Restoration Laboratory. KUDEB, together with the local administration on non-formal education, offers advanced training opportunities that confer local qualifications. ÇEKÜL, which is also active in non-formal education, offers training within the scope of 'City Workshops' for people from every walk of life such as pre-school and elementary school children, architecture undergraduates, local administrations responsible for conservation and conservation-restoration master-craftsmen. City workshops aim to fill the gap between master and technical staff in the sector by reviving traditional construction techniques (Kuban and Kahya, 2016: 149-153).

Today, the required skills and equipment for cultural heritage managers have progressed beyond the general knowledge and skills base that has been defined for conservation specialists so far. For example, Cleere (1989: 16) emphasizes that archaeological heritage managers must also be competent in modern archaeological techniques, survey, excavation, computer skills as well as basic management skills

such as financial control, budgeting and personnel management, communication, project management, human relations, legislation on conservation, health and safety. Similarly, Howard (2003: 144) states that public relations ability, or communication management, is a key factor for a successful cultural heritage management. Saunders (1989: 161) considers that heritage management is learned on the job. As a matter of fact, cultural heritage management, as experienced in Turkey between 2004 and 2016, also developed in this direction. In contrast, Davis (1989: 277-279) states that cultural heritage management should include having administrative decision making skills and in this connection, a reasonable level of legal knowledge and adds that learning by doing is not only unprofessional but also unethical.

Potential threats to conservation practices include undocumented reconstruction practices, use of materials inconsistent with historical artifact, and the use of unsuitable techniques as well as practices by untrained personnel (Palumbo, 2002: 9). However, the successful implementation of conservation practices in Turkey at the desired level depends on the level of cultural consciousness and awareness in the society as well as the training of conservation specialists and intermediate technical staff through formal and non-formal education. In particular, participation in world heritage practices is developing in a way that can be termed as a 'partnership approach' in a broader context which involves local and regional stakeholders with varying ties to the world heritage site both within and outside the buffer zone (Leask and Fyall, 2006: 39). On the other hand, the general understanding and attitude about the management of conservation and cultural heritage in Turkey is not yet reached the level of catching up with international developments.

It is a fundamental requirement that cultural heritage is preserved and transferred on to the next generations in a proper way, that the value of the cultural heritage contribution to the society is recognized and that the necessary level of awareness is provided. The existence of a community with a high degree of historical environmental awareness has a much stronger effect than any legal sanction. For example, in the case of the UK, the success of cultural heritage management is based on knowledge of the contribution of conservation to the quality of life and economic development at all

levels of society (manager, decision maker, investor, citizen etc.). This consciousness has been provided by the primary educational services provided for the individuals beginning at a very young age. However, the lack of interest among the public authorities on this issue and the lack of publicity about the historical environment and cultural values are the main shortcomings. On the other hand, local governments regard conservation as an obstacle, the awareness of cultural heritage as a commodity dependent on economic incentives are also contradictions that make it difficult to take decisive and planned steps in this respect.

2.5 Interim Evaluation

The results of industrialization period, ever increasing population, and negative impacts of unplanned consumption on resources and rapidly developing cultural tourism movements increased environmental concerns beginning from 1970's; new approaches emerged about use of resources and conservation of urban site. Rapid changes, negative impacts on urban areas necessitated conservation actions to be carried out by multidisciplinary and organized structures with clearly defined tasks and coordination through rational and strategic determination of values, requirements, conditions and objectives by also encouraging public participation. For this reason, it is more useful to say that cultural heritage management is a concept required to be implemented with new techniques and a wider viewpoint in recent times. The process described with terms of 'site management' or 'site planning' in production of architectural space introduce the cultural heritage management process which must be conveyed to future generations due to the existence of all post-production values like historical, technical, aesthetic, economic, symbolic, uniqueness etc.

Management plan is used as the most fundamental tool of cultural heritage management process. Management of conservation can be considered as also management of change in a sense. Since changes control of which is difficult even impossible necessitates day-to-day management; contemporary management methods based on short, medium and long term objectives followed-up every day have become widespread.

Foundations of fulfillment of cultural heritage management by management units specific to this issue were laid down with the emergence of specialized public institutions established by the central government especially in management of emergency interventions which came to the forefront with rescue excavations in 1950s. Then, management of landscape and site areas by administrative bodies came to the forefront in 1960s since these areas encountered with the challenge of losing their character and nature as a result of rapid developments in urban areas and wrong agricultural activities in rural areas. Jing (2004: 56) and Lee *et.all* (2007:1) recognized 1964 dated Venice Charter as the document which constitutes the foundation of cultural heritage management. 1967 dated Quito norms are among the documents drawing attention to the significance of management. The document providing the most detail information about nature and responsibilities of the institutions recommended to be formed with management in that period was 1968 dated Recommendation Concerning the Preservation of Cultural Property Endangered by Public or Private Works of UNESCO.

1970's is a period during which the concept of integrated conservation came to the forefront, conservation actions started to be dealt with a holistic approach and legal, administrative, financial and social aspects started to be more emphasized. In addition, the issues of public participation and increase in the effectiveness of local administrations in management also gained significance. 1972 dated UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage is considerably significant as a key document. In addition to definitions it provided, it also imposed the condition that member states must inform the World Heritage Committee in terms of legal and managerial measures during the implementation of convention through reporting. Operational Guidelines orienting to implementation of this convention have also determined the principles of international cultural heritage management not only in the world heritage cities but also in other areas not included in the list in today's world. Management plan was also considered among the documents to be prepared for the World Heritage List application in the first guide dated 1977, by this way this tool was included in the international literature for the

first time. European Charter of Architectural Heritage issued in 1975 is also a significant document by which it is declared that architectural heritage also includes the concept of urban conservation.

Cultural heritage management started to be included in also local declarations in 1980's. The opinion that participation of public in conservation decisions should be supported as a requirement of democratization started to become widespread. 1987 dated Washington Charter also states that success of urban conservation can be possible with participation of urban citizens in this framework. The period is also the time when rapid changes in values of the society keeping up with requirements of modern life and the concept of sustainability against consumption started to improve. These rapid social movements have also increased negative impacts of mass tourism, conservation of historical cities against uncontrolled tourism was also included among issues gaining importance in international documents.

Pressure of speculations created by globalization and international capital movements in urban areas has also increased by 1990's. The Quebec City Declaration – First International Symposium of World Heritage Towns organized in 1991 stated that the problems suffered by cities can be solved not only with conservation professionals but also with common approach of governors, policy makers and city residents. The World Heritage Cities Management Guide prepared following this symposium dealt with important definitions, principles and strategies related with conservation and management. The most remarkable document published in this period, namely the Management Guidelines for World Cultural Heritage Sites initially published in 1993 and revised in 1998 is significant in terms of having defined the concept of management considerably in detail. Similarly, Burra Charter initially published in 1979 and revised in 1981 and 1988, and finally amended in November 1999 by Australia ICOMOS also gained significance with its definitions regarding especially cultural significance and values commonly used in other countries in terms of cultural heritage management even though it is a local document.

2000's is a period during which globalization movements continued on one hand, neoliberal approaches and capitalism started to be discussed due to the negative results emerged on the other hand. Impacts of spaces in life quality have brought the conservation and management of conservation areas also with high standards in this respect. The most remarkable document of this period is 2005 dated Vienna Memorandum. The Memorandum stated that conservation recommendations and charter texts remained insufficient against rapid developments and changes of recent years and new approaches and methodologies must be developed. It brought detail definitions and recommendations regarding the management within the framework of 'historic urban landscape' term. XI'AN declaration published in the same year stated that success in management can be gained through implementation of legal instruments, policies, strategies in a stability and sustainability.

The concept of cultural heritage management having developed beginning from 1970's first with archeological resources and then with urban areas and landscape areas is implemented in a wide area including underwater cultural heritage, natural areas, ecological areas, biological diversity in today's world. Ever increasing complexity in the problems related with conservation increases the necessity of day-to-day monitoring and management of these areas, and this circumstance necessitates the development of new techniques and approaches in each passing day.

CHAPTER 3

CULTURALHERITAGE MANAGEMENT EXPERIENCES

3.1 UNESCO World Cultural Heritage Practices

At the 16th General Conference of UNESCO, convened in Paris from 17 October to 21 October 1972, it was decided to prepare a convention to promote cultural and natural sites with universal values which are accepted as common heritage of mankind, to create social consciousness in this matter and to provide the necessary cooperation for the protection of cultural and natural values damaged or destroyed for various reasons. Consequently, the Convention Concerning the Protection of the World Cultural and Natural Heritage was adopted on 16.11.1972. This convention was adopted by the Grand National Assembly of Turkey on 14.04.1982 with the law no. 2658 and became a national legal document.

There is a provision in the convention to make a list of the buildings and sites that every state party considers as universal, and to apply to UNESCO to participate in the World Heritage List. Today, the list, which is enriched by contributions from various countries every year, created a dynamic approach that brings prestige to the countries, encourages conservation activities and encourages implementation of internationally accepted principles.

Applications and monitoring reports concerning cultural and natural heritage of universal value are assessed by the World Heritage Committee within UNESCO. Member States prepare files on natural, cultural or complex sites, cultural landscapes to be nominated for the World Heritage List and apply to UNESCO. Each year these

applications are evaluated by IUCN or ICOMOS, the scientific advisers to UNESCO, depending on whether the proposed area is a natural or cultural heritage. IUCN and ICOMOS evaluate applications in terms of compliance with one or more of the criteria set for cultural sites and authenticity. As for natural areas, they are evaluated in terms of integrity in addition to having universal values. The assessment is conducted in two stages: an examination on-site, and a file review. In the first phase, the expert designated by ICOMOS or IUCN visits the area, meets with the local authorities and representatives of institutions responsible for the conservation, observes the conservation of the area, examines the management system and prepares a report and transmits the report to IUCN or ICOMOS according to the nature of the area. In the second phase, the file provided by the country and the area visit report is made at the World Heritage Center. The evaluation reports, prepared by ICOMOS and / or IUCN at the end of the examination of the application files prepared by the countries, are submitted to the convened World Heritage Committee meeting in June / July each year for discussion.

The World Heritage Committee reviews and evaluates the files related to candidate sites and then puts the file to vote. Natural or cultural sites are added to the World Heritage List with characteristics such as being an outstanding component of the cultural and natural heritage of the world and making a distinct contribution to the list. One or more of the ten criteria for cultural and natural sites must be met for the site to be eligible for the World Heritage List. The mentioned criteria are as follows (UNESCO Operational Guidelines, 2015: 16):

> ‘(i) represent a masterpiece of human creative genius
> (ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design
> (iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared
> (iv) be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history
> (v) be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human

> interaction with the environment especially when it has become vulnerable under the impact of irreversible change
> (vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria)
> (vii) contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance
> (viii) be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features
> (ix) be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, freshwater, coastal and marine ecosystems and communities of plants and animals
> (x) contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of Outstanding Universal Value from the point of view of science or conservation.'

At the end of voting, a site can be included in the World Heritage List, also it may be rejected or postponed for the completion of the application and inadequacies or further information regarding the site. As of January 2017, a total of 1051 sites, which have successfully completed the process, were inscribed into the World Heritage List. Among them, there are 814 cultural, 203 natural, 38 transboundary sites. So as to ensure that the World Heritage List can represent all over the world, it is aimed to include genuine and unique cultural and natural asset of different cultures, geographies and cultural landscapes into the list.

In the latest version of 'UNESCO Operational Guidelines for the Implementation of the World Heritage Convention' in 2015, which has been continually updated since 1978, the Article II. F has the title 'Protection and Management'. In the 96th Paragraph, where the general definition is made:

> 'Protection and management of World Heritage properties should ensure that their Outstanding Universal Value, including the conditions of integrity and/or authenticity at the time of inscription, are sustained or enhanced over time.'

It is stated in the 97th paragraph:

> ‘All properties inscribed on the World Heritage List must have adequate long-term legislative, regulatory, institutional and/or traditional protection and management to ensure their safeguarding. This protection should include adequately delineated boundaries. Similarly States Parties should demonstrate adequate protection at the national, regional, municipal, and/or traditional level for the nominated property. They should append appropriate texts to the nomination with a clear explanation of the way this protection operates to protect the property.’

In the 98th paragraph titled ‘legislative, regulatory and contractual measures for protection’ it is mentioned that:

> ‘Legislative and regulatory measures at national and local levels should assure the protection of the property from social, economic and other pressures or changes that might negatively impact the Outstanding Universal Value, including the integrity and /or authenticity of the property. States Parties should also assure the full and effective implementation of such measures.’

The 108th -118th paragraphs of the Operational Guidelines were devoted to the explanation of management system. Accordingly, in the paragraphs 108, 109 and 110 it is mentioned respectively that:

> ‘Each nominated property should have an appropriate management plan or other documented management system which must specify how the Outstanding Universal Value of a property should be preserved, preferably through participatory means.
> The purpose of a management system is to ensure the effective protection of the nominated property for present and future generations.
> 110. An effective management system depends on the type, characteristics and needs of the nominated property and its cultural and natural context. Management systems may vary according to different cultural perspectives, the resources available and other factors. They may incorporate traditional practices, existing urban or regional planning instruments, and other planning control mechanisms, both formal and informal. Impact assessments for proposed interventions are essential for all World Heritage properties.’

In the 111th paragraph, the suggestions for an efficient management system were enumerated. These are:

> ‘a) a thorough shared understanding of the property by all stakeholders, including the use of participatory planning and stakeholder consultation process
> b) a cycle of planning, implementation, monitoring, evaluation and feedback
> c) an assessment of the vulnerabilities of the property to social, economic, and other pressures and changes, as well as the monitoring of the impacts of trends and proposed interventions
> d) the development of mechanisms for the involvement and coordination of the various activities between different partners and stakeholders
> e) the allocation of necessary resources
> f) capacity-building
> g) an accountable, transparent description of how the management system functions.’

The 112th paragraph includes qualifications required for ensuring an efficient management.

> ‘Effective management involves a cycle of short, medium and long-term actions to protect, conserve and present the nominated property. An integrated approach to planning and management is essential to guide the evolution of properties over time and to ensure maintenance of all aspects of their Outstanding Universal Value. This approach goes beyond the property to include any buffer zone(s), as well as the broader setting. The broader setting, may relate to the property’s topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organization, and visual relationships. It may also include related social and cultural practices, economic processes and other intangible dimensions of heritage such as perceptions and associations. Management of the broader setting is related to its role in supporting the Outstanding Universal Value.’

The 117th paragraph expresses the responsibilities of state party for an efficient management.

> ‘States Parties are responsible for implementing effective management activities for a World Heritage property. State Parties should do so in close collaboration with property managers, the agency with management authority and other partners, and stakeholders in property management.’

Turkey in the World Heritage List

Turkey has been a state party since 1982. Within this scope, 16 assets, which are under the responsibility of the General Directorate of Cultural Assets and Museums of the Ministry of Culture and Tourism, have been received to UNESCO list of world heritage from Turkey so far. Fourteen of these assets are cultural and two are cultural / natural cultural heritages. These areas are Göreme National Park and the Rock Sites of Cappadocia (1985); Great Mosque and Hospital of Divriği (1985); Historic Areas of Istanbul (1985); Hattusha: the Hittite Capital (1986); Nemrut Mountain (1987); Hierapolis-Pamukkale (1988); Xanthos-Letoon (1988); City of Safranbolu (1994); Archaeological Site of Troy (1998); Selimiye Mosque and its Social Complex (2011); Neolithic Site of Çatalhöyük (2012); Bursa and Cumalıkızık: the Birth of the Ottoman Empire (2014); Pergamon and its Multi-Layered Cultural Landscape (2014); Diyarbakır Fortress and Hevsel Gardens Cultural Landscape (2015); Ephesus (2015), Archaeological Site of Ani (2016).

Apart from the areas included within World Heritage List by World Heritage Committee, there is also a Tentative List including the heritage which are yet to be included after the completion of candidacy processes. Tentative List is similar to a national inventory for the state parties where the candidate heritage eligible for the primary list is selected from. 1645 heritage from 173 state parties is in the tentative list. Turkey has a total of 69 properties in the tentative list (65 cultural, 2 mixed and 2 natural heritage[27]), first presented in 1994 and revised in 2000, 2009, 2011, 2012, 2013, 2014, 2015 and 2016.

[27] For the tentative list of Turkey see http://whc.unesco.org/en/statesparties/tr.

3.2 International Experiences

3.2.1. Cultural Heritage Management Approaches in the United Kingdom

3.2.1.1. Overview

The United Kingdom (UK) is a constitutional monarchy with a bicameral parliamentary system of government. Its capital and largest city, London, has a population of 10.3 million. It is the second most populous city of the European Union and the fourth most populous in Europe. Some of other large cities in the UK are Manchester, Birmingham, Leeds, Glasgow and Liverpool. The United Kingdom comprises four countries, namely England, Scotland, Wales and Northern Ireland. These countries have capitals of, respectively, London, Edinburgh, Cardiff and Belfast, each with varying degrees of autonomous power (URL 4)

General objectives and principles of cultural policy

The UK's cultural policy system is based on the so-called arm's-length model, in which the government authorizes non-departmental public bodies (NDPBs) to decide on the distribution, management and recipients of the funds allocated to culture. This system is primarily a convention between the government and numerous institutions, with the principles of this convention being determined by governance standards. The relationship between the central government and the cultural support agencies had begun to change as of the 1980s when the government intervened in policy making by the agencies and persuaded the institutions to restructure. Although decentralization of policy implementations come to the fore especially after 1997, the government started to interfere in cultural support agencies by linking their financial resources to certain conditions and performance monitoring. Consequently, the cultural policies of these agencies have converged with the main political aspirations of the government, while some institutions like Arts Council England have gone through restructuring towards centralization. The tendency towards recentralization caused controversy about fund-generating criteria and pro-government policies by NDBPs. Notable policy changes

after 1997 concerned the Scottish Parliament and the Welsh Assembly taking over responsibility for cultural affairs within their domains in order to implement policies in line with their own objectives, as well as the establishment of the Northern Ireland Assembly. Independent cultural agencies developing their own cultural strategies emerged as a result of interventions by successive British governments (Fisher and Figuera, 2011: 5, 21).

The white paper 'Public Services for the Future: Modernization, Reform, Accountability', released in December 1998, put forth concrete targets for the achievement of the government's cultural objectives. This white paper notes that each department should focus on priorities integral to spending plans specified in spending reviews. In parallel with this approach, a comprehensive spending review for the period 2008-2011 produced thirty new Public Service Agreements (PSA) in 2007. The PSAs are agreements between the treasury and individual government departments laying out the targets that the funded body consented to in return for its funding. The cultural sector has not been included in key priority sectors in comprehensive spending reviews, produced since 2008. The importance of financing culture has been viewed rather in relation to the priority outcomes potentially emanating from it. Furthermore, the necessity of reaching consensus between the central government and the NDBPs on the notion of 'culture' has become more of an issue recently. In this context, the government argues that policy assessments tools should be developed for cultural policies in line with other public policies in order to improve the decision-making capacity for cultural policies (Fisher and Figuera, 2011: 5, 21).

On the back of above developments, and due to economic pressures, the British government taking office in May 2010 decided on urgent fiscal tightening. Several government departments had, therefore, to cut spending by at least 25%, with the cultural sector being severely affected by the government decision (Fisher and Figuera, 2011: 5, 21).

National definition of culture and cultural policy objectives

The UK does not have an official definition of culture. Culture in Britain is not seen as a single entity in view of national, regional and linguistic differences and multiculturalism. The notion of culture in the UK has increasingly referred to multiculturalism in its broader scope. Regarding institutions, the Department of Culture, Media and Sport (DCMS) embraces a broad concept of culture, to the extent that it states cultural strategies for regional and local governments. The DCMS's notion of culture is not definitive but rather takes into account a range of art forms and activities in the public realm such as libraries, movie theaters and parks. In recent years, the government has adopted culture as a notion that covers arts, museums, heritage, libraries and the film industry. Moreover, the concept of creative industries not only includes the traditional elements of culture like arts, museums and heritage but also the fashion, advertising and computer software sectors (Fisher and Figuera, 2011: 8).

The main concern of cultural politics in the UK is to assure participation by as many people as possible in cultural and sporting life and thereby improving the quality of life. To this end, the DCMS determined between 2008 and 2011 four strategic objectives of opportunity, excellence, economic impact and Olympics. The Public Service Agreement (PSA) targets of the DCMS are based on strategic priorities. The PSAs set targets for each government unit which conform to treasury objectives as part of spending plans concluded at budget discussions (Fisher and Figuera, 2011: 8).

3.2.1.2 Legislation on Conservation

General legislation

Constitution

No written constitution or any law directly regulating cultural affairs exists. Nevertheless, a list of legislation towards specific elements of culture such as heritage, libraries and museums has been historically developed (Fisher and Figuera, 2011: 50).

Division of jurisdiction

In the UK, not only England, but also the Scottish Parliament and the Northern Ireland Assembly are able to enforce their own regulations and impose taxes within the respective countries. The National Assembly of Wales has the right to make only secondary law on issues like culture, environment, housing, tourism and agriculture. Although it does not have authority to impose income tax, it is entitled to allocate funds, provided by the UK Treasury. Regarding matters apart from these, Wales is obliged to implement laws passed by the Westminster Parliament as being subject to the UK. The Channel Island and the Isle of Man are directly subordinated to the monarch and have their own legislation and tax system (Compendium UK, 2011: 50).

All of the four regional governments in the UK are authorized to support culture, while exerting this authority is not a statutory obligation but a voluntary decision. Conformity between cultural priorities of the central government and local government implementations is encouraged via ministerial regulations. All local governments are encouraged to improve cultural activities (Compendium UK, 2011: 50).

Planning Systems in UK

The major objective of planning in the UK is to achieve social, economic and environmental development in a sustainable manner. Each country of the UK has its own planning system so that the Parliament of the UK, the Welsh Assembly, the Scottish Parliament and the Northern Ireland Assembly has legislative power in this context (URL 5).

England

The legal basis of the planning system in England rests on the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004, the Planning Act 2008 and the Localism Act 2011. In addition to the statutory law, planning policy and guidance documents have significant roles in shaping the planning system. The National Planning Policy Framework (NPPF), issued in March 2012, postulates the central government's planning policies for England and how to implement them. The NPPF is a material consideration for planning and taken into account in preparing local plans. The NPPF is complemented formally by three documents, which are the Planning Policy for Traveler Sites, updated in August 2015, the Technical Guidance to the National Planning Policy Framework, issued in March 2012, and the National Planning Policy for Waste, issued in October 2014. The Planning Practice Guidance (PPG) that went in effect together with the NPPF includes details of the NPPF policies and their implementation (Graham *et al.,* 2016: 4).

The regional spatial strategies in the UK were abolished, with the exception of some areas. On the other hand, the strategic planning approach for London as a whole, and specifically Greater London, the Mayor's London Plan survived. The UK Government regulated in the Planning and Compulsory Purchase Act 2004 that public administrations can cooperate in planning and implement the policies envisaged in the NPPF rather than relying on regional plans. In this context, local administrations can prepare joint local development documents (Graham *et al.*, 2016: 6).

A large portion of England has a tripartite local government system, comprised of county councils, districts and boroughs or city councils, parishes and town councils (Department for Communities and Local Government, 2015:4) (Figure 3.1).

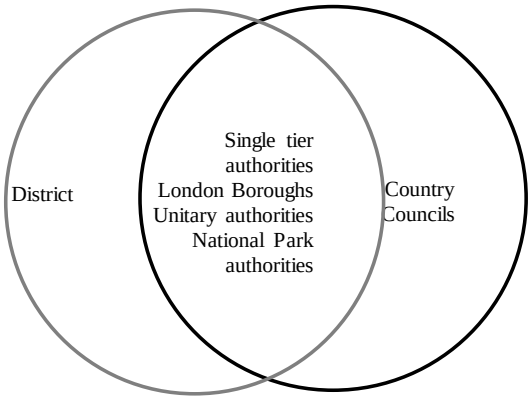

Figure 3.1 Three tiers of planning system in England (Department for Communities and Local Government, 2015:5)

The planning system; under the overall responsibility of local planning authorities, involves five components of legislation, national planning policy and guidance, Historic England advice, local plans and local decision-making (URL 6).

1. The planning legislation regulates the legal aspects of local plans and how to implement them. It elaborates the planning permissions necessary for changes to existing structures or new developments, for example the listed building consent or the scheduled monuments consent.
2. The National Planning Policy Framework that entered in force on March 27, 2012 (NPPF2), determines the government's planning policies and details the implementation processes. The main paradigm of the NPPF2 is 'presumption in favor of sustainable development', which guides both planning and decision-making processes.
3. The Planning Practice Guidance (PPG) explains how national policies should be interpreted pursuant to sustainable development and provides detailed information to this end. The PPG also includes detailed guides to preservation of historic environment.

4. Historic England Planning Advice comes in two forms of Good Practice Advice (GPA) and Historic England advice notes. GPA illustrates examples of good practice in implementation of national policies and guides. The GPA documents derive from public consultation on the results of collective studies about heritage and property. [28] Historic England advice notes are documents issued by Historic England after public consultation. [29] They contain detailed and implementation-oriented recommendations on the issues addressed by the PPGs.

5. Local plans (local development plan and neighborhood development plan), are plans where local authorities take decisions to implement planning policies in areas they are responsible for, including historic buildings and sites. Local plans have to conform to planning laws, national policies and guides.

6. Within the decision-making process of the local planning authorities, district or borough councils usually decide on appropriateness of proposals like new building construction, significant additions to listed buildings or important changes in the use of buildings or land through checking for related issues' compatibility with the legislation. The responsibility for listed building consent lies with local authorities (URL 6).

Historic England gives consultation to local authorities about the listed building consent and approval of the following (URL 7).

- 'Conservation area consent (This document, necessary for demolition of unlisted buildings in conservation sites, has not been required since 2013. Yet, such transactions as demolition do require planning permission.)

[28] There are: 'GPA1 - Local Plan Making, GPA2 - Managing Significance in Decision-Taking in the Historic Environment, GPA3 - Setting and Views, GPA4 - Enabling Development (forthcoming).' 'Good Practice Advice notes 1, 2 and 3 supersede the PPS 5 Practice Guide which has now been withdrawn by Government. Good Practice Advice 3 - The Setting of Heritage Assets supersedes the Setting of Heritage Assets: English Heritage guidance (2011) which has been withdrawn' (URL 6).

[29] There are:
'Historic England Advice Note 1 - Conservation Areas
Historic England Advice Note 2 - Making Changes to Heritage Assets
Historic England Advice Note 3 - The Historic Environment and Site Allocations in Local Plans
Historic England Advice Note 4 - Tall Buildings
Historic England Advice Note 5 - Setting up a Listed Building Heritage Partnership Agreement
Historic England Advice Note 6 - Drawing up a Local Listed Building Consent Order
Historic England Advice Note 7 - Local Heritage Listing' (URL 6).

- Planning permission
- Scheduled monument consent
- Consent for registered parks, gardens and battlefields
- Protected wreck sites
- Ecclesiastical exemption
- Tree consents
- Nationally significant infrastructure projects'

The local development plan is basically a component of the development plan made by local authorities along with the neighborhood development plan, if one exists. The Development plan is a set of documents that evaluate whether a planning permission issued for a construction work or a change in usage is compatible with land-use planning or activities covering the whole site. A conflict between a decision and the development plan is tolerated only if a material consideration stipulates that the development plan may be ignored for that specific purpose. The listed building consent or the conservation area consent (or planning permission for conservation areas since 2013) are not obliged to comply with the development plan (English Heritage, 2013: 23).

Development plans must be compatible with the NPPF principles and policies regarding the paradigm of sustainable development. The NPPF describes planning objectives for preservation and improvement of historic areas, specific policies for conservation and policies that the local plans must include. Since local plans are components of the development plan, they too must conform to these specific principles and policies. Local plans should also ensure support for the sustainable economic, social and environmental development depicted in the NPPF. Significant outcomes damaging to these principles should be avoided and alternative proposals to ease risks should be studied. The implementation of local plans should guarantee preserving heritage assets and improving their significance as well as contributions from these assets to their neighborhood (English Heritage, 2013: 24).

Local development plans involve following matters (English Heritage, 2013: 24) (Figure 3.2):

- Strategic policies for preservation and development of historic environment
- Areas that are not suitable for development with regard to environmental and historic values
- A clear strategy to improve historic environment
- Active preservation measures against neglect, decay and other risks from the viewpoint that heritage assets are irreplaceable resources
- Principles that prioritize conservation, pay regard to the cultural and environmental benefits of conservation and support developments with potential to contribute to local characteristics and privileges.
- The right to neighborhood planning is granted to communities under the Localism Act 2011. Communities are able to make decision about their areas through their authority for Neighborhood Development Plans, Neighborhood Development Orders and Community Right to Build Orders. Policies provided in Neighborhood Development Plans, which are part of local plans, are utilized for planning implementations. Neighborhood Development Orders and Community Right to Build Orders enable suitable projects to obtain complete or partial planning permissions for a desired development in the respective area. It is important that policies produced in Neighborhood Development Plans should not prevent a development, postulated by the Local Plan. The point in question is making decisions about the direction and potential outcomes of a development (URL 8).

The local parish or town council manages neighborhood planning activities. In areas where no such body exists, a neighborhood forum should be established to lead these activities. The Localism Act acknowledges that not all communities have a residential structure and that there are settlements which are predominantly commercial so that commercial communities can likewise establish neighborhood forums (URL 8).

1. Initial evidence gadhering and consultation	* Formulate initial aims and objectives * Begin evidence gathering * Notify relevant consultation bodies and those carrying on business in the area and invite them to make representatins.
2. Publication	* Local Plan is formally published for a minimum of six weeks for representations to be made
3. Submission	* Local Plan, representations and other required documents are submitted to the Planning Inspectorate. Inspectorate arrange for the Local Plan to be scrutinised through an examination by an independent inspector.
4. Found Sound	* Inspector writes a report setting out whether the Local Plan is sound and satisfies legal requirements. If the Local Plan is not sound, the local planning authority can ask the inspector to recommend modifications to make it sound.
5. Adoption	* If the inspector recommends that the Local Plan may be adopted, the local planning authority may formally adopt it (usually by a vote in full council). Once adopted, it is part of the development plan for the local area.

Figure 3.2 Stages in a Local Development Plan (Department for Communities and Local Government, 2015: 18)

The Local Planning Authority intervenes as a decision maker at key stages of the process, such as approval of the Neighborhood Development Plan (Figure 3.3). It is also in charge of reviewing the plan independently and holding a referendum at the end of the process. The neighborhood communities decide whether the Neighborhood Development Plan, the Neighborhood Development Orders and the Community Right to Build Orders will go in effect or not through this referendum. This process highlights the importance of working with a community as an example of direct democracy and enhances community support for the process at early stages (URL 8).

Wales

The planning legislation in Wales is principally the same as that in England, while the Planning (Wales) Act 2015, which entered into force in the same year, is specific to Wales. Currently, the system is operated by the Planning Inspectorate at the country level and by the Local Planning Authorities at the local level. The legal framework on planning hinges upon the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004, the Planning Act 2008 and the Planning (Wales) Act 2015 (Graham *et al.*, 2016: 3).

The Planning Policy Wales (PPW), put into effect by the Welsh Government in 2002, is the national planning policy that sets planning principles to form a basis for development plans by the local planning authorities. The PPW was revised in January 2016 to its current Edition 8. The PPW is supplemented by Technical Advice Notes (TANs), which give detailed information about specific planning areas such as plasterwork, stone cleaning etc. (Graham *et al.*, 2016: 5) (URL 9).

1. Identification and designation of a Neighbourhood Area (and a neighbourhood forum if required)	* Local community identify and appropriate boundary for neighbourhood planning * Apply to local planning authority for the area to be designated (and for neighbourhood forum to be designated if no parish or town council) * Local planning authority publicise and consult on the application(s) and make a decision on the neighbourhood area (and forum to designate)
2. Initial evidence gathering and consultation and publicity	* Local community formulate vision and objectivies, gather evidence and draft details of the proposals for a plan or order. * Consult on these proposals for a minimum of six weeks.
3. Submission	* Neighbourhood plan or order proposal and required documents are submitted to the local planning authority. * The authority publicies the plan or order for an independent examinition for the neighbourhood plan or order.
4. Examination	* An independent examiner makes recommendations to the local planning authority on whether the draft neighbourhood plan or order meets basic conditions and other legal tests. * The local planning authority considers the report and decides whether the neighbourhood plan or order should proceed to referendum.
5. Referendum & neighbourhood plan is made	* A referendum is held to ensure that the community decides whether a neighbourhood plan should be part of the development plan for the area. * It a majority of those who vote support the neighbourhood plan or order the authority must bring it into force (unless that would breach European or human rights obligations)

Figure 3.3- Stages in a Neighborhood Development Plan (Department for Communities and Local Government, 2015: 19)

The Planning and Compulsory Purchase Act 2004 obliged each of the 25 local authorities, i.e. 22 unitary authorities and three national park authorities, to prepare a local development plan (LDP). The LDPs determine policies for use of land over the next 10-15 years for the whole of Wales in accordance with the National Development Framework (NDF) and the Strategic Development Plan (SDP). The Welsh Government has the authority to discuss the LDP and express opinion about it, and to give instructions to block the LDP in the cases where the Planning Inspectorate confirms incompatibility with national policies or to call for revision of the plan. It can assign two or more local authorities to prepare joint LDPs (Graham *et al.*, 2016: 10).

In contrast to the Community Planning System in other parts of the UK, the right to make Neighborhood Development Plans is absent in Wales as per the Localism Act 2011. Nevertheless, the Welsh Government produces pilot Place Plans, which aim to translate policies and policy implementations envisaged in the LDPs into local implementations by way of developing supplementary planning guidance (SPG) with the participation of town councils working in cooperation with the local planning authorities and local communities. These place plans are not formally part of the LDP (Graham *et al.*, 2016: 10).

Scotland

The Scottish planning system depends on two legal instruments: The Town and Country Planning (Scotland) Act 1997 and The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The Town and Country Planning (Scotland) Act 1997 determines the roles and responsibilities of the Scottish Ministers and local authorities for development plans, development management and planning enforcement. Some of the provisions of this act were amended by the Planning etc. (Scotland) Act 2006. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 deals with registering and protection of listed buildings and conservation areas. The Historic Environment (Amendment) Scotland Act 2011 and the Historic Environment (Scotland) Act 2014 brought about some changes in this latter act (Graham *et al.*, 2016: 2-3).

The Scottish Government elaborates on the planning system and specific land use policies in its statement entitled the Scottish Planning Policy, while the spatial policies of the government appear in the National Planning Framework for Scotland 3. The updated versions of both documents were issued in June 2014. Details for implementation of the policies included in these two documents and other technical details can be found in Planning Advice Notes, Planning Circulars and Guides and Letters from the Chief Planner (Graham *et al.,* 2016: 5).

The Strategic Development Plans (SDP) set out the long-term development vision for the four regions of Scotland, namely Aberdeen, Dundee, Edinburgh and Glasgow, with respect to housing, major fields of operation, the retail trade sector, infrastructure and green belt. The SDPs are drafted by Strategic Development Planning Authorities and subject to approval by the Scottish Ministers. (Graham *et al.*, 2016: 5).

Local Development Plans (LDP) identify new development areas in entire Scotland and provide guidance for decisions on policies and planning implementations in these areas. Each planning authority is obliged to issue an updated LDP every five years, while each LDP includes an action plan, which must be updated every two years. Furthermore, a development plan framework exists, which includes information about the processes for the preparation, revision and public disclosure of LDPs as well as information about which of the stakeholders will participate in the preparation of LDPs. Neighborhood plans or community plans are not a legally obligatory for Scotland, whereas a national planning system is developed with the objective of improving the quality of public services and to improve cooperation between public administrations and local communities (Graham *et al.*, 2016: 8-9, 11).

Northern Ireland

The authority for planning in Northern Ireland belonged solely to the Department of Environment between 1991 and 2015, as per the Planning (Northern Ireland) Order 1991. It was then devolved to eleven local councils and the Department of Infrastructure through an amendment to the Planning Act (Northern Ireland) 2011 in

2015. Local councils are in charge of Local Development Plans (LDP), development management and planning enforcement, as per the Planning Act (Northern Ireland) 2011. The same act entitles the Department of Infrastructure to set regional planning policies, planning legislation, guidance to councils and monitoring of council works along with performance management (Graham *et al.,* 2016: 2) (URL 10; URL 11).

The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 contains further information about the LDPs and recommendations to councils on where to implement which type of development at what scale. The LDP in Northern Ireland involves two documents of the plan strategy and the local policies plan. The LDP constitutes the main base for the implementation of decisions. The Department for Infrastructure supervises the compatibility of the LDP with the government plan, policies and guidelines. The local community undertakes significant roles in planning. These roles, as well as the basic stages of public participation and how and when to integrate the public with the planning process, are determined by the Council's Statement of Community Involvement (SCI) (Graham *et al.,* 2016: 9)

The Northern Ireland Executive clarifies its planning and development objectives as part of sustainable development in the document Program for Government, which assigns various departments responsibilities of development of policies and regulation. The right to determine general planning policies for entire Northern Ireland and their implementation is held by the Department of Infrastructure, yet the authority for regional strategic planning and the responsibility for regional development belong to the Department of Regional Development (DRD), as per the Regional Development Strategy 2035. The latter strategy document involves development approaches for Northern Ireland on a long-term perspective, specifically till 2035 (Graham *et al.,* 2016: 4).

Under the new planning system, which is dubbed the plan-led system, existing Planning Policy Statements (PPS) were combined into a single document of a Strategic Planning Policy Statement. The latter document sets out fundamental principles for planning policies to be produced by councils within their own development plans. Still,

the old PPPs can be utilized during the period of transition to the new planning system (Graham *et al.*, 2016: 4).

The Local Government (Northern Ireland) Act 2014 holds the councils responsible for producing and implementing a community plan in their own areas. The Community Plan in Northern Ireland, which corresponds to the Neighborhood Plan in England, centers on involvement of the local community and therefore provides a general framework for councils, departments, legal stakeholders and other organizations to establish a common vision for concerted works. This framework aims to improve economic, social and environmental welfare in the local area by means of offering better services. The Local Government (Northern Ireland) Act 2014 specifies legal stakeholders needed to take part in this process and to support community planning (Graham *et al.*, 2016: 11).

Main Legal Provisions on Conservation

Historical Background of Conservation Legislation

The necessity of protecting historic environment in the UK was voiced first in late 1800s. The first amenity society, the Society for the Protection of Ancient Buildings, was founded in 1887. It intended to prevent unnecessary restorations of, and additions to historic buildings so as to protect their integrity. The first legal regulation about conservation of the historic environment, the Ancient Monuments Protection Act, dated 1882, aimed to protect a limited number of ancient monuments. Many ideas about legal arrangements gained acceptance in the following years, but the first comprehensive regulation regarding the preservation of monuments was introduced much later, in 1913, with the Ancient Monuments Consolidation and Amendment Act (Legislative Council Secretariat, 2007: 1)

The Town and Country Planning Act that came into force in 1932 instituted broad legal measures for the protection of buildings with extraordinary features, rather than ancient monuments. This law authorized local authorities to take measures concerning

buildings with architectural and historical value. (The law necessitated, for instance, permission from local authorities in case of demolition of buildings under protection.) In an addition to the Town and Country Planning Act in 1944, it was decided that structures of national importance of architecture and history should be identified and listed 1944 (Legislative Council Secretariat, 2007: 1).

A committee, established in 1948, studied what government measures were necessary in relation to the preservation, maintenance and use of residences with historical and architectural value. A report created in 1950 by this committee, called with the name of the committee president as the Gowers Report, paved the way for enactment of the Historic Buildings and Ancient Monuments Act in 1953 and establishment of the correspondent Historic Buildings Councils (Creigh-Tyte and Gallimore, 1998: 25; Creigh-Tyte, 2000: 215).

Wide-scale demolition in historical city centers in 1960s brought the necessity of protecting historic areas into prominence as well in addition to the protection of single structures. The Civic Amenities Act, dated 1967, formed a basis for the concept of 'conservation areas'. This act obliged local authorities to identify and classify historic areas. Nonetheless, it was not until the introduction of the Town and Country Amenities Act in 1974 that the necessity of obtaining legal permission for the demolition of any building in a conservation area became a reality (Legislative Council Secretariat, 2007: 2).

The Town and Country Planning Act of 1968 prescribed development controls for buildings in need of protection in terms more or less similar to current regulations. Actions on buildings listed by the ministry for preservation were obliged to have legal permission, irrespective of whether the local authority had made a building conservation order for the building in question or not (Legislative Council Secretariat, 2007: 1).

The white paper 'Heritage Protection for the 21st Century', released in 2007, provided a detailed explanation of the legislation with the purpose of enhancing the existing

system. This white paper focuses on three primary objectives: making heritage protection an integral part of the planning system, opening the issue of heritage protection up for screening by a wider public and ensuring societal sustainability by way of preservation of the historic environment (DCMS, 2007: 5). On the other hand, the government declared in November 2008 that it would suspended legislative actions about heritage but would support non-legislative reform efforts. The two most fundamental guidance documents regarding cultural heritage preservation in the UK, namely Planning Policy Guidance notes on Buildings (No. 15) and Planning Policy Guidance notes on Archaeology (No. 16), were reviewed for renewal in July 2009 (Fisher and Figuera, 2011: 28). The Department for Communities and Local Government issued the National Planning Policy Framework in March 2012 with the objective of clarifying confusion over the planning system and creating an easily accessible system. The framework prompted revisions in a large number of planning guides, called Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPG) (URL 12).

Current Legislation

England

Today, the main legal legislation about planning and historic environment in England and Wales includes the Town and Country Planning Act 1990, enacted in 1990, and three more legal regulations. These are (URL 13):

- The Planning (Listed Buildings and Conservation Areas) Act 1990, which ensures special protection for buildings and areas of specific historical and architectural importance
- The Ancient Monuments and Archaeological Areas Act 1979 that provides special protection for scheduled monuments
- The Protection of Wrecks Act 1973, which concerns protected wreck sites.

Decisions on listed buildings and conservation areas have to comply with statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 and related provisions of the Local Plan and the National Planning Policy Framework (URL 13).

Heritage protection is based on the National Heritage Acts in conjunction with the Town and Country Planning Act 1990. The National Heritage Acts consist of four laws passed by the UK Parliament that aim to amend the management and conservation of national cultural assets in the UK (URL 14).

1. **National Heritage Act 1980**

The National Heritage Act 1980 established the National Heritage Memorial Fund as a replacement for the abolished National Land Fund. One of aims of this act was to stimulate public discussion about the Callaghan Government's refusal of an offer of Mentmore Towers in lieu of payment of inheritance tax (URL 14).

2. **National Heritage Act 1983**

As per the National Heritage Act 1983, the Victoria and Albert Museum, the Science Museum and the Armories and the Royal Botanic Gardens were all founded as NDBPs. Section 30 of the Act stipulated establishment of the Armed Forces Museums and allocations of funds to the museums. Other ancient and historic buildings and monuments in the UK had been protected under the auspices of the Department of the Environment before 1982. This situation was regarded by the ruling Conservative Party as financially wasteful and leading to public concern, so the 1983 Act established another NDBP, the Historic Buildings and Monuments Commission (HBMC). Following the implementation of the act, the name of the HBMC was changed for practical purposes to English Heritage (now Historic England), by which it is known today (URL 14).

3. National Heritage Act 1997

The National Heritage Act 1997 revised the 1980 Act by broadening the scope of the National Heritage Memorial Fund. Accordingly, all elements of picturesque, historic, archeological, esthetic, architectural, engineering, scientific, zoological and botanical importance were now included within the scope of the Fund. Moreover, the Act 1997 added Section 31A to the Act 1983 for putting the Royal Naval College Site under protection (URL 14).

4. National Heritage Act 2002

The National Heritage Act 2002 extended the authority of the Historic Buildings and Monuments Commission to also cover elements of underwater archeology within the UK's territorial waters (URL 14).

The National Heritage Act 1983 clarified cultural heritage administration and created the establishment of Historic England, or officially the Historic Buildings and Monuments Commission for England. Statutory measures were instituted regarding the preservation of historic buildings and monuments, taking into account the public interest. Buildings of special architectural or historical significance, including private properties, throughout the UK have been classified by relevant government units or designated institutions. Around 375,000 buildings have been listed in this context. Government offices are also responsible for compiling a list of ancient monuments under a program similar to the listed buildings. This produced a list of 20,000 monuments among 31,400 potential sites in 2011. The British local planning authorities and the Northern Ireland Government are responsible for assigning these structures as conservation areas. English Heritage had registered 9,400 conservation areas in the UK up to 2011 (Fisher and Figuera, 2011: 58).

The document 'Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment,' issued by English Heritage, is one of the most important documents in establishing fundamental principles of conservation in

the UK in addition to laws. Article 4.2. of this policy document defines conservation as 'the process of managing change to a significant place in its setting in ways that will best sustain its heritage values, while recognizing opportunities to reveal or reinforce those values for present and future generations'. This document postulates the following six fundamental principles (Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment, English Heritage, 2008):

- 'The historic environment is a shared resource
- Everyone should be able to participate in sustaining the historic environment
- Understanding the significance of places is vital
- Significant places should be managed to sustain their values
- Decisions about change must be reasonable, transparent and consistent
- Documenting and learning from decisions is essential.'

Wales

The conservation of the historic environment is a matter of top-priority for the Welsh Government. 'Planning Policy Wales', which is the framework document for strategic planning in Wales, emphasizes the importance of preserving various historic assets of Wales, ranging from archeology, ancient monuments, registered buildings and conservation areas to historical parks, gardens and landscape. The historic environment, as mentioned in the statement 'Wales: A Better Country, the Wales Spatial and Environment Strategy', contributes to broader strategic objectives of the Welsh Government through providing economic benefits and sustainability, strengthening cultural identity and supporting societal development (DCMS, 2007: 36).

The conservation legislation in Wales is basically derived from that of the UK, albeit with some difference in principles. The first conservation law specific to Wales is the Historic Environment (Wales) Act, was passed by the National Assembly for Wales in February 2016. This act aimed to eliminate weaknesses and contradictions in the existing legislation. For instance, although 119 scheduled monuments were damaged between 2006 and 2012, only one of the culprits was prosecuted. The new law thus

stipulates more serious penalties for unlawful damage to scheduled monuments. It also includes measures to encourage reaching a consensus between property owners and authorized administrations on the consistent and compatible management of historic assets. The act is complemented by guidelines that are planned to be enacted before January 2017 (URL 15).

Scotland

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Town and Country Planning (Scotland) Act 1997 are the main laws that determine legal regulations about conservation in Scotland (Taylor, 2014) The planning documents in Scotland, which are subjected to legislation, are categorized into four groups: Scottish Planning Policy (SPP), the National Planning Framework (NPF), Circulars and Planning Advice Notes. The National Planning Framework (NPF) is a strategy document shaping the long-term spatial development policy of the Scottish government. Scottish Planning Policy (SPP) determines land-use and planning policies. Circulars concern regulations and implementation of procedures, while Planning Advice Notes provides information and consultancy about technical issues (Planning Circular 9 2009, 2009). For example, 'Managing Change in the Historic Environment' issued by Historic Scotland involves a series of technical manuals30 (Taylor, 2014).

The Scottish Historic Environment Policy (SHEP) document identifies policies for the historic environment and the related roles and responsibilities of institutions and provides directions for the work of Historic Scotland, the Scottish Government and NDBPs. The SHEP enjoys a legal status equivalent to other Scottish Planning Documents and policy documents by the Scottish ministries. It also serves as a

[30] 'For example, the edition on windows provides useful guidance on repairs, alterations and improvements, including when double glazing might be acceptable. Others in the series include Accessibility, Battlefields, Boundaries, Demolition, Doorways, Engineering Structures, External Fixtures, External Walls, Extensions, Interiors, Micro renewables, Roofs, Setting, Shopfronts, and Works on Scheduled Monuments*'* (Taylor, 2014).

supplement to the processes of Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) (SHEP, 2011: 3).

A noteworthy intervention in Scotland is the townscape audit, which is primarily intended to evaluate, fully or partially, the physical, environmental and land-use features of a village, district or city. The audit decides on the significance of the area, factors contributing to the identity of the area and issues to be addressed in order to improve these factors. Audits may concern urban design, landscape design, urban protection and transportation as well as archeology, natural heritage and other issues related to local conditions. The audit provides a better understanding of general roles, needs and perceived threats to the built environment. Free space research, evaluation of existing or potential environment quality or research on mobility models can, for example, be conducted within an audit. The auditing processes enable planning authorities to develop recommendations for the means to harmonize social, economic, and physical changes in the historic environment through agreed planning and urban design (Planning and the Historic Environment, 1999: 6).

Northern Ireland

The main documents regulating conservation implementations in Northern Ireland are the Planning Act (Northern Ireland) and the Planning (Northern Ireland) Order 2011, both of which went in effect in 2011. The regulation 'Planning Policy Statement 6: Planning, Archaeology and the Built Heritage' provides guidance to preservation of listed buildings under these acts (Taylor, 2014).

Heritage Protection System in the UK

Cultural assets in the UK are classified under eight distinct headings, including primarily listed buildings, scheduled monuments, conservation areas and World Heritage Sites. According to the 2012 data, the number of cultural assets in England by classification breakdown are as follows (Table 3.1) (Historic England, 2013: 4):

Table 3.1 The Number of Cultural Assets in England (Historic England, 2013: 4)

Designation Type	Number in England (2012)
World Heritage Sites	18
Scheduled Monuments	19,759
Listed Buildings	375,588
Registered Parks and Gardens	1,617
Registered Battlefields	43
Conservation Areas	9,800 (estimated)
Locally Listed Buildings and Sites	Unknown
Historic Wreck Sites	49

Listed Buildings

Buildings of special architectural or historic interest are included as listed buildings by the Secretary of State for Culture, Media and Sport if they conform to criteria as per the principles of selection and selection guides (Historic England, 2013: 4). The general listing principles are as follows (DCMS, 2010: 5):

- Buildings constructed before 1700 are listed if they contain a significant proportion of their original fabric
- Buildings erected between 1700 and 1840 are listed if they conform to selection criteria
- Buildings built after 1840 are listed if they conform to selection criteria since a large number of these buildings have survived
- Buildings constructed after 1945 are subject to a careful selection process
- Buildings of, or below, 30 years old are listed if they have outstanding quality and under risk.

Listed buildings in England and Wales are classified as Grade I, Grade II* and Grade III (Taylor, 2012; Historic England, 2013: 10).

- Grade I- Buildings of exceptional value (2.5% in England, 2% in Wales)
- Grade II*- Buildings of particular significance (5.5% in England, 6% in Wales)
- Grade II- Buildings of special interest that require all measures for preservation (92% in England and Wales)

Listed buildings in Scotland are categorized into A, B and C groups with their respective shares being 2%, 6% and 92%. In contrast to other countries in the UK, Northern Ireland has a four-level classification of listed buildings. The top 9 percent of the listed buildings are classified as A or B+ grades and others as B1 or B2. The B1 grade is generally used for buildings that have wide-ranging characteristics, while the B2 grade encompasses buildings with narrower-scoped features. Buildings, which were previously listed under the C grade, are today included in the 'local list'. These buildings are not subject to the legal protection enjoyed by the listed buildings (Taylor, 2014).

The legislation regarding listing in England, the Planning (Listed Buildings and Conservation Areas) Act, was introduced in 1990. The listed buildings are registered by Historic England (English Heritage) and the list is accessible online. Historic England has the authority to propose buildings for listing and delisting (English Heritage, 2013: 4, 10).

Listing in Scotland is carried out by Historic Scotland, based on legal regulations under the SHEP. As in Wales, Historic Scotland is in charge of listing implementations, the legal basis of which is based on the common legislation shared with England, namely the Planning (Listed Buildings and Conservation Areas) Act 1990, and the statements Planning Policy Wales and Circular 61/96: Planning and the Historic Environment. The responsibility for listing in Northern Ireland rests with the Northern Ireland Environment Agency that works under the Northern Ireland Department of Environment. The legal regulations regarding listing in Northern Ireland are set in Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6) (Taylor, 2014).

Scheduled Monuments

Buildings, structures, mounds, castles, bridges, buried remains and industrial sites can be scheduled by the Secretary of State for Culture, Sport and Media as monuments if they are nationally important in terms of historic, architectural, traditional, artistic or archeological value. This scheduling, however, excludes buildings used for residential or ecclesiastical purposes. Only a small number of buildings are included in both listed buildings and scheduled monuments. The scheduling of monuments is regulated by the Ancient Monuments and Archaeological Areas 1997. Applications for the scheduling or de-scheduling of a monument are made to Historic England, which evaluates the issue and submits the relevant proposal to the Secretary of State. The list of scheduled monuments is accessible online under the title of the Schedule of the National Heritage List that is also included in the local Historic Environment Record. Any intervention in scheduled monuments is contingent upon scheduled monument consent by the Secretary of State (English Heritage, 2013: 3, 13).

The scheduling of a monument by the Secretary of State for Culture, Media and Sport depends on the following criteria (English Heritage, 2013: 14):

- Period
- Rarity
- Documentation on qualification of monument
- Group value, formed together with other heritage assets
- Current state
- Vulnerability (degree of need to protection)
- Diversity of features of monument
- Historical potential to be revealed by archeological excavation

The scheduling of monuments in Wales is based on the Ancient Monuments and Archaeological Areas Act (1979), similarly to the situation in England. In addition, Welsh Office Circular 60/96 details the process of scheduling as well as the authority and responsibilities of institutions involved in the process. The scheduling of a

monument is the responsibility of the Secretary of State, while the Inspectorate of Ancient Monuments serves as a consultant and has the right to make recommendations about the inclusion in or exclusion from the list and other necessary revisions regarding a monument. Suggestions on implementation are also made by Royal Commission on the Ancient and Historical Monuments of Wales, four Welsh Archaeological Trusts, national park archeologists and field personnel of local authorities (Welsh Office Circular 60/96, 1996: 8; CADW, 2002: 5).

Scheduling in Scotland is carried out by Historic Scotland on behalf of the Scottish Ministers. The legal basis of scheduling is the Ancient Monuments and Archaeological Areas Act (1979) like in England. The criteria for scheduling monuments are identified in the SHEP (URL 16).

In Northern Ireland, the legal foundation of scheduling is the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995. The processes for the scheduling and de-scheduling of a monument are carried out by the Historic Environment division of the Department of the Environment after consultations with the Historic Monuments Council (Historic Monuments and Archaeological Objects (NI) Order 1995, 1995). The selection criteria are set out in the Planning Policy Statement 6 (PPS 6): Planning, Archaeology and Built Heritage (1999). A total of 1,800 historic monuments, known to belong to the period between 2000 BC and the 20th century, in around 35,000 sites are scheduled in Northern Ireland as of March 2009 (URL 17).

Conservation Areas

Local planning authorities register areas that require protection by virtue of architectural quality or historical features. Local authorities also review conservation areas registered in the past regarding whether the boundaries of such areas should be extended or not. The registering of conservation areas began in 1967 in England and the number of registered areas now totals approximately 10,000. Conservation areas may be in the form of historic districts and city centers, fishing and mining villages,

the 18th and 19th century suburbs, houses located in historical parks, historical transportation areas or industrial sites. Although conservation areas in England are usually registered by the local planning authorities, registry transactions in London are made on recommendation of Historic England and the Secretary of State for Culture Media and Sport (English Heritage, 2013: 16).

The Planning (Listed Buildings and Conservation Areas) Act 1990 constitutes the legal basis of the processes for conservation areas. The Act is supplemented by the guidance documents 'Understanding Place: Conservation Area Designation, Appraisal and Management: English Heritage Guidance' (2011) and 'Planning Practice Guidance: Conserving and Enhancing the Historic Environment'. The main agencies and departments supporting central government activity concerning the conservation of the historic environment are Historic England (formerly English Heritage), Historic Scotland, Welsh Historic Monuments (CADW) and the Northern Ireland Environment Agency (NEIA). These institutions are responsible for preservation, protection and maintenance of monuments, historic structures and conservation areas (Fisher and Figuera, 2011: 58).

500 conservation areas exist in Wales that have been registered by the local planning authorities on account of their architectural and historical qualities. After an area is designated as a conservation area, the local authority has to formulate progressive taking into account the features of the area that should be preserved or improved, to bring alterations in conservation areas like additions, changes in windows, installing solar panels etc. under permission from the local authorities. The local authorities' respective policies should conform to the Development Plans. (URL 18).

The authority and responsibilities for conservation areas in Scotland belong to the local planning authorities, similar to the situation in England and Wales; however, the Secretary of State reserves his powers regarding the issue. Demolition of buildings in areas designated as conservation areas are also subject to a control mechanism. The legal foundation of the processes for conservation areas is constituted by the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (URL 19).

In Northern Ireland, the legal basis of conservation areas is constituted by the Planning (NI) Order 1991 and PPS 6: Planning, Archaeology and the Built Heritage. The Department of Infrastructure is in charge of registering conservation areas. It also develops design guidelines that include specific local policies for each conservation area and provisions for protection and enhancement, aided by consultancy support from the local district councils and Historic Buildings Council. These guidelines facilitate decision taking about whether or not new proposals of improvement regarding the area are compatible with the area (PPS6, 1999: 31-36).

World Heritage Sites

In 1984, the UK Government signed the World Heritage Convention dated 1972. The UK has 30 world heritage sites, of which 25 are cultural, five natural and one is mixed (URL 20). There are 20 world heritage sites in England and the responsibility for their protection lies with the national government. The UK Government is responsible for preserving the listed sites sustainably by way of management plans. The Department of Communities issued a circular for protection of world heritage sites in England in 2009 under the title of 'Circular on the Protection of World Heritage Sites 07/09'. Moreover, a guidance document titled 'English Heritage Guidance Note to Circular for England on the Protection of World Heritage Sites' was released in 2009 (English Heritage, 2013: 17-18).

There are three world heritage sites in Wales. These are Caernarfon, Conwy and Beaumaris in north-western Wales, castles and town walls from the period of Edward I in Beaumaris and Harlech, Blaenavon Industrial Landscape in south-eastern Wales, and the Pontcysyllte Aqueduct and Canal in north-eastern Wales. Each of these sites encompasses fairly extensive areas that include several local authorities. Each has a separate management plan, comprising planning policies by the relevant local authority. Some of the sites include buffer zones to provide additional protection, while some could incorporate essential setting and significant views for environmental protection in their management plans. There are numerous private-property areas or residences in each world heritage site in Wales (URL 18).

The conservation of world heritage sites in Wales is based on Welsh Government planning guidance, planning policies of the local administrations and frequently on supplementary planning guidance (SPG) that has been developed to provide guidance to property owners. Most of the world heritage sites have been put under protection as per national legislation by means of scheduling, listing or granting of conservation area status, but the boundaries of the world heritage site and buildings or areas under respective statuses do not necessarily overlap. Any alteration to buildings or areas within the boundaries of a world heritage site is subject to planning consent and may also necessitate scheduled monument consent [31] or listed buildings consent [32] (URL 18).

Both the government and the local authorities in Scotland have played significant roles in fulfilling the necessities of the World Heritage Convention. Scotland does not have a legislation specific to world heritage sites, yet the national guideline documents stipulate specific policy implementations for the planning authorities to manage world heritage sites and their neighborhood. The Planning etc. (Scotland) Act 2006 and the Historic Environment (Amendment) (Scotland) Act 2011 are the fundamental legal documents for the cultural world heritage sites, while the legislation on natural world heritage sites and mixed sites comprises the Wildlife and Countryside Act 1981, the Nature Conservation (Scotland) Act 2004 and the Marine (Scotland) Act 2010'. The Scottish Historic Environment Policy (SHEP) identifies specific policies applicable to historic areas (World Heritage in Scotland, 2014: 10).

[31] 'A monument which has been scheduled is protected against ground disturbance or unlicensed metal detecting. Written consent must always be obtained before any work on a scheduled monument can begin. Application for Scheduled Monument Consent (SMC) must be made to the Secretary of State for Culture, Media and Sport before any work can be carried out which might affect a monument either above or below ground level. Some change may also require planning permission, which should be obtained from the Local Planning Authority' (URL 21).

[32] 'Any works to demolish any part of a listed building or to alter or extend it in a way that affects its character as a building of special architectural or historic interest require listed building consent, irrespective of whether planning permission is also required. It is important to note that it may be a criminal offence to fail to apply for consent when it is required. For all grades of listed building, unless the list entry indicates otherwise, the listing status covers the entire building, internal and external, objects fixed to it and sometimes also attached and curtilage buildings or other structures' (URL 22).

Implementing the World Heritage Convention in the UK is duty of the Department for Culture, Media and Sport (DCMS). Historic England (formerly English Heritage) gives advice to the DCMS about cultural heritage issues. Although the international character of the World Heritage Convention vests the UK Government with the respective authority, the DCMS consults to the Scottish Ministers on the issues of compatibility with the World Heritage Convention and applications to the World Heritage Candidate List within Scotland. The authority to develop policies on matters related to the world heritage sites within Scotland belongs to the Directorate for Culture and Heritage of the Scottish Government, while Historic Scotland (Historic Environment Scotland as of 2015) serves as the Scottish Government's executive agency responsible for protection and improvement of national historic areas and participates in the preparation of management plans for world heritage sites. The Historic Scotland Team assumes a coordinating role for six world heritage sites in Scotland. ICOMOS-UK is responsible for supporting best practices in protection and preservation of historic areas in the UK. It also makes recommendations about world heritage sites. The relationships between stakeholders of world heritage management are summarized in Figure 3.4.

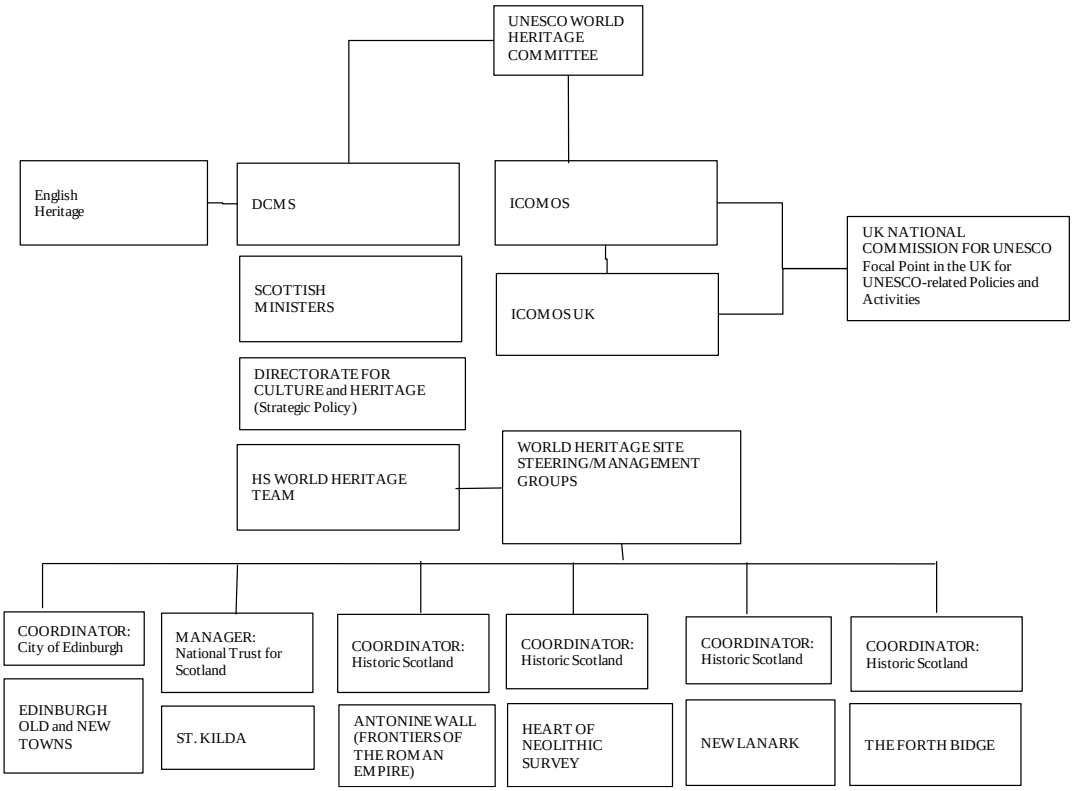

Figure 3.4- Relationship between the World Heritage Sites' stakeholders in Scotland (World Heritage in Scotland, 2014: 15).

There is currently only one world heritage site in Northern Ireland, i.e. Giant's Causeway with cultural, natural and geological value. Work for protection, management and enhancement of Giant's Causeway, with the participation of all stakeholders, is carried out by the Department of Economic Development. Planning on world heritage sites derives from the national-level Development Plans, which include local policies and policy recommendations for the protection of world heritage sites and their neighborhood (URL 23). Planning issues about world heritage sites in Northern Ireland appear in the statements 'PPS 6 Planning, Archaeology and The Built Heritage' and 'Policy BH 5 World Heritage Sites' (URL 24).

Stakeholders and their responsibilities

England

The conservation of the historic environment in England concerns a broad institutional framework including central government departments, executive non-departmental public bodies and local authorities (Legislative Council Secretariat, 2007: 2)

National Government

Three government departments, namely the Department for Culture, Media and Sport, the Department for Communities and Local Government and the Department for Environment, Food and Rural Affairs play a significant role in the conservation of historic areas.

The Department for Culture, Media and Sport conducts work for the identification, recording, conservation, improvement and interpretation of heritage assets to serve as inputs to policy-making by the government. The Department is also responsible for identification and designation of listed buildings, scheduled monuments and protected wreck sites (URL 25) as well as for scheduled monument consent, urgent works notices, compulsory acquisition and designation of conservation areas. It audits compatibility with the World Heritage Convention and determines new candidates for

World Heritage Site status. Revising the heritage protection system is also among the tasks of the Department. Furthermore, the Department funds Historic Scotland and the National Heritage Memorial Fund and monitors budget allocations by the National Lottery in consultation with the National Heritage Memorial Fund. An additional function of the department concerns supervising the portable antiquities scheme (Legislative Council Secretariat, 2007: 3; English Heritage, 2013: 81).

The Department for Communities and Local Government is in charge of the preparation of national policies as per the NPPF and the planning system, including matters like conservation planning, housing and urban regeneration. It is also authorized to designate planning inspectorate in cases of objections to listed building consent or conservation areas consent issued by the local planning authorities. Among other duties of the Department are discussing decisions by the local planning authorities, deciding on objections to planning implementations, making corrections in relation to justified objections and cancelling or modifying listed building consent if necessary (Legislative Council Secretariat, 2007: 3; English Heritage, 2013: 82)

The Department for Environment, Food and Rural Affairs is responsible for the natural environment, food and agriculture, environmental protection and rural areas. Decisions taken by the Department and its policies have significant impacts on heritage conservation. Particularly, agreements between farmers and land owners, organized by Natural England, which is a non-departmental public body promoted by the Department, are important if the land in question is the subject of heritage conservation implementations (English Heritage, 2013: 83).

Executive Non-Departmental Public Bodies

In the UK, executive non-departmental public bodies (NDBP) are entities established by ministers to provide functions and services, independently from ministries, on behalf of the government in areas that are deemed in need of operational work. The NDBPs perform their work independently from any government department but ministers are ultimately responsible to the Parliament for the actions of the NDBPs

supported by their department. The Department for Culture, Media and Sport sponsors many NDBPs, including Historic Scotland, the National Memorial Fund and the Heritage Lottery Fund (Legislative Council Secretariat, 2007: 3-4).

Historic England (formerly English Heritage)

English Heritage was divided into two parts on April 4, 2015. The name English Heritage was preserved for a newly established charity, which was assigned the responsibility for the National Heritage Collection that includes more than 400 different buildings, castles, palaces, cathedrals etc. The other part became a separate entity to assume other responsibilities under the name of Historic England (URL 26) (English Heritage, 2007: 85).

Historic England serves as an expert consultant to the government with respect to heritage affairs and has statutory roles in the planning system. Its major role is advising government departments, local planning authorities, developers and property owners on development proposals with potential to affect historic areas. It also engages in several publishing activities about protection and management of the historic environment. Historic England is not involved in all planning issues because, in some cases of consultancy on the historic environment, the first point of application is the local planning authorities. The main commitments of Historic England are to support conservation activities through the active management of change and to deploy a positive and cooperative approach to support development of the historic environment (A Charter for Historic England Advisory Services, 2015: 3).

The tasks allocated to Historic England as consultancy tasks are as (A Charter for Historic England Advisory Services, 2015: 3):

- Applications for listed building consent related to works on Grade I or Grade II* buildings or demolition of Grade II buildings

- Applications for planning permission for developments with implications for Grade I or Grade II* listed buildings and their neighborhood, Grade I or Grade II* registered parks or gardens, scheduled monuments or registered battlefields
- Developments that affect appearance or other features of conservation areas, including, for example, construction of a new building or extension of an existing building with a land area of above 1,000 square meters
- Applications by local planning authorities for permission for demolition works in conservation areas
- Applications related to certain works on Anglican cathedrals within the scope of 'the care of cathedrals measure 2011'
- Applications for works with potential to affect listed ecclesiastical buildings or archeological remains under the exempt categories
- Proposals for Heritage Partnership Agreements, covering Grade I or Grade II* listed buildings or listed buildings owned by local planning authorities
- Proposals to prepare local listed building consent orders relating to Grade I or Grade II* listed buildings or listed buildings owned by local planning authorities
- Infrastructure projects of national importance
- Applications for a large number of listed building consent and planning implementations in London.

In addition to its consultant duties, Historic England has responsibility for the identification and designation of registered parks, gardens and battlefields. In contrast to the designation rights of the DCMS and local planning authorities, the authority to manage designation procedures at the national level belongs to Historic England (URL 25). Historic England played a leading role in preparation of the National Heritage Protection Plan, a strategy document for conservation nationwide, in cooperation with other stakeholder heritage organizations. Determination of heritage at risk and their registration under the Heritage at Risk Program (HAR) on an annual basis are among the other responsibilities of Historic Environment. The organization also has many grant funding functions related to the protection and improvement of the historic environment (English Heritage, 2013: 84-85). A great deal of Historic England's budgetary sources comes from grant-in-aid by the DCMS, which amounts to

£86,570,000 for the 2016-2017 period, and revenues from management agreements and, to a lesser extent, from research grants raised via specialized projects and lottery funding. (URL 27).

Grants provided Historic England for building, site and landscape purposes are aimed at the protection of the historic environment. Grants are given on condition that public access will be ensured for ten years after the aided work is completed. Another objective of grants is to guarantee high-standard repairs and regular maintenance in the pursuit of achieving sustainable outcomes. Grant-aiding prioritizes rescuing significant historic assets at risk because of decay or adverse development effects. Decisions on applications for grants therefore take into account whether they serve to enhance understanding, managing and conserving the historic environment. In this context, grants by Historic England are classified as follows (URL 28):

- 'Repair grants for heritage at risk
- National capacity building program
- Regional capacity building program
- Local authority grants for conservation staff
- Acquisition grants
- Grants to underwrite urgent works notices
- Heritage protection commission
- Partnership schemes in conservation areas
- Grants for war memorials
- Management agreements for field monuments'

The National Heritage Memorial Fund

The National Heritage Memorial Fund (NHMF) was founded in 1980 in memory of those who gave their lives for the country. The NHMF receives £5,000,000 grant-in-aid annually from the government through the DCMS (URL 29). It provides financing for the acquisition, preservation and maintenance of buildings, lands and art objects that are important for national heritage. The National Trust, which is an independent conservation organization, works to maintain public access to more than 300 historic house and gardens and 49 industrial monuments. Furthermore, it provides maintenance of forests, fens, woods, beaches, farmland, downs, moorland, islands, archaeological

remains, castles, nature reserves and villages of national interest. The National Trust raises revenues from goods sales and membership fees (Fisher and Figuera, 2011: 58).

The Heritage Lottery Fund

The Heritage Lottery Fund (HLF) is the largest heritage fund in the UK. Its headquarters are located in London. Financed by the National Lottery, the HLF invested approximately £430,000,000 in 2016. The organizational personnel comprises 270 employees, 15 trustees and 70 member local communities (URL 30). The HLF, which is managed by the NHMF, has allocated £4.4 billion funds to around 34,000 projects relating to new museums, parks, historic areas, archaeology, natural environment and cultural traditions since 1994 (English Heritage, 2007: 59).

Local Government

Local government bodies undertake significant roles in the protection and maintenance of the historic environment. Local planning authorities register information about the historic environment through historic environment records (HERs), which are publicly accessible. Local government draws up local development plans and is authorized to determine heritage at risk. Some heritage assets are owned by the local planning authorities in their own areas of responsibility. Local planning authorities are responsible for developing planning policies appropriate to their areas in terms of development and use. They provide consultancy services for applications for listed building consent and planning policies and decisions. They also designate buildings and sites in need of intervention through local lists. The authority for deciding on applications for planning permission, listed building consent and conservation area consent is likewise vested in local planning authorities. Their other responsibilities include managing penalty notices and other transactions related to penalties for environmental transgressions, directing transportation and traffic management via environment-friendly decisions and realizing best practices for heritage values in their own area (English Heritage, 2013: 86-88).

Exempt Religious Denominations

Religious institutions with own conservation, maintenance and preservation measures are exempt from some of the conditions embodied in legislation as per the Planning (Listed Buildings and Conservation Areas) Act 1990. These institutions are the Church of England, the Roman Catholic Church, the Methodist Church, the Baptist Union of Great Britain and the United Reformed Church (English Heritage, 2013: 88).

The National Trust

Founded in 1895, the National Trust carries out works for the conservation of coastline, forests, woods, fens, beaches, farmland, moorland, islands, archaeological remains, nature reserves, villages, historic houses, gardens, mills and pubs in England, Wales and Northern Ireland. It manages 775 miles of coastline, 248,000 hectares of land, and over 500 historic houses, castles, ancient monuments, gardens, parks and natural reserves. The legal basis for the work of the National Trust is constituted by the National Trust Acts 1907-1971 and the Charities (National Trust) Order 2005 (English Heritage, 2013: 91-92). In addition to these organizations, there are various groups and volunteering organizations that engage in the protection, maintenance and preservation of the historic environment33 (English Heritage, 2013: 90-95).

[33] There are:
'Owner' s group
- The Country Land and Business Association (CLA)
- Historic Houses Association (HHA)
- British Property Federation (BPF)

Amenity societies and other voluntary institutions
- The National Amenity Societies
- Civic and Preservation Societies
- Heritage Alliance
- The Society of Antiquaries
- The Archaeology Forum (TAF)
- The Institute for Conservation (ICON)
- Historic Towns Forum (HTF)
- RESCUE The British Archaeological Trust
- SAVE Britain's Heritage

Professional Associations
- Institute of Historic Building Conservation (IHBC)
- The Royal Town Planning Institute (RTPI)
- The Royal Institute of British Architects (RIBA)
- The Royal Institution of Chartered Surveyors (RICS)

Arts Council England

Arts Council England (ACE) merged with ten Regional Arts Boards in 2002 in an effort to create a single new development fund. In order to support this new structure, nine regional offices were established to correspond to the nine regional planning areas. Each regional office is responsible to the national Arts Council through its own regional council and chair. The primary objective of the restructuring was to achieve a simpler, more responsive, more arts-oriented and univocal management. The changes aimed also at flexible funding and donation mechanisms at the regional level, reducing administrative costs and bureaucracy throughout England and improving cooperation with the local authorities. The program Grants for the Arts of Arts Council England was reviewed in 2002 and changed for the purposes of effectiveness and (Fisher and Figuera, 2011: 5-6).

In July 2009, ACE decided to restructure nine regional offices into groups in four geographical regions of London, the North, the Midlands and South West, and the East and South East to facilitate economic savings and to enable downsizing. Consequently in May 2010, the 2010-2011 budget of ACE was cut by £19,000,000, which represented a 4% reduction from the initial budget. (Fisher and Figuera, 2011: 6).

Historic Environment Records (HERs)

Historic Environment Records (HERs) are sources of information based on Geographic Information System (GIS) that stores data on archeological and historic built environment. HERs include regularly updated details about archaeological sites, finds, historic buildings and landscape. There are 85 HERs in England, of which

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The Landscape Institute
Institute for Archaeologists (IFA)
Association of Local Government Archaeological Officers (ALGAO)
International Council on Monuments and Sites (ICOMOS)
Building Preservation Trusts
The Prince's Regeneration Trust
Preservation Trusts for Places of Worship' (English Heritage, 2013: 90-95).

around one-third are accessible online. HERs are operated and updated by local authorities like county council, unitary authority or joint service (URL 31).

Heritage at Risk (HAR)

The Heritage at Risk Program (HAR), launched in 2008, gives information about the state of historic assets over the entire country. The program is used for the identification of sites under threat, particularly in cases of neglect, decay and inappropriate development implementation. This work, which began around twenty years ago with the 'Building at Risk Survey', today encompass a wide range of heritage assets, including buildings, places of worship, archaeological sites, conservation areas, registered parks, gardens and battlefields and protected wreck sites. There were 5,478 records in HAR in 2016, compared to 5,341 in 2015. The annual fall in the number of records practically shows delisted assets thanks to economic solutions to eliminate risks for those assets (URL 32).

The HAR system enables focus on the heritage assets facing the greatest risks amid limited public and private financing sources. The nine local teams of Historic England work to mitigate risks to local heritage assets. They utilize program outcomes and the annual registries to prioritize urgent cases in terms of time and financing. The partner institutions, Heritage Lottery Fund and Natural England, provide funding to property owners for repair and restoration (URL 32).

Wales

Central Government

The responsibilities for culture and heritage in Wales rest with the Cabinet Secretary for Economy and Infrastructure (the Secretary of State) on behalf of the Welsh Government (URL 33). The Secretary of State has responsibility for setting the general framework of the planning system and policies necessary for the conservation of cultural heritage and archaeology. These tasks are carried out by CADW-Welsh

Historic Monuments, which is an executive agency of the Welsh Office. The Secretary of State is also responsible for the call-in procedure for planning proposals and evaluation of objections to listed building consent or conservation area consent orders and implementations by local authorities. (Welsh Office Circular 60/96, 1996: 12; Welsh Office Circular 61/96, 1996: 31)

The Welsh Assembly government released its first strategy document concerning the responsibilities for museums in 2009. The document included development proposals for the period between 2010 and 2013 under four main topics of improving museum visitor experience, easing access to museums, improving collections and supporting sustainable organizational structures (Fisher and Figuera, 2011: 30).

Executive Non-Departmental Public Bodies

Welsh Historic Monuments (CADW)

The general duties of CADW are preservation of ancient monuments and historic buildings, ensuring the protection of the appearance and other characters of conservation areas, improving public awareness of historic areas and their preservation. Specifically, CADW offers consulting services on ancient monuments, historic buildings and conservation areas; advising the State of Secretary about the processes of listing buildings and scheduling monuments, implementing loan and grant programs for archeological research, ancient monuments, conservation areas, historic buildings, parks and gardens (Welsh Office Circular 60/96, 1996: 12; Welsh Office Circular 61/96, 1996: 31).

The Arts Council of Wales (ACW)

The Welsh Assembly Government allocates funds to the Arts Council of Wales (ACW) on an annual basis for it to facilitate active public participation, and public benefits from, arts activities. The allocation of these funds is done by the ACW, the Welsh Assembly Government itself plays no direct part in which organizations or

individuals will benefit from these funds. The Culture Ministry of Wales decided to review numerous arm's-length agencies in 2004, including the ACW. The evaluation of which agency would be more appropriate for the functions of strategic planning and funding resulted in the Welsh Government establishing the Arts Strategy Board (Fisher and Figuera, 2011: 7).

The Arts Strategy Board is a consulting institution that lacks authority of decision-making. The Board advices the minister on preparation and monitoring of art policies, creating integrated approaches among sectors, development of artistic values through promoting wide social, economic and cultural intentions as well as encouraging cooperation with the Welsh Assembly Government departments (Fisher and Figuera, 2011: 7).

Local Government

Local planning authorities are responsible for conservation and the designation of the historic environment. They assess the compatibility of policies on conservation areas with wider scale planning policies. They also implement work related to developments on listed buildings and demolitions in conservation areas. Another function of local planning authorities is the allocation of grants to repair of historic buildings irrespective of their listing status. In addition, they ensure the protection of archaeological heritage via their functions of development control (Welsh Office Circular 60/96, 1996: 12; Welsh Office Circular 61/96, 1996: 31)

The Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW)

Founded in 1908, the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) is financed by the Welsh Government. The RCAHMW has responsibility for building a national archive and database on ancient monuments and historic buildings. Data on surveyed and recorded ancient monuments and historic buildings are compiled under the National Buildings Record for the purposes of the

management and protection of the historic environment. The RCAHMW carries out work in cooperation with the four Welsh Archaeological Trust organizations (Welsh Office Circular 60/96, 1996: 12).

Welsh Archaeological Trusts

The four regional Welsh Archaeological Trusts (Glamorgan-Gwent, Dyfed, Gwynedd, Clwyd-Powys) are independent limited companies that provide archaeological services in their own regions. Their duties include the maintenance of Sites and Monuments Records, providing advisory services to planning authorities and work to alleviate risks to archeological remains (Welsh Office Circular 60/96, 1996: 12). The Welsh Archaeological Trusts have been maintaining the GIS-based Welsh Historic Environment Records (HERs) since 2008. The recorded data held by the four trusts exceeds 100,000 records and is used for providing information about and consultancy on planning decisions, conservation and management, public and academic research along with heritage and archaeology projects (URL 34).

Apart from the aforementioned institutions, the Council for British Archaeology, The Institute of Field Archaeologists and the Association of Local Government Archaeological Officers also work for conservation and management of archaeological heritage as well as to increase public awareness about these issues. The National Museums of Wales is the national institution responsible for the preservation and documentation of heritage from the prehistoric period to the modern times (Welsh Office Circular 60/96, 1996: 13).

Buildings and Monuments at Risk Surveys

One of the most important actions of CADW is assessing the deterioration of historic buildings. To this end, CADW carries out studies for identifying the number and the types of listed buildings at risk. The study results are utilized by CADW and local authorities in shaping strategies and allocation of grants (URL 35).

‘The Buildings at Risk Survey’ was conducted by CADW for approximately fifteen years before it was transferred to local authorities in 2012. Yet, in order to ensure a holistic and consistent methodology, a consulting firm, namely the Handley Partnership, was appointed in late 2012 to survey the situation of all 30,000 listed buildings in Wales for a five-year period. The Handley Partnership surveys around 20% of listed buildings per year (URL 35).

Similar to the listed buildings at risk, scheduled monuments at risk have been monitored by CADW Field Monument Wardens since 1985. The five-year studies in question produce information about the improvement and deterioration of monuments, the management agreements and grants and thereby enable general and specific advice on problems requiring rapid action. In particular, risk assessments on the current condition of a monument enables detecting the degree of associated risks and channeling financial support as a priority to monuments under threat. The Monuments at Risk Survey is conducted with the participation of partner organizations. The aerial survey program is under the responsibility of the RCAHMW, while the consequent dataset is made available to the RCAHMW and the Welsh Archaeological Trusts for use in decision-making mechanisms (URL 36).

Scotland

Central Government

Cultural and heritage affairs in Scotland are undertaken by the Scottish Government’s Cabinet Secretary for Culture, Tourism and Internal Affairs. The Culture and Heritage Directorate in this unit carries out work on culture and heritage through the NDBPs, including Historic Environment Scotland (formerly Historic Scotland), Creative Scotland, the National Records of Scotland, four National Collections, five national performing companies, three industrial museums and two national bodies for museums and galleries and for libraries. The Directorate takes national strategic decisions and supports creation of superior and innovative conditions of culture, heritage and tourism, which are regarded as factors encouraging economic growth. The

conservation of the historic environment and maintenance of records relating to national heritage are among the duties of the Directorate (URL 37). The Architecture and Place Division of the Scottish Government works in close cooperation with Historic Scotland, the RCAHMS and other agencies to provide sustainable approaches to design and on the in-fill of new buildings to historic settlements and the quality of the built environment (Fisher and Figuera, 2011: 58).

Executive Non-departmental Public Bodies

Historic Environment Scotland

Historic Environment Scotland was established as per the Historic Environment Scotland Act 2014. It was formed through the merger Historic Scotland and Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS). The broad tasks of Historic Environment Scotland are identifying, recording and interpreting the historic environment and its management and development as well as raising public awareness of the historic environment and providing education to this end (Historic Environment Act, 2014).

Historic Environment Scotland is directed by the Board of Trustees, appointed by Scottish Ministers. It holds the responsibility for over 300 buildings of national importance. It invests £14,000,000 annually in national and local organizations for maintenance of historic buildings and ancient monuments, and archeological research (URL 38).

The Scottish Arts Council

A new institution called Creative Scotland was formed in 2010 to undertake the duties of the Scottish Government and the Scottish Arts Council. The field of work of this new organization encompasses arts, culture and creative industries, with the government retaining authority for funding national arts firms. The government

intended that Creative Scotland would work in effective cooperation with the 32 local administrations in Scotland (Fisher and Figuera, 2011: 7).

Local Government

Local planning authorities undertake many duties and responsibilities regarding the historic environment. They ensure that development plans reflect policies appropriate for the historic environment and that these policies filter in implementations via the processes of development control. Clarification of decision-making mechanisms with recommendations on conservation and consultancy to the public institutions and historic property owners are among other important tasks of local planning authorities. Their main responsibility is provision of necessary maintenance to the historic environment, for this purpose, working in coordination with other public authorities, property owners and users is deemed important. Besides local authorities, the Scottish Civic Trust, the Architectural Heritage Society of Scotland and the Garden History Society, community councils and building preservation trusts contribute to these works (NPPG 18 Planning And The Historic Environment, 1999).

The National Trust for Scotland

The National Trust for Scotland is an independent charity, established in 1931 for preservation and conservation of the natural and built heritage. Its area of responsibility ranges from the early geological periods to the 20th century, specifically including architectural structures, 400 islands, coastlines, natural and designed landscape, around 10,000 archaeological sites, 45 sites of scientific interest, battlefields and fine arts collections. The Trust employs 540 permanent and 750 seasonal workers along with 4,000 volunteers. Its annual budget is £44,200,000 (URL 39).

The Scottish Civic Trust

The Scottish Civic Trust is a national institution for the civic movement in Scotland. It engages in active works with local civil groups throughout Scotland for conservation of the built historic environment. Its objectives include education of people on environmental issues, supporting initiatives of conservation, promoting creation of high-quality architectural environment and public space, encouraging conservation and re-use of historic buildings. The Trust is governed by twenty trustees and comprises four commissions for strategy, fundraising, audit and building, places and people (URL 40).

National Monuments Record of Scotland

The National Monuments Record of Scotland is a historic environment index that was held by the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) between 1908 and 2014. The responsibility for the record was transferred to Historic Environment Scotland after 2014. The record involves more than 5,000,000 components of information about archaeology (excavations, surveys and researches), architecture (images of design and construction of monuments and historic buildings), industrial sites and marine history, including wrecks (URL 41).

Northern Ireland

Central Government

The Local Museum and Heritage Review (LMHR), released by the Department of Culture, Arts and Leisure (DCAL) in 2001, contains measures to improve the heritage and museum sectors in Northern Ireland. The report suggested searching for new approaches, contributing to cultural education, improving cultural tourism through support to heritage potential and the establishment of an inter-agency heritage sub-group for the purpose of improving relations with local government and other partners (Smith and Robinson, 2006: 40; Fisher and Figuera, 2011: 30).

The DCAL issued the government program for architecture and the built environment in 2006. According to this, the vision of the DCAL was ‘an attractive, healthy, safe and sustainable built environment which functions efficiently and enriches the experience of living for everyone in Northern Ireland’. The principles to achieve this vision were determined as creativity and innovation, heritage and sustainable development (Fisher and Figuera, 2011: 25).

The Corporate Strategy 2008-2011 of the DCAL describes the mission of the department as ‘to protect, nurture and expand Northern Ireland's cultural capital by providing strategic leadership and resources for the promotion and sustainable development of the culture, arts and leisure sectors’. The strategy document stipulated the following to fulfil this mission (Compendium UK, 2011:25):

- Provision of high-quality, active and effective cultural, arts and recreation events
- Provision of strategic leadership in cultural, arts and recreation sectors
- Provision of effective governance, monitoring and relationship management with solution partners.

The Department for Communities has undertaken primary tasks for conservation since 2016 within the central government. The Department for Infrastructure also conducts work relating to heritage protection because of its roles in planning. The Department of Agriculture, Environment and Rural Affairs has responsibilities for the conservation of the natural heritage and landscape. The Department for Communities undertakes conservation-related works through the Historic Environment Division, which has two council consultants, i.e. the Historic Monuments Council and the Historic Buildings Council (URL 42).

Non-Departmental advisory public bodies

Historic Monuments Council is a statutory body, established as per the Historic Monuments Act (NI) 1971 with the task of offering consultancy to the Historic Environment Division on historic monuments. Its current authority derives from the Historic Monuments and Archaeological Objects (NI) Order 1995. The Council consists of fourteen members with extensive experience and expertise in archaeology, historic monuments and cultural heritage. The role of the Council is to advise the Department for Communities on the scheduling and conservation of monuments, maritime archaeology, industrial heritage and areas of significant archeological interest within the scope of development plans (PPS6, 1999: 10) (URL 43).

The Historic Buildings Council was founded in 1974 as per the Planning (NI) Order 1972 in order to provide consultancy to the Department for Communities. Its current authority is based on Section 198 of the Planning Act (NI) 2011. The Council is comprised of fifteen members with wide-ranging experience and expertise in architecture, architectural history, planning, industrial heritage, conservation and structural engineering. Its field of consulting encompasses listing and delisting of buildings, listed buildings consent, building preservation notices, urgent work on protected buildings, conservation areas and industrial heritage. The Council also gives advice on planning policy statements, development plans and planning implementations (URL 44).

National Museums Northern Ireland (formerly National Museums and Galleries of Northern Ireland)

National Museums Northern Ireland has its headquartered in Cultra. It is made up of Armagh County Museum, the Ulster American Folk Park, the Ulster Folk and Transport Museum, the Ulster Museum and W5 Science Center. National Museums Northern Ireland benefits from financial support by the Department for Communities for the sake of improvements in history, arts, science and culture (URL 45).

The Northern Ireland Monuments and Buildings Record

The Northern Ireland Monuments and Buildings Record (NIMBR) provides information to the public about archaeological sites, listed or other historic buildings, industrial heritage, and historic parks and gardens based on its existing archives (PPS6, 1999: 9).

3.2.1.3 Description of the Administrative Structure

The United Kingdom is a constitutional monarchy, governed by the ministers of the crown on behalf of the sovereign, with a bicameral parliamentary government (UN, 2006: 6). The UK has an uncodified constitution rather than a specific constitutional document. The relationship between the state and individuals derives from statute law, common law and conventions in addition to traditions and customs (URL 46).

Parliament

The UK Parliament, located in Westminster in London, has the right to exert legislative power over the whole of the UK and also for a specific areas. Yet, it does not usually make legal arrangements about Scotland and Northern Ireland without the approval of the Scottish Parliament and the Northern Ireland Parliament. The Parliament comprises of the House of Commons, the House of Lords and the Queen. The House of Commons involves elected members of the parliament (MPs). The chief officer of the House of Commons is called the Speaker, who is elected by MPs. Other senior members of the House of Commons are the Chairman of Ways and Means and two deputy chairmen, who have the right to serve as deputy speakers. The legal entity responsible for administration of the house is House of Commons Commission, presided by the Speaker. The second unit of the UK Parliament, namely the House of Lords is made up of Lords Spiritual and Lords Temporal (UN, 2006: 6).

Executive

The Executive consists of the Prime Minister, the Cabinet and the public sector. The Queen is the nominal head and an important part of the executive due to her role as monarch. The power of the Cabinet, which is not an entity built by law, derives from a deep-rooted tradition (UN, 2006: 7). The Cabinet is chaired by the Cabinet Secretary (URL 46). The Executive Council does not have the authority to make political decisions. It convenes under the chairmanship of the Governor-General and other members practically constitute the cabinet of the day (UN, 2006: 7).

Depending on the internal structure of the government departments, a Permanent Secretary/Secretary of State is appointed to the department as head of the respective personnel and responsible for internal affairs. The departments are organized into general directorates or administrative units, which report to senior public servants with less political status pursuant to professionalism in the British administration. Other public agencies and institutions are liable to implement respective public policies. The General Director manages resources allocated to the agency according to a framework document set usually by the ministry (URL 46).

Local Government

Local authorities operate within the limits of authorization by various parliamentary laws. Some of the wide-ranging functions of local authorities are absolute because they are mandated by the legislature and others are discretionary. The main link between local authorities and the central government is the Deputy Prime Ministry. Nevertheless, some other units like the Department for Education and Skills, the Department for Work and Pensions, the Department of Health and the Home Office are also associated with different functions of the local government. Local authorities in Scotland, Wales and Northern Ireland operate with the respective devolved parliament and assemblies (UN, 2006: 7).

Local government in England has a complex structure since functions vary across different local regulations. The legislative power regarding local government in England belongs to the UK Parliament and the Government of the UK; so that England does not have a devolved administrative structure. England is divided into nine sub-regions for statistical purposes. One of these, London, has had a directly elected assembly and mayor since 2000 thanks to approval of the related proposal via an earlier referendum (URL 4).

On a regional basis, county councils and district councils exist in some areas of England, while some other areas have unitary authorities. London has 32 boroughs, called the London Boroughs, and the City of London Corporation (URL 4). There are civil parishes at the regional level. Parish or town councils are found largely in villages and are very rare in urban areas. In particular, parish councils are not allowed within Greater London. Generally, albeit not administratively, the territory of the UK is divided into symbolic units of counties that largely have the flavor of traditional historic units in many areas. In each symbolic county there is a Lord Lieutenant symbolically and ceremonially representing the monarchy (URL47).

Scotland is arranged into 32 council areas, including 22 unitary authorities, ten county boroughs and nine counties, for local government purposes. The cities of Glasgow, Edinburgh, Aberdeen and Dundee are standalone council areas, while the Highland Council encompasses a population of 200,000 dispersed over an area accounting for one-third of Scotland. Local councils comprise elected councilors, who are subject to administrative rules set by the Standards Commission for Scotland. The representative entity of the Scottish local governments is the Convention of Scottish Local Authorities (COSLA) (URL 4).

Local government in Wales consists of 22 unitary authorities, specifically ten county boroughs, nine counties and three cities. Elections are held every four years and the candidate with a simple majority of the votes wins the seat. The most recent elections were held in May 2012. The Welsh Local Government Association represents local administrations in Wales and protects their interests (URL 4).

Local government in Northern Ireland has been organized through 26 district councils since 1973. Its authority is limited to services such as garbage collection, park and garden arrangement and cemetery services. The Executive approved on March 13, 2008 a proposal for creation of eleven new councils. Local elections were postponed until 2016 in order to implement this reform (URL 4).

Organizational structure in terms of Conservation

The UK Parliament and Government are responsible for all cultural issues in the UK. In addition, the responsibility for many cultural issues in Scotland, Wales and Northern Ireland is held by respective devolved administrations, namely the Scottish Parliament and Executive, the National Assembly for Wales and the Welsh Assembly Government, and the Northern Ireland Assembly and Executive. The Northern Ireland Assembly is the chief authority for all devolved responsibilities34 with legislative and executive power in the six counties. The Scottish Parliament and the Northern Ireland Assembly carry out the main legislative activities concerning devolved responsibilities, while the National Assembly of Wales carries out secondary legislative acts. The right to exercise principal legislative acts related to Wales belongs to the UK Parliament and Government (Fisher and Figuera, 2011: 9).

England

The Department for Culture, Media and Sport (DCMS)

The Department for Culture, Media and Sport (DCMS) is in charge of government policies on arts, sports, national lottery, tourism, libraries, national museums, galleries, creative industries, press freedom and historic environment (Figure 3.5). It is also

[34] 'The Scotland Act 1998, the Government of Wales Act 1998 and the Orders in Council made under it, and The Northern Ireland Act 1998 specify which issues remain the responsibility of the UK Government in each of those parts of the UK' (Fisher and Figuera, 2011: 9).

responsible for listing of historic buildings, scheduling of ancient monuments and the export licensing of cultural goods as well as management of the Government Art Collection and Royal Parks Agency. The DCMS is headed by the Secretary of State for Culture, Media and Sport (URL 48) (Fisher and Figuera, 2011: 9).

The Secretary of State for Culture, Media and Sport is accountable for all strategies, policies, spending and organization related to the DCMS. The expenditures, policies and management of the DCMS and affiliated institutions are subject to supervision by the Parliamentary Select Committee for Culture, Media and Sport, members of which are appointed by the House of Commons. Meetings of the Committee are open to the public (URL 49) (Fisher and Figuera, 2011: 9).

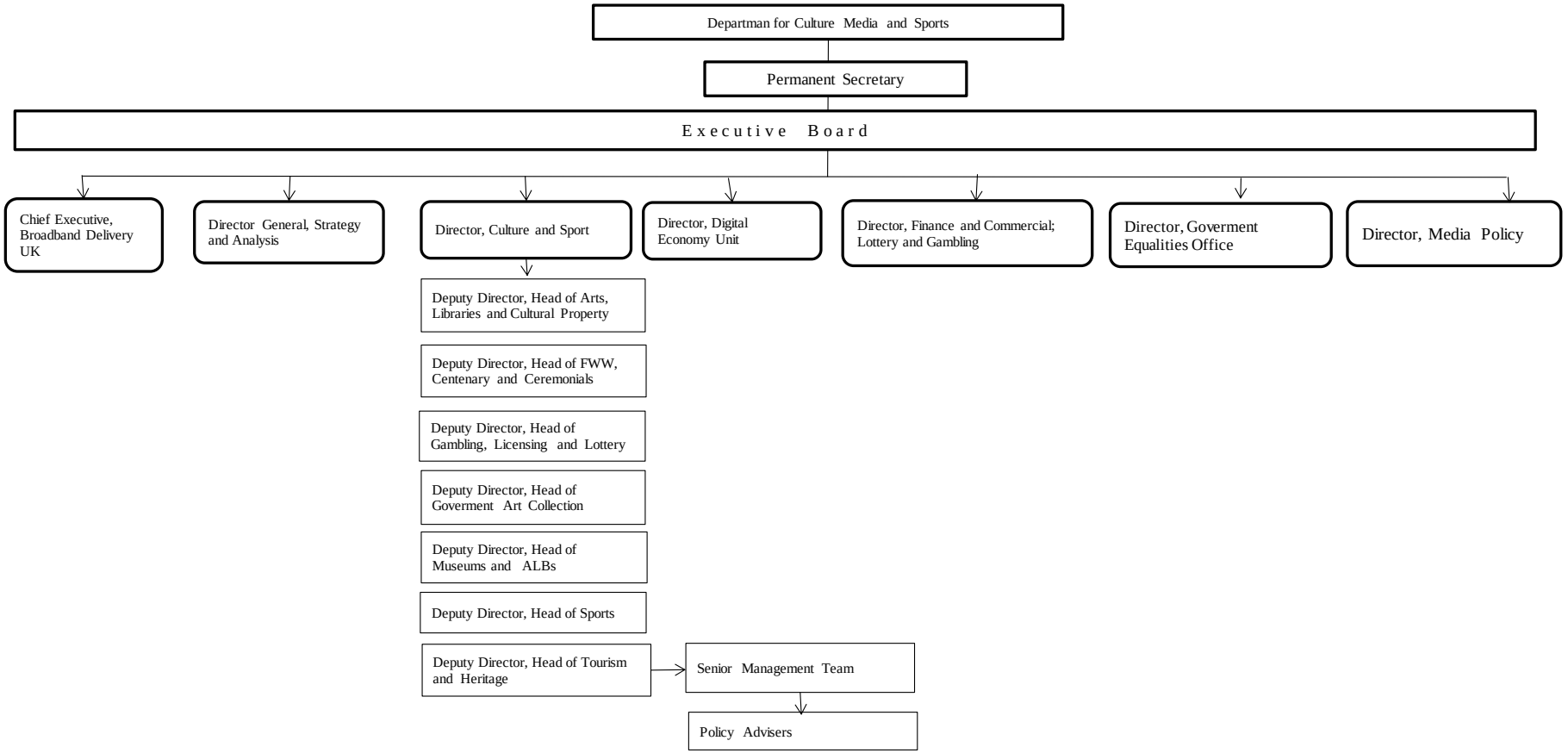


Figure 3.5 The Organization Scheme of Department for Culture Media and Sports

Non-Departmental Public Bodies (NDPBs)

The cultural operations in arts, sports, cinema and heritage in all over the UK are generally conducted by numerous Non-Departmental Public Bodies (NDBPs), based on the 'arm's-length' principle. Several museums and galleries, for example the Victoria and Albert Museum, Natural History Museum and Tate Gallery, operate as NDBPs (Fisher and Figuera, 2011: 10).

All legislative and political responsibilities outside the authority of the NDPBs are executed by the UK Parliament and Government nationwide. These include (Fisher and Figuera, 2011: 10):

- Taxes on arts or heritage
- Broadcasting
- Cultural property export control
- Government indemnity scheme, for instance insurance of cultural objects
- Legislative responsibilities for the National Lottery, while related political responsibilities are shared with devolved administrations
- Public loaning rights of cultural objects except for Northern Ireland.

Cultural policies in the regions are carried out by three NDBPs, namely Arts Council England, English Heritage and Sport England, in cooperation with local authorities. Cultural strategies in London are implemented by the Greater London Assembly (GLA) (Fisher and Figuera, 2011: 10).

Scotland

The right to administer cultural affairs in Scotland resides in the Scottish Government. The Minister for Culture, Tourism and External Affairs and the Scottish Government's Culture, Tourism and Major Events Directorate are in charge of matters pertaining to arts, cinema, creative industries, cultural heritage and tourism. The Directorate also provides financial resources to many cultural NDBPs, including the National

Museums of Scotland. The culture branch of the Directorate directly funds the Scottish Museums Council (SMC) (URL 50) (Fisher and Figuera, 2011: 11).

Historic Scotland, which is an executive agency of the Scottish Government, is responsible for preservation and improvement of the country's historic environment. In this context, it undertakes the duties of listing historical buildings, scheduling, the conservation of historic gardens and preparation of a landscape inventory (Fisher and Figuera, 2011: 11).

The Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) and Architecture and Design Scotland (ADS) are likewise part of the responsibility of the directorate. The RCAHMS is responsible for the registry of historic built environment and the National Monuments Record of Scotland. In addition, the RCAHMS cooperates with its counterpart in Wales, namely the Ancient and Historical Monuments of Wales (RCAHMW) on electronic access to archives. The ADS, which was established in 2005 to replace the Royal Fine Art Commission for Scotland, supervises architectural quality throughout Scotland and offers consultancy services for the implementation of 'A Policy on Architecture for Scotland', issued in 2001 (Fisher and Figuera, 2011: 12).

Wales

The National Assembly for Wales carries devolved responsibility for elements of culture such as arts, museums, archives, libraries, language, heritage and sports, which are within the remit of the Minister for Culture and Sport. A large number of public agencies have been established since 1999, i.e. the Arts Council of Wales, the Welsh Language Board, Sports Council for Wales, National Library of Wales and National Museum Wales, that are accountable to the National Assembly for Wales. These agencies are dubbed 'Assembly Sponsored Government Bodies' (Fisher and Figuera, 2011: 12).

The historic environment-related department of the Welsh Assembly Government is called the Welsh Historic Monuments-CADW (to keep/protect in the Welsh language), which is in charge of the built heritage nationwide. The Design Commission for Wales, working in collaboration with the CADW, serves as a non-statutory consultant to urban planning and in particular deals with development of best practices, training of planners and consultants and support to sustainable development (Fisher and Figuera, 2011: 12).

Northern Ireland

The Northern Ireland Executive is the administrative arm of the Northern Ireland Assembly. The Department of Culture, Arts and Leisure (DCAL), a devolved government department of the Northern Ireland Executive, was closed after the Northern Ireland Assembly elections in 2016 and its functions were distributed between other units like the Department for Communities, the Department of Agriculture, the Environment and Rural Affairs and the Department for Infrastructure with the aim of narrowing the scope of duty of the Northern Ireland Assembly (URL 51). The transferred units are the Department for Communities, the Department of Agriculture, the Environment and Rural Affairs and the Department for Infrastructure (URL 52). The Department of Communities is also a devolved government department, headed by the Communities Minister. This unit was established in 2016 after several other units were dissolved after the Fresh Start Agreement[35] (URL 53).

The responsibility areas of the Department of Communities include housing, urban regeneration, arts and culture, museums and libraries and historic environment (URL 54). The Historic Environment Division of this department works on the protection and improvement of the historic environment in cooperation with several individuals, the public, private and third sector entities in order to support a sustainable cultural economy. The Historic Environment Division consists of five sub-units of the Heritage

[35] There are: 'the Department for Social Development, the Department of the Environment, the Department of Culture, Arts and Leisure and the Department for Employment and Learning from which several functions have amalgamated' (URL 12).

Advice and Regulation, the Heritage Development and Change, the Heritage Buildings Designation, the State Care Heritage and the Heritage Records and Designation (Department of Communities, 2016).

International cultural cooperation

The national and regional heritage institutions in the UK are members of international institutions, i.e. the International Committee on the Conservation of the Industrial Heritage and ICOMOS, and support European Heritage Days and the Council of Europe events. The DCMS assumes responsibility for the implementation of UNESCO World Heritage Convention and represents the UK as a state party to the convention. As per an agreement between the DCMS and the Scottish Executive, the Scottish Ministers are responsible for nomination of sites within Scotland to the World Heritage Sites and their management (Fisher and Figuera, 2011: 17).

The UK partakes in the cultural policies of the European Union and the Council of Europe through the DCMS and consultancy support from devolved administrations. Moreover, the UK is among the founding members of UNESCO. It returned to UNESCO membership in 1997 after a twelve-year break and a UK UNESCO National Commission was established in 2000. The Commission, which was dissolved in 2003 but re-established in 2005, serves with twenty members selected from various organizations (Fisher and Figuera, 2011: 18).

The UK is member of the Steering Committee for Culture, Heritage and Landscape (CDCPP) of the Council of Europe via the Historic Scotland36. The Historic Scotland is thus bound to the Heritage Framework of the Council of Europe and takes part in HEREIN, which is the heritage database network of the Council of Europe (Fisher and Figuera, 2011: 17).

[36] 'The Steering Committee for Culture, Heritage and Landscape (CDCPP) **is** the Committee responsible for activities related to Culture, Heritage and Landscape and to follow-up on their implementation, monitoring and evaluation' (URL 55).

3.2.1.4 Financial Issues

Financing of culture

The Heritage Lottery Fund is the main provider of government funds for conservation in the UK. It allocated a total £3,600,000,000 in funding for historic environment, natural heritage, museums, archives and intangible heritage since its establishment in 1995 until 2007 (Legislative Council Secretary, 2007: 18). The distribution of funds allocated by the National Lottery in 2006 is as follows (Fisher and Figuera, 2011: 63):

- 'health, education, environment, community and charities 50%
- arts 16.67%
- sports 16.67%
- heritage 16.67%'

Another important source of public financing to heritage conservation is the Department for Culture, Media and Sport (DCMS). The DCMS announced in 2004 that the government had frozen funds allocated to culture and arts for three years so that the annual budget of Arts Council of England remained flat at £412,000,000 until 2008. The 2005-2006 budget of the DCMS was cut by 60%, compared to that of 1998-1999 (Fisher and Figuera, 2011: 63). The government allocated £3,000,000,000 to the DCMS for the period 2007-2008. The department has performed some of its functions through standalone financing, while a large part of its functions has been realized by Historic England (Legislative Council Secretary, 2007: 18).

Historic England is the leading non-lottery financial resource of the UK. It allocated £172,500,000 worth of funding for conservation in the 2007-2008 period, out of which £90,000,000 was disbursed for the maintenance and management of historic environment and assets, and £32,600,000 was allocated to heritage projects (Legislative Council Secretary, 2007: 18).

Local authorities provide grants for the maintenance and repair of listed buildings and their neighborhoods, or unlisted buildings of historical and architectural importance, as per Section 57 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In addition to grants, there are the alternatives of interest-bearing and interest-free loans. Moreover, local authorities have the opportunity to allocate resources to preservation, maintenance and management of ancient monuments or to directly undertake these tasks (Legislative Council Secretary, 2007: 18).

The Architectural Heritage Fund is a building preservation trust established in 1976 with the objective of supporting the conservation of historic buildings all over the UK. It offers consultancy, information and financial support, not only to its own projects, but also to heritage projects by other trusts. It provided total financing of above £100,000,000 to more than 1,000 structures between 1976 and 2007 (Legislative Council Secretary, 2007: 19).

Allocation of public funds

The UK Government has traditionally supported culture and arts in accordance with an arm's-length principle. The UK government sets out the general principles of funding but it does not interfere with decisions on how and to whom to distribute funds. The funds are distributed by a wide range of intermediary parties that are authorized as per the legislation or through Royal Charter. The ministers have some discretionary power about the distribution of funds. For instance, in case the funded arm's-length institution is in need of structural or organizational changes, the UK government reserves the right to decide on a ceiling on funds to be spent for the administration, or to determine specific objectives to this end. The exercise of this authority by the UK Government is monitored by way of spending reviews in Wales and Scotland. The National Lottery in the UK is subject to parliamentary supervision through the lottery commission, appointed by the DCMS. The legal basis for the National Lottery is constituted by the National Lottery Acts of 1993, 1998, 2004 and 2006 (Fisher and Figuera, 2011: 50).

Trends and indicators for private cultural financing

Private sector investment in culture and arts fell to £654,000,000 in the period 2008-2009 from £686,700,000 in the period 2007-2008 according to the results of an Arts & Business Private Investment Benchmarking Survey. Spending by individual investors amounted to £363,000,000 in 2008-2009, accounting for more than 55% of total investments by the private sector. Investment spending by trusts and foundations declined to £134,000,000 in 2008-2009 from £141,100,000 in 2007-2008. The 2008 banking crisis hit the cultural sector hardest (Fisher and Figuera, 2011: 67).

Education

The Department of Culture, Media and Sport conducted studies in cooperation with the Department for Children, Schools and Families and experts of historic environment conservation about the inclusion of cultural heritage resources in the school curricula. The 'Engaging Places Project', which was launched in 2006 by the DCMS in cooperation with the Commission for Architecture, and the Built Environment (CABE) and Historic England, aimed at incorporating the national heritage and historic environment into the education system. In other words, the project targeted the children and young to encourage awareness of the historic environment and buildings. The first phase of the project was completed in 2007 (Fisher and Figuera, 2011: 96).

Participation by cultural associations and civil initiatives

The development of voluntary and social work and encouraging individuals to actively contribute to society are among priority areas for the UK Government. Local communities have increasingly valued the identification of art and heritage as an instrument of social solidarity and the need to promote the idea of individuals working in these areas. Accordingly, the DCMS acknowledges the need to emphasize the constructive and empowering impact of cultural activates on local communities via the programs Community Cohesion, Civil Renewal and Active Communities (Fisher and Figuera, 2011: 97).

The DCMS promotes voluntary work for realizing cultural and social policies by its joint works with the Voluntary Arts Network (VAN). The VAN is a development agency of the UK that cooperates with politicians and entrepreneurs in pursuing its objective to create the desired environment for participants of the cultural sector. It supplies information, education and network support to this end. The VAN encompasses above 300 national and regional partners as well as voluntary member groups with the intermediation of the former (Fisher and Figuera, 2011: 97).

The VAN released a manifesto in 2009 with support from the National Association of Local Government Arts Offices (NALGAO), the National Disabilities Arts Forum (NDAF) and the National Campaign for the Arts (NCA). It identified the following ten objectives for participation (Fisher and Figuera, 2011: 97):

- Identification of how and where participation occurs
- Finding solution for increasing and improving participation
- Development of investments in infrastructure that promote participation
- Developing a holistic approach to participation
- Raising questions about changes needed to support participation
- Sharing best practices
- Improvement of amateur/voluntary participation
- Higher status to leaders and facilitators
- Inclusion of amateur/voluntary art movements in policy-making
- Improving participants' role for setting the agenda.

3.2.1.5 Interim Evaluation

The UK is regarded as one of the most successful and experienced states of Europe in terms of heritage tourism. Black (2002: 13) attributes this to three factors. First, the UK is the first country to experience an industrial revolution and thereby urban development. Fundamental economic changes in parallel with industrial developments resulted in rapid changes in urban communities as well. Around 50% of the population of the UK lived in cities and districts in 1851, while the ratio reached 90% in 1901.

These changes caused a move towards ideas of seeing national identity within the context of conservation of heritage so that, from the late 19th century on, civil society as a whole became interested in, and supported the notion of conservation. The second reason argued by Black (2002: 13) is that the cultural interaction arising from foreign language learning brought the UK into a leading role globally. This makes the cultural heritage of the UK internationally accessible, which caused the UK authorities to assume a more strategic approach to conservation. The third factor according to Black (2002: 13) is growing multiculturalism with ethnic minority involvement in conservation decisions following World War II, especially in large cities.

The legislation on and experiences of conservation in the UK characterize a national policy axis that centers on sustainability and attracts fairly high societal interest and support nowadays. Thus, the concept of conservation evolved into cultural heritage management, also called 'managing change', which is a multifunctional and multi-stakeholder approach. As per the arm's-length model in the UK, the institutions that hold first degree responsibility for cultural heritage management are non-departmental public bodies, including Historic England, CADW, Historic Environment Scotland and the Northern Ireland Environment Agency (Environment of Heritage Service). These institutions are accountable to the ministries they operate under. On the other hand, they are non-governmental institutions with no organizational linkages with the ministries. They perform functions in accordance with agreements with the state and as per the national policies and certain good management approaches. Their financing is covered by the state.

Another factor behind sound cultural heritage management in the UK is the presence of national policy framework documents supported by rational and feasible strategies. These framework documents for England, Wales, Scotland and Northern Ireland are respectively the National Planning Policy, Planning Policy Wales, Scottish Planning Policy and Program for Government. The basis of the cultural heritage policy in the UK is the inventory system, which provides detailed information about buildings, monuments or areas to be conserved. The inventory system is tracked by the NDPBs and local planning authorities. Regarding structures, historic buildings and monuments

are monitored by two distinct inventories of listing and scheduling, respectively. The inventory system is updated regularly and plays a significant role in interventions into cultural assets and the decision-making mechanism for provision of financing. The 'heritage at risk' surveys serve as an important complement to the inventory system by providing information to enable setting priorities for the current state of the cultural heritage.

Inventories and 'heritage at risk' are the two major tools to guide development plans at the planning stage. The planning and development policies in the UK are embodied in the same planning document in an integrated approach. Therefore, development and conservation with change do not contradict each other. On the contrary, the concepts are mutually supportive in working towards a sustainable society and are monitored by participatory methods taking into account public benefits. It is a commonly recognized view in the UK that conservation should not hinder development but should facilitate it via strategic management so as to ensure a rational approach called controlled development.

Neighborhood planning, which gained legal status with the Localism Act 2011, enables the community to be in touch with arrangements in its living space prior to their implementation and to directly decide on these issues as well as the production of various guides in line with the planning policies. In a broader sense, neighborhood planning allows the use of democratic rights in a qualified way.

In addition to development plans, another important instrument for conservation areas comprise conservation management plans. Management plans in the UK are utilized, not only for world heritage sites but also for other conservation areas if seen necessary. Clark (2014: 67) argues that management plans emerged from the Heritage Lottery Fund, which started to demand management plans for applications to the Fund for large-scale funding in 1996.

The UK does not have legal regulations specific to world heritage sites, yet the statement 'Protection and Management of World Heritage Sites in England', issued by

English Heritage, contains guiding regulations. Moreover, 'Circular on the Protection of World Heritage Sites', issued by the Department for Communities and Local Government in 2009, is one of the key guides on the matter. Each existing world heritage site has its own management plan that has been prepared using participatory methods. These management plans are monitored regularly and updated either annually or once in five or six years. Some sites have progressed to second- and third-term planning implementations.

One of the strengths of the conservation system in the UK is participation, which has been improved through promotion of cultural heritage and heritage conservation with children and young people thanks to integration of these subjects into to the curricula, aided by studies on cultural identity, belonging and ownership. Interactive implementations in the UK have been popularized via several printed publications, summer schools and presentations at museums. Interactive implementation is also supported by various undergraduate and graduate programs. Public awareness studies for adults have become a feature of local authority activity. The strategic approach of these programs effectively sustains voluntary conservation activities in the UK. For instance, around 4,000 volunteers work in the National Trust alone.

The concept of public benefits is another motivation for voluntary work. National Planning Policy Framework postulates in Article 133 and Article 134 that in case of any potential adverse impact of development proposals, the authorities shall pay regard to public benefits (URL 56):

> 'All grades of harm, including total destruction, minor physical harm and harm through change to the setting, can be justified on the grounds of public benefits that outweigh that harm taking account of the 'great weight' to be given to conservation and provided the justification is clear and convincing. Public benefits in this sense will most likely be the fulfilment of one or more of the objectives of sustainable development as set out in the NPPF, provided the benefits will enure for the wider community and not just for private individuals or corporations. It is very important to consider if conflict between the provision of such public benefits and heritage conservation is necessary.'

Although the UK's approach to cultural heritage management has become a matter of debate during the economic crisis on the grounds that large amounts of public funds are allocated to conservation, it still represents one of the most effective heritage management systems in the world. To sum up, the success of the system is down to a strong legal structure, well qualified organizations, a cooperation culture, effectiveness of the concept of public interest, the continuous availability of public funds, strategic approaches to priority valuation and effective state supervision.

3.2.2 Case Study: Edinburgh World Heritage Site Management

3.2.2.1 General Description

Edinburgh, the Scottish capital since the 15th century, is located in Scotland, the northernmost region of Britain, and developed on the slopes of the Castle Rock, a volcanic hill near the coast of the North Sea. The World Heritage Site is nearly covering an area of 4.5 km^2. The city has dramatically complicated geological features including extinct volcanoes, lava flows, igneous sediments and hard and soft rocks. Its volcanic characteristics become apparent in the form of old volcanic cores, Arthur's Seat (Figure 3.6) and the Castle Rock (Figure 3.7), and the old lava flows such as Salisbury, Corstorphine, Braid, Craiglockhart, and Calton Hill (Edinburgh World Heritage, 2005: 11).

Figure 3.6 Arthur's Seat (URL 57)

Figure 3.7 Castle Rock (URL 57)

The city, which has an important archaeological potential, was surveyed in the 1981 Scottish Burgh survey and its archaeological past was found to extend back to the pre-historic ages. The city was home to its first inhabitants 10,000 years ago, and in the

following centuries permanent settlements began to form based on agriculture. Areas of constant habitation have left traces from the last Ice Age, such as Nor'Loch (now called Princess Street Gardens) and St. Margaret Loch lakes. The Castle Rock area, probably the earliest settlement in Scotland, has been inhabited since the late Bronze Age (900 B.C.) to the present day. The recent archaeological evidence shows that the inhabitants enjoyed an advanced life style. Symbolizing the roots of the Scottish nation with its history and archaeology, the fort became a Royal Castle in the 11th century. Since those days, the settlement has grown to Royal Mile and defined as a Royal Burgh by King David I in 1125. Although it was declared as a Canongate Royal Burgh in 1140, it has recently been re-designated as part of the city (Edinburgh World Heritage, 2005: 12, 13).

Edinburgh has a remarkable dual character formed by the Old Town, sited on a high ridge, and the 18th and 19th century New Town, lying below to the north. The New Town is characterized by neoclassical Georgian architecture of the 1760s and 1870s. The site has maintained its historical urban form and character, which are marked by the street layout in the New Town and the 'spine and ribs' pattern of High Street and the 'closes and wynds' in the Old Town (Figure 3.8). The Site contains nearly 4500 individual buildings, with a registration rate of 75%. Many of buildings are constructed of local sandstone under pitched roofs covered with Scottish slate (Edinburgh World Heritage, 2005: 14).

The Old Town

The Old Town encompasses two burghs (Canongate and Edinburgh) from the 12th century including two early Royal Palaces (one within the Castle), a medieval abbey and a variety of early period buildings. The Old Town developed around the main street (Royal Mile) and incorporates important architectural and historical buildings. The remarkable places of interest are St. Margaret's Chapel, the Great Hall from the 15th century and Edinburgh Castle. On the other side of the Royal Mile are Holyrood Abbey and the Palace (Figures 3.9; Figure 3.10) (Edinburgh World Heritage, 2005: 15).

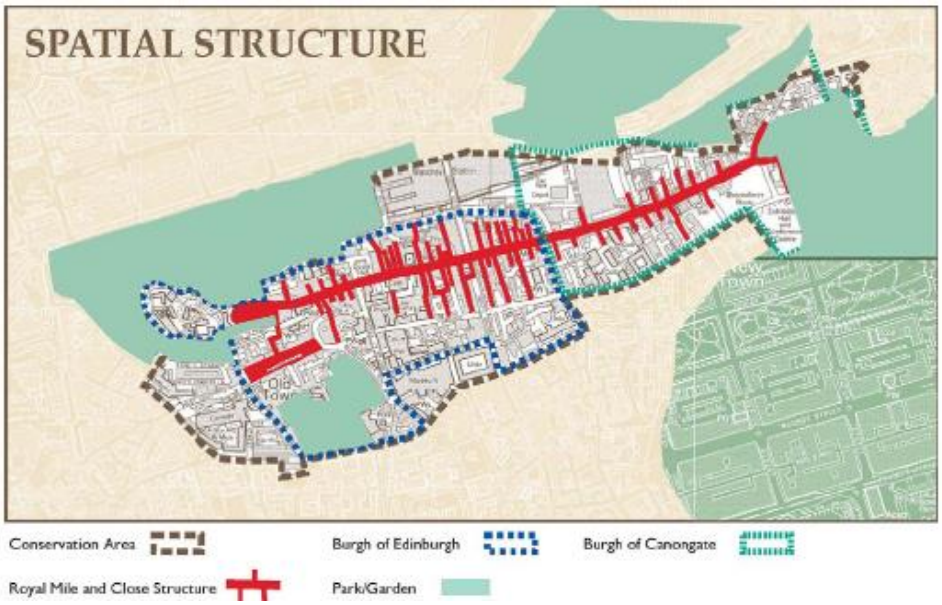


Figure 3.8 The Old Town (URL 58)

Figure 3.9- The Old and Newtown (URL 59)

Figure 3.10- Aerial Photo of the Old and New Town (URL 60)

The Old Town had its greatest period of wealth and glory between the 16th and 17th centuries. From the 1790s and particularly after the development of the New Town, a gradual social and economic decline began. In the late 19th century, the departure of the middle-classes from the Old Town became a problem. To staunch this social haemorrhage, it was proposed that the Old Town should be regenerated by enticing back the university and the bourgeoisie (Edinburgh World Heritage, 2005: 15).

The New Town

The New Town of Edinburgh is remarkable for two main reasons: the high density of its Georgian buildings and the character of its ashlar stone masonry architecture. The New Town was formed as a suburban residential area for the upper classes at first, but later it was also settled by the mid-classes. The wealthier section of its residents pioneered the use of the best materials in the construction of the buildings since they regarded the area as a permanent monument. In this context, the New City passed through seven major development phases between 1767 and 1890, each unique. The New Town is an outstanding example reflecting the revival of neoclassical architecture in Europe (Figure 3.11). Besides the remarkable buildings, the green environment which includes the numerous public and private gardens is an important part of the modern urban plan. The site includes a rare collection of historic graveyards in Princess Street, St. Cuthbert, Canongate, Greyfriars, Old and New Calton Burying Grounds (Edinburgh World Heritage, 2005; 16, 27).

Figure 3.11 The New Town (URL 61)

In summary, the specific characteristics of the city reflecting its importance and value are as follows:

- Landscape characteristics(the topography of hills and valleys, the harmony between the Old and the New Town in their contrasting features, the effects of the Valley of Water of Leith on the landscape)
- The urban fabric which was developed embracing the urban planning principles which support development specially focusing on successful conservation projects
- Significant historical structures
- Historical interior spaces
- Statues and monuments
- Life style, habits etc. of the local community
- Intellectual traditions and education
- Legal system
- The character of the city as a symbol of the national identity
- Its character of being a city of festivals (Edinburgh World Heritage, 2005: 23-30)

3.2.2.2 Nomination

The application for the nomination of Edinburgh as a World Heritage Site was made in 1994. A delegation of experts from ICOMOS visited the proposed site in February 1995.The nomination of Edinburgh was considered by the World Heritage Committee at its meeting in Berlin in December 1995. In terms of categories of site under Article 1 of the World Heritage Convention the Old and New Town of Edinburgh constitutes a group of buildings. In its report to the World Heritage Committee, ICOMOS recommended that the site be inscribed according to the following criteria for evaluating outstanding universal values:

> ‘(ii) Exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design.

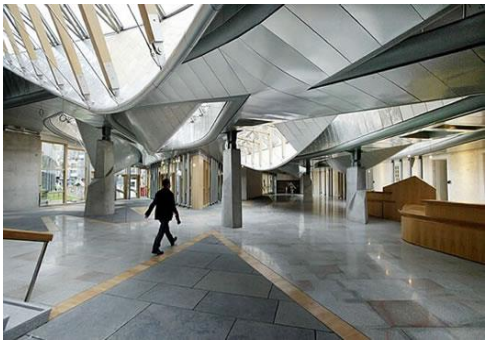
(iv) Be an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history' (Edinburgh World Heritage, 2005: 7-8).

3.2.2.3 Current Conservation Status

From the 16th century until today, there has been a set of rules trying to control construction activity. For instance, as a precaution against fire, all roofs had to be of tile or slate from 1621. In addition to that, the façades had to be of stone from 1674, although timber-fronted examples still survived until the 19th century. After World War II, residential occupation in the Old Town continued to decline with a corresponding increase in construction activity in the New Town. As a result of the new settlements, the need for conservation and restoration was first recognized in the late 1960s. At an international conference in 1970, the Edinburgh New Town Conservation Committee was established, and a major program of repair and rehabilitation was initiated. In 1980, the problems of the Old Town were taken up again by a small group of architects. This group and Edinburgh New Town Conservation Committee merged to organize the Edinburgh World Heritage Trust. The efforts of this trust opened the way for Edinburgh to be a World Heritage Site (Edinburgh World Heritage, 2005: 18).

In the case of Edinburgh, the World Heritage Site, the city and its environment, urban fabric, cultural and intellectual traditions are integrated into each other. All these aspects form its character and shape the level of authenticity that witnesses a unique process of historical evolution. The city's character can be seen in the way that stone and slate are used in particular. After 1674, the building of new housing began to focus solely on these materials even for ordinary dwellings. The main building materials are Devonian red sandstone and carboniferous sandstone. Scottish slate and high-quality imported stone constitute the character of the city. What distinguishes Edinburgh from other European cities is the intensive use of ashlar masonry on the main façades of buildings (Edinburgh World Heritage, 2005: 19, 26).

In addition to its unique character, ICOMOS has assessed the authenticity of Edinburgh as ‘high level’. The site still maintains its status as the historical, administrative and cultural capital of Scotland. The surviving historic urban fabric reflects the experience gained in the last 30 years of advanced conservation efforts. To protect cultural significance, besides preservation, the promotion of new designs in keeping with the current fabric is also remarkable. The Poem Library, Saltire Court, the Festival Theatre and the New Parliament Building are examples of this design concept (Figures 3.12;Figure 3.13; Figure 3.14; Figure 3.15) (Edinburgh World Heritage, 2005: 22).



Figures 3.12;Figure 3.13; Figure 3.14; Figure 3.15. Parliament Building (URL 62)

3.2.2.4 Legal Protection

The changing and developing environment that is embedded in the World Heritage Site is controlled and channeled according to various legislation and regulations, some mandatory, and some non-statutory. The resulting measures have provided substantial

and effective protection. The most significant regulations in this respect are indicated below (Edinburgh World Heritage, 2005: 32):

International Documents:

- 'World Heritage Committee – Operational Guidelines
- The World Heritage Convention (UNESCO, 1972)
- The Nara Declaration on Authenticity (UNESCO, 1994)
- The Washington Charter on the Conservation of Historic Towns and Urban Areas (ICOMOS, 1987)
- The Venice Charter for the Conservation and Restoration of Monuments and Sites (ICOMOS1964)
- Pecs Declaration on the Venice Charter (ICOMOS Hungary, 2004)
- The Burra Charter (ICOMOS Australia, Charter for Places of Cultural Significance, 1999)'

National legislation

Legislation which affects the management of the site is primarily associated with planning matters. Relevant legislation includes:

- 'The Town and Country Planning (Scotland) Act 1997
- The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- The Ancient Monuments and Archaeological Areas Act 1979 (I. Management Plan, 2005: 33)
- Planning Act (Scotland) 2006' (Edinburgh World Heritage, 2011: 75)

Policy and Guidance

A large body of national policy advice and guidance was issued or adopted by the Scottish Ministers in order to reinforce the national legislation. The Memorandum of Guidance on Listed Buildings and Conservation Areas (1998) was once the main source of guidance for policy on built heritage and related implementation. The Policy terms of the Memorandum were replaced by the Scottish Historic Environment Policy (SHEP) in October 2008. SHEP outlines Scottish Ministers' policies for historical heritage, policy direction for Historic Scotland and a framework for the daily activities of organizations with a role and interest in historic environment management. The

Scottish authorities also plan to develop a SHEP to deal with the World heritage issues (Edinburgh World Heritage, 2011a: 75).

Scottish Planning Policies (SPPs), which were gradually superseded by National Planning Policy Guidelines (NPPGs), include government policy directives on land-use issues that are deemed nationally important. The most significant of these are (Edinburg World Heritage, 2005: 34):

- 'SPP1 The Planning System (revised November 2000)
- NPPG 5 Archaeology and Planning
- NPPG 14 Natural Heritage (January 1999)
- NPPG 18 Planning and the Historic Environment'

Planning Advice Notes

Planning Advice Notes (PANs) posit good practice guidelines. Some of these with particular relevance to preservation and development include (Edinburgh World Heritage, 2005: 35):

- 'PAN 42 Archaeology, the Planning Process and Scheduled Monument Procedures (Scottish Executive, January 1994)
- PAN 68 Design Statements (Scottish Executive, 2001)
- PAN 71 Conservation Area Management (Scottish Executive, December 2004).'

Local Policy Framework

The local policy framework, which is produced by the local authority, provides particular policy direction for the needs of the local site and neighboring areas. Specific guidance by the local authority must be regarded as per law. For example, development must follow the development plan except for the cases that 'material considerations' necessitate otherwise[37]. Other guidance is non-statutory unless it is a matter of material

[37] A material consideration is defined according to UK Planning Portal as 'a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to): overlooking/loss of privacy, loss of light or overshadowing, parking, highway safety, traffic, noise, effect on listed building and conservation area, layout and density of building, design, appearance and materials, government policy, disabled persons' access, proposals in the development plan, previous planning decisions (including appeal decisions),nature conservation' (URL 63).

consideration in deciding on applications for planning permissions or consecutive claims (Edinburgh World Heritage, 2005: 36):

Local plans consist of heritage policies and if applicable, recommendations for heritage conservation and improvement (I. Management Plan, 2005: 36).All applications for planning permission are subject to the Development Plan, which is composed of the Structure Plan and local plans. The latter two will be eventually replaced with the Strategic Development Plan and the Local Development Plan, respectively. Edinburgh and Lothians Structure Plan sets the basis and the long-term vision for land-use planning (Edinburgh World Heritage, 2011a: 76).

The Edinburgh City Local Plan (ECLP) determines the Council's development targets for the urban site until 2015 and specifies desired outcomes with regard to various development criteria. The ECLP factors in the underlying issues depicted in the Structure Plan. Regarding the built heritage, these issues pertain to the declared objective of protecting the city's built and natural heritage and paying attention to effects of new development on the World Heritage Site. The main purposes, in this context, are assuring that the new development uses the best practices of design and care and that it complies with, protects and adds value to the special character of the city. The ECLP details policies on the protection of all elements of the historic environment (Edinburgh World Heritage, 2011a: 77).

Non-Statutory Guidance

Non-statutory guidance supplements the statutory Development Plan. It handles policy affairs and gives more precise direction for individual sites and locations. This kind of guidance is more detail-oriented than is convenient to be included in a local plan. They may also serve as material considerations for the process of development control. Among examples of non-statutory guidance are (Edinburgh World Heritage, 2005: 37):

- ‘Edinburgh World Heritage Site Conservation Manifesto, approved by the City of Edinburgh Council in 1996, declares the city’s pledge to conserve its World Heritage Site,
- The City of Edinburgh Council Development Quality Handbook establishes policies concerning details of development on the ground. These policies range from precise advice on new shop fronts to changes in and restoration of historic buildings.
- The City of Edinburgh Council’s Corporate Plan 2003-2007 (City of Edinburgh Council, 2003)
- A Vision for Edinburgh – A City Plan for the Next Five Years (City of Edinburgh Council, 1999)
- Corporate Governance Service Plan 2012-2017 (City of Edinburgh Council, 2012) (URL 64)
- Measuring Edinburgh’s Performance – A Review of Progress on the City Plan (City of Edinburgh Council, 2003)
- A Strategy and Action Plan for Edinburgh City Centre, April 2003 – March 2008 (Edinburgh City Centre Management Company [ECCMC], 2004)
- Edinburgh 2020: What do we want Edinburgh City region to be like in 20 years (City of Edinburgh Council, 2003)
- Local Transport Strategy 2004-2007 (City of Edinburgh Council, 2004)
- Local Transport Strategy 2014-2019 (City of Edinburgh Council, 2014) (URL 65)
- Managing Traffic in Central Edinburgh, 2000 (City of Edinburgh Council, 2000)
- Retail Strategy for the Edinburgh City Centre (City of Edinburgh Council, 1999)
- Retail Strategy for the Edinburgh City Centre (City of Edinburgh Council, 2011) (URL 66)
- Urban Nature Conservation Strategy (City of Edinburgh Council, 1992)
- The Edinburgh Biodiversity Action Plan (City of Edinburgh Council March, 2000)
- Edinburgh Biodiversity Action Plan 2016-18 (City of Edinburgh Council, 2016) (URL 67)
- Edinburgh Streetscape Manual (City of Edinburgh Council, 1995)
- The Tourism Action Plan 2004-2007 (City of Edinburgh Council, 2004)
- Edinburgh Street Design Guidance (The Transport and Environment Committee, August 2015).’

An emphasis on the World Heritage status appears also in other relevant non-statutory guidance such as Standards for Streets, Standards for Urban Design, Standards for Sustainable Building, the Built Heritage Strategy and the Guidelines for managing Edinburgh’s built heritage. These documents specify every agent with roles in shaping the future of the city based on generally approved norms. Another guidance, named ‘Guideline for the Protection of Key Views’, concerns the protection of important

views with the aim of preserving Edinburgh's unique silhouette and surroundings of the World Heritage Site. The guidance is utilized for impact analysis on development plans in relation to the historic skyline, the site's surroundings, landmark buildings and landscape characteristics in the urban area as well as the landscape setting of the whole city (Edinburg World Heritage, 2010: 8).

3.2.2.5 Factors Affecting the Site

Even though Edinburgh is located in a region that is much less vulnerable to natural disasters, climatic changes, fire, floods and development pressure have been identified as factors that need to be taken into consideration and managed accordingly.

Development Pressure

Uncontrolled development could have a negative effect on the Edinburgh's World Heritage Status and outstanding universal value. It is managed through risk planning policies and guidance rules. The Policy ENV1 integrated in the Edinburgh City Local Plan also serves as a significant tool enabling a better recognition of the outstanding universal value and the functions of the management plan in the planning system. Developments that can negatively affect the outstanding universal value can reduce the attraction of the World Heritage Site as a place to live, work and visit. For this reason, the monitoring function especially focuses on the pressure arising from development and gives special prominence to the effectiveness of protective measures (Edinburg World Heritage, 2011a: 66).

In the first management plan, Castle Rock, Calton Hill and Waverley Valley were defined as areas that are subjected to development pressure. Castle Rock and Calton Hill are areas which have preserved their natural character for a very long time, however these areas are beset by problems arising from unplanned building activities which make it difficult to preserve their landscape. The greatest problem is probably the negative effect of unplanned construction on the key views and vistas from within or outside the city. Opening natural areas located here to the public can pose dangers

when pathways get out of control. These areas have to be controlled to prevent erosion. The Waverley Valley, the point where the New and the Old Town meet, is an area located in the middle of the site. Special care should be taken to conserve this valley and Princess Street so that its function as a green belt between the new and old parts of the city can be maintained. Besides, it is of great importance that the Old Town, with its medieval character, and the New Town, arranged in a rather more formal geometric layout, maintain their differences and the integrity of their specific fabric. The architecture of the Old and New Towns has evolved thanks to structural discipline in conjunction with a control mechanism which has been in place for hundreds of years. It is expected that this combination will be maintained when a new structure is added to the existing urban fabric. However, if the construction of high-rise buildings is not carefully controlled, problems can arise in terms of scale and harmonization of such construction activities with the existing fabric (Edinburg World Heritage, 2005: 40).

Another key issue is that many buildings in the site have been in constant use for more than 200 years. The structures are naturally passed on from one owner to another in such a long period of time the owners can sometimes fail to show the required attention to preserving the architectural and historical characteristics when they make changes to adjust the structures to modern-day requirements. In order to prevent this, the proposals for re-use should only be made for vacant buildings, and care should be taken for the protection and conservation of unused structures (Edinburg World Heritage, 2005: 45-46).

Fire

As fire risk is a primary threat for all buildings in general and creates an important risk for the original fabric especially in historical sites, The Historic Scotland Fire and Rescue Service prepared an informative brochure containing a set of proposals to help reduce the fire risk and provide safety against it. The Historic Scotland Fire and Rescue Service contributes to the Historic Building National Database, a database addressing buildings of ‘A’ grade defined as the most vulnerable buildings in terms of fire risk.

This database project paved the way for the formation of a strategy creating awareness and consistency regarding the threat of fire in the World Heritage Site (Edinburg World Heritage, 2011a: 65).

Flood

The World Heritage Site is not generally under threat from flooding, apart from a limited area, especially around Dean Village and Stockbridge. A 'Flood Prevention Scheme for the Water of Leith Area' was designed in consequence of the flood that inflicted serious damage to 500 structures in 2003. This scheme, which also includes measures set out to improve the water quality, was updated in March 2007 and put into practice by the Cabinet (Edinburg World Heritage, 2011a: 65).

3.2.2.6 Management

In 1996, after Edinburgh was registered in the world heritage list, Edinburgh World Heritage, Historic Scotland on behalf of the Scottish Ministers, the City of Edinburgh Council and Scottish Enterprise Edinburgh and Lothian Edinburgh, all pioneering institutions, signed a statement of intent concerning the World Heritage List and agreed upon the following points:

- Preserve and improve the Old and New Towns of Edinburgh
- Guarantee that policies and implementations protect the world-renowned value of the Old and New Towns.

The major responsibility for the implementation of the management plan was shared among Edinburgh World Heritage, Edinburgh City Council and Historic Scotland as the key partners. Some duties, on the other hand, were stipulated to be carried out by several other institutions.[38] In addition, public participation was defined as a basic

[38]Scottish Enterprise Edinburgh and Lothians, City Centre Management Company, Scottish Civic Trust, Royal Commission for Historic and Ancient Monuments, Scottish Natural Heritage, Architectural Heritage Society of Scotland, Cockburn Association, Architecture and Design Scotland, National Trust for Scotland,, University of Edinburgh, Edinburgh and Lothians Tourist Board.

requirement. Non-governmental organizations and residents played an active role in the maintenance and conservation of the site (Edinburg World Heritage, 2005: 57). The parties responsible in the implementation of the first management plan are as follows:

- **World Heritage Site Partnership Group:** This group provides the highest level of support and ensures that the implementation will accordingly be carried out. This group consists of the senior managers of project stakeholders and meets annually.
- **World Heritage Site Steering Group:** This group executes such functions as putting the plan into practice and providing the coordination. The group meets at three month intervals.
- **Working Groups:** These groups have a facilitating function on the implementation of certain themes or projects within the action plan. The members of these groups were selected from the representatives of all the related individuals and/or institutions.
- **World Cultural Heritage Coordinator:** The coordinator assigned by Edinburgh World Cultural Heritage is responsible for putting the management/action plans into action, provides coordination. Among their responsibilities are planning the implementation of the action plan, initiating and managing projects foreseen in the plan and providing communication between local communities and stakeholders (Edinburgh World Heritage, 2005: 57).

The key institutions involved in the implementation of the second management plan are the City of Edinburgh Council, Edinburgh World Heritage and Historic Scotland, which altogether constitute the Steering Group. In addition, there is a wider group of other stakeholders including Essential Edinburgh and Scottish Enterprise, among others that are involved in the implementation of the management plan. The process of revising the management plan offers a great opportunity to reassess the administrative structure, appropriateness of existing implementations, permanent or temporary partners and to get the most of public participation. The new partners are organizations which play a role in the strategic management of the world heritage site and those which can provide support, although to a lesser extent. In this context it is

foreseen that the following institutions will also play a role in the management so as to enable the scope of strategic partners to meet the objectives of the management plan (Edinburg World Heritage, 2011a: 71-72):

- Agencies responsible for the international promotion of Edinburgh as tourism destination
- Businesses and agencies which engage with tourists (for instance tour guides)
- The Chamber of Commerce
- Essential Edinburgh
- Scottish Enterprise
- Community groups
- Local universities and colleges
- Libraries and galleries
- Councilors

3.2.2.7 Management Plan

The first management plan of Edinburgh was designed in June 2005 within the framework of the criteria defined by UNESCO in the Operational Guidelines in 2005, not only because of the requirement to design a management plan for all the sites with world heritage site character, but also because the National Policy Planning Framework for England (Planning Policy Guidance-PPG 18) provides for the elaboration of such a plan. Edinburgh World Heritage, Historic Scotland, the City Council, SEEL (Scottish Enterprise Edinburgh and Lothian) and Edinburgh City Centre Management Company are the important stakeholders in the plan that was prepared in a participatory process. Among these, Edinburgh World Heritage has a more specific task. This institution jointly established by the City Council and Historic Scotland is the main sponsor involved in the conservation of the site. It coordinates conservation activities (Edinburg World Heritage, 2005: 5).

The management policies defined in the first management plan are in accordance with the legal planning provisions in the development plan of the City Council. The aim is that the structure plan, the local plan and the management plan should not contradict

each other. For strategic planning purposes, where the management plan addresses planning issues, the Management Plan is a material consideration. Edinburgh City Centre action plan, which is one of the main documents, supports the implementations in the world heritage site in accordance with the local and management plans (Edinburg World Heritage, 2005: 37).

The basic conservation principles of the first management plan (Edinburg World Heritage, 2005: 56) can be summarized as follows:

- The site will be managed and conserved to be transferred to future generations
- The site management will both encourage the development of the site in accordance with the environment and a special focus on the outstanding universal value of the site
- Individuals, either resident or visitor will be encouraged, and every institution makes a contribution to the conservation and management of the site and it will be ensured that the values of the world heritage site are better interpreted.

As, in accordance with the first management plan, this achieves the balance between conservation and change that is defined as a success of cultural heritage management. The proposed changes will be evaluated with special regard to the values of the site. Furthermore, these proposals must ensure the sustainability of conservation and enable that the site is transmitted on to future generations in a good state of preservation. The development of the site is the main objective of the management strategy. New projects can play an important role provided that they make a contribution in terms of the integration of the site with its character and improvement of its characteristic aspects. Additionally, the use of master plans and implementations done with due care and sensitivity have made it possible to incorporate award-winning modern architecture around the traditional urban design (Edinburg World Heritage, 2005: 56).

The basic strategies of the implementation are as follows:

- Review of the management plan at five-year intervals
- Implementation of the world cultural heritage action plan

- Putting into practice the rules and policies in the management plan
- Monitoring the project coordination and financing
- Review of the action plan on a yearly basis
- Monitoring the conservation condition of the site on an annual basis as well as at periodical intervals (Edinburg World Heritage, 2005: 56).

In this context 56 measures were determined for 34 risks in total defined within the framework of management policies that were specified under three headings in the first management plan. Three basic management policies are as follows (Edinburg World Heritage, 2005: 39-50).

- **'Landscape Setting**
  Setting and views
  Juxtaposition of the Old Town and the New Town
  Valley of the Water of Leith
- **Urban Form and Architecture**
  Contrasting character
  Outstanding townscape
  Historic buildings
  Interiors
  Statues and monuments
  Parks, gardens and graveyards
- **History and Heritage**
  Historic city and royal ancient capital of Scotland
  Communities
  Seat of learning, education and law
  Edinburgh festival city'

Changes occurred in the political, social and economic conditions after the first management plan was implemented. The second management plan was elaborated in a completely different atmosphere under the cloud of economic recession. Due to the circumstances then prevailing, some threats that could have an impact on the future of the site and some basic issues came into the spotlight. It also increased the need for a flexible and responsive plan. Historic Scotland, City of Edinburgh Council and Edinburgh World Heritage, the three essential stakeholders, were involved in the design process of the second management plan. In the initial phase of the plan, many stakeholders involved in the World Heritage Site made their knowledge and experience available to create a joint vision. The policies within the plan were

developed in the workshops, exhibitions and public consultation processes with the participation of individuals and organizations using the site every day (Edinburg World Heritage, 2011a: x, xiii).

The second management plan (for management period 2011-2016) incorporates various policies and policy objectives in a comprehensible and compatible structure. It is acknowledged as a material consideration in the planning system. It thereby lays a bridge between international conventions on world heritage, the planning process and the broader management affairs in preserving a complex site like Edinburgh. The majority of the targets related to conservation and enhancement envisaged in the first management plan were carried out, the action plan was completed. The partners have proven responsiveness to issues emerging during the five-year implementation period of the first management plan. Such a responsive stance was observed, for example, in adjusting the approach to deal with emerging risks like climate change and revising the main concerns of the Conservation Funding Program. The first management plan served as a basis for the second one (Edinburg World Heritage, 2011a: 2-6).

The management plan depicts the vision for the world heritage site and provides broad guidelines of targets and actions for the vision to be accomplished. The objectives in the management plan set the ground for proceeding to the next step of developing an action plan so that each element of the action plan will be a project to help reach the vision. These actions are coordinated by a World Heritage Site Steering Group as follows: The core steering group assigns working groups according to the conservation state of the site, implications of the actions and monitoring tasks (Figure 3.16). Working groups meet regularly to organize particular projects. The second plan is described in three phases of management, action and monitoring (Figure 3.17) (Edinburg World Heritage, 2011a: 68-74).

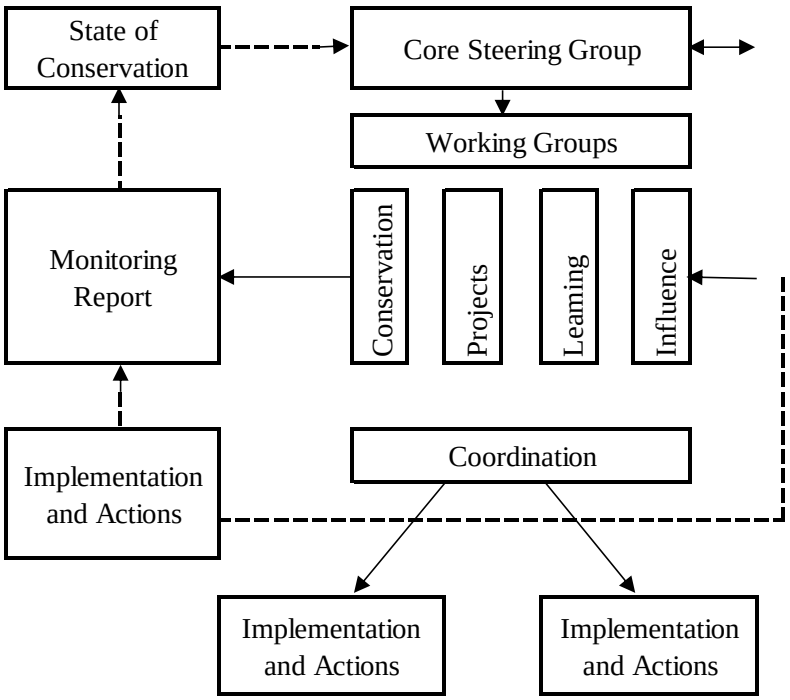


Figure 3.16 Principles of the second management plan period (Edinburg World Heritage, 2011a: 68)

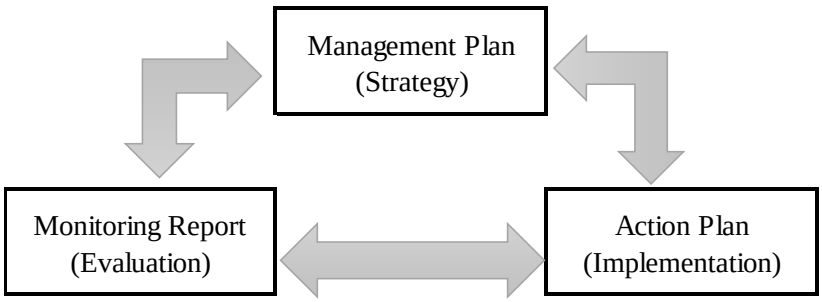


Figure 3.17 Three Phases of the second management plan (Edinburg World Heritage, 2011a: 68)

The broad objectives of the second management plan are (Edinburg World Heritage, 2011a: 7)

- encouraging involvement of the communities who live and work within the world heritage site and enjoy the site, through management policies
- providing guidance for actions of partners
- determining the policy framework to preserve and oversee the distinguished universal value of the site
- setting objectives to guide the way to achieve the vision for the site
- comprehending matters affecting the world-renowned value of the site
- defining the world heritage site and the components of its value.

Consultations on previous drafts of the second management plan by means of partner workshops, exhibitions and open evenings as well as the knowledge and on-site experience of the partners provide the basis for the vision and objectives of the actual second plan. Opinions of the UNESCO reactive monitoring mission to Edinburgh of 2008 are also considered in planning. The plan structures policy issues and objectives into four groups of key subject matters, which are integral to the nature of the world heritage site. The four key subject matters, which are essential to safeguard the distinguished universal value of the site, are divided into sub-groups that detail issues affecting components of the universal value. These are (Edinburg World Heritage, 2011a: 33-68):

1. ‘Understanding of the World Heritage Site
   - Interpreting outstanding universal value
   - Awareness of world heritage
   - Using world heritage for learning
   - Encouraging research related to world heritage site
2. Safeguarding the Outstanding Universal Value
   - Protection of historic buildings and spaces
   - Skyline, setting and a buffer zone
   - Archaeology
   - Architectural quality
3. A World Heritage Site in a Sustainable Capital City Centre
   - Sustainability - society and communities
   - Sustainability - economy
   - Sustainability - biodiversity and natural heritage
   - Sustainability - culture

Liveability - public realm
Liveability - traffic
Servicing the World Heritage Site

4. The Effective Management of the Site
   Partnership working
   Stakeholder engagement
   The risks to the World Heritage Site'

The second management plan regards itself as a strategy document that establishes the vision of the world heritage site and sets ambitions and actions necessary to achieve the vision. The next step after the formulation of the management plan is preparing an action plan based on the objectives defined in the management plan. The actions are coordinated by the World Heritage Site Steering Group. Each element of the action plan is to become a project aimed at reaching the vision (Edinburg World Heritage, 2011a: 72).

The action plan integrates the management plan into the implementation by providing a basis and setting the key subject matters for action. It specifies 31 targets, 53 actions and 85 indicators within the context. The plan schedules target dates for a range of actions such as short term (1-2 years), medium term (2-4 years) and long term (4-5 years) (Edinburgh World Heritage, 2011b: 3). Furthermore, it gives information about the financing structure of actions like identification of actions that are funded either fully or partially and actions yet without source of funding. The implementation of most of the actions calls for coordinated work with partners.

3.2.2.8 Involvement of Local Communities

The very existence of a management plan is not sufficient for the conservation and development of the world heritage site; the plan has to be enforced through an effective implementation process so that the vision, objectives and targets can be accomplished. The plan is an effective tool used to determine the focus; its implementation, on the other hand, it requires the proper efforts of all the individuals and institutions involved and their permanent devotion to the plan. To achieve this, a management style in dialogue with local people was defined as a priority in the plan. The management site encompasses a wide city center where not only a variety of functions such as public

services, commercial, educational and residential activities are carried out, but it also serves as a space where festivals are held. The management plan aims to increase the support of the related communities for the site with special focus on these functions.

Several non-governmental organizations, ranging from street associations to the Chamber of Commerce, already engage with the world heritage site and take part in its development. It is important that consideration of future of the site is based on a clear understanding of its outstanding universal value, which will be promoted through comprehensive and open dialogue. The management plan suggests a process that encourages flexible partnership of various agencies, organizations, communities and individuals in order to secure engagement with the world heritage site (Edinburg World Heritage, 2011a: 9-10). Local residents, local commercial and other businesses, schools and students, researchers and academics, visitors, the media, local and central government and other special interest groups are described as particular audiences in the first management plan (Edinburg World Heritage, 2005: 51).

3.2.2.9 Stakeholders

The main organizations and agencies with responsibility for the management of the site are described below.

Edinburgh World Heritage

Edinburgh World Heritage was founded in 1999 by the City of Edinburgh Council and Historic Scotland through a merger of the Edinburgh New Town Conservation Committee and the Edinburgh Old Town Renewal Trust. It is a company limited by guarantee, run by a board of directors and funded by Historic Scotland and the City of Edinburgh Council. Membership to Edinburgh World Heritage is confined to directors and representatives chosen by residents' associations across the site. The company's functions involve advertising the property, granting dispersal and encouraging community engagement across the property. It is also a major participant in the execution of the management plan (Edinburg World Heritage, 2011a:19).
The objectives of Edinburgh World Heritage are (Edinburg World Heritage, 2005: 9):

- The representation of the World heritage Site and monitoring the conservation condition of the site as stipulated by UNESCO
- Coordination of the actions through the management plan, protecting and enhancing outstanding universal values, and supporting integration into the requirements of contemporary life
- Conservation and development of the historical fabric and environment of the World Heritage Site through a program of financial assistance
- Supporting research and practice associated with conservation for individuals and organizations by developing specialized knowledge in the conservation site, and setting up standards for quality workmanship and consultation
- Creating awareness and a sense of devotion for the World Heritage, providing enjoyment, understanding and appreciation of the values and importance of the heritage so that long-term conservation can be ensured.

City of Edinburgh Council

The City of Edinburgh Council plays an important role in the management of the site. As the authority responsible for the planning, it determines the framework of the planning. It is also the authority which is responsible for the highways, garbage collection and cleaning. Additionally, the City Council is the largest land and property owner in the site, with a large portfolio of residential and commercial structures (Edinburg World Heritage, 2005: 9).

Historic Scotland

Historic Scotland is an executive governmental organization. It is accountable directly to Scottish Ministers for its responsibility to protect the historic environment and improve public knowledge about and recreation of the historic environment. It provides Scottish Ministers with policy recommendations and backing on all relevant issues of the historic environment. The key legislative powers regarding heritage conservation are held by the City of Edinburgh Council and Historic Scotland, which acts on behalf of the Cabinet. Historic Scotland and the City of Edinburgh Council

carry out site management affairs in close coordination with each other (Edinburg World Heritage, 2005: 9).Partners of the world heritage management during the implementation period of the second management plan include:

- the Core Group of the key stakeholders
- working groups carrying out the vision of the plan in particular areas or within particular projects

The Core Group is tasked with the:

- preparation and revision of the management plan
- organizing the implementation of the management plan based on the action plan
- setting the benchmarks for indicators of the monitoring report
- selecting new partners and resources within partner organizations to help the project progress
- dealing with potential stakeholders
- assistance to fundraising for realization of the management plan
- reconciliation of contradictory initiatives with respect to the outstanding universal value.

Historic Scotland is in charge of giving policy and advice about all elements of the historic environment on behalf of Scottish Ministers. Edinburgh World Heritage, which is financed by the City of Edinburgh Council and Historic Scotland, acts as a catalyst for and coordinates the management of cultural assets of the world heritage site. The City of Edinburgh Council is the chief decision maker at the local level (Edinburgh World Heritage, 2010: 59).

3.2.2.10 Resources

The first management plan that priorities have to be set for some actions on the existing work force and time source. The plan stipulated that many implementation steps would

be financed from funds deriving from the existing budgets, while others, on the other hand, would be financed from new funding sources. In this respect, two points, i.e. the exact determination of the need and potential funding sources were defined as the most important aspects (Edinburg World Heritage, 2005: 5).

Financial Resources

Edinburgh World Heritage operated a Conservation Funding Program to provide continuity in protection and improvement of the structures in the world heritage site in the first plan period of 2005-2010.Two types of funding were available in 2006-2007:

- Project funding for the public, community or charitable projects on conservation and enhancement of the site
- Repayable grants for preservation of residential and commercial historic buildings.

Project funding enables community projects and projects for the public weal, such as gardens, railings, shop fronts and signage by providing an efficient groundwork to carry out projects and to attract matching funds from other partners. It promotes partnership working for the sake of implementation of complex conservation plans. Project funding also includes part-funding for conservation statements to assist development of projects, which are frequently compromised by chronic conservation challenges. Moreover, it gives added value such as in the case of project funding for enforced works to support the City of Edinburgh Council Property Management improve standards.

Repayable grants are revolving funds that are formed to ensure sustainable financing for future benefits in relation to the historic environment. They are employed to support investments by groups of owners, individuals and businesspeople for conservation and improvement of the site. They also help property owners to bring missing original components back that would not otherwise be possible. Payable grants worth £1,197,619 had been disbursed since the beginning of the Conservation

Funding Program. Edinburgh World Heritage disclosed that they paid £645,547 in grants, which generated a further £16,673,562 worth of investment spending for historic buildings in 2014-2015. Donations reached £49,458 and an additional £103,819 was raised for particular Edinburgh World Heritage projects (Edinburgh World Heritage, 2015: 5, 7).

Funds were prioritized according to the need as set out on the Edinburgh World Heritage website. Projects were also targeted to ensure maximum benefits for the World Heritage Site. Conservation Funding awarded by Edinburgh World Heritage in first plan period (2005-2010) (Edinburgh World Heritage, 2010: 38):

The monitoring report 2007-2008 notes that public funds gradually decreased and therefore there was a need to manage the donation strategy of the Edinburgh World Heritage in an effective way (Edinburgh World Heritage, 2010: 60). Edinburgh World Heritage declared that they awarded £645,547 in grants which attracted a further £16,673,562 in investments for the historic buildings in 2014-15. In support and donations amounted to £49,458 with a further £103,819 being raised for specific Edinburgh World Heritage projects (Edinburgh World Heritage, 2015: 5, 7).

Human Resources

The first management plan mentions that eight full time personnel, namely the director, the WHS coordinator/deputy director, the conservation architect, the finance and administration manager, the communications manager, the business manager, the communications officer and the administrator, were employed in connection within the Edinburgh World Heritage. Edinburgh World Heritage Board consists of nine members (Edinburg World Heritage, 2005: 70).

Edinburgh World Heritage offers opportunities of voluntary work in world heritage management for interested parties that want to gain experience in appropriate areas of the organization's activities such as town planning, conservation, education and interpretation. The number of volunteers to the organization has risen steadily,

supporting the professional team in several projects and actions. Edinburgh World Heritage assumes a coordinating role for participation under the unique model of world heritage management, which provides also an opportunity for the public to join coordination with the relevant central bodies like the City of Edinburgh Council and Historic Scotland (Edinburgh World Heritage, 2010: 58).

3.2.2.11 Monitoring and Reviewing the Plan

One of the requirements UNESCO sets out for the sites inscribed on the World Heritage List is that the state of conservation and the results of the implementation must be monitored. The monitoring activities are carried out according to the schedule prepared by UNESCO; systematic monitoring is also executed on a regular basis based on indicators (Table 3.2). Under the responsibility of UK, the report yearly prepared by the Edinburgh World Heritage concerning the findings emerging from monitoring activity has the following aims:

- Definition of the changes regarding the site based on a series of indicators
- Evaluation of the effectiveness of the management and planning criteria concerning the conservation of the site's specific features
- Measuring the progress level reached regarding to the development of the site.

Table 3.2 Measuring Change-Indicators (Edinburg World Heritage, 2005: 74).

Issue	**Indicator**
CHARACTER AND TOWNSCAPE	
Protection of Site afforded by Conservation Areas	• Area of the Site covered by Conservation Areas
Pressure for change within the Site	• Number of planning applications (per year)
Effect of new construction	• Urban design quality achieved by major developments gaining planning approval
Protection of streetscape	• Retention of setted carriageways • Amount of street furniture and retention of historic street surfaces
BUILDING AND HISTORIC FABRIC	
Retention of building	• Numbers of buildings and their listed status
State of repair of building stock	• Identification of buildings demolished or lost from other causes • Statutory Repairs Notices Issued (per year) • Monitoring of Buildings at Risk
EXISTING COMMUNITIES AND USES	
Protection of existing residential community	• Breakdown of population of World Heritage Site by area
Retention of institutions	• Institutions within World Heritage Site
Retail performance	• Retail indicator
Visitors	• Visitor attitudes • Tourism numbers, spend etc.
TRAFFIC AND TRANSPORT MANAGEMENT	
Volume and modal split of traffic in the Site	• Traffic volumes and percentage of journeys made by different transport types
Volume of Parking in the Site	• Number of on and off street parking spaces
ENHANCEMENT	
Enhancement, repair and maintenance of historic fabric	• Level of financial assistance distributed by Conservation Assistance Programme • Progress of projects identified in the Action Plan
PROMOTION	
Number and range of promotion activities	• Progress of projects identified in the Action Plan • Promotional activities carried out

UNESCO produces periodic reports at six year intervals. This report contains detailed information about the site and the findings on whether or not the host state party fulfils its obligations. Twenty indicators (Table 3.2) in total were determined and classified under 6 headings to systematically monitor the changes which occurred during the period of the first management plan (Edinburg World Heritage, 2005: 70, 74). The second management plan, on the other hand, contained 85 indicators for 53 actions with one or more indicators determined for each action (Edinburgh World Heritage, 2011b: 3).

The site has been subject to numerous changes since its inscription on the world heritage list. Many changes of great scale correspond to changes measurable within the existing monitoring function. However, due to the nature of the site, minor changes can also have serious impacts on the character of the world heritage site. This requires, simultaneously, an overview related to setting, infill and development and a close attention to minute details of building fabric, streetscape and landscape design.

One of the issues pointed out in the second management plan after the first plan period of developments in conservation area are monitored by changes in the legislation are handled in various categories. Changes to the Planning etc. (Scotland) Act 2006 from 6th April 2009 define three categories of developments: national, major and local. National Developments are set out in the National Planning Framework 2. There are 9 classes of major developments, the criteria are:

- All development under Schedule 1 of the EIA (Environmental Impact Assessment Scotland) Regulations 1999
- Housing proposals of 50 dwellings or more, or housing sites exceeding 2 ha.
- Business and general industrial, storage and distribution with a gross floor space of 1,000 m² or a site exceeding 2 ha.
- Electricity generation where capacity is or exceeds 20 mw.

- Waste management facilities where capacity is or exceeds 25,000 tons per annum, or for sludge treatment facilities where capacity of or exceeds 50 tons (wet weight) daily
- Transport and infrastructure where the road, railway, tramway, waterway, aqueduct or pipeline exceeding 8 km in length
- Fish farming where the surface area of water covered exceeds 2 ha.
- Mineral extraction where the site area is or exceeds 2 ha.
- Other development not falling wholly within one of the above classes where the gross floor space is or exceeds 5000 m² or a site area exceeding 2 ha. (Edinburgh World Heritage, 2010: 30).

In this context the major changes (Table 3.3) that occurred in Edinburgh in the first plan period mentioned are as follows:

Management plans are subjected to review every five years in accordance with the operational guidelines. In this context, the Planning Committee approved on August 5, 2010 the draft Edinburgh World Heritage Site management plan and opened it to public discussion. The draft plan went through a detailed consultation process through direct and email notification, workshops with the participation of stakeholders, an exhibition shown at venues across the World Heritage Site, an internet survey and open meetings. Details of the draft were put on the websites of Historic Scotland, Edinburgh World Heritage and the City of Edinburgh Council. The first workshop on February 16, 2010 created a sound base for the extent of the review. A second workshop was held for consultation purposes after eight months had elapsed from the first workshop. The public consultation exercise gave authorities a chance to assess if the draft management plan reflected public perceptions about the vision for the world heritage site, the submitted ‘statement of outstanding universal value’ and targets to achieve the vision. Participants of the consultation process were asked to comment on the whole draft plan, including the vision, objectives and actions. The results of consultation notified suggestions for changes in the draft second management plan (Edinburg World Heritage, 2011a: 81).

Table 3.3 Approved major developments in the World Heritage Site and analysis (Edinburgh World Heritage, 2010: 30-31).

Decision	Address	Description
GRA	PA6 - East Market Street / Cranston Street	Redevelopment and erection of buildings for residential flats, offices, alternative office and/or community facility, and retail (Class 1) use, access and servicing area Realignment and alterations of Cranston Street (as amended)
GRA	28-38 Chalmers Street EH3 9ES	Erection of building for student residential accomodation and associated student facilities, landscaping, alterations to access and other works
GRA	Calton Road (Land at 20 Calton Road and Land Opposite on North side including Calton Hill stairs	Erection of buildings for residential (flats), use of ground floors as day centre (community facility), alternative retail (Class 1), financial, professional or other services (Class 2) and/or business (Class 4) purposes and landscaping works
REF	131-133 High Street EH1 1SG	Addition of 2 No. Canvas awnings to frontage awning to each window recess fitted on central transom, between pilasters
GRA	George Heriots School 2 Lauriston Place EH3 9EQ	Construction of new school sports centre and associated landscaping
MIX	1 Lauriston Place EH3 9EF	Amendment to original planning permission for the reconfiguration of internal layout to form an additional 10 residential units at Q19
GRA	1-5 Baxter's Place EH1 3BD	Alterations and change of use of the building at 1-5 Baxter's Place to licensed hotel (Class 7, change of use from cinema (class 11) to retail (class 1) at 5 Baxter's Place; demolition of building at 2 Greenside Lane and construction of additional hotel
GRA	27, 29 - 31 Melville Street EH3 7JF	Change of use of 7 flats to residential use, Class 9 - No physical alterations
GRA	PA7 - Land At East Market Street, 5A, 7, 9 Cranston Street, Jeffrey Street (1-24)	Redevelopment, alterations and change of use of arches (19-24) and erection of buildings for use as offices, retail (class 1), restaurant/bar and leisure (class 11), access, open space, landscaping and associated works. External alterations and change of use
GRA	17, 19 Waterloo Place EH1 3BG	Change of use from existing offices and retail into hotel, bar and restaurant, alterations to windows and extension to roof plant
GRA	New Street (Former Bus Depot) Edinburgh	Enabling works including erection of podium structure, installation of ground source heating and cooling system and associated works
GRA	43 Jeffrey Street EH1 1DH	Amendment to planning permission reference 02/03306/FUL to provide 126 bedrooms extension to existing hotel in place of approved 66 bed extension, deletion of 34 flats and car parking, design detailing changes to elevational treatments of entire new build
GRA	PA4A - Land Adjacent to New Street, 221-223 Canongate	Erection of buildings for residential and business (class 4) and/or community facility, and retail (class 1) and/or food+drink (class 3) purposes. Podium structure (including ground source heating and cooling system), car parking access, open space
GRA	PA5 - Land Adjacent to New Street 5 New Street (Canongate Venture) 223-227-229-231-231A Canongate (including Old Sailors Ark)	Redevelopment and erection of buildings (including bridge link over New Street), with part retained façades, for use as hotel and conference center, retail (class 1), car parking, access, servicing area, open space and landscaping including public square
GRA	PA3 - Land Adjacent to New Street, 221-223 Canongate	Erection of buildings for offices, retail (Class 1) and food and drink (Class 3) purposes and alternative business (class 4) and/or leisure (class 11) use, retail (class 1) and/or food and drink (class 3) use and retail (class 1)
GRA	Land at Broughton Street Lane	New build development of 11 No residential units as terraced mews houses without car parking (as amended)

3.2.2.12 Interim Evaluation of Edinburgh Management Plan

Edinburgh is a prominent Scottish city with neoclassical and Georgian features from the 18th and 19th Centuries, with a wealth of cultural and archeological assets. Landscaping features, important historic buildings and monuments and well preserved urban spaces are important characteristics of the world heritage site. Edinburgh has been under the protection since the 16th century, with its steep slate roofs, facades and original materials preserved. In 1970, Edinburgh New Town Conservation Committee initiated a repair and rehabilitation program. In 1980, the problems of the old city were handled by a group of architects, and through the merger of this group and the Edinburgh New Town Conservation Committee, the Edinburgh World Heritage Trust was formed, which later became responsible for the implementation of the management plan and financial support. Therefore, Edinburgh has been a continuing field of conservation work since the 1970s.

In addition to international conservation charters, national legislation, policy documents and guidelines form the legal basis for protection. According to the Strategic Development Plan, all planning permits in the area are implemented with regard to conservation and development. The Edinburgh City Local Plan sets out urban development decisions based on world heritage criteria. In addition, numerous guides and strategic documents in urban design, cultural heritage management, street layouts and similar issues provide the necessary legal infrastructure for conservation and development.

Edinburgh gained world heritage status in 1996. In the same year, Edinburgh World Heritage, Historic Scotland, the City of Edinburgh Council and the Scottish Enterprise Edinburgh and Lothian signed a protocol to ensure that the policies and actions to be implemented to ensure conservation and development were in accordance with the outstanding universal value of the area. Public participation in this protocol is defined as a fundamental requirement. Between 2005 and 2010, the first management planning period was carried out within this framework. In terms of management, the World Heritage Site Partnership Group, the World Heritage Site Steering Group, the World

Heritage and Historic Scotland, the World Heritage Coordinator and various working groups have been active. In addition, the Edinburgh management plan is supported by extensive public organizations such as Essential Edinburgh and Scottish Enterprise.

The management plan is a document designed and legally enforceable in line with the strategic planning principles of the City Council and in accordance with the development plan, structure plan and local plan. The basic conservation principles of the 2005-2010 management plan are to encourage the development of the site area, to maintain its universal qualities, and to ensure that both visitors and local people participate in the processes of conservation and management. The basic strategy of the plan is to provide a balance between conservation and change bearing in mind that the historical heritage of the area is a resource that cannot be renewed. The plan classified the risks related to the site and the measures to be taken against them under certain headings. The second management plan of 2011 was prepared by the World Heritage Site Steering Group. Numerous workshops, exhibitions and public consultation processes were carried out at the planning stage where priority was given to stakeholder participation. The plan is designed as a flexible and responsive strategy document that defines the objectives and actions necessary to achieve the vision identified. The objectives of the second period plan are to identify actions to preserve the outstanding universal value as in the first plan period, to design the policy framework that will provide sustainability and monitoring, to identify the factors that may pose a risk for the site and to take measures against them.

During the first plan period, funding was provided at regular and adequate levels, but the second plan period came at a difficult economic time after the crisis of 2008. The monitoring report for 2007-2008 indicated that public funds are gradually diminishing and that Edinburgh World Heritage should do the necessary work to activate and develop a donation strategy.

The monitoring function is carried out through a systematic program, any changes in situational processes, measured by indicators, are defined, the effectiveness of the management and planning criteria is assessed and the progress levels of the work done

are measured. In the second plan period, the changes in the site are divided into national, major and local. Major changes were classified as housing, industrial development, electricity distribution and waste management projects, transportation and infrastructure projects, and construction of fish farms, and were monitored in this frame against previously agreed indicators. Good practice in terms of transparency and public opinion control is represented by the open publication of all reports on the Edinburgh World Heritage website, including the availability of the systematic monitoring function of world heritage sites.

Another example of good practice is the opportunity to work in town planning, conservation, interpretation and education fields offered to volunteers in world heritage organizations. In this way, dialogue with the local people is strengthened and human resources support is provided to various organizations as well as encouraging the interest of people in conservation and the awareness of this issue. In this context, Edinburgh offers a unique management model that allows volunteers to work.

In the ICOMOS assessment in 2006, the first-term management plan was declared successful and sufficient in terms of the management system, despite the lack of buffer zones and lack of research framework within the scope of the world heritage, lack of all embracing policy regarding high structures, and a lack of area promotion and the creation of public awareness. Edinburgh world heritage management is a successful example, when measured against international standards, in having complementary plans to assist in the management plan, such as the tourism action plan, the land use plan and the risk monitoring plan, in being full compliance with national legislation and in having approaches to voluntary work and the possibilities it provides for effectiveness, transparency and public scrutiny.

3.2.3 Cultural Heritage Management Approaches in France

3.2.3.1 Overview

France, officially the French Republic is comprised of mainland France in Western Europe and some overseas territories. The European part of France, called Continental France or Metropolitan France, extends from the Mediterranean Sea to its south to the English Channel and the North Sea to its north and from the Rhine to its east to the Atlantic Ocean to its west (URL 68; URL 69).

France covers 640,679 km² and has a total population of 67 million. It is a unitary state with a semi presidential administration. It has a developed economy and ranks among the developed countries with its nominal gross domestic product ranked 6th and purchasing power parity ranked 8th in the world (URL 68).

All through its long history, France has been a main worldwide focal point of culture, making noteworthy commitments to art, science, and theory. It has Europe's third-biggest number of UNESCO World Heritage Sites (after Italy and Spain) and gets around 83 million foreign visitors every year, the vast majority of any nation in the World (URL69).

Main Characteristics of the Current Cultural Policy Model

The Ministry of Culture and Communication is responsible for cultural policies in France. The central role of the state has been an important factor in the history of cultural policies in France. The significant milestones in the development of cultural policies can be listed as acknowledgement of French as the national language in 1539, encouragement of learning and study under the supervision of '*Collège de France'*, National Library, *'Académie Française'* and efforts for institutionalization, subsidies, organization of the administrative structure, creating funds and finally, establishment of a ministry with total authority over cultural affairs in 1959 (Perrin *et al.*, 2015: 2).

The first Minister of Culture of France, André Malraux, issued an executive order which defined the main function of the first ministry. This executive order which is known as the Decree no 59-889 dated 24.07.1959 sets forth that 'the ministry in charge of cultural affairs has the role of making available capital works from humanity, and initially from France, to the greatest possible number of French people, of ensuring the largest audience for our cultural heritage, and of supporting the creation of the spirit and works of art which enrich it'. This decree paved the way for making arrangements in conservation of heritage, contemporary creativity and cultural industries (Perrin *et al.*, 2015: 2).

This Ministry of Cultural Affairs[39] was created by merging the existing service of *'Beaux-Arts'* of the Ministry of Education and some departments of the Ministry of Industry. The initial priorities of the ministry were to support contemporary creativity in all artistic disciplines and to ensure broadly based attendance at cultural activities, especially in theater, music and heritage. In the 96 departments comprising France geographically, an attempt was made to establish a *'Maison de la Culture'* in each department to ensure wide dissemination of contemporary artistic creativity and culture across the country. In order to foster the delegation of powers, three regional directorates of cultural affairs (*Directions Regionales des Affaires Culturelles* - DRAC) were established in 1969 (Perrin *et al.*, 2015: 2).

The aim was to focus on the integration of culture into society and on cultural development issues of the period by following an interdisciplinary and

[39] 'The Ministry of Culture and Communication has been renamed several times (URL 70):

1959 Ministère des Affaires culturelles
1974 Ministère des Affaires culturelles et de l'Environnement
1974 Secrétariat d'État à la Culture
1976 Ministère de la Culture et de l'Environnement
1978 Ministère de la Culture et de la Communication
1981 Ministère de la Culture
1986 Ministère de la Culture et de la Communication
1988 Ministère de la Culture, de la Communication, des Grands Travaux et du Bicentenaire
1991 Ministère de la Culture et de la Communication
1992 Ministère de l'Éducation nationale et de la Culture
1993 Ministère de la Culture et de la Francophonie
1995 Ministère de la Culture
1997 Ministère de la Culture et de la Communication'

interdepartmental policy between 1971 and 1973. The main policy initiated by André Malraux was implemented in the subsequent 6 Ministry periods along with specific amendments. A series of agreements were concluded for the first time on culture between municipalities and regions in 1974. In 1979, the Georges Pompidou National Centre for Arts and Culture was established, in 1978 the Museums Finance Act was enacted, and 1980 was declared the National Heritage year (Perrin *et al.,* 2015: 3).

A new era for cultural policies dawned with the election of the new President of the Republic in 1981. In 1982, the budget of the ministry was doubled and constituted about 1% of the state budget. As from the 1980s, the Ministry also considered economic issues. In 1982-1983, the network was completed between Regional Directorates of Cultural Affairs (DRAC) which worked in cooperation with local authorities within the scope of devolvement activities under the first law on territorial decentralization, and some of which established regional councils and department councils. Some educational institutions were established including the National Heritage Institute (*L'Institut National du Patrimoine*) and projects were initiated to increase awareness in children about culture and heritage. More than 8,000 jobs were created in the cultural field over about 12 years during this period. In short, this period changed the cultural landscape with the unexpected increase in cultural policies, cultural funds and structures. Cultural policies gained popularity and became institutionalized (Perrin *et al.,* 2015: 3).

In the 1990s, discussions began about cultural exception, and led to supporting the concept of cultural diversity and international recognition. The Ministry followed a policy of democratization of a culture based on encouragement of heritage and development of performing arts and new technologies. Between 2000-2002, the Ministry established a sub secretary of state in charge of heritage and decentralization. The Conventions of Cultural Decentralization (*protocoles de décentralisation culturelle*) were enacted and the first steps were taken for the decentralization process to occur in France in 2003-2004. A longer term and updated cultural policy became a priority from 2002, and in 2003 a law was enacted to regulate new conditions for cultural patronage, associations and foundations. In March 2004, the first steps were

taken to develop accessing culture using new technology. In May 2007, a modernization process started in cultural policies in line with the national program of revision in public policies. The organizational chart of the Ministry was renewed, and the ministry restructured into three thematic directorates, General Directorate of Heritage (*Direction Générale des Patrimoines*), General Directorate of Artistic Creativity (*Direction Générale de la Création Artistique*), General Directorate of Media and Creative Industries (*Direction Générale des Médias et des Industries Culturelles*) (Perrin *et al*., 2015: 3-4).

In 2012, some large-scaled and high cost projects which had been planned in the previous legislative period were withdrawn due to budgetary limitations. In this period, priority was given to supporting cultural and artistic education and reviewing regional cultural development and cultural exemptions. Heritage and creation issues have been at the forefront in reviewing cultural policies since 2012. Local and regional authorities have increased public support for culture over the last 50 years. Municipalities, as the owner of certain cultural activities, are the main provider of state funds for culture under current conditions. Municipalities establish their own cultural policies with the support of the Ministry of Culture and Communication. Prefectures and regional councils have even exceeded the cultural obligations set out by the devolution laws dated 1982, 1983, and 1992 (Perrin *et al.*, 2015: 5).

Starting from the initial agreements at the end of the 1940s, with the cultural development charters and agreements of the 1970s and 80s, the territorial cultural policy has been based on multi-level agreements and partnerships. These agreements and partnerships can be founded between state services through inter-ministerial agreements, between state services and territorial authorities (municipalities, departments, regions). Territorial authorities and government departments can also be the parties of such agreements as well as cultural agencies and institutes. Therefore, French cultural policies are executed with agreements and partnerships based on territorialized cooperative governance (Perrin *et al.*, 2015: 5).

Cultural Policy Targets

Since the establishment of the Ministry in 1959, two main concepts have directed cultural policies in France. One of them has been cultural democratization and the other the consideration of artistic and cultural thinking in all its diversity. In this respect, cultural development has been based on the principles of seeking a balance between these two purposes, having high standards and openness. In the decree numbered 2012-776 and dated May 2012, which is version of the founding decree dated 1959, conservation and support of all components of cultural heritage is defined as a primary aim. Therefore, one of the most important missions of the Ministry of Culture and Communication has been encouraging both heritage and access to modern artistic forms (Perrin *et al.*, 2015: 10-11).

The French cultural policy model is mainly characterized by the substantial activity on the part of public authorities.The national, local and regional administrations alongside with the stakeholders have designated significant funds to cultural activities. Designated state departments manage these actions at different levels. Equal access to culture by all citizens is a requirement of the constitution. It is the main duty of the state to ensure the potential participation of all citizens in cultural life. France acknowledges that culture is an essential part of integral development including social and economic development and is a key factor for ensuring that the cultural life quality is experienced by all individuals (Perrin *et al.*, 2015: 6).

Three main themes of the cultural policies in France are heritage, creativity and cultural or artistic education. It is the responsibility of the state to promulgate laws and evaluate and control cultural policies. Apart from the efficient role of the state and the Ministry of Culture and Communication, territorial authorities have also started to increasingly undertake responsibilities with the devolvement process which started in the 1980s. Public institutions are increasingly becoming independent. This alters the supervision procedure directed by central state organization, with the improvement of assentions that connect the distribution of assets to the accomplishment of specific goals (*contrats d'objectifs*), specifically any expansion in matching funding. This is

the current situation, specifically, for the considerable national assets like *Musée du Louvre*, Georges Pompidou Center, *Musée d'Orsay* or Versailles Palace (Perrin *et al.*, 2015: 6, 83).

The public cultural foundations are situated in the locale of Paris (Île-de-France) for authentic reasons. They are urged to open decentralized branches, in France (Louver-Lens in the area Nord-Pas-de-Calais, Georges Pompidou Center in Metz in the locale Lorraine, Museum of Civilizations of Europe and the Mediterranean in Marseille) and abroad with i.e. the venture Louvre Abu Dhabi. The organizations that have a place with regional powers confront similar issues: increment in coordinating financing goals, decentralized activities to improve social liveliness of the territories (Perrin *et all.*, 2015: 83).

The legitimacy of public intervention is based on the fact that heritage is a joint asset which is shared, protected and should be encouraged on one hand, and spreading culture and artistic creativity is a need for society. The state support in this area focuses on identifying and preventing the intrinsic risks of market activities (Perrin *et al.*, 2015: 6).

The Ministry of Culture and Communication is responsible for implementing cultural activities of the central state and the government in French territories. The Ministry of Culture and Communication acts in two ways, it is the regulator in monitoring the implementation of legislation passed by the parliament and it acts directly to use funding assigned to the ministry under the national budget. Certain ministries including those of Foreign Affairs, and the Education and Research, and Tourism share this responsibility in certain topics. Regional and local authorities are responsible for implementing cultural policies in their own areas (at municipal level, in relationships between municipalities and departments (counties) on a territorial basis). Execution of cultural activities by multiple public actors and convergence at times require coordination and joint execution within the framework of agreements (Perrin *et al.*, 2015: 6-7).

Regulatory action

The Ministry of Culture and Communication is responsible for implementing and monitoring laws and provisions on culture including protection of heritage. These directions don't really infer the dedication of open supports with respect to the administration. Besides, they could have generous monetary results for nearby and provincial powers and social partners (private broadcasting companies, owners of cultural heritage, and so forth).Regulatory actions can include compliance with quality and professionalism, attendance at some cultural and artistic activities or declarations of approval by the state (Perrin *et al.,* 2015: 7).

Direct action

One of the direct actions of the Ministry of Culture and Communication concerns the direct management of public cultural institutions (museums, national theaters) The maintenance and development of cultural, artistic and historic heritage, relations with artistic commissions and structures, allocation of donations to organizations and stakeholders and territorial and local authorities can be listed as direct actions. State intervention in culture has a commitment to be open to all artistic and cultural styles and forms. Decisions on artistic commissions and subsidies, allocation of state donations, heritage protection, and employment of cultural experts are implemented upon recommendations of counseling bodies comprised of acknowledged field experts and specialists. The Ministry of Culture and Communication has no monopoly on cultural activities, which are mainly initiated by local and territorial authorities (Perrin *et al.,* 2015: 7).

The role of territorial authorities

France has three main types of territorial authorities: municipalities (*communes*), counties (*départements*) and regions[40]. Some other types of territorial authorities

[40] 'A territorial authority (or a territorial collectivity / *collectivité territoriale*) is a chartered subdivision of France, with recognized governing authority. It is the generic name for any subdivision (subnational

(Corsica, overseas territories) can affect on the cultural policies those authorities conduct. Large town and city councils in France have been actively interested in culture for a long time. They have managed and funded cultural organizations since the 19th century. Small municipalities have started to create their own cultural policies since the 1960s. With the devolvement laws dated 1982, 1983 and 2004, the cultural activities of local and territorial authorities have been supported through the Ministry's Regional Directorates for Cultural Affairs (*Directions Régionales des Affaires Culturelles, DRAC*). Territories have had territorial inventory units since 2004 and are responsible for inventory procedures. Some authorities can undertake responsibility for historic monuments in their areas. The responsibility for 65 monuments was transferred to territorial authorities in 2014. 43 of them were transferred to communes, 16 to departments and 6 to territories (Perrin *et al.*, 2015: 7-8).

Spheres of competence

The cultural policy on the transfer of authority among state departments and devolution is mainly based on efficient cooperation. While the state has maintained its significant role in supporting culture with state funds, the contribution of territorial authorities has gradually increased and now amounts to about 50% of total funding. This is 80% in some territories. Territorial authorities can take active roles at all points in heritage protection and culture sector. Accordingly, many territories have elected

entity) with an elective form of local government and local regulatory authority. The nature of a French territorial collectivity is set forth in Article 72 of the French constitution of 1958, which provides for local autonomy within limits prescribed by law. Territorial authorities:

- Regions: France has 18 regions. The assembly of a region and of a ROM is the regional council (*conseil régional*). They are presided over by a president of the regional council (*président du conseil régional*).
- Departments: France has 101 departments. The assembly of a '*département'* (except Paris) or that of a DOM is called a '*conseil départemental'*. They are presided over by a '*président du conseil départemental'.*
- Metropolis with special statute: France has one metropolis, Greater Lyon. (Not the same as intercommunal metropolis)
- Overseas collectivities (*collectivités d'outre-mer,* COM): France has five COMs.
- Provinces: There are 3 provinces, all in New Caledonia. The assembly of a province is called an '*assemblée de province'*. It is presided over by a '*président de l'assemblée de province'*.
- Communes: There are 36,782 communes. They are found throughout the republic (except for Saint Barthélemy, Saint Martin, and Wallis and Futuna, which are subdivided differently). A commune's assembly (except that of Paris) is called a conseil municipal. It is presided over by a mayor (*maire*). The Paris assembly is called the *conseil de Paris*. It is also presided over by a mayor' (URL 71)

representatives in charge of cultural affairs and the number of cultural departments and agencies has increased since the 1960s and 1970s. The level of investment by municipalities with regard to culture depends on their political preference. Procedures on cultural intervention are within the regulatory authority of the state (Perrin *et al.,* 2015: 8).

Agreement-based cooperation

Cooperation between many public and private cultural actors is facilitated through agreements at various levels. They can be listed as cultural development agreements, City Contracts, Major Urban Projects, and State-Region Project Contracts. Many towns and cities have become partners with national organizations since the first agreements at the end of the 1940s; thus, it has become possible to monitor cultural policies initiated by the state. Local and territorial authorities offer cultural support and develop and protect heritage based on their own locality and the needs and conditions of their local people (Perrin *et al.,* 2015: 7-8).

There are two main trends of change likely to affect these relationships in the near future in France. The first is the cooperation among municipalities which has a major effect on culture. The cooperation structures called the intercommunalities create their own cultural policies and develop specific topics and models. The second trend is the new steps in territorial devolvement which started in 2009. This reform aims at reorganizing territorial administration and its authorities in the country. With the law enacted in 2014, more than 10 metropolitan areas were created by assigning special status, including Paris, Lyon and Marseille and the territorial boundaries were changed to create 13 territories instead of 26. In this respect, the possibility of DRAC transferring some authorities to Regional Cultural Councils was discussed. With the aim of piloting this possibility, the first Regional Cultural Council was established in Brittany (Perrin *et al.,* 2015: 9).

National definition of culture

France defends the legitimacy of its cultural rights in relation to article 27 of the Universal Declaration of Human Rights dated 1948. Article 27 of the Universal Declaration of Human Rights states that 'Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits'. French cultural policy is based on a universal vision of the concept of culture (Perrin *et al.*, 2015: 9).

France's present cultural approaches have constant objectives: to encourage creation, preserve national legacy, create cultural businesses, expand cultural events availability, foster cultural variations both in fine arts and in developing cultural expressions. France is also a party to important international treaties, such as the European Cultural Convention (adopted in 1954 within the Council of Europe) the UNESCO 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, and the other UNESCO conventions concerning heritage (Perrin *et al.*, 2015: 9).

3.2.3.2 Legislation On Conservation

Overview

The main legislation and regulations on cultural heritage with regard to cultural policies[41] are provided in the Heritage Law (*Code du patrimoine*). The Heritage Law provides a comprehensive definition of cultural heritage on historic, artistic, archeological, aesthetical, scientific and technical terms including public and private sector structures and movable assets (Perrin *et al.*, 2015: 70).

[41] 'Other legislation on cultural policies can be listed as Cinema and Animated Images Law (*Code du cinema et de l'image animée*); Architecture Deontological Law (*Code de déontologie des architectes*); Education Law (*Code de l'éducation*); General Law of the Territorial Communities (*Code général des collectivités territoriales*); Intellectual Property Law (*Code de la propriété intellectuelle*); Research Law (*Code de la recherche*); Social Security Law (*Code de la sécurité sociale*); and Labour Law (*Code du travail*)' (Perrin *et al*., 2015: 68, 70).

The Law is partitioned into seven thematic books (book II to VI) and crosscutting books (books I and VII):

- ‘book I: regular legal arrangements for the entire sector
- book II: archives, distinctive services and abilities for public archives
- book III: libraries
- book IV: museums, notably, definition of the statute *‘Musée de France’*
- book V: archaeology, creation, statutes and duties of the National Institute for Preventive Archaeology (*Institut National de Recherches Archéologiques Préventives*) creation and mechanism of the National Council for Archaeological Research
- book VI: historical monuments, conserved areas and sites. Historical monuments can be protected in two levels: classification (classé) or registration (inscrit). The highest level of conservation is the classification (*classement*).
- book VII: particular provisions for overseas territories’ (Perrin *et al.,* 2015: 70).

Besides, there is a particular plan: the General Inventory of Cultural Heritage (Inventaire Général du Patrimoine Culturel), which is responsible for the inventory, study and advancement of the heritage components with a cultural, historical or scientific intrigue. A listed element does not deliberately turn into a historical monument. Made in 1964, this body was dynamically declined to the regions from 2004 onwards, despite the fact that the state holds power for the coordination and control of the inventory implementations (Perrin *et al.,* 2015: 70):

- Article 95 of the law no. 2004-809 of 13 August 2004 related to local powers and responsibilities
- Decree no. 2007-20 of 4 January 2007 that indicates the definitive transfer procedure of the regional units of the General Inventory of Cultural Heritage to the regional councils
- Administrative order (*arrêté*) of 17 February 2009 on the technical and scientific norms and standards for managing the general inventory of cultural heritage.

Historic Development

Actions of conserving and damaging monumental structures were interwoven concepts in both the Empire and the French Revolution periods. Laws dated 1887 and 1913 include important steps for the protection of monuments. These laws are the foundation of the positive developments on the conservation of the urban and natural environments. With increased use of the automobile and elevated level of domestic tourism, the concept of protection of the natural environment started to be discussed. The law dated 1913 was amended in 1943 and became a requirement to protect the surroundings of a monument within a 500 m. radius in order to control structures which might cause negative consequences in the area. As a result, the power to make decisions on height, form, façade and silhouette of structures in 500 m. radius around the monument was given to the *'Architectes des Bâtiments de France-ABF'*. Advances in construction technology and the profitability of investment in the 1960s led to the building of large-scaled structures and the establishment of modern neighborhoods. These changes which affected the entire urban structure brought about integral approaches to architectural heritage (Okyay, 2001:25).

Before the Malraux Law

The interest of the state in the protection of monuments in France officially dates back to the 16th century. In 1533, King François I ordered the protection of some monumental structures after his visit to Nimes, this attitude encouraged some governors, and in 1548, a circular was issued for the conservation of all monuments in the city in Montmoroney. The protection of monuments was also monitored by private collectors as well as by the state bureaucracy at the beginning of the 18th century and collectors filed complaints about demolitions and lack of documentation before demolitions to the State Secretariat. Although the French Revolution initially led to the demolition and plundering of structures from the period of the monarchy, some intellectuals tried to reverse this tendency. Steps started to be taken for the conservation of cultural assets with two decrees issued in 1791. Furthermore, in 1884,

important art pieces were brought together and the Museum of French Monuments (*Le Musée des Monuments Français*) was established (Okyay, 2001:35).

The Malraux Law

The Malraux Law is actually a revision of the decree on Conservation of Aesthetical, Historical and Architectural Heritage of France which had already been in effect until that time. Since the date it was issued, this law has been elaborated with bylaws, statutory decrees, circulars and directives, regulations and guidelines etc. with its basic content remaining the same. The Malraux Law aims to ensure that historical structures of conurbations remain compliant with their intrinsic identities; automobile and pedestrian accesses are balanced, incompatible structures are avoided, façade and mass regulations are compliant, restitution of façades which have lost their authenticity and all activities in protected areas are managed in a way to encourage conservation. With this law, the concept of conservation areas (*secteurs sauvegardés*) which had been ambiguous until then, became legalized. After the Malraux Law, 400 settlement areas were listed and priorities were identified. In the first 5 years, a conservation plan was drafted in 35 cities and shortcomings were reviewed in this process. The number of urban conservation plans exceeded 95 by 2000 (Okyay, 2001: 30, 46).

One of the significant changes after advent of the Malraux Law in 1964 was the momentum given to planning and the establishment of, and involvement in conservation of many civil and official organizations. One of them is The National Agency for Housing Improvement (*Agence Nationale pour L'Amélioration de l'Habitat-ANAH*). This is an organization offering technical assistance, counseling and credit to the property owner within the scope of specific agreements. ANAH reimburses 25-80% of gentrification expenses without repayment, and requires the residence to be leased for 8 or 10 years. Here, the state can retrieve about 80% of this credit from such a small rate of surcharge as 3.5% added on to the lease while offering nonrefundable credits and exemption from taxation on construction work (Okyay, 2001: 28).

Another example of civil organizations established after the Malraux Law is PACT-ARIM. These organizations operating as a confederation, offer consultancy to municipalities and other civil society organizations and work with many specialists in planning, restoration, landscaping and education. A further important civil organization model is the Urban Land Association (*Association Foncière Urbaine-AFU*) which systematically facilitates land ownership consolidation and rearrangement works in the construction process (Okyay, 2001: 28).

3.2.3.3 Description of the Administrative Structure

In 2010, the organization chart of the Ministry was rearranged within the scope of the national program for revision of public policies. The ministry is comprised of a secretariat and three general directorates (Figure 3.18).

- **General Secretariat** which helps the Minister in all the general administrative issues and facilitates crosscutting cultural approaches
- **General Directorate of Heritage** constituted from the previous Directorate of Museums (DMF), the Directorate of Architecture and Heritage (DAPA) and the Directorate of Archives (DAF)
- **General Directorate of Artistic Creativity** which brings together the previous Directorate of Music, Dance, Theater and Performing Arts (DMDTS) and Visual Arts Division (DAP)
- **General Directorate of Media and Cultural Industries** organizes and assesses state strategy concerning media pluralism and cultural economy (promoting, broadcasting, music and publishing industry), and all the services of digital communication to the public (Perrin *et al*., 2015: 13).

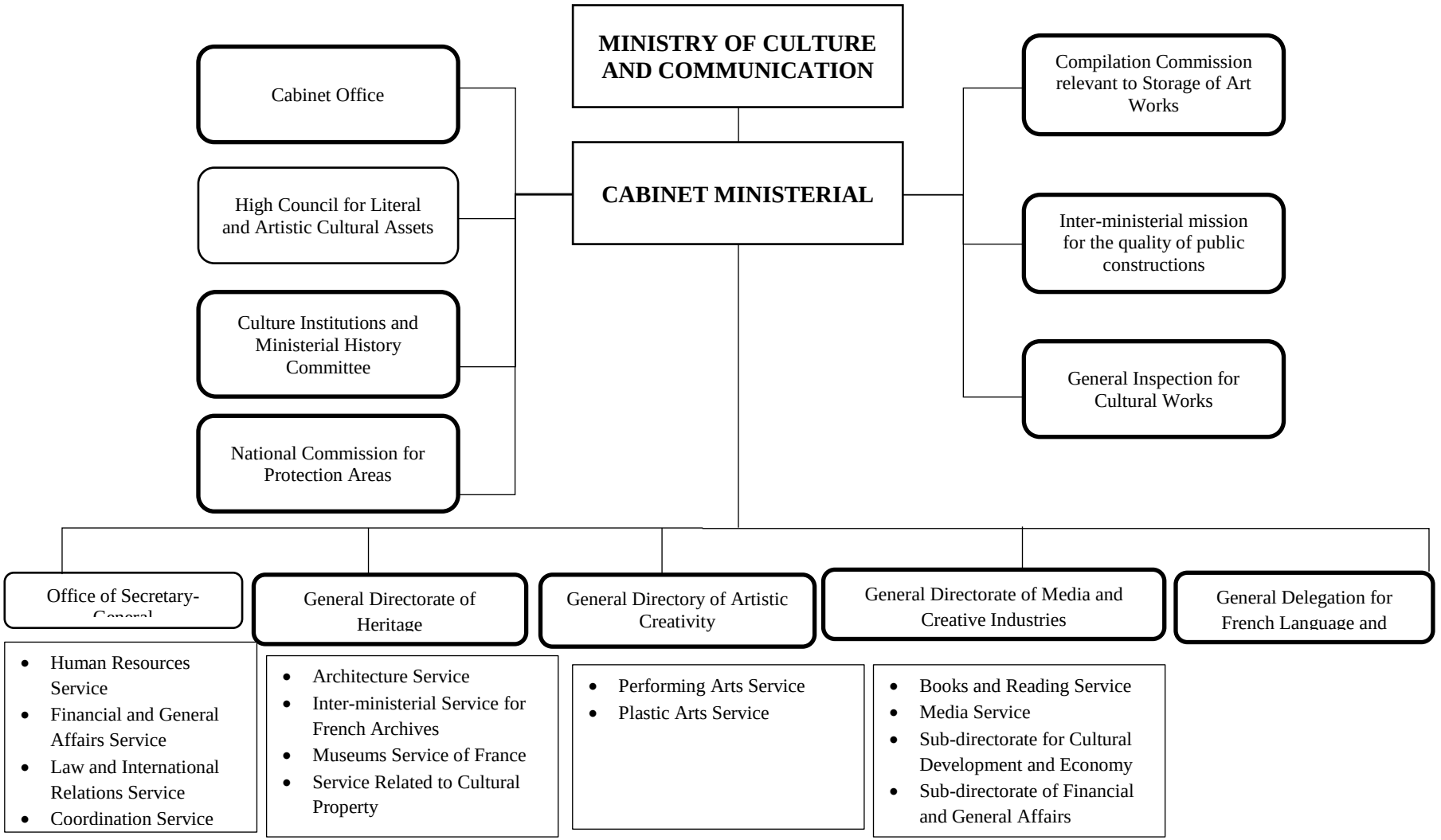


Figure 3.18 The Organization Scheme of Ministry of Culture and Communication (Adapted from URL 72)

Administrative System Definition

The first article of the Constitution sets forth that 'France shall be an indivisible, secular, democratic and social Republic. It shall be organized on a decentralized basis' (Perrin *et al.*, 2015: 14). The French Republic is a unitary state with a semi presidential administration system and a long democratic history. The state administration has two wings in France: The French President and the Government. The government is led by a prime minister appointed by the president. The French Parliament is bicameral legislative organ: The French National Assembly (*Assemblée Nationale*) and the Senate (*Sénat*). The legislative power of the Senate is limited: In the case of a conflict between the senate and the national assembly, the final word belongs to the National Assembly. The government has an important influence on determining the agenda of the assembly. The national assembly and the senate gather at the Versailles and create the French Parliament (URL 68).

France is made of different types of autonomous structures with elected councils and administrations (Figure 3.19). They are regions (regional councils), counties (*départements* / general councils) and cities (*communes* / municipal councils). Each of them is an autonomous structure. The Local Self-Government Law of France defines the limits of authority of each council. These authorities establish their own cultural management plans and priorities and are the first partners of the autonomous part DRAC of the Ministry. Moreover, they create organizations and institutions to implement cultural policy and practices. In 1960, a number of communes established an association to create the National Federation of Territorial Authorities for Culture (*Fédération Nationale des Collectivités Territoriales pour la Culture- FNCC*). This association has 450 regional authorities today. In France, the centralized state and devolved administrations manage cultural policies within a cooperation framework and agreement based inter-enterprise system (Perrin *et al.*, 2015:14).

Ministry of Culture and Communication

The Ministry of Culture and Communication aims at making a number of cultural assets accessible to the people and France. In this respect:

- It executes a policy of preservation and conservation of and adding value to cultural property in all its dimensions and encourages actions for development of artistic practices and disciplines.
- Establishes cooperation with other ministries and contributes to the artistic and cultural development of children and young adults during the education process.
- Encourages cultural initiatives at the local level, develops relations between the cultural policies of the state and of the local administrations and defines and implements the government policy in the field of decentralization.
- Follows development of cultural industries and contributes to spreading new technologies.
- Defines, coordinates and develops the government policy on performing arts and plastic arts.
- Contributes to cultural events outside France and events organized by French cultural organizations in foreign countries.
- In compliance with the constitutional regulations, offers guardianship to public institutions within the limits of its own authority (URL 72).

General Directorate of Heritage

The General Directorate of Heritage was created on 13.01.2010 based on the French Museum Directorates, French Archives and the Directorate of Architecture and Cultural Property, is one of the four main legal entities of the Ministry of Culture and Communication along with the General Secretariat, General Directorate of Artistic Creativity and General Directorate of Media and Cultural Industries today (URL 74; URL 75).

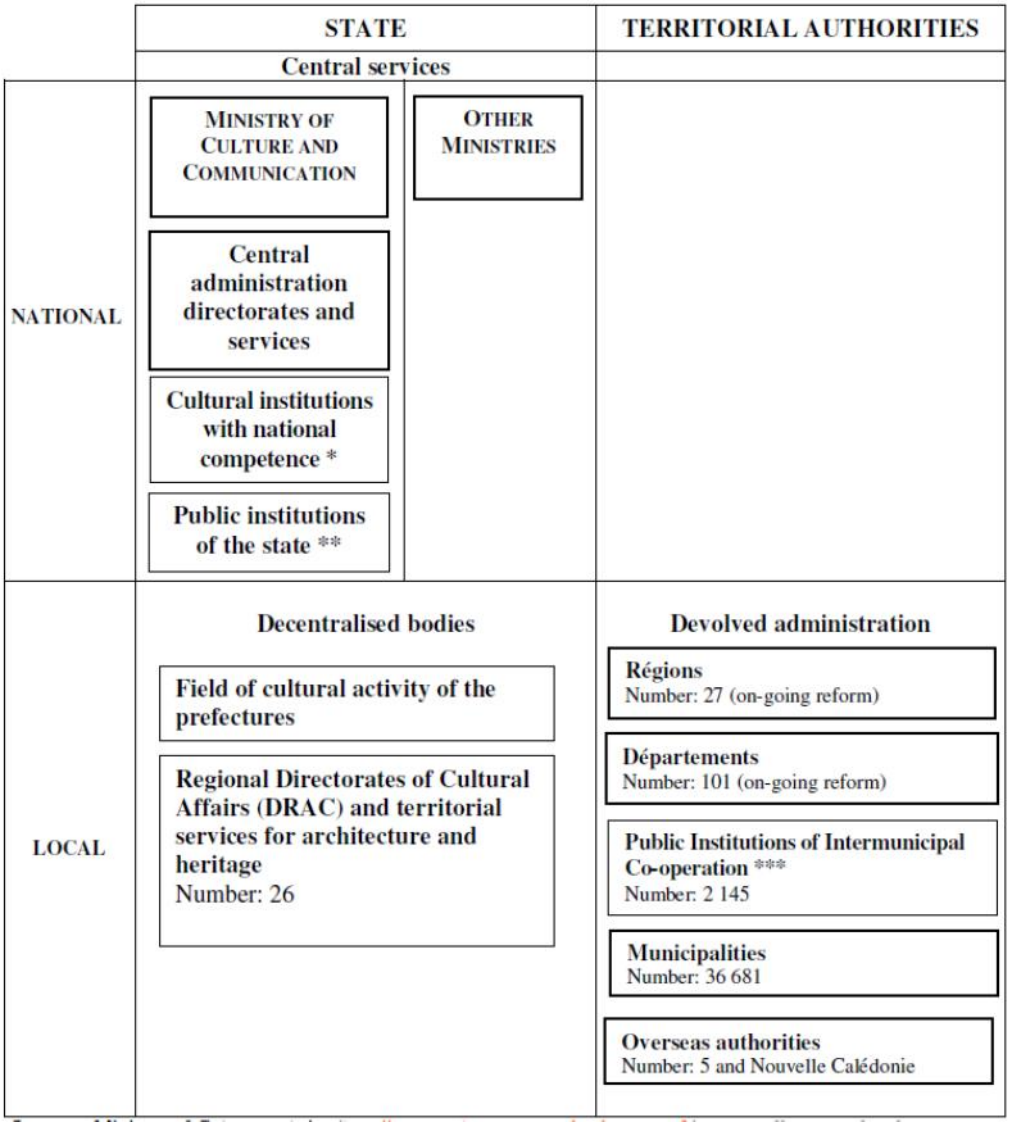


Figure 3.19- Administrational Chart (URL 73)

The establishment of the General Directorate of Heritage as a fundamental components of the reorganization of the central administration of the Ministry of Culture and Communication defined within the framework of the modernization policy initiated in 2007 under the general revision of public policies. Through this reorganization, the aim has been to not only simplify the structure of the ministry and to optimize operation of the services but also to have a strengthened organization for the efficient implementation of public policies in various areas of expertise including architecture, archives, museums, monumental and archeological cultural heritage (URL 74).

Purpose, Functions and Organization of the General Directorate of Heritage

Bringing architectural, monumental and archeological heritage, archives and museums together within the body of the same General Directorate is an innovative approach. It aims at creating and implementing a global public policy on cultural assets and architecture through the utilization of performance tools (URL 72).Its purposes include:

- to develop a dynamic policy on cultural property in the form of diversifying its professions and missions by bringing various professions together
- to offer a more efficient ministry function in the first place by mutually sharing authority and purposes
- to respond to the consequences, including the effects of the digital revolution, of creating cultural property funds, circulation of cultural assets within the scope of regulation on a network basis, changes in national policies, sustainable development, conservation of cultural property and developing connections in architectural quality and other associated problems by developing shared operating methods and identifying common problems in all the operations, conservation, distribution of, and adding value to cultural property
- to make clear the mission of each service within the body of the General Directorate, to create a regulation which would make the limits of areas of intervention as transparent by defining common connected functions and priority tendencies of each profession

- to adapt its own administrative structure to the evolution of public administration, to define the architectural and cultural property policy most appropriate to the national territory
- to ensure at the national level that its own strategic and scientific role is understood and approved within the body of organizations operating under the auspices of the ministry at the national level (public organizations, national competency services, cultural affairs regional directorates, regional services of architectural and cultural property or archives, regional inventory services, conservation of antiquities and art works)
- to adopt an approach to cooperation between the General Directorate of Heritage and ministries, to bring all the relevant stakeholders together in order to add value to the cultural assets of France (URL 74).

The General Directorate of Heritage is one of the important divisions of the Ministry of Culture and Communication and also has an important function to perform between the ministries in specific activities (e.g. archives). The resolution of problems by the General Directorate is achieved by close cooperation with the Ministries in charge of Energy, Ecology, Sustainable Development and Maritime Affairs, Urban Planning and Construction Policies, the Ministry of Higher Education and Research, the National Architectural Higher Education Institutions Network, the National Art History Institute and the National Preventive Archeological Research Institute, or the Ministry of European Affairs which shares guardianship of the culture of France and organizes archeological excavations abroad. The General Directorate of Heritage has a primary mission of conserving the art works of the past and today and conveying them to further generations. It encourages architectural creativity and monitors promotional activities on architectural and landscape quality in natural and manmade areas. For the cultural property protected under the law about the cultural property and urban planning, it aims at ensuring optimal conditions for studying, conserving and adding value to monuments, gardens, archeological and intangible cultural assets, museographical collections, public archives etc. Its main tasks are (URL 74):

1. The mission of fostering best practice in a contemporary manner within the scope of a diversified cultural asset service
2. A regulatory control and strengthened technique
3. A policy of adding value to all artistic assets in a way that is transparent and open to the public
4. Creativity and architectural quality in order to increase the attraction of the region.
5. A decentralized network and operators under the directorate, strong sponsorship for an effective management of heritage policies.

The functions of the General Directorate of Heritage regarding the quality of the profession of architecture are also important. Within the scope of qualitative administration of territories, the General Directorate of Heritage is committed to encouraging architectural creativity and increasing architectural quality in built up regions or regions with their urban planning completed (whether under conservation or not due to their historical, aesthetical or cultural significance). The General Directorate of Heritage monitors legal regulations on public tendering and the profession of architecture (the law on architecture dated 3 January 1977). It offers sponsorship to the Association of Architects and implements statistical monitoring for the profession which accompanies economic changes. The Directorate is also responsible for spreading architectural culture and ensures coordination of actions of the main stakeholders in this network: decentralized services (regional services for architectural and cultural property) and public organizations (regional or national architecture higher education institutions on architecture and cultural property). It contributes to innovative approaches in the discipline of architecture by providing recruitment and continuous training and research for architects and acting as the core center of twenty national architecture higher education organizations (URL74).

The General Directorate of Heritage is comprised of four services: Architecture Service, Inter-ministerial Service for French Archives, Museums Service of France, Service related to Cultural Property. Additionally, there is the Supervision of Cultural Property, seven interconnected departments and the mission of photography (URL 74).

Architecture Service

The Department of Architecture is responsible for the architectural publications, the landscape and the habitat, teaching and research. It develops the policy on the architectural quality of urban spaces and landscape, develops the provisions relating to the practice of the architectural profession and contributes to the quality of the operations (URL 74).

Inter-ministerial Service for French Archives

It designs and controls policies for collecting archives and accessing archives. This service creates the normative, legislative and legal framework based on archives and monitors compliance. It ensures coordination of archives across the country (URL10).

Museums Service of France

This is responsible for the management of museum collections (procurement, restoration, movement of art pieces, inventory, digital broadcasting), museography (buildings and equipment). In addition to preservation, examination and enhancement of public collections, this service promotes scientific and technical aspect of their management and manages the network of museums (territorial and national museums) in France (URL 75).

Service related to Cultural Property

The Service related to Cultural Property is responsible for conservation, preservation, maintenance and restoration of monuments, adding archeological and ethnological value and policies for protected areas (URL74).

- It provides an engineering duty for interventions on the cultural property and contributes to actions of stakeholders in charge of private professional networks, historical monuments and protected areas.

- As the privileged respondent to regional and local authorities within the scope of inventory operations, it compiles the general inventory of cultural property on behalf of the state.

It also includes the sub directorates for historical artifacts and protected areas and the general inventory for archeology and cultural property (URL 74).

Supervision of Cultural Property Service

The Supervision of Cultural Property service monitors the compliance with legislation and regulations and offers consultancy and expertise on a continuous basis within the General Directorate, and when necessary, within the institution of decentralized services, organizations under control of the state and enterprises under supervision. This service contributes to the implementation of scientific and technical control by the state through six boards (archeology, architecture and protected areas, archives, general inventory of cultural property, historical monuments, and museums. The seven departments subordinate to the General Directorate of Heritage are: Project Management, Security and Safety Department, Scientific and Technical Formation Department, Public Policies Department, Pilotage Department relevant to Research and Scientific Policies, Information Systems Department relevant to Cultural Property, Europe and International Relations Department, Communication Department (URL 74).

The roles of these departments are:

• **Project Management, Security and Safety Department:** This offers consultancy and assistance service for safety, security and accessibility of areas and buildings within the units of the central administration, decentralized services, national compliance services and operators under supervision. This department also offers expertise on feasibility conditions and funding of construction projects in services in charge of programming and operations within the body of the General Directorate (URL 74).

- **Scientific and Technical Formation Department:** This department is responsible for suggesting, coordinating and promoting a professional training program to cover all personnel within the units of the General Directorate (centralized and decentralized services, national compliance services, services under supervisions and organizations subject to state control). Training can also be offered to personnel outside the Ministry and internships organized for expatriate professionals (URL 74).

- **The Department of Public Policy:** It ensures the development of cultural practices, educational and pedagogical action directed at the public. It also ensures the improvement of the conditions of information, reception and comfort of the public and contributes to the consistency and direction of tariff policies. It works to put in place cultural development policies applied to arts education, specific audiences and training in mediation professions. It participates in the policy of scientific and cultural diffusion and coordinates the policy of cultural valorization (URL 74).

- **Management Department relevant to Research and Scientific Policies:** The department manages and coordinates national research and the publication of the results for archeology projects, archives, ethnology, intangible values, cultural assets on architecture and furniture, museums, historical monuments and protected areas. It ensures the coordination of partners and research programs as well as the implementation of the agreement with UNESCO for the protection of intangible cultural value (URL74).

- **Information Systems Department relevant to Cultural Property:** This department provides coordination of information systems, practices of national cultural assets and project management of specific applications to the authorities of the General Directorate. It also offers expertise service in documentary engineering and numbering (URL 74).

- **The Department of European and International Affairs:** It proposes, coordinates and implements with the departments, concerned with the European and international projects of the Directorate General and promotes the influence of France

in architecture and heritage. Sensitive to the construction of Europe's heritage and intercultural dialogue, it promotes the development of the European dimension within the framework of cultural policies carried out by management. In this perspective, it collaborates with the European Union, the Council of Europe, UNESCO and the competent institutions. It also supports international professional associations in the field of heritage and architecture (URL 74).

- **Communication Department:** This department recommends, coordinates and implements communication activities for the cultural policy executed by the General Directorate. It also organizes national promotions for architecture, cultural property and museographical collections, the European Cultural Property Days or the Museums Night. In parallel, it communicates with the press and encourages voluntary actions for adding value to the actions executed by the General Directorate by establishing various partnerships (URL 74).

Definitions

Historical Monument

In France, a historical monument is a structure with a legal status for conservation depending on its historical, architectural, artistic, technical or scientific value (URL 72). There are two levels of conservation: A ‘classified’ structure is significant at the national level, and a ‘registered’ structure has its importance in terms of being ‘regional’ (as stated in the ‘additional inventory of historical monuments’ until 2005). The conservation decision includes both the indoor and outdoor parts of the building under protection and its surroundings, when the whole building is not covered by protection (URL 77).

Both types of conservation can be applied to movable objects such as pieces of furniture which have historical, artistic, technical qualities. For a long time subject to the provisions of the Act of 31 December 1913, classification and registration are now governed by Title II of Book VI of the Heritage Code and may take 15 to 18 months

(legislative and regulatory part). As of 2012, according to Mérimée base, there are 44,236 historical artifacts (2013 Open-data list) and about 260,000 pieces of furniture with conservation status in France[42]. This database is updated periodically (URL 76).

General Inventory

General inventory was established by André Malraux in 1964 and is defined under the General Inventory of Cultural Property in Article 95 of Law no. 2004/809 and dated 13.08.2004. The field of research defined within the scope of general inventory covers all tangible heritage (architecture and urban planning, public or private objects and furniture) over a period from the 5th century to 30 years before the date of the inventory. The inventory is a field work which monitors, analyzes and defines in-situ pieces based on archives and current bibliography. It is a documentary work which does not cause any legal or regulatory limitation. It aims at ensuring that the results can be compared, reviewed and used by everyone, shaped according to the norms enabling decisions be made together on the future of a common cultural heritage. Both regional administrations and the central government have responsibilities in arranging the general inventory) (URL 75).

The inventory of the intangible cultural heritage in France is recorded and updated by the Ministry of Culture and Communication (General Directorate of Heritage). The inscription on the inventory is carried out mainly through surveys provided with the participation of the communities in partnership with research organizations and cultural associations. Registration can also be requested directly by the communities. The application for registration is submitted to the Intangible Cultural Heritage Committee for consideration (URL 75).

[42] The Mérimée database is a database on the French architectural heritage. It was created in 1978 and was put online in 19951 by the Ministry of Culture and Communication, Direction of Architecture and Heritage. The name refers to the writer Prosper Mérimée, who was also inspector general of historical monuments (URL 77).

Conservation Areas (*Secteurs Sauvegardés*)

The Malraux Law defines Conservation Areas (*Secteurs Sauvegardés*) as follows:

All structures or natural areas possessing a historical and aesthetic character on which restoration and other works can be rendered partially or completely are conservation areas. Identification and formation of conservation areas is provided:

1- upon approval by the Ministry of Culture and Communication or the Ministry of Public Works and Settlement or recommendation of the administrative organizations of the area,
2- Otherwise, upon the decision of the State Council (Okyay, 2001: 47).

Creating a conservation area comes under the responsibility of the state subject to approval by the local government and the opinion of the National Commission of Protected Areas. The conservation decision requires a detailed examination (architectural and cultural heritage analysis for the building including the interior parts) and an accurate report with a plan. This is called the '*Plan de sauvegardé et de mise en valeur'*-PSMV. The state is the manager of the project and conducts at least 50% of operations. About 120 cities in France benefit from this measure. These cities face problems in terms of conservation and adaptation of the urban heritage, adding value (accessibility, quality, comfort, energy performances etc.) and mediation (creating awareness in property owners, tradesmen and public etc.).

The protection areas of architectural heritage, urban and landscape (*Les zones de protection du patrimoine architecturale, urbaine et paysager* –ZPPAUP) and a development area of architecture and heritage (*Une aire de mise en valeur de l'architecture et du patrimoine* – AVAP)

The ZPPAUP (protection zone for the architectural, urban and landscape heritage) was created by the decentralization laws of 1979. They aim at defining, in agreement between the State and local authorities, the management methods of an urban heritage.

Law 2010.788, known as the Grenelle Law of 12 July 2010 in Articles 28-31, defined the architectural and heritage enhancement areas (AVAP) replacing the ZPPAUP on July 14, 2015 (Decree, 19 December 2011 and Articles L642.1 to 8.) Currently, all ZPPAUPs were converted to AVAP (URL 78).

The architecture department of the DRAC has a budget dedicated to the financing of ZPPAUP studies. Municipalities that engage in this process have the option to apply for state assistance, which may be as much as 50% of the cost of the study. The progress of studies is monitored by the Department of Architecture and Heritage concerned. Once the study has been completed and before the public inquiry, the architecture department examines the files in the Regional Commission for Heritage and Sites (CRPS) in order to validate the protection approach and allow the municipality to proceed with the creation of the AVAP. An AVAP does not replace a local planning plan (PLU, which manages the 'soil law') and it is recommended to jointly develop a communal map or a PLU. In France, there were about 600 ZPPAUPs in 2010 and as much under study (URL 74; URL 78).

Identification of Conservation Areas

An urban area is taken under conservation upon an application of the municipal council of the city to the division at the Ministry of Culture and Communication (*La Commission Nationale des Secteurs sauvegardés*). Municipalities do not have the authority to make or order conservation plans at their own discretion. There are two reasons for applications at the ministry level:

1- to follow certain principles and conservation strategies at the national level, to ensure specialization and achieve systematic approaches
2- to use the authority of the central government as large part of expenses during project and implementation processes are paid from the state budget (Okyay, 2001: 51).

The boundaries of the conservation area are defined by the municipality. Municipalities have to go through many preparation stages for such actions including creating a favorable public opinion about the benefits of conservation, resolving disputes, anticipating possible problems with social details before protection (Okyay, 2001: 51).

Preparation of the Conservation Plan

Formation of the conservation area and definition of limits:

- Decision of the municipal council
- Reviewing and commenting on the decision of the municipal council at the National Commission for Conservation Areas

Approval of formation and limits of the conservation area by the State Ministry of Architecture and Urban Planning:

- Appointment of an officially recognized expert architect/urban planner and their team by the municipality, with the approval of the governor
- Submission of preliminary work and the recommended conservation plan to the local commission in the city (the commission includes the project owner, the *Direction Départementale de l'équipement-DDE,* the *Direction Régionale de l'Environnement*-DIREN and ABF)
- Submission of the plan and its annexes by the governor to the NGOs that were absent in the commission for consultation and requesting their views as a report
- Discussion and approval of the plan by the municipal council
- Examination and approval of the recommended conservation area by the National Commission for Conservation Areas (*Commission Nationale des Secteurs Sauvegardés* –CNSS) (First examination)
- Presentation of the conservation plan and its annexes to the public and receiving opinions and/or objections.

Publication of the conservation plan upon the decision of the Governorate to form a document basis for legal objections:

- Objections are examined and answered by the local commission
- Reassembly, discussion and decision of the municipal council
- Examination and approval of the plan and annexes by CNSS (Second examination)

Approval of the Conservation Plan by the State Council and publication in the Official Gazette:

- The plan is revised according to the objections and/or recommendations if necessary. After approval letters from the State Ministry of Architecture and Urban Planning and Ministry of Internal Affairs, the plan is officially issued with the decision of the State Council and it is published in the Official Gazette (Okyay, 2001: 53-55).

Stakeholders

The National Commission for Conservation Areas

The National Commission for Conservation Areas was established by the executive order dated 13.07.1963 of the Ministry of Culture and Communication. It comprises of fifteen members, including the chairperson. No professional qualification is defined for the chairman and six members. The other eight members are state officials, commission members are appointed for three years. Regarding the distribution of the state officers of the commission in 2001, two of the state officials were from the Ministry of Culture and Communication, two from the Ministry of Public Works and Housing and other members from the Ministry of Internal Affairs, the Ministry of Finance, the state ministries in charge of Regional Planning and Tourism (Okyay, 2001:54).[43]

[43]According to the appointment in 2012, 5 mayors, including the chairperson, (the chairperson was the Alpes-Maritimes Senator and Grasse Mayor), 1 urban planning committee vice president, 1 Supervision

Architects of the Buildings in France (ABF)

ABF, appointed through a competition organized by the state, operate within the body of the DRAC. The role of the ABF is territorially based and there are at least two architects for each territory (URL 76).

The ABF have a dual function:

- to ensure implementation of the legislation for architecture, urban planning, historical monuments and sites (approval by the ABF is required for construction projects around historical monuments)
- to supervise project management, execution of maintenance works for buildings classified as historical monuments when under the responsibility of the Ministry of Culture and Communication, and overseeing operations for buildings registered in the additional inventory of historical monuments when the property owners or attorneys receive subsidies from the state. All these activities fall within the remit of the ABF. In addition, ABF is also responsible for the maintenance of the historical monuments of the state (URL 76).

Chief Architects of Historical Monuments (*Les Architectes en Chef des Monuments Historiques* [ACMH])

These are the project managers in charge of the execution of the restoration works of state monuments and serve as officials who offer consultancy and expertise within the body of the DRAC in the name of the regions they are responsible for. They are highly qualified and are employed after competitive examinations; they have the necessary capabilities to implement project management functions for classified monuments. On the other hand, they also carry out project management supervision for private property

of Monuments Service Chief, 1 inspector, 1 General Secretary of the Environment and Monuments Federation, 1 Continuous Development General Management Inspector, 1 architect-urban planner, 1 National Arts, History and Conservation Association Vice President, 1 Chaillot Architecture and Monument School Principal, 1 Chief of the Association of the Architects of Buildings in France and 1 National Residence and Development Federation President were the commission members (The Ministry Executive Order dated 06.12.2012).

owners or at the request of local authorities and public institutions, as independent professionals, without regional limitations since 2007 (URL 75).

Regional conservator of historical monuments

The regional conservator of historical monuments under the authority of DRAC is responsible for maintaining historical monuments at the regional level. The regional conservator of historical monuments is responsible for implementing the legislation on conservation of cultural property. He/she is also responsible for submitting the paperwork to be presented to the Regional Commission of Cultural Property and Conservation Areas (CRPS). The regional conservator of historical monuments coordinates monitoring of the conservation status of buildings. He/she prepares technical and financial projects for restoration of protected monuments. Finally, the conservator is responsible for monitoring and controlling the progress of restoration works on classified historical monuments executed by the Ministry of Culture and Communication (URL 76).

Conservator of historical monuments

The conservator of historical monuments contributes to all actions of conservation of the heritage conducted by regional conservation by being a scientific adviser and a high-level art historian.

- Initiates and coordinates research activities for the monuments listed as cultural heritage,
- Gives opinions on the protection documents on historic monuments listed as cultural heritage and routinely presents the project deliverables to the Regional Commission of Cultural Property and Archeological Sites (CRPS)
- Gives opinions on the studies and projects of restoration, and participates in the elaboration of the programming.

It also manages the network of conservators of antiquities and artifacts at the regional level and executes or contributes to restoration projects of the cultural heritage (URL 76).

Historical Monuments General Inspectorate

The General Inspectorate of Historical Monuments is divided into two components, frequently working together, according to their specificities:

- The Inspector General of Historical Monuments - Chief Architect
- The Inspector General of Historic Monuments – Conservator (Art Historian)

They render jointly, according to their respective competences, their opinions to the DRAC on the studies and projects of restoration of the monumental heritage, on the projects of programming of works, or any important subject requiring an in-depth expertise in the field of the heritage. They both control the implementation of the approved restoration work and may be entrusted by the Minister with any expert or advisory mission that is specific to them. The 'Inspector General of Historic Monuments –Chief Architect' reports to the Commission of works submitted to it, while the 'Inspector General of Historic Monuments – Conservator' issues an opinion on the plans for the classification of historical monuments submitted to the superior commission. It controls the scientific activity of curators of historical monuments and curators of antiques and works of art (URL 76).

Project manager

The project manager is the actual person or the legal entity that the project owner assigns the project to in order to manage the execution of the project. This can be a professional construction company such as an engineering consultancy, research and engineering company or a suitably competent individual. For historical monuments, when project management is provided by state services, or when the property owner benefits from financial aid provided by the state under the law dated 1913, the project

management of restoration works is assigned to the ACMH. On the same conditions, the management of maintenance works of historical monuments is provided by the ABF. For historical monuments, the function of the project manager is carried out by DRAC. When project management is executed by local administrations or individuals, state-appointed project managers are expected to fulfill the responsibilities under the law dated 1913 and to control the subsidies reserved for these works (URL 76).

Local Organization

The Regional Directorates of Cultural Affairs (*Les Directions Régionales des Affaires Culturelles* [DRAC])

DRAC operate under the authority of the regional prefects and include the regional heritage monuments (CRMH), the territorial departments of architecture and heritage (STAP) and the curators of antiques and artifacts (CAOA). The DRACs implement measures for the protection, conservation and monitoring of buildings and movable objects protected under the legislation on historic monuments (URL 75).

Regional Preservations of Historical Monuments (*Les Conservations Régionales des Monuments Historiques* [CRMH])

This constitutes the service in charge of historical monuments available in most of the Regional Directorates of Cultural Affairs. This service monitors implementation of regulations on historical monuments, manages the conservation policy (inventory, revision of conservation, programming of cultural heritage regional commissions and CRPS regions) and coordinates scientific and technical control of the state for all historical monuments. This service organizes monitoring of the conservation status of historical monuments and gives operating permits for classified buildings and furniture, construction licenses for registered buildings and necessary instructions for registered furniture. For historical monuments of the state, especially cathedrals, this service plans and manages operations on maintenance, repair and restoration. On the other hand, it plans state subsidies based on the conservation status and requests of

property owners. This service contributes to adding value to historical monuments through research, publications and exhibitions (URL 75).

Territorial departments of architecture and heritage (*Les services territoriaux de l'architecture et du patrimoine* [STAP])

The territorial services of architecture and heritage (STAP) include ABF staff. These services have an extensive expertise and advice for the implementation of the legislative provisions applicable to protected areas under the legislation on town planning, architecture and the environment. They are required to formulate opinions on authorization files for works and building permits in protected areas, architectural and heritage enhancement areas (AVAP, ZPPAUP), registered sites, listed sites and the surroundings of historical monuments. STAPs are consulted on the protection of immovable property under historic monuments and on operations relating to immovables inscribed and classified under the scientific and technical control of the State. The ABF staff are, in some cases, preservers of listed historical monuments belonging to the State, they direct the works of maintenance and repair (URL 75)

The Conservators of antiquities and art objects (*Les conservateurs des antiquités et des objets d'art* [CAOA])

CAOA, assisted by one or more delegated conservators, are in charge of the identification, preparation and animation of the departmental commission of movable objects (CDOM), the periodical proofing And contribute to conservation (programming and monitoring of interventions, prevention of theft) and the enhancement of movable heritage in historic monuments (excluding museums) (URL 75).

The multimedia library of architecture and heritage (*La médiathèque de l'architecture et du patrimoine* [MAP])

The multimedia library of architecture and heritage (MAP), a national service linked to the subdirectory of historic monuments and protected areas (heritage department), is responsible for gathering, creating an inventory, preserving and making available to the administration, public and professionals the documentary resources of architecture and heritage. The media library keeps documents related to buildings and movable objects from their date of protection as historic monuments. Documentary background includes archives, plans, photographs, books and periodicals (URL 75).

The Historical Monuments Research Laboratory (*Le laboratoire de recherche des monuments historiques* [LRMH])

The Historical Monuments Research Laboratory (LRMH), a national service under the Department of Historic Monuments and Protected Areas (Heritage Department), is responsible for carrying out scientific and technical studies and research on the conservation of buildings and objects protected as historic monuments. It studies building materials (concrete, wood, metal, paint, stone, textile, glass), alterations, implications as well as the preservation conditions of monuments and movable objects. It disseminates the results of its work as widely as possible (URL 75).

The European and International Affairs Department (Le Département des affaires européennes et internationales [DAEI])

According to Article 8, paragraph VI of the Decree of 17 November 2009 on the tasks and organization of the Directorate General of Heritages, the Department of European and International Affairs coordinates actions European and International Directorates-General in liaison with the General Secretariat. It promotes cultural diversity and intercultural dialogue, participates in the construction of the European heritage and promotes the influence of France in architectural and heritage matters. In this capacity, it monitors the implementation of technical and scientific conventions in the field of

architecture and heritage. To carry out its tasks it collaborates in particular with the European Union, the Council of Europe, UNESCO, ICCROM and other competent bodies. It relies, as necessary, on the technical expertise services and on the networks and partnerships set up by them, particularly regarding archives (URL 75).

Foundations

The foundations gained a special legal status at the end of the 1980s. These foundations which are intended to work in the public interest, are officially authorized to accept donations and legacies and enjoy a tax-exempt status. The number of public interest foundations is 593 in total as of 2010 and 72 of them are in the category of conservation of cultural assets, 107 in culture and 187 in culture and science. Some of them provide direct grants to conserved cultural heritage (e.g. in a campaign on regional sponsorship through the European Cultural Heritage Days).

Inter-ministerial or intergovernmental co-operation

Co-operation between the Ministry of Culture and Communication and Communication and other ministries

There are many ministries which contribute to public cultural development in addition to the Ministry of Culture and Communication and Communication (e.g. Ministry of Education and Research, Ministry of Health, Youth and Sports, Ministry of Foreign Affairs, Ministry of Agriculture, Ministry of Tourism). These ministries carry out many projects including national museums and monuments. These activities are based on various interministerial agreements and protocols. A special fund called '*Fonds d'intervention culturelle*' was established in 1970. This fund was established with the participation of different ministries, regional authorities and other organizations, and supports projects of an innovative and cross-institutional nature. This fund is the pioneer of joint interventions in today's French cultural policy model, especially at the local level (Perrin *et al.,* 2015**:**15).

Co-operation between the Ministry of Culture and Communication and territorial authorities

The Ministry of Culture and Communication and Communication controls and inspects certain cultural activities of local and regional authorities. It supports integrated, cooperative and jointly funded actions between national cultural policy, state and regional authorities. Other particular cooperative agreements and contracts between the Ministry of Culture and Communication and the local and territorial authorities involve (Perrin *et al.*, 2015: 16):

> - 'cultural development agreements – of the broadest scope – to support the definition and execution of local cultural projects
> - '*villes d'art'*and *'villes et pays d'art et d'histoire*' agreements that cover cultural tourism and the advance of heritage
> - agreements on the heritage inventory and ethnology of a specific place
> - '*ville-architecture'*, '*ville-lecture'* (books), '*ville-cinéma*' agreements that support cultural development in the related fields'

There are also large-scaled partnership and agreement frameworks such as state-region project agreements (*contrats de projets État-région*) or city agreements (*contrats de villes*) which include state departments, local and regional authorities. The state-regional project agreements define the priorities of the joint initiative for 7 years or a longer time and targets at economic, social and cultural development of the region. City agreements define an entire group of integrated initiatives and identify economic, social or urban problems to be resolved between different ministries or municipal councils. These projects are executed by a ministry in charge of urban planning with the help of an interministerial committee. Operational programs which organize distribution of the structural funds of the regional policy of the European Union create cooperation frameworks between the state and regional authorities and provide funding of cultural activities and projects. In this way, various state and sub state stakeholders establish structures which provide joint funding and support many cultural organizations, initiatives and activities (e.g. heritage restoration centers). These initiatives enjoy certain advantages from being connected to the state and/or a national network (Perrin *et al.*, 2015: 17).

Although partnership structures were initially established by the state, today the state is not a provider. Cooperation and agreement based partnerships have become widely acknowledged policy procedures. Since 1999, intersocietal cooperation and regional planning and development laws have led to the creation of the Cooperative Cultural Public Institution (*Établissements Publics de Coopération Intercommunale*- EPCI) called 'intercommunalities'. Regions, departments, communes and inter-communalities set up cooperative arrangements among themselves within the scope of various frameworks, tools and themes (for instance, territorial cultural projects in region Midi-Pyrénées (*projets culturels de territoire*), sustainable development contracts (*contrats de développement durable*) and 20th Century Memory programme (*Mémoire du XXe*) in the region Rhône-Alpes) (Perrin *et al.*, 2015: 17).

In 2002, with the creation of the Cooperative Cultural Public Institution (*Établissement public de coopération culturelle, EPCC*) status, a multi level cooperation and agreement based governance system characterizing public cultural policies in France became official. This status is important for funding and managing different regional authorities as well as state organs. About 40 EPCC, like cultural clearing houses, were created in 10 years. The National Committee between EPCCs was established in 2004, and in 2007, a special cooperation fund was created to form a new governance model for sharing good practices and cultural development (Perrin *et al.*, 2015: 17).

International cultural co-operation

France is the founding member and the host of the European Council. The activities of the council contribute to the cultural policy in France through the European Convention of Human Rights and other texts. The European and international scale for cultural policies is gaining in importance because of globalization. International cultural cooperation is within the operational field of the Ministry of Culture and Communication and the Ministry of Foreign Affairs. On the global scale, France actively participates in UNESCO activities. In addition, regional authorities are an important stakeholder of international cultural cooperation under the name of decentralized cooperation. They include city-twinning, cultural strands of cooperation

agreements, cross-border cultural cooperation in Europe, inter-territorial networks, action of the cultural agencies and bodies of the territorial authorities etc. (Perrin *et al.*, 2015: 18-20).

The European Framework

France has approved many agreements of the European Council in the cultural field. Among them are: the European Cultural Convention in 1955, the Convention for the Protection of Architectural Heritage of Europe in 1987, the European Convention on the Protection of the Archaeological Heritage (Revised) in 1995. Additionally, it attends the Steering Committee for Culture, Heritage and Landscape (CDCPP) European Cultural Routes, European Heritage Days, Intercultural Cities, the Open Method of Coordination and European Capital of Culture programs (Perrin *et al.*, 2015: 23).

Furthermore, the Ministry of Culture and Communication collaborates with professional and other worldwide associations, such as, the International Council of Museums (ICOM), the International Center for the Study of the Preservation and Restoration of Cultural Property (ICCROM) in the field of museums; the International Council on Monuments and Sites (ICOMOS) for heritage; the International Council of Archives (ICA), the International Union of Architects (IUA), the International Commission of Francophone Theater (CITF) etc. In the realm of heritage, several different systems or platforms exist, similar to the European Heritage Network (HEREIN), the European Heritage Heads Forum (EHHF), the European Heritage Legal Forum (EHLF), the Europae Archaeologiae Consilium (EAC), the Alliance of Cultural European Cities, or the European Forum for Architectural Policies, and so forth (Perrin *et al.*, 2015: 26, 36).

One of the programs that France participates in with public and private sector activities to improve European and international cultural cooperation is the European Heritage Label. This program was initiated by the European Commission in 2006 to symbolize the European ideal, integrity and history and to emphasize heritage areas. The label

highlights cultural monuments, natural and urban sites and commemorative sites on the European scale. The interactive promotion of the European sites which receive this label is realized through an intergovernmental initiative (Perrin *et al.,* 2015: 28).

Professional training and exchange schemes

The dynamism of French cultural policy and experience in cultural administration and management gives rise to significant demands for cooperation on expertise and education. The Ministry of Culture and Communication has created a specific facilitating and preparation program a long time ago for foreign culture specialists: training, work situations, workshops and gatherings in every area of culture. Since 1992, around 2,700 people have taken part in these program, which are run by the World Cultures Institute for the Ministry. With the organization called the Malraux Meetings, a platform was created for art management in France and sharing experience and recommendations in the cultural policy with other countries. Established in 1994, it is organized through Ministries of Culture and equivalent state departments and embassies. In addition, The National Institute of Heritage (*Institut national du patrimoine*- INP) organizes a series of European Heritage Meetings as an academy for professions and partnerships about heritage (Perrin *et al.,* 2015: 32-34).

The Chaillot School (*École de Chaillot*) established in 1887 operates as the education department of the National Establishment of Architecture and Heritage (*Cité de l'architecture et du patrimoine*). This school organizes training courses for architects (Perrin *et al.,* 2015: 34).

European regional authorities in border areas, cities, regions, provinces, intercommunalities, urban areas and conurbations, etc. create many networks and develop joint projects. These groups and organizations are generally called Euro regions and they can be classified in 3 main categories: 'Historic-heritage-dimension, Event-dimension, Networking-dimension' (Perrin et al., 2015: 36).

Historic heritage dimension, which refers to regular historical and heritage cultural aspects that can be other than the 'national' ones of the state (i.e. in the Basque Country, Catalonia, Savoy, Alsace and Lorraine, the Flemish North, County of Nice, etc.), is held by touring exhibitions and activities on the common heritage and history, advancement of local dialects and communities that are shared on both sides of the border (Perrin *et al.,* 2015: 36).

In 2007-2013, regional partnerships grew in priority among the regional policies of the European Union and their budget was increased. In 2010-2014, advanced cultural and regional events were organized within the scope of the EU programs (Perrin *et al*., 2015: 37).

3.2.3.4 Financial Issues

In France, heritage is the first sector in cultural participation. The interest of the society in heritage has been strengthened with the annual Heritage Days event since 1984. Since the 1980s, thousands of heritage groups have been working on conservation, preservation and encouragement of cultural heritage at the local level. These communities are also the partners of regional authorities. The heritage policy focuses on understanding of the process of constructing identity by creating opportunities to access information rather than being a time-constraint approach (Perrin *et al.,* 2015: 43).

In regard to the budget reserved for heritage, there are 4 main sections: archives, preventive archaeology, museums, built heritage and protected zones. The main purpose of the budget of 2013 was to renew the heritage law according to the recent changes in the sector to strengthen the legal conservation status of heritage. This issue is discussed by both local and regional stakeholders. Heritage policies have experienced the effects of digitalization, which has accelerated the distribution, publication and encouragement of both tangible and intangible components like antique scripts, maps, plans, paintings, drawings, films, stories and songs. More than 5 million components have been digitalized until now. Many studies have been

conducted to develop the digitalization process and digitalize and index its content (Perrin *et al.*, 2015: 43-44).

Tax Laws

There is not any general taxation legislation applicable to culture. However, there are many specific measures in different areas. Protection of cultural heritage in terms of taxation is one of 5 main headings[44] . The cultural asset shareholder benefits from special taxation programs (URL 76)

Regarding income tax, ownership expenses, operational costs, insurance, real estate taxes and credit interests for conserved areas can be exempt from tax up to 50% of the taxable income. This rate can reach 100% when the monument is open to public or for the remaining subsidized share under the responsibility of the property owner. If operations are for a part of an unclassified or unregistered building (except when this building generates revenue and is under protection) property expenses are not subject to discount. The cultural asset should have been maintained by the owner (individual or private real estate company) for at least 15 years. If it does not comply with this requirement, this causes an increase in the sales revenues of the monument in the year and the discount amounts realized for each of the upcoming two year periods. Operations undertaken for a classified cultural asset should certainly cover a restoration work but do not have to cover a reconstruction work (URL 76).

Considering the inheritance and transfer tax and donations, historical monuments can be exempt from the inheritance and transfer tax. However, this exemption is not automatic but subject to an agreement for an indefinite term which includes a commitment for conservation and opening to public, with the Ministers of Culture and Finance. Exemption from the inheritance tax is also applicable for real estate companies for corporate taxation (URL 76).

[44]The others are artistic and literary creation, promotion of culture, cinema, broadcasting and the music industry; andpress and publishing (Perrin *et al*., 2015: 65-66).

Considering the Solidarity Tax on the Asset *'L'impôt de solidarité sur la fortune'* –ISF, historical monuments are included in the tax base of the TFR. However, the tax administration is tolerant of the estimate of these historic dwellings because it must take into account the particular constraints on the owner due to protection and openness to the public (URL 76).

State financing

According to the official figure of the budget of 2015 (Table3.4), the total budget of the Ministry of Culture and Communication is 7 billion Euros.

- 2.7 billion EUR for culture and research
- billion EUR for media, cultural industries and public broadcasting.

The budget is distributed as follows (Perrin *et al.*, 2015: 75):

> - '753 million EUR for heritage
> - 6.274 billion EUR for others (book and cultural industries, the press, public broadcasting, knowledge transmission and democratization of culture, artistic creation, and cultural research and scientific culture).'

As indicated by the Finance Bill for 2015, direct public expenditure (Table 3.5; Table 3.6) for Culture and Communication (covering all ministries) refers to (Perrin *et al.*, 2015: 76):

> - '7.1 billion EUR for heritage, creation, knowledge transmission and democratisation of culture, press, books and cultural industries, audiovisual and radio diversity;
> - when adding the advance account for public broadcasting, the expenditure reaches 10.7 billion EUR; and
> - when adding to this sum the allocated taxes and fiscal expenditure, the state expenditure reaches 12.9 billion EUR in 2015, which is a stable total compared to 2013 and 2014.'

In this use:

> - ‘1,1 billion EUR are distributed for the assurance, protection and advancement of cultural heritage assets;
> - 1,9 billion EUR to others (artistic creation (musical show, theater, music, visual expressions); learning transmission and democratization of culture; the press; books and reading strategy, and cultural ventures; and support public television and radio)’

Table 3.4 Budget of the Ministry of Culture and Communication in million EUR, 2014 and 2015 (Perrin *et al.*, 2015: 79)

	Program	***2014 (open credits)***	**2015 (provisioned credits)**	**Evolution**
Culture	Creation	*746.27*	734.30	-1,60%
	Heritage	*745.45*	752.99	+ 1.01%
	Transmission	*431.13*	436.87	+ 1.33%
	Personnel	*657.62*	658.54	+ 0.14%
Total Culture		***2 580.48***	***2 582.70***	***+ 0.09%***
Cultural Research		*114.46*	117.14	+ 2.34%
Total Culture + Research		***2 694.94***	***2 699.84***	***+ 0.2%***
Total Media		***4 361.76***	***4379.88***	***+ 0.42%***
Total Ministry of Culture and Communication		***7 056.70***	**7 079.72**	**+ 0.33%**
Expenditure from the Fund for National Centre of Cinema (CNC)		***700.00***	**663.44**	**- 5.22%**

Table 3.5- Budget of the Ministry of Culture and Communication in million EUR, in 2015 (Perrin *et al.*, 2015: 80)

Culture and Cultural Research	**753**
Heritages	**753**
Monuments	328
Architecture	28
Museum	341
Archives	25
Linguistic heritage	3
Public collections	8
Archaeology	20
Others	6 326
GENERAL TOTAL	**7 079**
Budget without advance account to public broadcasting	3412.2

Table 3.6 Cultural institutions financed by public authorities in France (Perrin *et al.*, 2015: 84)

Domain	**Cultural institutions (subdomains)**	**Number (year)**
Cultural heritage	Cultural heritage sites	- 14 070 classified national heritage sites 'monuments historiques classés' (2012) - 28 938 registered national heritage sites (2012) - 119 483 classified movable objects (2011) - Around 100 national heritage sites, state property (2013) - 38 UNESCO World Heritage Sites (2013) - 163 sites labelled 'villes et pays d'art et d'histoire' (2011) - 373 distinguished gardens 'jardins remarquables' (2011) - 111 sites labelled 'maison des illustres / residence of renowned' (2011)
	Museums	- 1 220 Museums of France (2011)
	Archives (of public authorities)	- 3 sites of the National Archives and 11,401,254 digitized documents (2010) - 26 regional archives services (2010) - 101 departmental (county) archives services and 263,142 digitized documents (2010) - 1 National Institute of Broadcasting (audiovisual archives)
	Intangible heritage	- 11 practices and expressions registered on the UNESCO Lists of Intangible Cultural Heritage (1 'in need of urgent safeguarding')
Other		- 5 heritage academies: École du Louvre, École nationale des Chartes, National Institute of Heritage, École de Chaillot, National Academy of Information Sciences and Libraries. - around 300 artistic and cultural academic training courses in more than 50 universities: visual and applied arts, music and performing arts, cinema and audiovisual, arts management and administration, history of art, heritage and archaeology (2008).

Archaeological Heritage Management

As architectural cultural heritage, archaeological heritage management is part of the responsibility of the Ministry of Culture and Communication. The first law in France on archaeological heritage entered into force in 1945. At the outset, responsibility for this issue was assigned to the Ministry of Education and Research but it was transferred to the Ministry of Culture in 1959. The French system has wide ranging legal measures that are based on Valetta Convention in archaeology (URL 79).

Currently, the legal basis of archeological heritage and management is the book number 5 (Livre V), which is a part of the Heritage Law. Care was taken to make sure that the regulations on archaeology within the Heritage Law are in line with the Convention. In this way, efforts have been made to pursue balanced strategies in the putting under protection and development of archaeological sites as well as to increase awareness of both politicians and the public on the issue. Although there is no definition about archaeological site in the Heritage Law, article L510-1 of the mentioned law defines archaeological heritage as

> 'the remains and other traces of the existence of humanity constitute elements of the archaeological heritage, the protection and study of which, in particular through excavations or discoveries, make it possible to trace the development of the history of mankind and its relationship with the natural environment'.

This is a quite broad definition that goes beyond classical definitions of archaeological sites and covers all sorts of current studies in the field of modern archeology (URL 80).

There are Regional Archaeological Services (*Service Régional de l' Archéologie* - SRA), responsible for archaeology in regional level, under all DRACs. The service is responsible for archaeological works from both scientific and administrative aspects within the region. The team, consisting mainly of archaeologists, is responsible for assessing the impacts of planning and construction practices on archaeology, taking necessary measures in this regard and for archaeological excavations. Apart from

archaeologists, there are scientists, curators, research engineers, design engineers, assistant engineers and research technicians, documentalists and administrative staff in the team. Keeping inventory records, primarily of registered archaeological assets in the region, research, protection and determination of protection measures, (diagnostic, excavation or modification of the projects), allocation of grants to research archeology and management of archaeological heritage within the scope of technical and scientific control of excavations are among the responsibilities of SRA (URL 80).

Other public institutions working on archeology in addition to SRA are the National Scientific Research Center (*Center National de la Recherche Scientifique* - CNRS), Mixed Research Units (*Unités mixtes de recherché* - UMR), National Institutes of Preventive Archaeological Research (*Institut National de Recherches Archéologiques Préventives* - INRAP) and universities. CNRS is an institution established by archaeology researchers. They conduct fieldwork (excavations and surveys) in line with the scientific agenda determined by laboratory studies, and reviewed every four years. UMR carries out scientific studies within the scope of archaeological excavations. Its members are universities, CNRS, Ministry of Culture, INRAP and researchers who participate as the representatives from local authorities and who set the common research agenda. As of 2012, there were 34 UMR studies at a national level, 162 of which were continuing actively in the field. INRAP is the public institution responsible for conducting studies on the diagnostic and for carrying out archaeological interventions throughout France. The Universities are mainly responsible for education at the academic level; and there are also some schools carrying out archaeological studies in the field (URL 81).

Quality management on archeology has been organized at both the national and the regional levels. The National Council of French Archaeological Researches (*Conseil National de la Recherche Archéologique* – CNRA) consists of 31 experts, all of whom represent institutional components of the archeological heritage (the Ministry of Culture, CNRS, universities and local authorities). The CNRA identifies key trends for archaeological research, advises the minister on national policy, and evaluates operators who apply for accreditation as a provider of preventive archaeological

services. The Interregional Commissions for Archaeological Research (*Commissions Interrégionales de la Recherche Archéologique*-CIRA) are responsible for scientifically monitoring archaeological studies and their results at the regional level. In each of the seven CIRAs, eight experts from all institutional components (Ministry of Culture, CNRS, Universities, local governments) carry out archaeological studies ranging from the prehistoric to modern periods. They organize monthly meetings and evaluate the results of existing archaeological excavations. Inter-regional commissions assist SRA in supervising ongoing operations. Their comments and recommendations help to evaluate the quality of the work undertaken by the archaeologists responsible for the excavation and the units or companies accredited for preventive archeology (URL 81).

As far as the archaeological effects of development projects are concerned, The SRA receives planning applications within the scope of certain rules determined by the legislation (area, location) for the evaluation of the archaeological impacts. If a project is likely to have archaeological impacts, The SRA recommends an analysis to identify archeological heritage elements that are at risk of destruction. This first phase of archaeological interventions is financed by a tax paid by the investor according to the size of the project, even if it does not pose a threat to archaeological heritage. The analysis requested by the SRA is made by either INRAP or the archaeological units of the local authorities. At the end of the analysis, a technical and scientific report regarding the conclusions is prepared for the SRA; which may the recommend excavation by assessing the significance of the areas/zones discovered. This decision and the nature of the projected excavation are examined scientifically by CIRA. The excavations can be undertaken by INRAP, accredited archeological units of the local authorities, or accredited private companies. The investor company supports the cost of the excavations. The SRA controls the quality of work during analysis and excavations. After the excavations are completed, a scientific and technical report is prepared which is submitted to CIRA's assessment (URL 81).

As of June 2012, the archaeological studies of 90 operators were found to be sustainable and accredited by INRAP. 70 of them are archeological services of local

authorities and 20 of them are private companies. The archeological services of the local authorities (commun and departments) may be accredited for both archaeological analysis and excavation. Private companies, however, can only be accredited to excavate. SRAs receive approximately 35,000 planning applications per year and provide diagnostic decision for 2,500 to 2,800 of them. 500 to 550 of the diagnoses result in excavation (URL81; URL 82).

3.2.3.5 Interim Evaluation

In France, the ministry issues laws and the relevant legislation as part of its regulatory role and directly administers public funds required for cultural heritage. Contributions of regional authorities in this regard have also gradually increased and have reached about 50% of the total funding. The regional authorities have been working on the inventory of cultural heritage since 2004. Some authorities have also assumed responsibility for historical monuments. Regions maintain their authorities through DRACs. Central government and autonomous institutions have carried out cultural operations through devolved authorities, inter-institutional cooperation and agreements.

The law that has shaped cultural heritage management has been, to a great extent, the Malraux Law, which entered into force in 1964. The Malraux Law constitutes the legal basis of the concept of area scaled conservation. This law has also led up to the establishment of the ANAH organization, which is prominent in French practice. This organization plays an important role in the maintenance and preservation of historical housing stock, especially in the form of receiving consultancy services with state assistance and using credits. Similarly, the PACT-ARIM organizations give assistance to municipalities and NGOs on the issues of planning, restoration, environmental regulation, education, under the confederation framework.

The Supervision of Cultural Property Service, Scientific and Technical Formation Department, Public Policies Department and Pilotage Department relevant to Research and Scientific Policies are affiliated to the Directorate General of Heritage, which has

broad ranging functions in the field of cultural heritage management under the effective control of the central government in France. These departments set out strategic principles on the basic issues of cultural heritage management, such as the legal framework laid down by the central government, education and scientific research, and encourage territorial authorities to implement them. The Supervision of Cultural Property Service provides consultancy and expertise services in the implementation of legislation in all public and private institutions throughout France.

The Scientific and Technical Formation Department provides vocational training and internship assistance to all central and regional governmental institutions and, upon request, to private organizations and foreigners, as it also determines criteria for vocational competence within the public sector. The Public Policies Department sets out the strategies of public cultural education programs. The Pilotage Department relevant to Research and Scientific Policies coordinates the conduct of national surveys on tangible and intangible heritage and the publication of their results. All these specific departments ensure that strategically important protection policies in France, despite having a decentralized structure, are implemented consistently across the nation.

Despite a great deal of mandates delegated to regions, one of the significant practices in France is the approval of conservation areas at the national level by the National Commission of Protected Areas (*Commission Nationale des Secteurs Sauvegardes*). The members of the Commission are mayors, service and department officials from the Directorate General of Heritage in the Ministry of Culture and Communication, ABF chief, inspectors and the principal of the Chaillot Architecture and Monument School. This is an indication that cultural heritage management and protection, despite delegation of authority on specific issues, is recognized as one of the fundamental duties of the state in France. By means of this commission, decisions about conservation areas are made both under the state control and democratically with the participation of officials from regional authorities.

It is also noteworthy that the implementation of approved restoration projects across the country are controlled and reported by DRAC within the General Inspectorate of Historical Monuments. These inspectors, who can be directly appointed by the Minister as well, have the authority to give expert support by issuing their opinions on inventories, supervising scientific studies and scheduling as well as the implementation of restoration works.

'Deconcentration', in other words, the devolution of authority to local administrations, implemented after 1980s, became effective with the implementation of decentralization in 2004, and accordingly, policies about cultural heritage have been reviewed. In the wake of this process, municipalities have started to implement their own policies under the auspices of the Ministry of Culture and Communication. Since a great number of public actors provide service in the sector, the policies concerning cultural heritage management have been pursued by agreements and partnerships at various levels based on the principle of territorialized cooperative governance. Garnier (2006: 43-47) classified management styles and partnership types that can be implemented in cultural heritage management in France under eight headings:

a) Public Establishments for Intercommunal Cooperation (*Les Etablissements Publics de Coopération Intercommunale* - EPCI): Culture is not considered as a priority for these public establishments, which are cooperatives formed by municipalities. Depending on the number of citizens within the service area, an EPCI can be established as Intercommunal Trading Union, a Mixed Trading Union, a Community of Municipalities or an Urban Community. Although there are some examples of planning and environmental management, there have not been a lot of examples of cultural heritage management in practice. However, it is suggested for sites controlled by more than one administration.

b) The Public Establishment of Cultural Cooperation (*L'Etablissement Public de Coopération Culturelle* - EPCC): Cultural cooperation can be established by an EPCI to deliver a range of local administrational services or cultural services. Its legal basis is the law-dated 04.01.2002. The activities of an EPCC must be implemented by a

legal person and contribute to realizing national cultural policy. An EPCC constitutes a flexible but stable framework of administration so as to finance regional authorities and cultural facilities. Currently, the site of Pont du Gard is managed with an EPCC (URL 83).

c) Public Administrative Establishments (*Les Etablissements Publics Administratifs* – EPA): EPA is an establishment that enables making partnerships particularly on financial matters and centralization of management. These establishments subject to public law with regard to personnel and accounting. Although it is a rarely used approach, the Louvre, Versailles and Quai Branly Museums are managed in this way. The annual budget of the Quai Branly Museum is 43 million euros. The museum administration has outsourced the management of restaurants, cleaning, security systems, information operations and the bookshop through various contracts. With this type of administration, all the businesses activities are expected to be profitable. Even though large sections of service activities are outsourced in this type of administration, the state bears the duty of conservation; authenticity and maintenance of the collections are guaranteed in this regard.

d) Direct administration (*La Régie directe*): Direct administration is a widely used format in the field of culture. Organization and operations related to the activities are managed in the context of public services. Minor municipalities that want to maintain full control of public services prefer this approach. These are financially autonomous structures.

e) Special Administration (*La Régie personnalisée*): It has a quite autonomous structure. Allowing it, on the one hand, to remain within the scope of administrative law, while, on the other hand, it can sign various contracts with a number of partners. This administration also has a legal identity. This type of administration is becoming increasingly preferred in the field of culture.

f) The Association (*L'Association*): This is a frequently preferred type of administration due to its flexibility. Accounting and personnel administration are

subject to principles of private law. Its autonomous structure allows it to build various partnerships. With regard to museums, this structure can be organised for only one part of or the entire museum. Nevertheless, its autonomus structure may result in economic vulnerability. Subsidies for business depend on local authority decisions and this may pave the way for economic uncertainity.

g) The Society of Mixed Economy (*La Société d'Economie Mixte* - SEM): This is a system that brings one or more public legal entities together with one or more private persons to build a partnership. It is organized as a joint-stock company. It is a particular type of partnership in which more than 50% of the capital belongs to the public (state, municipality or another public institution). The private partner in this structure may also participate in another SEM. When a cultural project involves tourism-related and economic aspects, this type of administration is recommended for implementation. This structure has already been put into effect at the Society of Local Mixed Economy (*La Société d'Economie Mixte Locale*-SEML) in Avignon. The share of the local authority cannot exceed 85% in this system, which can also be described as public limited-liability company. Additionally, other structures in France that are considered SEM are (*Le palais des papes de Sorgues*) in Avignon and various tourism offices. (URL 84; URL 85)

h) The Public Service Delegation (*La Délégation de Service Public* - DSP): This is a system similar to the structure of SEML. It can be interpreted as the delegation of a public service. It can be a concession (concessionaire bears necessary investments for the progress of service) or leasing (necessary equipment for giving service).

In addition to the aforementioned management types, there are a series of unique management types, because the majority of cultural heritage in France belongs to private individuals. Family companies are the most frequent type of management. These families benefit from tax exemptions and subsidies. For instance, Chateaux Laugergues is directed by revenue earned by rents of various activities such as receptions, weddings and business meetings. Likewise, the Grevin Museum is also

managed in the same way. The museum, rented out for some private receptions, has a theater as well (Garnier, 2006: 50).

The method that is called patronage or cultural protection, were previously used by large and wealthy families (for example, the Medici family in Italy). However, because of some tax practices after the 1930s, its implementation has gradually declined and transformed into a kind of institutional sponsorship. The Foundation of France (Fondation de France) was established in 1969 and Association for the Development of Industrial and Commercial Patronage (*l'Association pour le Développement du Mécénat Industriel et Commercial* – ADMICAL) was established in 1979, in accordance with the views of the Ministry of Culture and Communication to increase the contribution of private sector to culture at the end of 1950s. The Foundation of France is an institution that works as a charity center for the financial maintenance of programs initiated by public institutions. ADMICAL allocates 7% of its budget to heritage as the shareholder of institutional sponsorship. In 2000, it allocated approximately 198,000,000 euros for 2,800 cultural projects. 2% of cultural financing is met by patronage in France.

Additionally, Culturespaces, a joint-stock company established in 1988, has participated in activities regarding the management of museums and monuments. Currently, it manages 12 monuments, museums and sites throughout Europe (URL 86). Culturespaces services public authorities, private property owners and public institutions. Culturespaces proposes three cooperation modalities (Garnier, 2006: 61):

- **Delegated management:** The company undertakes the management and development functions of conservation areas, monument or museum for a period of 20 years by a concession agreement. This method is the most frequently used one as the delegation of a public service.
- **The management mandate:** The company takes over the management and development services for a ten-year period on behalf of its owner. This model is implemented in the management of Waterloo site in Belgium.

- **The Society of Mixed Economy (*La Société d'Economie Mixte* - SEM):** The company, as the concessionaire party contributes to the capital of SEM administration. This model had been implemented for *Le palais des papes of Sorgues* at Avignon and its partnership status had been maintained for 10 years.

The headquarters of Culturespaces is established with 200 staff in Paris. Even though it is the headquarters of all conservation areas, a management team is formed for each site. The centralized structure of the company helps saving time and money. While the state remains responsible for maintenance, restoration and repair in conservation areas, Culturespaces assumes environmental protection, daily business and minor repairs (Garnier, 2006: 63).

Cultural management models where private enterprises participate are heavily criticized by those who consider the cultural sector as a nonprofit one. The traditional loyalty of French people to the maintenance of public services and sovereignty of the state leads to the perception of privatization in the cultural sector as a threat. On the other hand, privatization in this regard may lead to reduction of public employment. Another consideration is that since the private sector enters into this sector to increase its profits, its involvement poses a risk about an increase in price level and restrictions in access to culture and heritage. On the other hand, there is another group objecting to the idea of the state undertaking the entire burden of all cultural services, yet the amount of subsidies on cultural sector could not be substantially decreased and the sector may lack the flexible tools and methods guaranteeing its financial stability. The main concern of this group is the structural impediments in front of the performance of public services in a strong, effective and dynamic framework as well as with contemporary tools (Garnier, 2006: 51).

One of the approaches shaping cultural heritage management in France comprise cooperation called as intercommunalities. In this framework, the possibility of developing special methods and policies peculiar to municipalities regarding cultural heritage management has been improved. Another approach shaping up the cultural heritage management is the transfer of the responsibilities undertaken by the DRAC to

the Regional Culture Council during the reorganization of regional administrations. This situation presents opportunities that could lead to greater effectiveness and autonomy.

One of the main factors behind the development of a strong cultural heritage system from both architectural and archeological points of view in France is the articulation of new legislation in addition to existing regulations to continually remedy the deficiencies of previous legislation. Another strength of the system is the implementation of the principle of good governance in the process of the conservation plan. Within this process, starting with the initiative of municipality and continuing in terms of the decision of the commission that represents the central government, both the planning process is inspected and decisions are made in a democratic and transparent environment with the participation of individuals and NGOs.

The planning decisions and report describe a wide conceptual framework which considers not only the physical decisions about conservation, but also the residents' social and economic conditions, and if necessary, has an impact upon the revival of the region and puts forward recommendations. Moreover, programs like OPAH and the studies of ANAH complement the work with regard to the improvement and the revival of historical environments. Thus, maintenance is supported through economic development. In addition, the conformity of conservation plans with the other urban plans remains another point of concern. On the other hand, the presence of a national legend about conservation plans is a crucial approach in terms of creating a common language among the plans.

Another strong point in the cultural heritage management system is the importance attached to individual and institutional competence. In this context, professionals, working in conservation areas, are appointed by competitive examinations and their competence is recognized by the ministry. Likewise, companies dealing with excavation and restoration services should be accredited according to certain criteria. Accreditations about restoration activities are granted by governorates, whereas the ones regarding archeological activities are granted by INRAP. This situation provides

the conditions necessary to provide high quality interventions in cultural heritage. Improper practices contrary to this regulation result in effective punitive sanctions.

On the other hand, local authorities on conservation organized under the auspices of central government, conduct research, protection and conservation activities in line with the national policies and within the framework of a determined common language. Even though the conservation organization appears as a bureaucratically centralized structure, it serves in practice as a dynamic structure thanks to the legislation in which authority and responsibilities as well as the vertical and horizontal relations between the units being clearly described. Although a great deal of conservation work is subsidized by the government, realization of various management models through agreements between the public and private institutions provide financial advantages and present different options.

3.2.4. Case Study: Episcopal City of Albi World Heritage Site Management

3.2.4.1 General Description

The city of Albi is located in the Midi-Pyrénées Region in the south of France. The city, whose history goes as far back as the Bronze Age, is situated on the Tarn River and developed into a center of political power and trade from the Middle Ages. In the 13th century it became a bishopric and grew into an influential center of political and religious power in the region. A short look at the city erected in the 15th and 16th centuries would be sufficient to observe the wide-spread usage of brick in unique local style. Old Bridge (Figure 3.20), Saint Salvi Collegiate Church, Sainte–Cécile Cathedral (Figure 3.21), Albi Cathedral and the Cathedral of Berbie are the most outstanding buildings representing the architectural identity of the city (ICOMOS ABE, 2010: 231).

Figure 3.20- Old Bridge and Albi Cathedral (URL 87)

The Old Bridge, built over the Tarn River on the route leading to the Valley of Garonne in the 11th century, is an example of the engineering style of the Romanesque period. The arches of the bridge were renewed in the 13th century. It underwent modification in the 15th century parallel to the building activities in the surrounding area. Its substructure was reinforced in the 19th century and the bridge was widened. Today it constitutes an unobstructed roadway 3.80 m wide and over 150 m long that is open to road traffic. Saint-Salvi Collegiate Church from the 10th century is located in central position in its eponymous quarter. It strengthens the medieval effect creating a point of combination with the cathedral within the urban landscape. It served as one of the city's places of worship until the French Revolution. Architecturally, it shows traces of different periods from the 10th to the 15th centuries with indications of various restorations made in the 18th and 19th centuries also visible. Today it is the biggest Romanesque structure in the area. The Cathedral of Sainte –Cécile, the dominant symbol of the city, was built as part of a program initiated by the Roman Catholic Bishops of Albi with the main structure being built between 1282 and 1390. As an example of the Gothic period, the cathedral of Albi is unique to Southern France. Its most outstanding feature is its construction materials, including an easily manufactured locally fired brick (*briques foraines*). The building is composed of a single long nave without aisles or transepts. The space was divided with the addition of a central gallery in the 15th century. In contrast to its exterior, the inner space is characterized by its decoration from the 16th century. The Palace of Berbie was

designed and erected as the bishop's palace during the final era of the crusades. It was used for inquiries into religious matters as well as serving as the prison for the region around Albi as well. Since the Bishops of Albi managed to repulse attacks during the 'Hundred Years War' the structure remained undamaged. As a result of diverse extensions made in the 15th century, it underwent a more or less total reconstruction in the Renaissance style that, in turn, clashed with the original structure of the castle. Today the palace houses the Museum of Toulouse Lautrec (ICOMOS ABE, 2010: 232).

Four old quarters (Castelviel, Combes, Saint–Salvi, Castelnau Quarters) grew up in the area surrounding the cathedral and the Palace of Berbie. Nowadays these quarters, taken altogether, constitute a homogenous urban ensemble with many edifices from the Middle Ages as well as from the 15th and the 16th centuries. Brick, wood and stone were used as construction materials, and decorative elements and diverse colors in Gothic and Renaissance styles reflect the special features of the city. During construction works done in the 19th and early 20th century many fortifications were torn down, the area around the cathedral was cleared, new streets and squares were laid out and some individual buildings were rebuilt. While efforts were made to protect the alignments of historical buildings on one hand, new façades made of brick were adapted to the existing urban environment on the other. This specific architectural and urban sensitivity manifests itself in the restoration work carried out to the cathedral in the 19th century and in the early public awareness of architectural heritage values. The meticulous restoration workmanship and the care taken to create a harmonious building environment are the factors producing the resulting architectural harmony, and this was also characteristic of the urban renewal projects carried out in the second half of the 20th century (ICOMOS ABE, 2010: 233).

Figure 3.21 Sainte–Cécile Cathedral (URL 88)

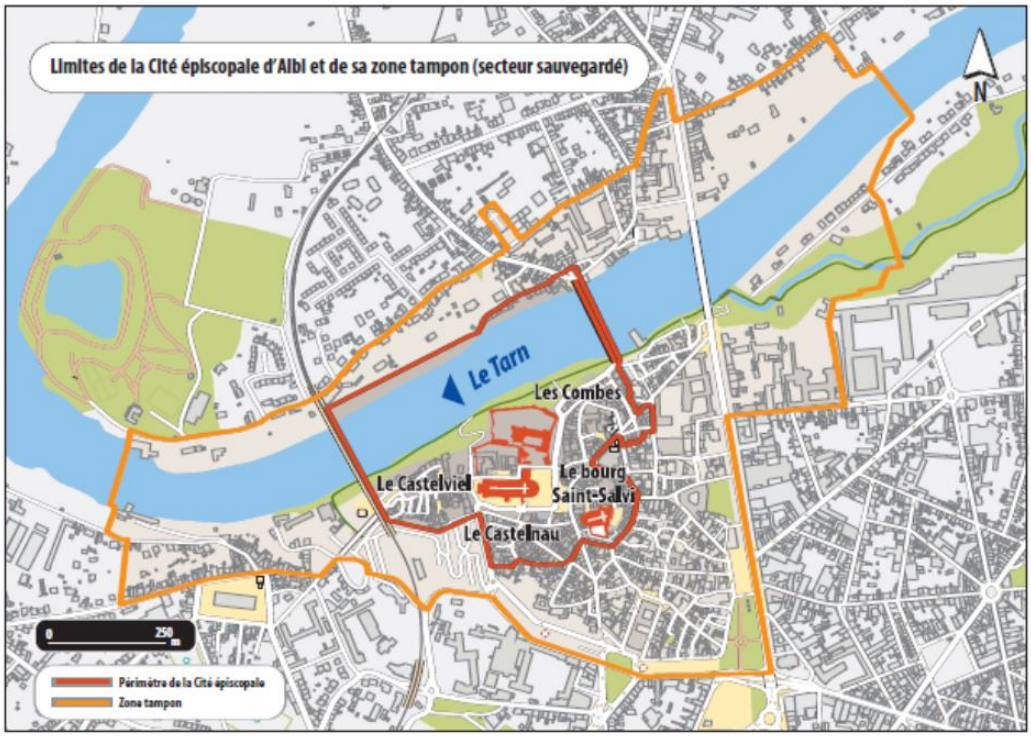


Figure 3.22- World Heritage Site of the Episcopal City of Albi and the Buffer Zone (URL 87)

The urban morphology of the historical center of Albi is characterized by high level of architectural quality, integrity and a uniqueness that is easily legible even in its present condition; it has been preserved without having undergone large-scale changes. In this specific situation new developments can be adapted to the existing urban landscape without harming its unique identity. The area of the current site is considered a platform where the exchange of artistic influences take place at both interregional and international levels as far as northern and southern countries are concerned (ICOMOS ABE, 2010: 236-237).

3.2.4.2 Nomination

The city of Albi was registered in the nomination list in September 1996. An ICOMOS technical evaluation mission evaluated the sites in September 2009. ICOMOS, having completed the evaluation, made a request in January 2010 for a broadening of the thematic works, clarification of the existing operational role and the working methods of the Property Committee, specification of the monitoring activities and the interventions relating to new projects outside the buffer zone and a report of the measures for traffic control. The State Party delivered the requested information in February 2009. Thus in March 2010 the Episcopal City of Albi was included in the World Heritage List in accordance with the criteria (iv) and (v) in view of the integrity and extraordinary universal values it presents (ICOMOS ABE, 2010: 231).

3.2.4.3 Current Conservation Status

The historic city center was abandoned at the end of the World War II and lost a large proportion of its inhabitants who preferred to move to new estates constructed outside the city. Nevertheless, the city managed to preserve its original character thanks to a sensitive modernist project that provided for replacing historical and destroyed buildings with new structures. After the approval of the heritage value, it was granted the status of an urban ensemble and designated a conservation area by the municipality in 1968, something which led to the introduction of a conservation plan in 1974. The related projects gained added momentum at the end of the 20th century and by the

beginning of the 21st century a high-level of conservation had already been achieved for the urban ensemble around the old episcopal city (ICOMOS ABE, 2010: 235).

Today the historic center has remained unchanged and preserved, the distinctive features of the urban morphology can still be traced distinctive features, the monuments have been preserved without undergoing large-scale changes and the urban landscape manifests itself as an integrated entity. New structures and dwellings have been well adapted to the urban fabric thanks to the brick which is the most widely utilized material across the city (Figure 3.23). A remarkably high number of specific older dwellings have been preserved in good architectural condition, impressively reflecting the integrity and uniqueness of the city. The World Heritage Site has been so designed that it can give an impression of the location of the city in its Renaissance period (ICOMOS ABE, 2010: 237).

Figure 3.23 Albi Episcopal City (URL 89)

All the important structures situated in the center of Albi Episcopal City and the buffer zone have been listed in an inventory. The management of the archives is carried out by the administrative service units of the city as well as decentralized national service units based in the region. Meanwhile, a project is underway for a new and more integrated inventory with the aim of designing conservation programs with more effective and up-to-date tools. Research projects and related measures are being

implemented regarding building materials (brick, wood and plasters) and façade structures to enhance the conservation of the World Heritage Site. These approaches have been integrated into a document entitled the Conservation Area and Urban Quality Charter (ICOMOS ABE, 2010: 240).

The State, Region and Municipality, as the public owners, are in charge of carrying out maintenance of the historic monuments in the site. The yearly maintenance and restoration program for each edifice is scrutinized and executed by the related services of the participants. According to the Shared Charter of Best Conduct, private owners take care of their buildings, while the municipality assumes responsibility for streets and public places (ICOMOS ABE, 2010: 241).

3.2.4.4. Legal Protection

A policy of constant enhancement has been maintained for the bishopric city and its immediate vicinity for centuries in terms of conservation of the historic urban landscape. The main monuments of the city have been under the protection of French law since 1913. The Church of Saint-Salvi, one of the main monuments in the city, had already been taken under protection in 1846; later in 1862 the Bishop's Palace of Berbie and the Cathedral of Sainte-Cécile were similarly registered. The protected area was extended with the creation of a zone of extension outside the buffer zone to protect the urban landscape (*Procédure de ZPPAUP Zone de Protection du Patrimoine Architectural, Urbain et Paysager*/Zones for the Protection of Architectural, Urban and Landscape Heritage). Nowadays the protection measures have been successfully adapted to ensure they are fulfilling their functions properly. The local government, the guarantor authority of the extraordinary universal value of the cultural property, never implements an important project without submitting it to the cultural property committee (Ministère de la Culture et de la Communication, 2014: 2, 4).

The framework legislation of the State Party currently in effect and applied partly or wholly to the cultural heritage is as follows:

- The law from 1913, within the scope of which monuments of national importance are registered and classified; the area surrounding these monuments within 500 m is automatically taken under protection. Other monuments that are protected within this context are the Church of Saint Salvi, the palace, the Old Bridge and the Cloister of Saint Salvi registered in 1921 and 1922 respectively.

The classification of the façades and roofs of dwellings is also carried out within the said framework regarding cultural property. In this context, several houses have been taken under protection: these being four dwellings in the street of Engueysse in the quarter of Saint-Julien in 1924; in 1940 two other houses in Grand Côte street; another dwelling in Grand Côte street in 1971 and simultaneously another one situated in Sainte-Cécile and Mariès street.

- The law from 1930 concerning the Boulevard of Général-Sibille and the related protected sites

The scope of application of the laws dating from 1913 and 1930 that applied only to monuments of national importance was extended by the classification of other monuments or historic sites. This constitutes a second inventory for the cultural heritage of minor importance. The registration is associated with a specific commitment on the part of property owners in terms of approval of the works in consultation with experts from the related public units specializing in conservation matters. Concerning the Episcopal City of Albi, the option embedded in this regulation was broadly implemented for several public buildings, especially in respect to several façades and roofs of dwellings.

- The so-called Malraux Law, passed in 1962 in connection with the protected areas paved the way for a local administration project approved by an inter-ministerial decree in 1960 and given priority implementation during the 1960s. A protection and enhancement plan was approved in 1974 which, together with the related regulations, specifies the rules relating to protection and enhancement for each group of buildings in compliance with the views of the architects employed by the Ministry of Culture

regarding to buildings in France. This regulation enables the monitoring and controlling of both public and private projects and ensures that interventions are carried out in compliance with international standards. In Albi this legislation embraces the whole of both the area of cultural property and the buffer zone (Ministère de la Culture et de la Communication, 2014: 4).

Furthermore, the local administration offered the Urban Quality Charter to the private commercial sector and their technical service units in an effort to benefit the cultural heritage and its enhancement. The charter was published in August 2009 after prolonged consultations with the general public. This Charter, defining best practices, constitutes a common tool of development planning in terms of shared quality. In this context, apart from the maintenance works concerning the unregistered façades, the parts of the shops in public areas such as display windows, signboards and illuminations (street furniture, cafe terraces and advertisement boards etc.) are treated pursuant to the charter (Ministère de la Culture et de la Communication, 2014: 4).

Thanks to such legal measures, no deterioration has occurred in the historic urban landscape. The Scheme of Territorial Coherence (*Le schéma de cohérence territoriale*-SCOT) is an urban document designed with a special focus on cultural property and the buffer zone. The architectural and urban project, which is limited to the area to the south-western side of the buffer zone, is executed in conjunction with decision no. 34.COM.8B.28 of UNESCO. Additionally, a project named The Areas of Optimization in Respect of Cultural and Architectural Heritage, in short AVAP (*Aires de Valorisation de L' Architecture et du Patrimoine* formerly called ZPPAUP *Zone de Protection du Patrimoine Architectural, Urbain et Paysager*/Zones for the Protection of Architectural, Urban and Landscape Heritage) is at present in the design phase (Ministère de la Culture et de la Communication, 2014: 9).

There exists a wide range of complementary legal protection measures, including those with long term significance. The world heritage site and its buffer zone are protected by restrictive regulatory or contractual arrangements. Eventual long-term support of the municipality and the locals in Albi has improved the overall effectiveness of their

implementation by the competent staff of the national, regional, and municipal services (ICOMOS ABE, 2010: 240).

3.2.4.5 Factors Affecting the Site

Development Pressure

The pressure originating from economic activity and urban development has generally been evaluated properly and regulated accordingly, both in the Albi World Heritage Site and its buffer zone. The State Party has taken steps to improve control of some parameters as far as the traffic, especially the transportation of hazardous materials, in the city center. Preventing construction work, which has tended to develop obtrusively, particularly in the area to the south and northeast of the buffer zone, has also been addressed by the State Party in parallel, with attention to avoid compromising the quality of the historic urban landscape. This development is controlled by the municipality through rigid rules regarding permission for construction work within the local urban planning measures and through the implementation of the regulations of ZPPAUP (Zones for the Protection of Architectural, Urban and Landscape Heritage) and SCOT (territorial cohesion plan) in the buffer zone (ICOMOS ABE, 2010: 239).

Pressure from Tourism

The city of Albi hosts about 650.000 visitors annually but thanks to easy access between the city center and the suburbs, the traffic flows can be controlled in an effective manner; while in the buffer zone problems arising from parking in streets designated as pedestrian zones with retail stores have been regulated. Thus the visitors can stroll around in the historic center in comfort and safety (ICOMOS ABE, 2010: 239).

Environmental Pressure

The city of Albi is located in an area free of substantial problems in terms of environmental impacts. The public authorities monitor air and water quality on a regular basis and major works in connection with waste water collection and improvement are ongoing in the heritage site, buffer zone and the whole of the commune. The general quality of the waters in Tarn River has also improved compared to the 1980s (ICOMOS ABE, 2010: 239).

Natural Disasters

Flood hazard constitutes the sole threat in terms of natural disasters, but the location of the built areas relatively higher than the level of the river has proved an advantage in this sense. The remaining risk of subsidence at some points on the river bank means an extraordinary flood situation could directly affect the old bridge but a risk avoidance plan has been designed to mitigate this. ICOMOS is of the opinion that the area is not under a substantial threat in terms of natural disasters (ICOMOS ABE, 2010: 239).

3.2.4.6 Management

The world heritage site covers the area between the episcopal city in the Renaissance, along with the adjacent Tarn River, its banks and the Old Bridge. The site is an area of 19.47 ha. with an additional buffer zone of 64 ha. and it is protected by the 1962 Law on Conservation Areas. About 950 people live in the world heritage site while approximately 3,500 inhabitants live in the buffer zone. The Ministry of Culture, the Ministry of the Environment, local authorities including the Municipality of Albi and the Tarn General Council are owners of these respective properties: the cathedral, banks of the Tarn, Saint-Salvi Church, and Old Bridge, the road network in the episcopal city, and *Palais de la Berbie* and its gardens. Most of the buildings within the site belong to the private owners with a social housing complex being owned by the semi-public organization Tarn-Habitat (ICOMOS ABE, 2010: 239).

The municipality is responsible for the management of the site including the listed monuments and the areas under protection. All the programs designed in this respect are submitted to the Architecte des Bâtiments de France for approval and monitoring. The administrative aspect of the management lies in the procedure for work permits and their monitoring involving the Architecte des Bâtiments de France, the Departmental Architecture and Heritage Bureau (SDAP) and specialist municipal services (building and Works permits) (ICOMOS ABE, 2010: 241).

The management system of the city of Albi includes a long standing approach which is based on the application of the general principles by a large number of stakeholders fulfilling special functions. The organs of the local government that manage the entire world heritage site, especially including the buffer zone, in agreement with the inhabitants serve as the coordinators of this system. Furthermore, a cultural property committee responsible for preservation, conservation, coordination of relations between different stakeholders and public relations carries out works in the field (Ministère de la Culture et de la Communication, 2014: 2)

The management of preservation encompasses a number of defined tasks shared between several public organizations and local government units within the context of a more general process of management relating to cultural heritage and its enhancement: the day to day management of the public buildings, maintenance of public spaces and parks, management of rivers and river banks, garbage collection and cleaning of the city etc. (Ministère de la Culture et de la Communication, 2014: 5)

Regular contact in important cases of cooperation is maintained with the industrial interests on issues regarding the management of the World Heritage Site, buffer zone or the area surrounding the World Heritage Site. The coordination of the management between the city of Albi and the community is effected through the work of the Management Plan and Cultural Property Committee based on this document (the community acts as a member of this Committee). Commenting on the actual situation, ICOMOS notes the existence of an extraordinary degree of coordination at all levels

and between all the legally accountable bodies concerned in the management of cultural heritage (Ministère de la Culture et de la Communication, 2014: 4, 5)

3.2.4.7 Management Plan

A series of existing plans and regulations have provided a framework for the design of directives regarding the management of the cultural heritage site. These documents are grouped together under the Management Plan, with the Property Committee dealing with the supervision of each document. These documents are (ICOMOS ABE, 2010: 242):

- A master plan for the development of the city of Albi,
- A local town plan and updated plan for the enhancement of the conservation area (2003),
- A plan relating to the quality of lighting in general, and more particularly that in the old center, since 1996,
- A tourism development plan (2008).

It has been decided to harmonize the existing procedures to improve the Management Plan and integrate future policies into a single contractual text with the participation of all the stakeholders. Within this context (ICOMOS ABE, 2010: 242):

- The first section of the Management Plan concerns the planned and grouped organization of the contractual ownership of the historic municipal monuments, heritage promotion, continuous research, and inventories.
- The second section concerns everyday management of public spaces and urban life through the application and development of the Charter.
- The third section concerns environmental quality through preservation of the natural elements (water, air, and soil).

The activities are carried out pursuant to a work plan/annual action plan included within the management plan. A program for the site regarding the promotion and

enhancement of local expertise has also been drawn up and fully implemented. The executives managing the cultural heritage at the local level and all the stakeholders taking part in the management are informed about technical requirements. Training activities are also carried out, albeit, as yet, in an unplanned and unstructured manner. Efforts are being made to improve this program. In addition, the Management Plan for cultural heritage forms a reference document for the management of visitors by embracing all the components of Management Plan (conservation of the cultural heritage, lay-out and usage of public spaces, cultural actions and mediation, sharing and promotion of universal values) including matters such as parking lots, management of the visitor flow, reception, interpretations relating to cultural heritage etc. (Ministère de la Culture et de la Communication, 2014: 7).

3.2.4.8 Involvement of Local Communities

Registration in the list of World Heritage Sites motivated the stakeholders and stimulated their efforts. The city of Albi brought these stakeholders together within the framework of the UNESCO criteria to harmonize developing the excellence of cultural heritage in an innovative economic development in line with the values defined within the framework of the charter. A national brand 'The Episcopal City of Albi' and an approach involving national promotion specifically adapted to cultural heritage have been inaugurated. The number of 'goodwill ambassadors' enlisted in promoting the brand amounted to more than 400 in 2 years (Ministère de la Culture et de la Communication, 2014: 11).

A Property Committee was established to successfully implement the Management Plan and formally took office in 2009; it is tasked with providing the exchange of information required in the decision-making process for the sustainable management of the cultural heritage and functioning as a mediator in any potential conflicts. It serves as a forum for discussions and consultancy. There is a 'town center district advisory body' that channels inhabitants' opinions and suggestions to the city (ICOMOS ABE, 2010: 241-242).

3.2.4.9 Stakeholders

The Municipality is the main stakeholder in terms of the management of the cultural heritage site. All the work carried out by the Municipality in terms of preservation, conservation, maintenance, repair are approved and controlled by the *Architecte des Bâtiments de France.* The Departmental Architecture and Heritage Bureau (SDAP-*Service Territorial de L' Architecture et du Patrimoine*) and the specialist units in the municipality (building and work permits) are also involved in these works with the historic monuments covered by annual maintenance and restoration programs. The Regional Department of Cultural Affairs (DRAC) in Toulouse and the Departmental Architecture and Heritage Bureau (SDAP) in Albi, comprising the State Party specialized services at the local level, organize, manage, and approve the maintenance and restoration programs (ICOMOS ABE, 2010, 241).

In the supervision of the Museum and the Catholic Diocese of Albi various professional semi public and private stakeholders, together with local trade unions[45] share responsibility. All of the organizations act within their area of expertise mostly regulated by public plans in the execution of their duties regarding the site. To begin with, a Steering and Coordination Committee coordinated the activities of these various stakeholders in the process of achieving nomination for inscription, under the auspices of the municipality, in addition to its usual duties about public service and protection of the cultural heritage (ICOMOS ABE, 2010: 241).

The Cultural Property Committee comprises 3 sections and has also taken over the tasks of the Steering and Coordination Committee. Its primary responsibilities are the monitoring of the preservation and conservation of the cultural heritage and coordinating the cooperation between various stakeholders together with public relations. The Cultural Property Committee designated one year before the registration on the World Heritage List has nowadays become an indispensable body in terms of

[45] Such as 'retailers' association, cultural associations, private owners of residences, the Tarn-Habitat Social Housing Association, the Tarn River Association, the Tourist Bureau and fire and safety services' (ICOMOS ABE, 2010: 241).

local management. The Cultural Property Committee responsible for the implementation of monitoring the Management Plan and preserving the extraordinary universal value of the property provides the basis for reconciling differences of perspective in matters relating to cultural heritage among the existing actors. The Committee, working with a secretariat, delivers its positive or negative opinions and observations about the proposals made during two general assembly meetings organized on an annual basis (Ministère de la Culture et de la Communication, 2014: 5).

The efficiency and quality of the management depends on the qualification of the building contractors responsible for preservation and restoration work in Albi. To improve the degree to which conservation work conformed to the highest standards, the selection of the contractors and tradesmen to perform restoration work, and the monitoring of their activities constitute critical factors. Based on the specific needs of the project, a large number of local and regional contractors all from the country are eligible. As previously stated, contractors are given the required permission to work on projects, and the restoration takes place according to a predetermined timeline under the proper scientific and professional conditions. The State Party's Department of Historic Monuments, particularly its *Architectes des bâtiments de France* department is responsible for conservation of the property and long term monitoring of the activities (ICOMOS ABE, 2010: 241-242).

3.2.4.10 Resources

Financial Resources

The restoration or renovation of high importance structures are resourced by funds from financial programs allocated by the state, or local and regional authorities. A budget of about 45 million Euro was allocated to 10 work programs in total in the period from 2001 up to the candidacy process. In this sense an adequate budget is available. However ICOMOS states that an additional financing would be appropriate to provide for the execution of the Management Plan to international best practice levels. The scale of the potential economic benefits is understood and the plans are

designed to realize these advantages. The annual maintenance and restoration programs are financially underpinned by the state, regions, provinces (departments), municipalities and, where appropriate, private project partners. Specific financial packages can be provided by the landlord of a property or the related local or regional stakeholder within the context of the legal framework for each project (ICOMOS ABE, 2010: 240-241; Ministère de la Culture et de la Communication, 2014: 6)

Human Resources

As far as technical supervision of conservation is concerned, the public services in the Midi-Pyrénées Region, the Region itself, and the specialized services offered by the Tarn Department provides a wide spectrum of conservation professionals including architects, historians, town planners, engineers, archaeologists, etc. The Regional Conservator of Historic Monuments and ACHM (*Des Architectes en Chef des Monuments Historiques*/the Head Architect of Historic Monuments), monitor the property. The Departmental Architecture and Heritage Bureau (SDAP) employs an architect from Bâtiments de France and nine other employees. At the moment, 280 personnel works in both technical and administrative services in Albi (ICOMOS ABE, 2010: 242).

The semi-public institutions are officially responsible for presenting the world heritage site to the public. For this purpose, twenty five people are employed at the Museum and *Palais de la Berbie*, while the Tourist Bureau employs twelve fulltime staff. The Sainte-Cécile and Saint-Salvi religious buildings provide assistance to the visitors with around ten personnel at their disposal. At the same time, a number of additional guides are employed temporarily during the high seasons (ICOMOS ABE, 2010: 242).

3.2.4.11 Monitoring And Reviewing The Plan

The monitoring is carried out in collaboration with the Architectes des Bâtiments de France, ACHM (*Des Architectes en Chef des Monuments Historiques*/the Head Architect of Historic Monuments) and municipal units. A general monitoring

programme relating to the management needs is provided in a scheme designed to provide a better understanding of the outstanding universal value. The preservation status of the episcopal city has been recorded for many years and an inventory and a single monitoring file are kept for each monument. However, there are no quantitative criteria yet to precisely gauge the preservation measures applied over the entire protected site. Efforts are underway to implement the measures foreseen in the Management Plan within broad indicators specified in this direction. These new measurement tools will contribute to defining and reinforcing the diagnoses relating to preservation and provide common monitoring arrangements for the scientific and technical work. The committee will use the general management guide and a standard file for each important monument so that this common monitoring can be effective (ICOMOS ABE, 2010: 243).

It is anticipated that the design of the monitoring indicators will pave the way for the establishment of a monitoring organizational entity concerning cultural heritage in the context of habitat and its social, economic and environmental dimensions. This monitoring unit will focus on the cultural property and the buffer zone. This overarching innovative approach has been devised in cooperation with the National Institute for Statistics and Economic Research (INSEE), the government, universities, Chamber of Trade and Tourism Office. Monitoring indicators have been developed for innovative operations in France aiming at the management of tourism in the city of Albi with the city being selected as an experimental protected area in terms of developments in the tourism sector. ICOMOS observes that single monitoring indicators relating to cultural heritage components can be ensured through a number of management structures, however it further suggests the necessity of defining the monitoring indicators concerning the heritage and tourism and implementing these over the entire cultural heritage site (Ministère de la Culture et de la Communication, 2014: 9; ICOMOS ABE, 2010: 243).

3.2.4.12 Interim Evaluation of Albi Management Plan

Albi is an episcopal city with a population of about 49,231 which has comprised a religious and political center of power, dating back to the ancient Bronze Age, and rich in medieval and Roman period works. In the early years of the 19th and the 20th centuries, many fortifications were demolished, the cathedral was cleaned, new streets and squares were opened, and some single residential buildings were rebuilt. Thus, public awareness has grown with the increase in protection efforts that was started. One of the important monuments of the city, Saint-Salvi Church was registered in 1846, and two other monuments, the Berbie Bishop's Palace and the Sainte-Cécile cathedral were registered in 1862. Preserving the boundaries of the Renaissance, Albi could retain its unique architectural qualities and integrity throughout the days without major changes. The conservation area was declared by the municipality in 1968 and a conservation plan was introduced in 1974. The integrity of the urban landscape is preserved in the new structures and in the houses by the use of the traditional brickwork used throughout the city.

The prominent monuments of the city are preserved in accordance with the protection laws of 1913 and 1930. An extension zone (ZPPAUP) was declared beyond the buffer zone for the conservation of the urban landscape. In addition, following the 1960 Malraux Law, a priority local government project was initiated during the 1960s, followed by a conservation and enhancement project in 1974. This project, which is being implemented in both the core area and buffer zone, contains decisions on protection and intervention on a plot by plot basis. With the help of this project monitoring has become systematic and interventions are carried out in accordance with national standards. Together with legal arrangements, since August 2009, an Urban Quality Charter has been implemented, which includes physical arrangements for commercial activities and sets models of good practice.

Albi was declared a world heritage site in 2010. The management plan, which has been in place since 2009 for the management of the cultural heritage area, is accompanied by documents such as a master plan, local town plan, lighting plan and tourism

development plan. The management plan focuses on organizing groups for the management, promotion of heritage, continuous research, inventory, daily maintenance of public spaces, the Urban Quality Charter practices and the development of environmental quality through the conservation of natural resources. The management plan is supported by annual action plans. The management plan aims to support innovative economic development in parallel with the conservation of the city.

In 2009, a unit under the name of the Property Committee was established for the implementation of the plan. This committee is responsible for exchanging information amongst stakeholders to ensure sustainable management and the fulfilling of the mediation function during possible disagreements. Monitoring of the conservation of cultural heritage and public relations are among the tasks of the committee. The meeting, which is held twice a year, reports opinions and observations on issues related to the site. The main stakeholder in management is the municipality. All the conservation functions of the municipality are monitored and approved by the Architects of France '*Architecte des Bâtiments de France'*. This work is accompanied by the Departmental Architecture and Heritage Bureau (SDAP) and the building and work permits of the municipality. Studies on monuments are conducted by the Regional Department of Cultural Affairs (DRAC) in Toulouse and SDAP.

One of the examples of good practice in Albi is the choosing of the contractors to perform the interventions by giving importance to qualification and experimentation in the direction of certain criteria. This situation affects the efficiency and quality of management and also guarantees compliance with scientific and national standards of the conservation work. Continuous financial support is provided for the implementation. Important buildings at the high level are undertaken by central government, regional or local authorities.

The monitoring function is provided by the collaborative work of the *Architects des bâtiments de France*, the Head Architects of Historic Monuments and the municipal services, within the framework of designated indicators. As a good example of

practice, each protected monument is monitored at a single level and a monitoring file is kept for many years. In addition, it is planned to establish a unit in Albi to undertake the monitoring function in collaboration with the National Institute of Statistics and Economic Studies (INSEE), state, university, chambers of commerce and tourism office.

In the 2014 yearly periodic report, ICOMOS is stated that the Albi management plan is fully implemented and that conservation is provided at a high level. The only issue considered a deficiency was the lack of a planned approach to research. With these qualities, Albi's world heritage site management is regarded as a structure functioning effectively together with good practices related to being surveyed and recorded, by being supported by a solid legal infrastructure, having the tradition of preservation, having an organized structure for management with continuous financial support, having an Urban Quality Charter, and careful attention to the selection of contractors.

3.2.5 Cultural Heritage Management Approaches In Italy

3.2.5.1 Overview

Italy, officially known as the Italian Republic, is a European parliamentary state covering an area of 301,338 km2 with its 61 million population, being the fourth most populous country within the EU. Surrounded with Mediterranean Sea, Italy’s neighboring countries are France, Switzerland, Austria, Slovenia, San Marino and the Vatican City (URL 90).

3.2.5.2 Legislation on Conservation

In Italy, there has been an ongoing to pass legislation covering all areas of social and economic life since the Roman period, along with the principles, scope, financing operations, employment status, etc. in the field of culture. However, there are very few national regulations providing a complete picture of the situation. The elements of the cultural field are mostly handled within the context of various sectoral arrangements.

The first laws on the cultural field were adopted by the parliament in 1902 and 1909 on the basis of the protection of cultural heritage. Considering the multi-layered and intense richness of Italian historical and cultural assets, cultural heritage has always appeared to represent a dominant field in public policy (Compendium Italy, 2012: 44, 47).

It is known that in the years 1920-1930, when Italy became the pioneer by establishing a ministry solely concerned with the cultural sector, a considerable body of legislation addressing not only cultural heritage and landscape preservation but also art and creativity was debated (Compendium Italy, 2012: 47). The safeguarding of objects and artistic historical interest (Law No. 1089, 1939) includes not only monuments but also private buildings, parks and gardens. This law was amended to include historic centers, urban and rural building groups as well. This law empowers the Ministry of Cultural Heritage and the Environment to be directly responsible for the protection of registered monuments, and indirectly for the areas surrounding the monuments. The Law on the Protection of Natural and Visual Beauties of 1497/1939 was aimed at the protection of landscapes, rivers and coastal areas (Yılmaz, 2006: 66). At the same time, many institutional structures such as the Institute for Restoration, which is still in existence today, were also established (Compendium Italy, 2012: 47).

According to Article 9 of the 1947 Constitution of the Italian Constitution, which is concerned directly with cultural heritage, 'preservation of cultural heritage' and 'encouragement of cultural development' were important targets of the Constitution of 1947. However, the issue of promoting the goal of 'protecting the cultural heritage' was only addressed in the 1960s (Compendium Italy, 2012: 38). In addition to the incentive, conservation planning has also been improved over the years. The Law on the Protection of Cultural Heritage dated 765/1967 contains provisions in the field of urban planning and envisages that all municipalities would have a master plan for urban land use. These plans divide the cities into area or neighborhoods that are subject to different planning regulations according to the situation of their historical structures (Yılmaz, 2006: 57).

In the 1970s, the many important institutional arrangements related to the development of cultural policies in public policy formed an important milestone. The first of these was formed in 1972 by the establishment of 15 decentralized regions based on the 1947 constitution. The issue of the centralization or decentralization in approaches in the field of culture had been a matter of debate in Italy. Theoretically, although most political structures seem to be in favor of the transfer of powers to the regions, the necessary arrangements for further localization of cultural responsibilities have not been completed over the course of time. Since the creation of the regions, the Italian Administration has been reluctant to transfer direct management of cultural assets to local administrations as prescribed in the Decrees 616/1977 (Leg. Decree 616/1977) and later in the decentralization laws (59/1997 and 112/1998). However, effective policies were followed in terms of the recognition of cultural and artistic potential, especially in some regions such as Lombardy, Toscana, Emilia Romagna. Promoting widespread participation in culture and cultural life in the 1970s through the municipalities following the practice of these regions became the most debated topic at a national level. However, according to Decree 616/1977, there was no implementation of the re-sharing process of the cultural heritage authorities between the state, territories and local governments, which was supposed to take effect in 1978 (Compendium Italy, 2012: 3, 38).

Other institutional changes emerged in the second half of the 1970s. In 1975, the first step towards reunification and rationalization of cultural responsibilities was made through the reform of the Ministry of Cultural Heritage. According to this reform, the responsibilities for museums, monuments, libraries and cultural institutions were transferred from the Ministry of Education, the archives from the Ministry of Interior and the book publishing responsibilities from the Office of the Prime Minister. The importance of the Italian cultural heritage was emphasized by making the ‘safeguarding’ and ‘restoration’ of the state's activities and financial resources the target of national cultural policy as the most crucial function of the cultural area allocation (Compendium Italy, 2012: 3).

The Planned Rehabilitation Law numbered 457, enacted at the end of the 1970s, includes development and other procedures in conservation areas in historic centers. 431/1985 Act on the Protection of Natural Beauties, 'The Galasso Act,' laid down the conditions for the design of rural landscape areas throughout the country. This law includes the provisions of the law numbered 1479/1939, as well as the elements to be protected individually. The Prime Ministerial Decree of 616/1977 and the authorities transferred to the local authorities from the center were amended by this law and the control of all city and town plans became the state's prerogative, giving the state authority in the construction of the landscape protection plans. 431/1985 and 1497/1939, the Ministry of Cultural Heritage and the Ministry of Physical Planning shared their responsibilities in cooperation with the districts and municipalities in the protection of landscapes and the environment (Yılmaz, 2006: 67).

The central role played by Italy's cultural policies in development politics, as well as in other industrialized countries in the 1990s, played an important role in removing the last obstacles to raising the state's ability to manage cultural issues. With the adoption of Law No. 59/1997 and Law No. 112/1998 at the end of 1990s, innovations in the process of cultural decentralization emerged. Law 112 has a more restrictive scope for cultural decentralization, against the approach of law 59, which regards protection as a responsibility (Compendium Italy, 2012: 4, 44).

Some of the inconsistencies in the legislation adopted in the 1990s attracted criticism concerning the division of basic administrative functions related to safeguard and enhancement. In 1997 Law No. 59, only cultural heritage protection was designated as one of the cultural responsibilities to be undertaken by the state and it was decided that those related to enhancement should be transferred to regional and local authorities. Decree no. 112 of 1998 reinforced the national level by returning the responsibility for cultural heritage management to the state, recognizing the simultaneous legislative powers of the state and regions in the development of cultural goods and activities (Compendium Italy, 2012: 39).

As a consequence of the reforms in 2000, the Ministry of Culture and Heritage has been given the same status as most of the cultural ministries of the European countries. While the planned changes in cinema, theater, music and copyrights could not be implemented in the anticipated period, the legislation on conservation was adopted. The cultural heritage conservation provisions in the legislation did not alter the situation of the architectural monuments, urban structures or sites. On the contrary, Italian legislation adopted a comprehensive approach that combines all these values and established a system that evaluates existing rules according to different situations. There is no rating in the conservation of historical monuments. Although Law no. 1089 dated 1939 gives responsibility directly to the Minister, this task is currently being carried out by the Regional Conservation Bureau as an external service of the Ministry of Cultural Heritage. These bureaus are authorized to appoint architects or art historians to prepare the registration records. The owner of a building is informed by the Ministry of Cultural Heritage about the protection status (Compendium Italia, 2012: 4).

The conservation decision cannot be taken without the permission of the owner but it is possible to bring a legal objection within six months of the decision and for the district board to convene to evaluate the objection. Periodic maintenance as well as basic repairs come under the scope of restoration. Both procedures require the approval of the relevant conservation agency. For example, restoration of buildings in the area of a particular historic center of the Roman city, even if they are registered, must be approved by the relevant office. Works other than regular maintenance of monuments in private property and monuments under local and regional authorities require the approval of the relevant local authority. Regular maintenance is only accepted by the relevant bureau, and the maintenance and restoration work done by the owners of the registered buildings according to the Italian law is accepted as a public service. The state has the right to grant maintenance ordinances to legally registered buildings and to expropriate buildings from building owners that do not comply with them. The state has the right of priority purchase whenever the change of ownership occurs. The national authority is free to reject or approve decisions taken at regional or local level (Yılmaz, 2006: 66-68).

The Ministry of Cultural Heritage is the nationally responsible organization for inventory through the Central Inventory and Documentation Institute. In these studies, there are three different documentations categories which are general inventory, private inventory and national Catholic churches inventory. The general inventory of cultural assets is prepared by the Central Inventory and Documentation Institute of the Ministry of Cultural Heritage. The institute intends to provide an inventory of all movable and immovable properties, both historical and artistic, at the country level, whether registered or not. Although Law No. 1089 of 1939 envisages the holding a central record of registered structures by the Ministry of Cultural Heritage, this consolidated list has not yet been completed and work still continues. Private inventories are more regional documents. The Regional Inventory Center, which is directly responsible for protection, is responsible for keeping the registered inventories. The files stored in the regional conservation bureaus contain only records of proprietary structures. These inventories do not cover immovable properties owned by local or regional authorities or public institutions that are not subject to general operations and provide detailed information to the Central Bureau of Inventory and Documentation about the movable or immovable property potentially to be included in the list. In practice, conservation branches themselves provide information gathering and coordination for notable assets. In the case of emergency registration, the procedure is carried out by the Central Institute. (Yilmaz, 2006: 69).

In the Decrees 62 and 63 of 2008, the regulations on cultural heritage and landscaping can be summarized as follows (Compendium Italy, 2012: 48):

Landscape:

- The redefinition of the ‘landscape’ towards that of the European Convention approved in 2004,
- The cooperation of the territories and local governments on protection
- Authorization of Ministry and local units (*Soprintendenze*) on landscape planning and building permits
- Establishing an Operations Center to protect the environment

Cultural heritage:

- Avoiding unauthorized settlements by bringing safeguard measures on to the agenda of the resolution no. 283/2000, ensuring more efficient coordination of EU provisions, international agreements and Italian legislation on the international movement of cultural objects.

Between 2001 and 2011, new cultural priorities were identified that are more compatible with neo-liberal approaches, as well as meeting the need for a comprehensive Ministry of Culture able to provide a significant role for culture in economic development. These priorities are as follows:

- More emphasis on the role of the private sector, as well as the transfer of management or concessionary rights which are not at the discretion of public cultural institutions to private institutions
- Revision of economic, cultural, artistic and tourism relationships to improve public finance of cultural areas
- Implementation of financial and managerial strategies to provide additional resources to local governments and the private sector for culture
- Conservation and development of Italian cultural heritage and landscape through the application of the most recent Law on Cultural Heritage (Compendium Italy, 2012: 19).

In the present case, no consensus has been reached between different levels of government on the content of the ‘concurrent legislative competencies’ principle of the cultural heritage. Disputes between the state and territories in this respect are resolved by the Council of State or the Constitutional Court (Compendium Italy, 2012: 39).

Recent approaches / challenges

In line with the priorities of the ministry declared in the Senate on 13 April 2011, there was an aim to cooperate for increasing cultural investment, monitoring the efficiency of cultural expenditure during periods of financial restraint periods and taking cultural heritage as the main axis of Italian cultural policy.

Cultural heritage-focused priorities in the Ministry Bulletin of May 2012 can be summarized as follows:

- Increasing the involvement of local governments and the private sector in terms of operational responsibility, but ensuring that the main responsibility for the preservation of cultural heritage remains with the state
- Seeking additional funding sources for the conservation of cultural heritage and increasing financial resources for economic development and regional compliance
- Consolidation of the ministry's skilled human resources organization within existing administrative constraints (Compendium Italy, 2012: 19-20).

As seen in these cultural priorities, cultural heritage has always been at the center of Italy's cultural policy. The Italian government is not only responsible for the strategic task of protecting the very rich and multi-layered heritage of the country through the Ministry of Cultural Heritage and Cultural Activities (MiBAC), but also is charge of several cultural assets including 207 state museums, 213 monuments and archaeological sites, 46 libraries and 104 archives (Compendium Italy, 2012: 22).

In addition, public participation has been given added emphasis in recent times. Associations, nonprofit organizations and most companies have become increasingly aware to their obligations to civil society. However, there is a need for different approaches to achieve the positive outcome of the decentralization process, especially to implement policies and actions aimed at ensuring the broad participation of all Italian citizens in arts and culture, and to address the deep rooted geographical and social imbalances affecting the cultural life. Regardless of what type of institutional

restructuring is achieved, the capacity to transfer authority depends on the strengthening of the capacity to plan, co-ordinate, evaluate and monitor as a whole at the national level (Compendium Italy, 2012: 4).

3.2.5.3 Description of the administrative structure

The Italian cultural policy model, including the conservation of cultural heritage, can be assessed from an administrative and economic point of view. The administrative model was developed in the form of direct intervention and involvement in the promotion of cultural activities in the management of cultural institutions in the context of traditional public administration, ministries or regional administrations, provincial administrations and municipal special units '*assessoratiallacultura*' (museums, sites, theater etc.). The economic model is closely related to a mixed economic system in which the public sector has historically been a major source of funds for cultural heritage, museums, archives, libraries and, to some extent, performing arts. However, due to severe restrictions on the national budget, governments have intensified the move towards the direct involvement of the private sector over the past few years. Sponsors and donors are encouraged to invest in the market, make effective cultural investments, and provide funding in the field of cultural heritage (Bodo and Bodo, 2012: 6).

Administrative responsibilities related to cultural policy have been distributed among the various ministries at the central government level, being spread downwards and horizontally. The central government initiative is adopted by lower-level authorities within the Italian 'regionalist' administrative system (Culturelink, 1996: 2).

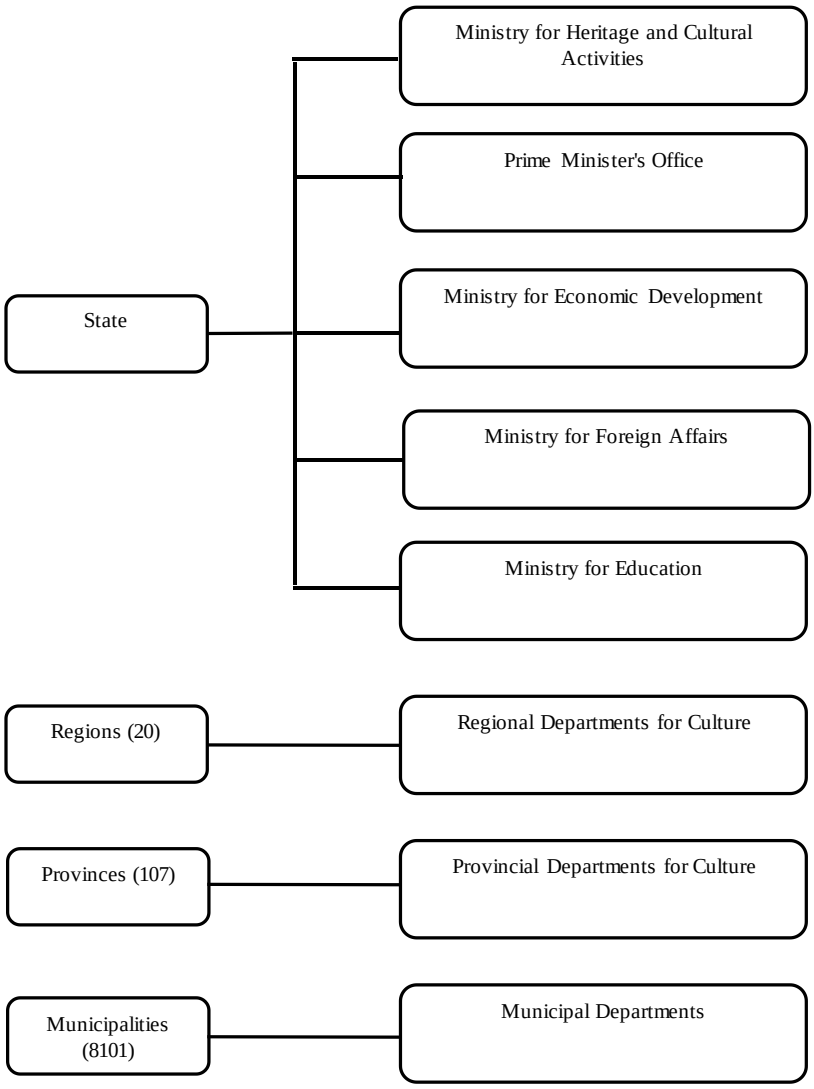


Figure 3.24 Institutional Structure of Administration at the four levels of government (Bodo and Bodo, 2012: 8)

Stakeholders and their responsibilities

The state

The general constitutional framework of Italy (1948 Constitution, Articles 5 and 114) envisages the distribution of powers at four organizational levels in public administration:

- The state (acting through ministries and other central institutions)
- Regions (acting through special units and other administrative units created for culture such as '*Assessorati Cultura'*)
- Provinces
- Municipalities (commune) (Culturelink, 1996: 3)

Although significant changes in the structure of cultural governance are planned in the regions, the most important administrative and legislative functions are at present in the hands of the state, which is responsible for allocating half or more of the total public expenditure (Bodo and Bodo, 2012: 10). At the national level, administrative functions in the field of culture are carried out by four ministries.

The Ministry for Heritage and Cultural Activities

Since 2000, basic cultural issues such as cultural heritage, museums, libraries and archives, visual arts, performing arts and cinema, cultural institutions and copyright have all been linked to the Ministry of Heritage and Cultural Activities (Bodo and Bodo, 2012: 10).

Significant changes were effected in the organization structure of the Ministry, which had previously been significantly changed by Decision 28/2004 and Decision 233/2007, for the fourth time in ten years. According to Decree 91/2009, the coordination of the functions of the Ministry continued to be in the hands of a Secretary General, but the number of General Directorates (GD) was reduced from nine by reorganizing some responsibilities. In particular, the Directorate General for

Innovation has undertaken budget and planning affairs, the Directorate General for Landscape, Contemporary Architecture and Arts was closed down and its functions and duties were combined with the responsibilities of a new Directorate General responsible for Landscape, Fine Arts, Contemporary Art and Architecture. In addition, a new general directorate responsible for the dissemination of cultural heritage was established. This headquarters unit seeks to promote wider participation by Italian citizens in culture and arts and to strengthen Italy's image abroad by improving the integration of the Ministry's traditional preservation functions with its management, promotion and communication functions related to cultural heritage (Bodo and Bodo, 2012: 10).

Eight general directorates and relatively autonomous seven high-level scientific institutions continue to be supported technically by *Istituti Centrali*. In addition, the Ministry is supported by the High Council for Cultural Heritage and Landscape, which is a broad participatory advisory institution (Bodo and Bodo, 2012: 10).

MIBAC's peripherals are provided by the local '*Soprintendenze*' and the Regional Directions for Cultural Goods and Landscape, which, however, are only responsible for cultural heritage in seventeen regions out of twenty. The area of responsibility of the '*Soprintendenze*' units is wide. These are techno-scientific structures operating in the fields of architecture, historical buildings, archeology, landscape, fine arts, museums and ethno-anthropology and archives (Bodo and Bodo, 2012: 10). It is also the task of this department to conduct inspections of private premises. The Central Institute for Restoration, the Central Institute for Cataloging and Documentation, and the National Institute for Graphics function together within the unit. Regional cultural responsibilities are carried out by cultural, environmental and local planning specialists. These experts are the regional authorities elected by the regional council. As municipalities are responsible for the preservation of local cultural heritage within their boundaries, permanent heritage conservation experts have to be appointed (Doordan, 1988: 67, cited in Yilmaz, 2006: 56).

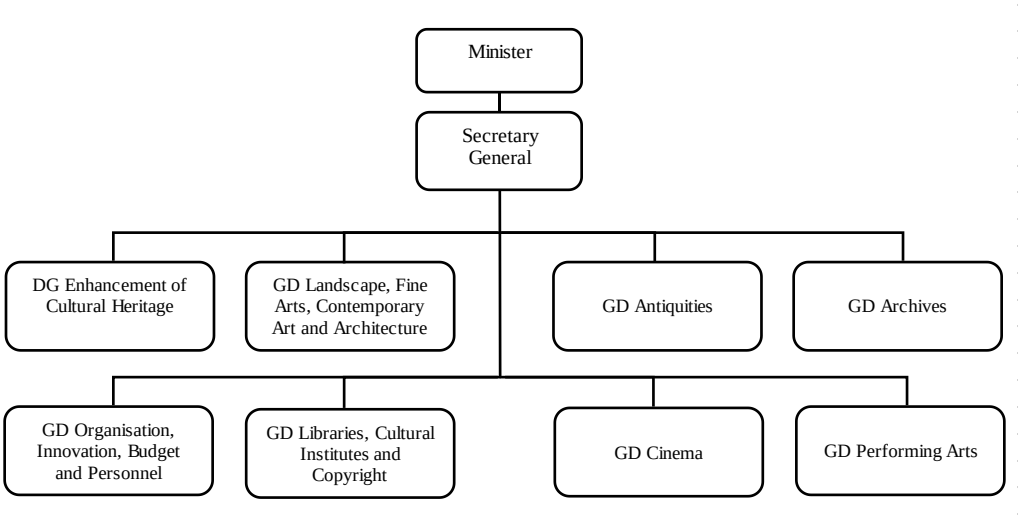


Figure 3.25 Organzational Structure of the Ministry for Heritage and Cultural Activities (Bodo and Bodo, 2012: 9)

The Ministry for Economic Development, Infrastructure and Transportation

Since 2008, the Ministry has been responsible for funding media and regulatory affairs and local radio-television organizations.

The Ministry for Foreign Affairs

The responsibilities of the Ministry in cooperation with the Ministry of Heritage in relation to international cultural cooperation were transferred to the Italian Language and Directorate for the Promotion of Culture and Language.

The Ministry for Education

The Ministry is responsible for education of fine arts through the Directorate General for Higher Arts, Music and Dance Education.

The Directorate Central for the Promotion of Italian Culture and Language

The main responsibility for the General Directorate for international organizations is covered by UNESCO in supporting the World Heritage Center on Italian cultural heritage and archaeological missions.

The Parliament

The legislative functions of the Representative Assembly and the responsibility of the Senate for the cultural realm are carried out by the Cultural Commissions. The annual adoption of the Budget Law ensures that the Parliament plays an active role in the financing system by holding debates on public cultural financing (Bodo and Bodo, 2012: 11).

Regions

Autonomous regions

These regions were created in the postwar period and were given broad authority in the cultural field. Valle d'Aosta, situated between these five regions, is directly administratively responsible for their cultural assets through the non-decentralized *Soprintendenze* of the Sicily and Trentino Alto Adige regions. This responsibility also includes museums and sites that were ‘national’ and later ‘regional’ in nature in the early 1970s. For this reason, there are no state-owned cultural goods and landscape (Bodo and Bodo, 2012: 11-12) in these three regions.

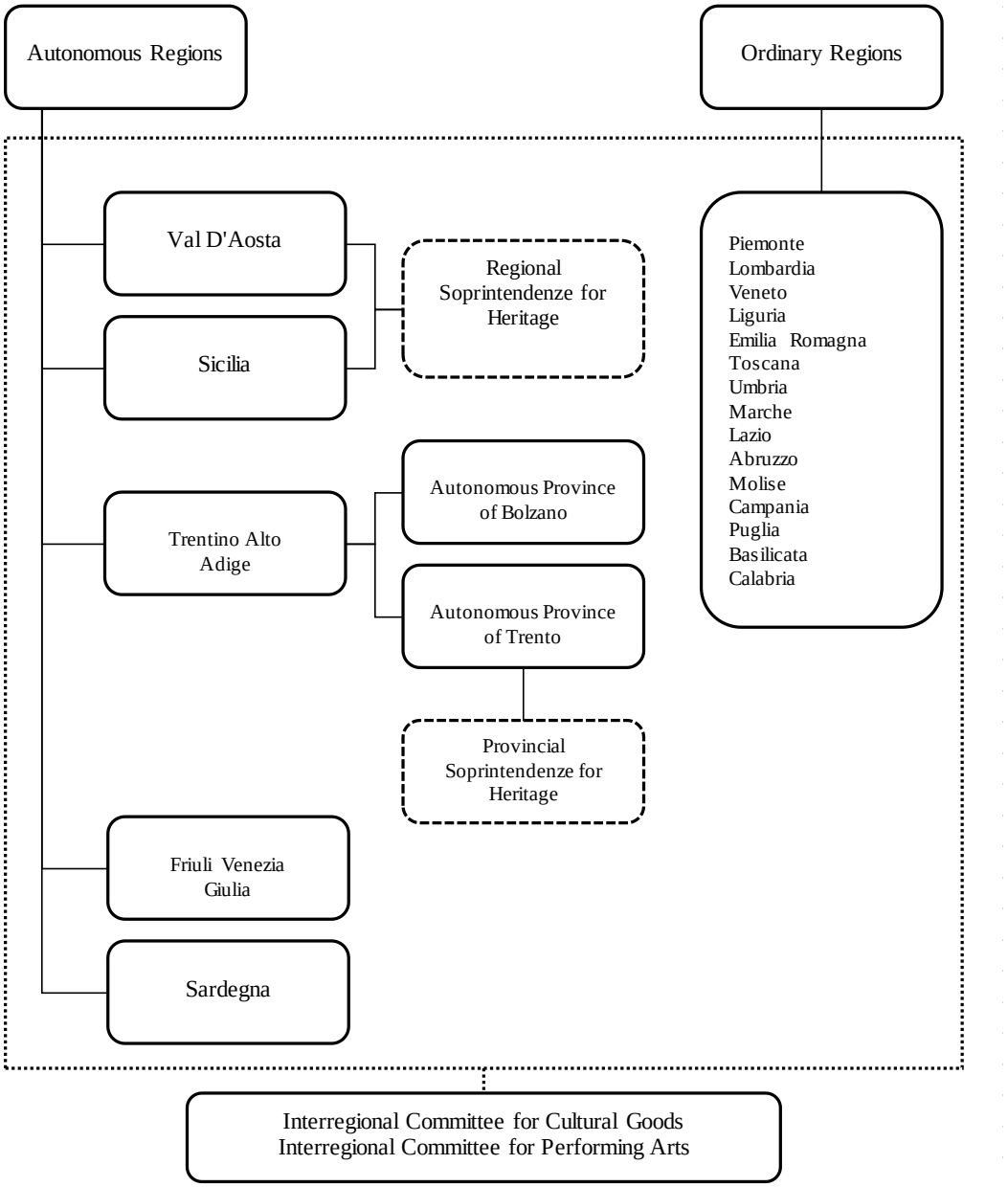


Figure 3.26 Autonomous and ordinary regions in Italy (Bodo and Bodo, 2012: 10)

Ordinary regions

These regions consist of fifteen ordinary regions established in 1972 whose cultural competencies are initially restricted by the constitution (Article 117), allocating them the supervision and financial support of local museums and libraries. Ordinary territories possess 'concurrent legislative powers', similar to those of the state, in the management and development of cultural heritage and cultural activities, according to the Law of Authority Transfer adopted at the end of 1990s and the Law of Constitution No. 3/2001 (Bodo and Bodo, 2012: 11-12).

The official representation of local cultural interests is left to the State-Region Conference. Within this framework, heads of local departments meet regularly under two special coordinating committees (the Interregional committee for cultural goods and the interregional committee for the performing arts), and also propose institutional reforms for the implementation of a more federal governing structure (Bodo and Bodo, 2012: 12).

The Provinces

In 107 Italian provinces the government carries out the lowest level cultural policies. The only exception to the rule is that the two rich provinces of Trento and Bolzano, and Adige, also allocate large amounts of direct financial resources, which are provided by the state and with direct cultural heritage responsibilities. In addition, some regions are authorized by law to provide local funds through municipalities.

The Municipalities

After the state, the 8,101 municipalities are the most influential public actors in the field of culture, whose share in public expenditure on culture is steadily increasing. Through municipal departments for culture, '*assessorati comunali allacultura*', (municipal cultural units) provide direct and indirect management of institutions such as archives, libraries, theaters, multifunctional cultural centers. Italian municipalities

invest heavily in the restoration and maintenance of their own historical assets and cultural facilities, even when these are under the supervision of the Ministry (Bodo and Bodo, 2012: 12).

Inter-ministerial or intergovernmental co-operation

Horizontal cooperation in the ministries is traditionally made in accordance with memoranda of agreements signed by the Ministry of Cultural Heritage. In the context of vertical cooperation at the level of governments, common problems between the state and the regions are addressed within the framework of the State-Region Conference.

Since 1996, the Ministry of Cultural Heritage has signed about 50 '*Accordi di Programma Quadro*'- Framework Planning Agreements. Financial resources are provided by the Ministry of Culture, the Ministry of Economy, the regional authorities, the European Commission and other private financial partners (banking institutions, the Italian Bishop's Conference, etc.) in some cases. By means of all these agreements it is aimed to create cooperation mainly concerning cultural heritage and museums. The second type of cooperation is provided regarding scientific and technical aspects within the framework of EU structural funds and harmonization policies. Such projects, which are partly supported by the EU Commission, are carried out by local and regional authorities in cooperation with the regional authorities of the ministry. This cooperation is important in the development of planning skills and in capacity building in public administrations and in providing new possibilities for state-regional partnerships. However, despite all these collaborations, no unit has a holistic and comprehensive approach to the cultural activities of the country due to the multitude of institutional parties involved in the Italian state structure (Bodo and Bodo, 2012: 13).

3.2.5.4 Financial Issues

As in other industrialized countries, Italy has a mixed economy model in which the financing of cultural goods and activities by the public and private sectors is jointly undertaken. Government spending on the four layers of government (state, territory, provinces, and municipalities) is the main source of support for cultural heritage and other cultural assets. Since the 1980s, when the distinction between public and private funding began to blur, donations and sponsorships have emerged as more stable sources of support for cultural heritage and museums (Bodo and Bodo, 2012: 53). In this context, financing support is provided by the funds transferred from the state or private foundations, with the state creating some tax relief for the owners. In the scope of state aid, the annual budget of the Ministry of Cultural Heritage is allocated regularly for the restoration work, for the preservation of the national heritage and for creating public awareness. There is a source of conservation finance with additional appropriations to be provided by the approval of the Ministry budget proposal in the parliament. There are special expenditure items to support conservation campaigns for the protection of private immovable heritage (cathedrals, industrial heritage, etc.) (Yılmaz, 2006: 60).

The decline in state funding to protect cultural heritage since the 2000s has been highly controversial and led to protests and resignations by senior ministry officials. In fact, the negativities in the outlook for Italy's precious historical monuments and sites are linked to the reduction of these funds and, if necessary, the redundancies of experts in the field of conservation. The reforms in the framework of public-private partnership still continue at a gradual pace. Decree No. 368/98 has allowed the Ministry of Cultural Heritage to transfer to some temporary private foundations for a period of time the administration of some museums and other heritage institutions. All the measures in this regard have been adapted by the expansion of the framework of the newly arranged Heritage and Landscape Code (Bodo and Bodo, 2012: 23).

The EU believes that Italy is at the forefront in following the development and social inclusion objectives guided by EU structural funds, and at the same time in creating

innovations in ways of financing supporting culture and cultural heritage (Bodo and Bodo, 2012: 17).

Table 3.7 shows the amount of MiBAC's cultural heritage spending in 2000 and 2011.

Table 3.7 Expenditure of the Ministry for Heritage and Cultural Activities, 2000 and 2011

	2000		2011		
Sector	**million EUR**	**% of total**	**million EUR**	**% of total**	**% var. 2011-2000**
Heritage	1250	51	720	35.9	-42

Within the aforementioned period, the decrease in Ministry spending was very sharp (-18%, inflation not taken into consideration) and showed an irregular distribution across the sectors. Table 3.8 shows the resources provided by banking institutions, corporate grants and individual grants. Contributions from institutions such as institutional foundations and family foundations are not included in the table (Bodo and Bodo, 2012: 58).

Table 3.8 Selected private giving in support of thecultural sector,in million EUR, 2008 and 2010 (Elaborations on data from MiBAC Culture in Italy Basic figures, 2011)

Source	**2008**	**2010**	**% Var. 2010-2008**
Banking foundations	513	413	-20
Donations by corporations	32	32	-
Donations by individuals	29	27	-7
Total	**574**	**472**	**-18**

Banking institutions are leading donors to culture and art. Local savings banks, which have been privatized in Italy since the 1990s, have a consistent approach to supporting culture and art. Until now, the prevailing approach in banking institutions has been the development of long-term strategies and programs to increase the role they play in the cultural sector in the form of grants (Decree 368/98). In addition to these strategies, memoranda of understanding have been signed between the Ministry of Cultural

Heritage and some local governments and banking institutions to strengthen cooperation on cultural development on a local scale. These agreements have been extended to include other regions as well (Bodo and Bodo, 2012:58).

Allocation of public funds

There is no general law in Italy regarding the collection of state funds for culture. At state level, the criteria for allocating funds, and even in some cases determining the exact amount, are included in a number of sectoral special laws. On the other hand, legislation allowing additional public revenue from other sources to be added to the cultural pool to help compensate for resource constraints entered into force. The most important are as follows:

- Article 6 of the 662/1996 Budget Act and the reservation of part of the national lottery income for the protection and restoration of cultural assets

- Article 60 of the 289/2002 Budget Law and 3% of public investment expenditures related to 'strategic infrastructure' are allocated to the financing of cultural assets and activities (Bodo and Bodo, 2012: 41).

Funding through lottery money:

Towards the end of the 1990s, the government sought funding to cover the heavy burden of the conservation of cultural heritage, and it was decided that some of the financing should come from the national lottery revenues. With Law No. 662/1996, part of the revenue from the national lottery was allocated for restoration and preservation in cultural heritage, archeology, art, archives and library matters. Lottery revenues – in contrast to administrative funds - are allocated in advance and budgeted every three years to contribute to the Ministry's planning capacity (Bodo and Bodo, 2012: 41).

The law was first implemented in 1998, and at the end of the second three-year plan in 2003, more than 300 major and minor restoration projects related to monuments, museums, archaeological parks and libraries across the country had been supported by this fund. However, since 2007, the annual budget of 155 million euros of lottery revenues transferred to the cultural sector has significantly declined, down from 79 million euros between 2007 and 2009 to 48 million euros between 2009 and 2011. Since 2004, lottery revenues, which were culturally diverted in Italy and in some European countries, have gradually turned from an additional source of funding to a substitute source of finance (Bodo and Bodo, 2012: 41).

Funding through a percentage of capital investment in strategic infrastructure:

A new company called ARCUS '*Societa 'per lo sviluppo dell' Arte, della Cultura e dello Spettacolo*' was established specifically to manage the funding of 3% of the strategic infrastructure expenditures diverted to the Ministry of Heritage by the Law No. 291 of 2003. According to this law, the mission of the company is to promote activities in the field of culture and to strengthen the technical, financial and administrative activities and projects aimed at the restoration of cultural assets. The Ministry of Heritage is a partner in the company with an 8 million EUR capital in 2004 and the entire 7-member management board was appointed by the government. Over time the funds were used for various actions, such as the restoration of Villa Gregoriana in Tivoli, satellite follow-up of archaeological finds, orchestra restoration in Parma. However, the fact that it was not transparent in the first years of ARCUS caused criticism and controversy and the situation was perceived as the privatization of public funds. The Court of Accounts' criticism is that 'the excessiveness of discretionary authority and the lack of planning, transparency and reasonable procedures continue to characterize the management of the company' (Bodo and Bodo, 2012: 42).

With the Decree No. 182 of 2008, ARCUS was reformed and the degree of financing was determined jointly by the Ministry of Economy and the Ministry of Infrastructure, in consultation with the Ministry of Heritage. Later, the Ministry of Heritage decided

to transfer 70% of eligible financial resources for cultural inheritance and the remaining 30% for other cultural activities. However, this regulation was insufficient to achieve the necessary transparency, and criticism mounted that ARCUS was using uncontrolled authority. The Court of Accounts recommended that the ARCUS be closed down and the management of financial resources be transferred back to the Ministry (Bodo and Bodo, 2012: 42).

As an incentive to promote the conservation of cultural heritage as well as the requisite funds, there are some privileges applied in terms of income tax, local tax, inheritance tax and value added tax. The costs of conservation of historical buildings and monuments are tax deductible for private individuals and organizations. In the registered premises, the purchase and sale taxes are taken at a rate of 50% and no insurance tax is taken in these immovables (Yılmaz, 2006: 71).

3.2.5.5 Interim Evaluation

The management of cultural affairs is carried out through a system of authorities comprised of administrative units distributed across various sectors and administrative levels. This administrative model divides the country into 20 regions, 107 provinces and 8,101 municipalities with different social and economic conditions and cultural backgrounds. Regarding the management of cultural heritage, the ministry is responsible for the '*soprintandenze*', the provincial organization of the ministry, the regional administrations, the provincial administrations and the cultural departments of the municipalities. Cultural activities and all projects are frequently supervised by several institutions at different levels, including those under private sector control (Culturelink, 1996: 1).

The central government and regions have different powers in managing Cultural Heritage. At the end of the constitutional reform, which was formed by the Law No. 3 of 2001, the distribution of power between the state and the regions was regulated. The state is empowered to protect environment, eco-system and cultural heritage. According to Article 117 of the Constitution, territories are responsible for land and

land management, valorization of cultural heritage and management and development of cultural heritage and heritage related activities. However, the limits of these responsibilities are still not sufficiently clear. This situation is bedeviled by conflicts of authority and other problems. Some magazines and newspapers (such as Giornale dell'Arte) stress that there is a worrisome inequality between regions in cultural politics and appraisal. The reason is the individual investors at different levels of participation and individual strategies with different budgets and political preferences preclude sufficient awareness of cultural heritage management priorities (Colavitti and Usai, 2005: 2).

The new law (Code Urban), also known as the Cultural Heritage and Landscape Act, was amended in 2006 and 2008, after being adopted in 2004. This law, which consists of 184 items, aims to cover all elements of the problem. With recognition of a broader and more up-to-date description of intangible cultural assets, this law elaborates all functions including the management of cultural heritage (Bodo and Bodo, 2012: 48). These changes define different forms of authority and cooperation for the state and the territories in the field of conservation. The devolution of conservation, evaluation and development tasks into the regions creates a sense of duality between the concepts of conservation and valorization which leads to failure of long-term effective planning due to the lack of stable financial resources (Colavitti and Usai, 2005: 1).

Another controversial issue is the possibility of the transfer of public cultural assets and the management of museums, monuments and sites to profit-oriented or non-profit private entities. New measures to prevent the transfer or exploitation of public cultural assets were taken with the Decision No. 156 of 2006 and No. 63 of 2008 (Bodo and Bodo, 2012: 48).

On the other hand, Italy is one of the notable countries in terms of significant cultural heritage. Table 3.9 shows the 2010 data (Bodo and Bodo, 2012: 61).

Table 3.9 Number of Cultural Heritage (MiBAC, UfficioStudi, Culture in Italy. Basic figures, 2010)

Cultural heritage	**Number (2010)**
Immovable assets (registered)	46,025 architectural 5,668 archaeological
Museums, monuments and sites (organizations)	4,740 (of which 3,616 museums)

Italy is also the country with the highest number of sites on the World Heritage List. As of 2013, there are 49 Italian cultural properties listed. The management practices of the sites are carried out in accordance with the UNESCO Conventions. However, the implementation of the conventions has left a variety of bureaucratic structures that are unclear politically and administratively and are not in dialogue with the public. Most assignments and decisions are made through political and government channels that do not allow public access (Broccolini, 2012: 284).

There are multiple one bureaucratic structure in Italy involved in the implementation of the UNESCO conventions: the oldest is the Italian National Commission for UNESCO '*Commissione Nazionale Italiana per l'UNESCO*', which is a foreign ministry institution with political appointed employees. This structure was established in 1950, at the same time as UNESCO, and it was at the forefront of the World Heritage and Masterpieces program several years ago. Studies on this structure are carried out by a special committee. The Committee is attended by the Ministry of Foreign Affairs, the Ministry of Cultural Heritage and Activities (MIBAC) and various experts' representatives. In 1995, the Ministry of Foreign Affairs delegated all technical responsibilities to the MIBAC regarding the control of World Heritage registration procedures through a non-written agreement protocol. As a matter of fact, both the Ministry of Foreign Affairs and the representatives of MIBAC took part in the selection of the Italian National Commission. Following the protocol agreement between the two ministries, the Permanent Interministerial World Heritage Workgroup '*Gruppo di Lavoro Interministeriale Permanente per il Patrimonio Mondiale'* (Figure 3.27) was established in 1997. This powerful and highly political bureaucratic

formation was tasked with deciding on the implementation of the 1972 and 2003 Conventions covering more than one ministry. In addition, the UNESCO World Heritage Office was established in 2004 within the MIBAC. This office currently supervises candidates for the status of intangible cultural heritage. The president of the ministerial working group is the Undersecretary of the Ministry and the vice-president is the Secretary General of the Ministry. This authority is one of the highest rankings within the ministry and applications for nomination are signed by this authority (Broccolini, 2012: 284).

The other memberships of the working group consist of similar axes of bureaucracy and politics. The group also includes the Director of the World Heritage Office, the General Director of Cultural Heritage Promotion (also part of MIBAC), the Cultural Adviser of the Ministry of Foreign Affairs, the General Director of Culture, Directorate General for Cooperation and Development, both of which are related to the Ministry of Foreign Affairs. The Ministry of Environment, the Ministry of Agriculture Policy and the Ministry of Education and Research are in the working group as well. The working group is subject to the climate prevalent within the government due to its political structure and support: when a government collapses, the working group needs to be rebuilt and every new formation is subject to new regulations and even can lead to the new minister deciding whether or not any ministry is needed within the working group. It takes few details to reveal the difficulties in the administration and implementation of the UNESCO Conventions alone, even in the context of international law, when the complexity of bureaucratic devices and the conflicts of authority that can develop between them, as well as the dominant political character of the working party in Italy are taken into consideration (Broccolini, 2012: 284-285).

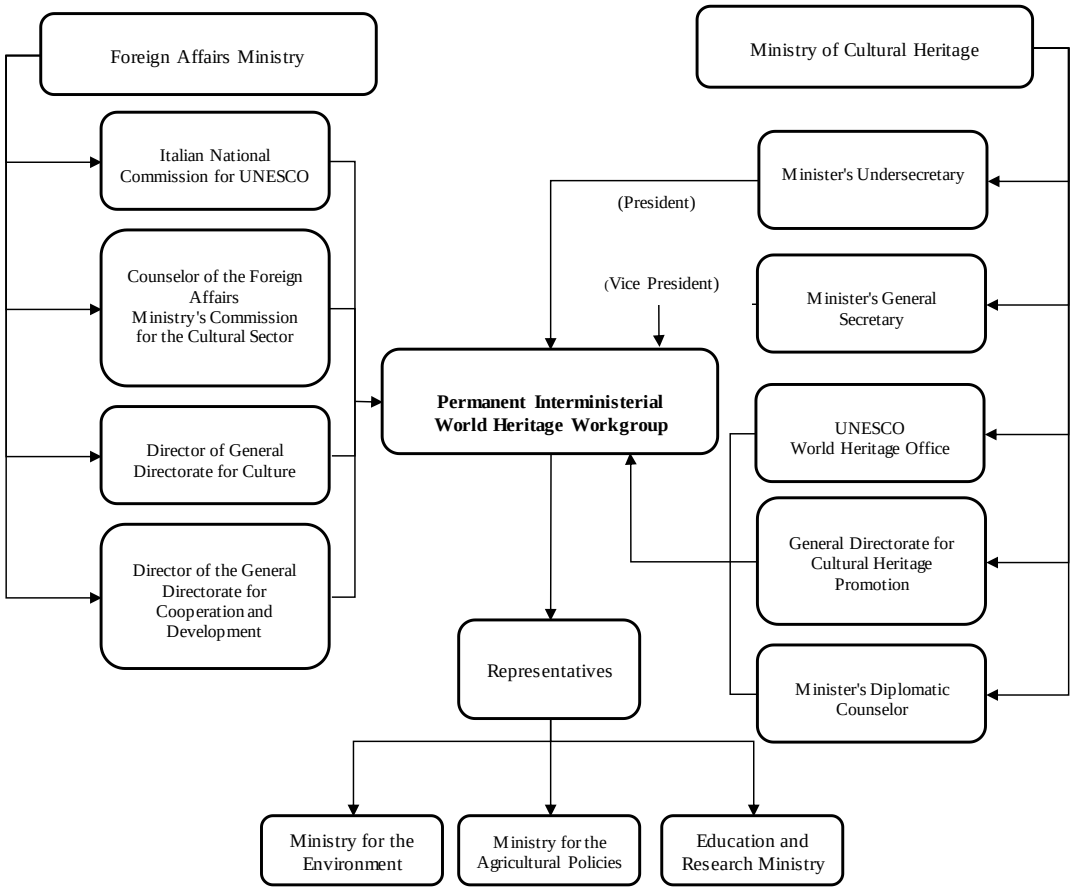


Figure 3.27 The Permanent Interministerial World Heritage Workgroup (Broccolini, 2012: 284)

Although UNESCO has not developed specific guidelines for the design process, this is regarded as the task of the governments party to it in accordance with the general principles of the World Heritage Convention. Italy is an important example of this, because, since 2004, the Ministry of Culture has established the process of monitoring the management systems of World Cultural Heritage assets of Italy and draft management plans with the approval of national guidelines (MIBAC, 2004). In addition, Italian law-makers approved a national law in 2006 (Law No. 77 of 2006) entitled 'Special measures for preservation and fruition of the Italian sites of cultural, natural and landscape importance, inscribed on the 'World Heritage list', under the protection of the UNESCO'. This law refers to the management plan as a typical

element of World Heritage sites and prioritizes the financing of UNESCO cultural heritage sites (Badia, 2011: 43-44).

Badia (2011: 43-47) reached a variety of conclusions by testing the existence of five basic elements of theories that fundamental to the science of management, in a survey conducted by Italy's 40 World Heritage Sites. These five key points of Badia's research are as follows:

- The governance system in World Cultural Heritage areas
- The drafting of the management plan
- The competencies employed at the stage of the draft management plan
- The presence of pre-determined indicators for the performance management system and plans already approved within this system and for incomplete projects
- Regular review of plans after final approval.

Badia (2011: 45) explains the analysis of the researcher's achievement with the following four managerial elements:

- General strategy items
- Governance and organizational structure elements
- Management elements (determinants of services provided, pricing, promotion and communication, access to services)
- Information and accounting systems

As a result of the research, a comprehensive analysis of these four management elements identified a lack of a performance management system that could combine quantitative and qualitative aspects with problems in implementing management principles and tools, especially in the field of information and accounting systems.

The most critical issues that emerged as a result of the research are mentioned below (Badia, 2011: 47):

- The existence of decision-making, but not interdependent, authorities often interfere with each other when concrete initiatives are needed for tourists and the community. This problem was noticed in Modena and Caserta Cases.
- The difficulties in cooperating between different public institutions or between the public and private sectors, especially in areas where joint management is concerned, often hamper the overcoming of the common conservation and development policies. This difficulty was found in the cases of Granada, Ferrara and the Orcia Valley (for the relations between public sector organizations), of Naples and the Venetian Villas (for the private public relations).
- The rigid implementations of some typical public administration models is paralyzing and causes a lack of understanding about environmental changes. These critical points are also present in Bavaria and Vicenza, administered by a large organization.
- In particular, if the results achieved by the management are inconsistent with the reference target, or if the organization responsible for the management of the regional heritage is working in a complex context, an unbalanced distribution of development initiatives emerges. This is quite common in the absence of priorities on partnership development. The subject matter was encountered in Barumini and Sardinia cases.

Finally, it is observed that the implementation of management tools to measure economic and financial balances and performance levels is difficult. This issue is present in almost all analyzed samples. There are also some cases in which these tools are not identified as missing. The Loire Valley, recognized as a model of best practice in other matters, is one such example. The use of management tools, however, should not go beyond the real needs. Moreover, the use of these tools should be undertaken not only in terms of formal procedures, but also to create a sound interaction between the organization's planning and control activities, and genuinely support the decision-making processes (Badia, 2011: 47).

To summarize the issues that are currently being discussed and improved in the management and conservation of Italy's large-scale cultural heritage (Bodo and Bodo, 2012: 26):

- Significant reduction in the funds allocated for the protection of the Italian cultural heritage, given that the current budget is predicted to be insufficient in conservation efforts
- Improvement of public-private partnership in the management of historical sites and museums
- Redistribution of government-level responsibilities
- Development of new strategies and operational tools to provide greater access to cultural heritage institutions
- Adoption of a new administrative perspective to incorporate management elements and tools.

3.2.6. Case Study: Florence World Heritage Management

3.2.6.1 General Description

Florence, the capital city of the Italian region of Tuscany, is 129 km from west coast of the country and 233 km north of Rome (URL 91). It is the most populous city in the region, with 382.000 inhabitants. One of the known geographical features is the River Arno, which crosses the city. Once the centre of medieval European trade and finance, Florence was considered the birthplace of Renaissance as well, mostly renowned for arts and architecture (Francini *et al.*, 2006: 19-20).

The city, first established as an Etruscan settlement in 59 B.C., became the capital city of the region of Tuscany in the 3rd century A.D. and was captured by both the Byzantines and the Ostrogoths after the collapse of the Roman Empire. The city witnessed the conflicts of power between the two groups, namely the Guelfos and the Ghibellinos, in the 13th century and underwent a surge in economic and cultural development during the reign of the Medici family in the 15th and 16th centuries. The

city was ruled by the Medici until 1737, when it fell to the invading forces of the Austrian Empire. It became a part of the newly established Kingdom of Italy in 1861. Florence briefly became the capital city of Italy in 1865, but after six years was superseded by Rome (Francini *et al.*, 2006: 19-20).

Figure 3.28 Historic Center of Florence (URL 92)

In terms of both artistic and historical heritage, the prosperous legacy of the city stands as a landmark and the city is still home to many artistic activities (ICOMOS Periodic Report, 2014: 1). It is possible to trace the entire history of Florence by examining the sequence of various architectural monuments in the city such as the 'Roman Quadrangle' in the *Piazza della Repubblica* area (Figure 3.29), the lanes of the old city, *Palazzo Pitti* that reflects the magnificence of the sixteenth century royal palace and renovations of Florence, the capital. (I. Management Plan, 2006: 18). With its *sui generis* consistency, the Historic Centre of Florence outstandingly bears witness to its remarkable role as a commercial center of the Middle Ages and Renaissance. Florence had managed to protect all streets, refurbished palaces (*Palazzo del Podestà* [Figure 3.30], *Palazzo Spini, Palazzo della Signoria*), loggias (*Loggia dei Lanzi* [Figure 3.31], *Loggia degli Innocenti and Del Mercato Nuovo, Loggia del Bigallo*), various freshwater springs, a remarkable bridge dating back to the 14th century, which hosts many shops, the *Ponte Vecchio* (Figure 3.32). Some monuments like the Orsanmichele, which were built purely for commercial reasons, have also survived to the present day (Francini *et al.*, 2006: 17). The 600-year artistic development of Florence is portrayed in structures such as the Cathedral of Santa Marie del Fiore

dating back to the 13th century, the Church of Santa Croce (Figure 3.33) and the Pitti Palace and the paintings and sculpture of artists such as Giotto, Brunelleschi, Botticelli and Michelangelo (Municipality of Florence, 2014: 1).

Figure 3.29 Piazza della Repubblica (URL 93)

Figure 3.30 - Palazzo del Podestà (URL 94)

3.2.6.2 Nomination

In 1981, ICOMOS declared the candidacy of the Historic Centre of Florence to the World Heritage List. Florence was accepted as a World Heritage Site in 1982 through the decision of the sixth session of the UNESCO World Heritage Committee. ICOMOS stated that the Historic Centre of Florence met the five criteria of the Convention. The Historic Centre of Florence was delineated by ICOMOS (Francini *et al.*, 2006: 17-18):

- as 'a unique artistic achievement, a masterpiece, the outcome of the continual work of creation over six centuries' - Criterion (i)
- with its 'predominant influence on the development of architecture or monumental arts, first in Italy and then in Europe' - Criterion (ii)
- with its streets still preserved intact, fortified palaces (...), loggias, fountains, a marvellous bridge from the fourteenth century - Criterion (iii)
- as an 'economic and political power in Europe between the 14th and 17th centuries' - Criterion (iv)
- with its involvement 'in events of international importance. In the sphere of the Neo-Platonic Academy, it developed the concept of the Renaissance' - Criterion (vi).

3.2.6.3 Current Conservation Status

The devastating flood in 1966 caused extensive damage to architectural fabric and artistic artefacts, and initiated a slow but steady migration of inhabitants away from the center. The State Monuments and Fine Arts Services, in conjunction with the municipal administration, have executed a systematic and well-timed intervention program for the most valuable architectural structures of the city without taking advantage of the special legislation for the protection of the city.

After its inclusion in the World Heritage List in 1982, Florence appears to have remained almost unchanged. Until now, the restoration of a large number of architectural and artistic assets has been accomplished with meticulous care and accuracy by the institutions responsible for protection (Francini *et al.*, 2006: 25).

Most of the buildings surrounding the bridge on the banks of the Arno were demolished to eliminate the destructive marks of the war, and re-construction works initiated aimed at creating a balance between the old and the new, even if the results, especially near the *Ponte Vecchio* have fallen short of perfection. In addition to public agencies, other institutions, possessing monumental structures, have conducted significant restorations as well. The maintenance and restorations carried out by the Provincial Administration in the Medici Riccardi Palace and *Opera del Duomo,* or relevant foundations in the complex of *Santa Maria del Fiore* (Figure 8) and the Baptistery (Figure 9) form prominent examples. Large numbers of other registered structures have been similarly restored and maintained by their owners (Francini *et al.*, 2006: 25).

Figure 3.31- Loggia dei Lanzi (URL 92)

Figure 3.32 - Ponte Vecchio (URL 92)

Figure 3.33 Santa Croce (URL 94)

3.2.6.4 Legal Protection

A number of laws for the protection and maintenance of the city have been improved and applied by the local administration. In order to address the fundamental needs of the city, collaboration with several local action plans was included in the design of the management plan. These are Urban Plans, Sector Plans and /or Integrated Plans and Plans for Socio-Economic Development (Francini *et al.*, 2006: 56).

A. Urban Plans

1. The Municipal Master Plan

The Municipal Master Plan (P.R.G.C- *Piano Regolatore Generale Comunale*) approved on 25.02.1998 comprises drawings and arrangements issued to delimit the

historical center, which is both a residential and cultural area, in a specific location with the code 'A'. The area, surrounded by heritage structures, comprises individual structures, architectural complexes and their surroundings, and private locations, and is spread over a 504 hectare area. Each structure or archeological site is placed within one of nine different building categories subject to different regulations and structure permits depending on their architectural and historical value and significance. The building works carried out in this area involve interventions for maintenance and re-use through ordinary/extraordinary maintenance, restoration and repairs. Reconstruction options may be available if the historical value or type of the building allows. In terms of a change in the final use of a structure, permission is always given to return a building to residential use, as long as this is compatible with the historical-architectural characteristics of its structure. Such changes are also permitted if the prior and final uses are both non-residential. (Francini *et al.*, 2006: 56; Municipality of Florence, 2014: 1; Municipality of Florence, 2015: 3).

Figure3.34 Cathedral of Santa Maria del Fiore (URL 95)

Figure 3.35- Baptistery (URL 92)

2. The Building Regulations

Building Regulations (RE), approved on 19.04.1999, define specific types of usage for services such as residential and the related services. Issues such as banning areas of 250 m² and larger from being used for industry and crafts and areas of 2,500 m² and larger from being retail stores, or procedures to be carried out in barracks, prisons, etc. are specified in terms of these regulations (Francini *et al.*, 2006: 57; Municipality of Florence, 2014: 1; Municipality of Florence, 2015: 3).

3. Structure Plan

The structure plan, which was issued as a result of the Regional Law no. 5 of 1995, to be valid for 20 years, includes strategic measures for regional planning and forms a basis for successful planning arrangements. The plan contains basic decisions and trends for the development and management of land, and encourages a social, economic and cultural growth model based on the enhancement of cultural heritage as sustainable development and regional/environmental sources (Francini *et al.*, 2006: 58; Municipality of Florence, 2014: 1; Municipality of Florence, 2015: 3).

The main objectives of the plan are as follows:

- the improvement of the River Arno and its landscape
- the enhancement of the quality of public transportation system
- the development of the mobility of the cyclists and pedestrians
- the improvement of the municipal railway system
- the building of three tramway lines
- the renovation of the dwellings and their adaptation to meet the latest housing requirements
- the decentralization of primary facilities to the surroundings of the town
- the enhancement of the quality of life and social consistency

4. Legislative Decree no. 42/2004, Cultural Heritage and Landscape Code

The Italian legislation that allows local authorities to participate and describes the limitations of public domains is supported and strengthened by a tool included in the Cultural Heritage and Landscape Code. Basically two kinds of cultural assets are classified by the law:

- the cultural assets in their entirety that overlap with aesthetic, historical and archeological interests in accordance with Law no. 1089 of the year 1939

- and the cultural assets from a wider perspective, constructed by the Italian context.

Historic assets and artistic interest are protected under the auspices of the Monuments and Fine Arts Commission within this code, and restoration projects and the supervision of works are both carried out in line with this code (Municipality of Florence, 2014: 1; Municipality of Florence, 2015: 3).

5. Legislative Decree no. 42/2004, Map of protected historic, artistic, archaeological and landscape sites. (*Carta dei vincoli storico artistici archeologici paesaggistici*) (Legislative Decree no. 490/1999, Acts no. 364/1909; 1089/1939; 778/1922; 1497/1939)

A list that includes the safeguarded aesthetic, historical, archaeological and landscape sites in the entire region was created by the Regional Government of Tuscany with the valuable support of the Regional Geographic Service and LaMMA (Laboratory for Meteorology and Environmental Modelling) and the cooperation of the Heritage and Culture Service of Tuscany. The system provides information about the geographical locations and the borders of the registered buildings and sites (Francini *et al.*, 2006: 59).

6. Protection Plan for the Artistic Heritage

The Civil Protection Agency stated that there was a need for a plan that would ensure the preservation of artistic heritage in the event of a repetition of the flooding of the Arno River, and the development of the plan was initiated in October 2004. The purpose of this plan is to create a databank containing a detailed list of the cultural heritage at risk and to provide a relevant risk map. The collected data create a basis for the SDS (*Sistemi di Salvaguardia*) preservation system to be defined and implemented. The plan is to be used by the Civil Protection Agency, which assumes coordination and consultancy responsibilities, and institutions responsible of management and the preservation of artifacts. The cooperative activities to be carried out in this context are

limited to the partners at a municipality level due to the complexity of the procedures and the number of relevant authorities. The goal is to create a medium-scale system to be experimentally implemented by the municipality as a template for the preservation of cultural heritage. Additionally, a structure plan for the hydrogeological analysis of the Arno basin was approved by the Institutional Committee of the Arno Basin Authority on 11.11.2014 (Francini *et al.*, 2006: 59).

B. Sector Plans And /Or Integrated Plans

1. 2002 Master Plan for Urban Traffic Management

One of the transforming factors in Florence has been the Master Plan for Urban Traffic Management which came into effect with the increasing significance of personal mobility. The priority of the plan was to amplify mass transportation and reduce private car usage, thus mitigating the negative effects of traffic on the city and environment. The plan aims for:

- Popularizing railway transportation services by means of increasing the number of trips between central stations
- Providing service to areas without rail links by means of creating new destinations on bus routes and increasing the frequency of services
- Developing the connections between the main train stations in the city center (Francini *et al.*, 2006: 60).

2. City Tourism Plan

The City Tourism Plan was approved in 24.04.1999 decision no. 605 of the city council in order to improve the available accommodation facilities, to provide for the increasing touristic needs, and to ensure the performance of additional services only recently instituted. The plan contains decisions for construction permits for the new facilities or to expand existing ones in order to achieve a total of 3,000 bed (1,500 room) capacity for hotel-type accommodation and a 600 bed capacity for non-hotel-

type accommodations and to build camp sites. Besides the 1,500 room demand, it was aimed to create and extra 60 room capacity by means of new buildings (Francini *et al.*, 2006: 60).

C. Plans for Socio-Economic Development

1. Strategic plan for the Florence metropolitan area

The Strategic Plan, approved in December 2002, resulted from a comprehensive planning study, involving a series of discussions open to public along with the participation of more than 170 corporate bodies and social institutions in the metropolitan area. The Strategic Plan, which defined a general vision for the future of Florence, foresaw the completion of 32 projects and 55 initiatives both short and long term, during the four strategic stages of the actions aimed to be implemented. The plan was implemented and monitored by the 'Firenze 2010' organization founded in April 2003. 'Firenze 2010' comprises 26 members under the chairmanship of the Municipality of Florence (Francini *et al.*, 2006: 61).

Many meetings were held for the purpose of creating a culture fund for monitoring the projects within the Strategic Plan and for carrying out future studies and projects. A series of meetings and forums were also organized related to the financial conference to define the strategies for the social and economic growth of the city and to discuss the development of the metropolitan area. Three round table meetings were organized on 27.10.2005 with the participation of several stakeholders and the following issues were deliberated in details therein (Francini *et al.*, 2006: 61-62):

- Cultural assets and technical improvements
- Industrial processes
- Infrastructure
- Commerce and tourism

The strategic plan still retains its relevance through the negotiation of institutional structures and economic and social stakeholders involved in the local development agreement. This is to ensure design projects on different levels (local, urban, and regional) for the regional development of Tuscany, and to determine the related priorities and goals. The projects are implemented according to a specific schedule to ensure this agreement results in successful conclusions, with a series of actions aimed at strengthening Florence economically (Francini *et al.*, 2006: 62).

2. Plan for commerce

The plan for commerce was approved by the City Council's decision no. 877 of 28.07.2000; this plan ensured that national and regional rules concerning commercial activities would be applied at the communal level. The primary purpose of the plan is to provide reference points for the evaluation of the regional and environmental impacts of commercial enterprises in terms of accessibility, mobility, traffic and pollution. In addition to this, the plan aims at enhancing the commercial value for the renewal of the urban fabric (Francini *et al.*, 2006: 62).

3.2.6.5 Factors Affecting the Site

The density and intensity of activity in the inner city and traffic flows generated by the accelerating use of private cars pose problems especially during the rush hours on weekdays. A variety of approaches have been applied to confront this problem, and the air and noise pollution generated by it resulting in negative impacts on the historical city and cultural heritage: such approaches are encouraging public transport, investing in new transportation networks and popularizing eco-friendly vehicles (Francini *et al.*, 2006: 62).

The impact of dense traffic, pollution and high real estate prices on the quality of life are among the problems which lead to the inhabitants leaving the city center. Recent decades have witnessed a movement by inhabitants to suburbs and neighboring cities motivated by these factors, taken all together this situation has caused a downward

trend in tourism in Florence. The flood risk provoked by the River Arno is another important risk. In this respect, the Flood Protection Plan and the Arno Basin Plan have been applied to prevent a repetition of past catastrophes (Francini *et al.*, 2006: 66-67).

The strengths and weaknesses of the city of Florence, such as intrinsic assets providing a competitive advantage and restrictions in management and organizations can be emphasized by the SWOT analysis. It is also possible to assess the exterior variables that may have a positive or negative effect on the system. For instance, the factors are defined as opportunities if they indicate future benefits or as threats when they possess harmful ecological factors (Figure 3.36) (Francini *et al.*, 2006: 63).

STRENGTHS	WEAKNESSES
• Strong cultural identity • Outstanding historic and artistic heritage • Exceptional landscape value • Tradition of high quality food and wine • Notable tourist flows • High quality handicrafts and long-eatablished shops • Cultural volunteers • Human resources available for conservation initiatives • Cultural events (conferences, exhibitions etc.) • International Cultural associations and institutes • Ongoing strategic planning (Florence 2010)	• Difficult mobility • Difficult parking for residents • Waste collection handling • Proliferation of unauthorized commercial activities • Insufficient funding for the maintenance of the historic and artistic heritage • Degraded urban furniture in all its forms (for ex arnple facades and road maintenance) • Low awareness of citizens • Expensive prices for tourists • Poor cooperation between institutions • Poor coordination work in publicising the Heritage site
OPPORTUNITIES	**THREATS**
• Coordination of interventions for the Historic Centre (UNESCO Management Plan) • Implementation of solutions for mobility, car parks and road signs (expanding the electric bus fleet etc.) • Rationalisation of financial resources for conservation (national, regional, local funds etc.) • Coordination of cultural volunteers • Organisation of waste collection • Promotion of the site in schools • Organisation of trade activities in the Historic Centre • Coordination among institutions for the planning of cultural activities (e.g. major events)	• Unregulated tourist flows • Degradation of the artistic heritage due to pollution and lack of conservation • Flooding of the Arno • Unregulated rnobility • Landscape deterioration • Depopulation and lack of cultural identity • International political instability

Figure 3.36 SWOT Analysis of Florence (Francini *et al.*, 2006: 67)

3.2.6.6 Management

The City Council met the criteria of the World Heritage Convention dated 1972, by establishing a special institution, to undertake sustainable management of the historic center and prepare a draft management plan to deal with the monitoring of

implementations for the conservation and enhancement of the site. To this end, the Historic Centre Bureau - UNESCO World Heritage was inaugurated by the Culture Department Directorate of the City Council in 24.02.2005 (Francini *et al.*, 2006: 22).

The duties of the Historic Centre Bureau - UNESCO World Heritage are (Francini *et al.*, 2006: 22):

- drafting and supervision of the management plan in line with the UNESCO Convention for promoting the conservation, improvement and sustainable management of the historic center of Florence by initiating cooperation, and coordinating the efforts of the competent bodies and public and private stakeholders involved in the historic center of Florence
- determination of the guidelines and general action projects to be incorporated in the management plan;
- periodically reporting the progress on the conservation state of the historic center and recommending possible changes to the management plan and action plans
- efficient management of funding allocated to the management plan and related action plans
- promotion, execution and conformity of studies and research on the land, history and the cultural heritage of the city.

The Historic Centre Bureau -UNESCO World Heritage defined a series of objectives to enable the coordination of the necessary interventions for shared management of the historical center, and to build a powerful relationship network in which various institutions and municipalities could potentially work in collaboration (Municipality of Florence, 2014: 3). With this aim, an inter-managerial group, involving the different parties of the municipal administration working in the management of the Historic Centre of the city, was formed of the representatives of the Municipal Planning Department (Town Planning Department), the Municipal Police Department, the Mobility Department, the Metropolitan Area and Decentralization Office, Economical Promotion, Strategic Planning Offices, the Department of Economic Development (Francini *et al.*, 2006: 23):

It is considered that the success of the management plan for Florence lies in its capacity to enhance the participation and cooperation of various individuals and experts in the domain of preservation and conservation as an operational tool. The inter-managerial group, which was established through the ministerial decision of 25.01.2005 with the participation of the Ministry for National Heritage and Culture, the Region of Tuscany and the Municipality of Florence, strives to strengthen the coordination between public institutions and the site management. This workgroup carries out its activities with the aim of designing the joint management approach and defining integrated operational strategies (Francini *et al.*, 2006:23). A series of periodic meetings were held with the Monuments and Fine Arts Offices after the formation of the working group. Problems encountered in the historical center were discussed in the meetings organized as roundtable sessions where the aim was to coordinate the active institutions in the site effectively (Municipality of Florence, 2014: 3).

3.2.6.7 Management Plan

UNESCO indicated in 2002 that sites to be included on the World Heritage List had to have management plans and declared in 2004 that this decision was also valid for existing sites already included on the list. In response to this decision of UNESCO, the Italian Ministry for National Heritage and Culture decided on 27.11.2003 to establish an 'Advisory Commission for Management Plans of UNESCO Sites' in order to meet the criteria of UNESCO. In the second national conference concerning the sites on the World Heritage List in Italy organized on the 25th and 26th of May, 2004, it was concluded that a guide regarding the management plan needs to be prepared (Francini *et al.*, 2006: 15).

The Advisory Commission defines the management plan as a flexible tool which (Francini *et al.*, 2006: 15):

- addresses and analyses the dynamics of change, not only in the cultural context, but also in the socio-economic one,

- makes it possible to choose operational strategies and objectives so as to enable sustainable development, and cultural heritage and landscape through the participation of various institutions and shareholders,
- guarantees the protection of the extraordinary value of the related site.

The management plan stands out as a strategic and operational tool which defines the objectives and designs the actions and strategies to be pursued to reach these objectives. This tool has the quality of creating conservationist approaches, provides the basis to enhance the development and protection projects, coordinates various institutions which execute protective activities in the site and encourages the resource optimization and realization of economic investments. A set of operational principle measures and ideas to direct the projects are introduced with the plan and include various organizations that remain as constants in the ever contradictorily changing city dynamic. The plan also creates awareness among residents about the unique distinction of the site. The success of the management plan and its implementation depend on the involvement of different stakeholders and communities and the efficient use of resources. (Francini *et al.*, 2006: 11-15). The Florence management plan, which was supported and reinforced by a series of action plans, is collected under four headings aiming to ensure the integrity and development of the site and that the operational strategies are defined thoroughly (Francini *et al.*, 2006: 69).

- Action plan for protecting, preserving and enhancing the heritage
- Action plan for research and knowledge
- Action plan for mobility and environment
- Action plan for tourism

The management plan of the historic center of Florence, approved by the City Council on 07.03.2006, is under the auspices of the Historic Centre Bureau - UNESCO World Heritage of the Department of Culture of the Florence Municipality (Francini *et al.*, 2006: 2). The revised buffer zone (Figure 3.37) for the Historic Centre of Florence was approved by the World Heritage Committee on 06.07.2015, during the 39th session held in Bonn, through Decision 39 COM 8B.441. It covers an area of 10,480 ha.

including the hills around the city of Florence to the north, south and east and the plain to the north-west. The management area also includes parts of the territory of four municipalities: the Municipality of Florence, the Municipality of Sesto Fiorentino, the Municipality of Fiesole and the Municipality of Bagno a Ripoli (Francini *et al.*, 2016: 28)

3.2.6.8 Involvement of Local Communities

The responsible institutions share their approaches in the management of the historic city of Florence with the local community, UNESCO and all the parties participating in the activities of conservation thorough the management plan. The human factor, i.e., residents and visitors, one of the constituents in the complex dynamics affecting the site area, plays a significant role in the notions of life quality and sustainable development which constitute the most important factors for the proper management of the historical site. The existence of communication among stakeholders is a crucial strategic principle of the action plans. The expectations of the relationship among institutional structures in which the various groups are included is that of an exchange of ideas to reach the expected objectives without intervening in an excessive way. Creating a complete common approach poses serious problems (Francini *et al.*, 2006: 69).

It was no easy task to ensure that discussion groups formed between the intermanagerial group and the Monuments and Fine Art Services within the municipality shared their approaches and standpoints concerning management and managed to jointly prioritize them. It emerged that a regulation was needed to enable the operational choices of both groups through preserving their autonomy, in conjunction with defining their authority and responsibilities at the same time in order to strengthen the effectiveness of the inter-managerial group (Francini *et al.*, 2006:69).

The activities of the structure called ‘Agenda 21’ is intended to enable cooperation among municipalities, contribute to enhancing relationships among shareholders on sustainable development issues. This structure serves as a platform where important

problems and issues are discussed in an approach of a social assembly open to all the inhabitants of the city and other stakeholders (Francini *et al.*, 2006:80).

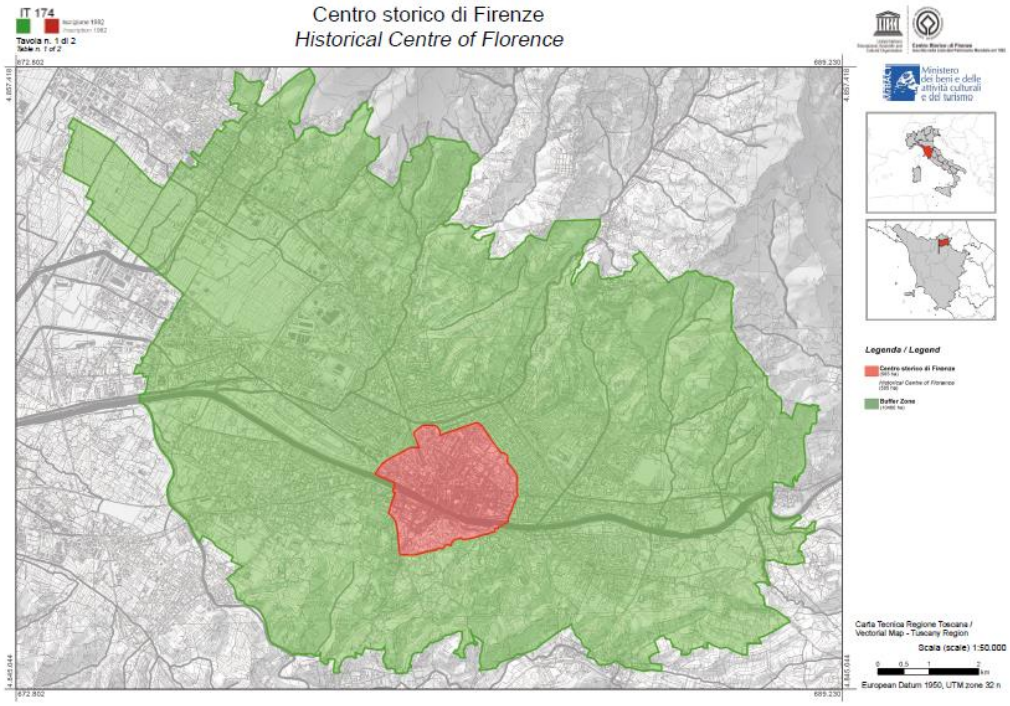


Figure 3.37 Buffer zone and core area of the historic centre of Florence (URL 96)

3.2.6.9 Stakeholders

After the establishment of the Historic Centre Bureau–UNESCO World Heritage, the most effective public organization in the management plan process is the Municipality of Florence. This body also confers with provincial, regional and central administrations, the municipality assumes the administrative duties necessary to ensure an integrated outcomes in the management of the cultural heritage in accordance with the new 'Code of Cultural Properties and Landscape (Law by decree no. 267/00)'. To facilitate this, the municipalities were delegated with significant authority in terms of the protection, enhancement and management of the cultural heritage (Francini *et al.*, 2006: 73).

Besides the Municipality of Florence, the public bodies include (Francini *et al.*, 2006: 23):

- The Provincial Government of Florence
- The Regional Government of Tuscany
- The Ministry for National Heritage and Culture
- The University of Florence and
- The Chamber of Commerce of Florence

The private bodies include:

- The Association of Industrialists of the Province of Florence
- National Confederation of Handicrafts
- Small and Medium Enterprises
- The bank Cassa di Risparmio di Firenze and
- The Foundation for Artistic Handicrafts

The major objective of the Historic Centre Bureau - UNESCO World Heritage is to share and disseminate the primary values of the management plan to expand the scope of the public and private promoting institutions, particularly the cultural unions and the voluntary organizations. UNESCO Centre of Florence is the most privileged stakeholder among the cultural unions and cooperation with other individual associations or related networks such as the Centre of Florentine (Municipality of Florence, 2015: 4). Friends of Florentine Museums, Italian Historic Dwellings Association, Archeoclub, The Italian Environment Fund, the 'Get to Know Florence Association' are all examples of other associations that function in Florence and carry out supportive activities for the preservation and conservation of the city (Municipality of Florence, 2014: 3).

3.2.6.10 Resources

Financial Resources

Regarding the preservation and maintenance works in the historic center of Florence, several funding options are available. The figure 3.38. shows the resources controlled by the Ministry for Cultural Heritage and Activities and the Municipality of Florence used in 2004 to preserve and improve the site. It is important to note that the resources played a limited role in terms of the investments that were carried out (Francini *et al.*, 2006: 44).

Ministry for Cultural Heritage and Activities/Conservation	**Funding in 2004**
Archaeological Management	465,000.00
General Management Architectural and Landscape Heritage	3,686,320.44
Management of the Demo-ethno anthropologic Historic-Artistic Heritage	4,763,930.00
TOTAL	**8,915,250.44**
Municipality of Florence / Conservation	**Amounts Pledged in 2004**
Restoration and ordinary maintenance of buildings	550,239.30
Restoration, setting up and special maintenance	2,525,894.28
TOTAL	**3,076,133,58**
Municipality of Florence / Culture	**Expenditure Pledged in 2004**
Contributions, conventions and transfers (cultural associations and institutions, museums, exhibitions, cinema, dance, music, theatre, international exchanges)	6,632,401.61
Promotion and communication	213,947.00
Exhibitions (services)	38,200.00
Management of structures (Teatro Goldoni, Saloncino Goldoni, Palazzo Strozzi, Limonaia di Villa Strozzi, Teatro Puccini)	167,608.88
Projects, initiatives and cultural events (services)	657,365.27
Management of library and archival activities	903,793.87
Management and enhancement of the museum heritage (services)	1,714,495.72
TOTAL	**10,327,812.35**

Figure 3.38 Financial Resources (Francini *et al.*, 2006: 44)

3.2.6.11 Monitoring and Reviewing the Plan

The second management plan is considered to be a flexible tool for regularly assessing the efficiency of the specific functional plans and, if required, revising the ineffective projects in terms of those befitting the provisional requirements of the site. In this way, the activities and plans are monitored in accordance with the investigations and surveys carried out by checking various specific parameters. Thus, it becomes possible to confirm whether the targets are being met or not and allows required changes to be made where necessary (Francini *et al.*, 2006:15). The follow-up activities concerning the management plan will be carried out by the Historic Centre Bureau – UNESCO World Heritage in two methods (Francini *et al.*, 2006:85):

- **The evaluation of the progress of the chosen projects and the probable objectives**

The actions will be monitored by evaluating particular indicators every three months by the participants of every project. These evaluations will also be beneficial to assess the validity of a project and decide if a project should be replaced and/or extended.

- **The evaluation of the efficiency of the plan and the surveying of the site in medium and long terms**

Given the complexity of the site, this management tool used in the site should be revised every two years, especially in the first period of implementation, so as to enable the joint management and the coordination of the cultural heritage and the landscape. It could be possible in this way to update the management plan and adapt it to the changing conditions and exigencies in Florence.

In line with the guidelines defined by 'the Advisory Commission for the Management Plans of the UNESCO Sites', the outlining process for the second management plan of the historic center of Florence started in February 2013. In this process, the management plan became a management tool to provide the requirements of the

outstanding universal values of the historic center of Florence (Francini *et al.*, 2016: 62 The UNESCO Office of the Service for City Museums and Events of the Department for Culture and Sport of the Florence Municipality is responsible for reviewing the second management plan of the historic center of Florence that was accepted by the City Council on January 19, 2016 (Francini *et al.*, 2016: 3). The plan is accessible through UNESCO Office of the Municipality of Florence's website (URL 97). Nevertheless, no revised plan has been declared in the UNESCO World Heritage website.

3.2.6.12 Interim Evaluation of Florence Management Plan

Florence is an urban conservation site, dating back to the 1st century BC, and was the center of the Renaissance by virtue of its economic and cultural structure, which still contains rich and important artifacts from the Middle Ages and the Renaissance period. The main legal basis for conservation in Florence is the Law of Cultural Properties and Landscape, which applies to the entire country and entered into force in 2000. Especially after World War II, systematic interventions by the municipality and the State Monuments and Fine Arts Services constituted important progress in conservation. In addition to these studies, there are a number of strategic documents supporting conservation actions at the local level, which is an important approach towards supporting the legal infrastructure. According to the Florence master plan, the area, surrounded by many different structures, is classified according to the differences of architectural and historical values and significance, and nine different categories of regulation and different building permit procedures are defined.

An important tool that can be described as an example of good practice in Florence with regard to the management of cultural heritage comprises the digital inventory system which sets the exact georeference and boundaries of proprietary structures and sites prepared with the support of the Toscana Regional Government. In addition, the Traffic Management Plan and the City Tourism Plan have been put into effect to produce priority solutions for the contemporary needs of Florence. The common goal

of all plans and instruments is to cultivate policies based on sustainable development for the future of Florence and the preservation of cultural heritage.

In Florence, included in the list of world heritage sites in 1982, it was decided to form an Advisory Committee in 2003 to form a management plan. The first term management plan was implemented between 2006 and 2016. The Advisory Committee defines the management plan as a flexible tool that addresses the dynamics of change both culturally and socio-economically and provides the choice of operational strategies for sustainable development and protection. At the same time, the plan is intended to be a document that provides inter-institutional coordination and encourages public awareness. The areas of action were evaluated under four headings: protection, preservation and enhancement, research and knowledge, mobility and environment and tourism. The strategic basis of the action plan is to ensure effective communication among stakeholders.

The Florence management area is a common service area for four municipalities. For this reason, the most critical issue in the implementation phase of the management plan is the facilitation of communication and coordination between these municipalities and other public or private institutions concerned with the conservation and the local people. For this purpose, an intermanagerial group was established at the local level as the national level by the decision of MIBAC in 2003. The intermanagerial group consists of MIBAC, the Region of Tuscany and the Municipality of Florence. The purpose of this formation is to define an understanding of common management and operational strategies. Achieving a totally common approach presents serious challenges. For this reason, the Agenda 21 was established in the form of a community council to enable and encourage cooperation among municipalities and to contribute to the management of all stakeholders so that common approaches can be achieved. The Historic Center Bureau-UNESCO World Heritage began to operate in 2005, and has undertaken these activities, as well as the dissemination of management plan views to a wide range of public and private sectors, and the distribution of the core values of the management plan, especially within cultural institutions and voluntary organizations.

Despite the extensive legal documents and plans for cultural heritage management, the philosophy of strategic management, the existence of numerous institutional structures for sustainable governance, and good practice such as GIS-based inventory, the Florence case still presents some shortcomings. The ICOMOS 2014 yearly report states that there is only a minimum level of communication between the institutions responsible for restoration and maintenance, that the promotion of the world heritage in schools is weak, and that the procedures for the World Heritage signage and logos in the area are not followed. On the other hand, while the current management is quite adequate, it was stated that there is no formal monitoring program and that the basic indicators should be determined.

3.2.7. Cultural Heritage Management Approaches in Germany

3.2.7.1 Overview

The Federal Republic of Germany, commonly known as Germany, is a federal parliamentary republic located in central-western Europe. It occupies a total of 357,021 square kilometers with its 16 constituent states[46] (Länder). Its capital and largest city by area is Berlin. Germany is the leading member state of the European Union with respect to its 81 million population (URL 98).

There was a request to formulate the ideas of preserving historical monuments on a legal basis in the first half of the 18th century, however the first legal measure in

[46] In Germany, these are: North Rhine-Westphalia, Bavaria, Baden-Württemberg, Lower Saxony, Hesse, Rhineland-Palatinate, Berlin, Saxony, Hamburg, Schleswig-Holstein, Brandenburg, Thuringia, Saxony-Anhalt, Mecklenburg-Vorpommern, Saarland, Bremen' (URL 98). 'The use of the term Länder (Lands) dates back to the Weimar constitution of 1919. Before this time, the constituent states of the German Empire were called Staaten (States). Today, it is very common to use the term Bundesland (Federal Land). However, this term is not used officially, neither by the constitution of 1919 nor by the Basic Law (Constitution) of 1949. Three Länder call themselves Freistaaten (Free States, which is a older term in German for Republic), Bavaria (since 1919), Saxony (originally since 1919 and again since 1990), and Thuringia' (since 1994) The term Länder (plural form of the German word for land) or Bundesländer (plural form of the German word for state) refers to federal states in German-speaking countries' (URL 101).

Germany with regard to protection was implemented in the Great Hesse-Darmstadt Duchy in 1902 (Pickard, 2001:137).

Germany has a rich and varied cultural heritage with about 1,000,000 immovable and movable archaeological, architectural, industrial and garden assets from the prehistoric period to the 20th century (URL 99; URL 100). One of the primary aims of Germany during the recovery and reconstruction after the Second World War was the proper reconstruction, restoration and care of the seriously damaged cultural heritage (Sancakdar and Tepe, 2010:1753).

The individual states have the characteristics of a federal republic, so they have the primary administrative responsibility to protect works and monuments related to the culture and cultural heritage (URL 99; URL 102). In this federal structure, the central authority has power in legislation, the Länder have power in execution. As well as legislative power, Länder may implement federal laws under their own authority and responsibility. The administrative structure in Germany consists of five levels including Federal state, sixteen Länder, provincial governments, districts and municipalities. However, there is no administrative model in Germany applicable to the whole country. As a result, authorities, responsibilities and duties of the administrative units may vary (Kayıkçı, 2003:2).

Historical background

In contrast to many European countries, Germany consisted of independent feudal city-states, each having its own cultural policy and different cultural institutions. These traditions were not assimilated into a uniform whole under the German Empire founded in 1871. Although the Reich government (German Empire) was responsible for foreign culture policy, associated city-states continued to operate within the framework of their own cultural policy. The autonomous structure of municipalities extends to cultural events, where art and culture are strongly supported by public opinion. Public responsibility for culture and art was shared between the Reich

government, governments of associated states and municipal councils under the new constitution of the Weimar Republic (Blumenreich, 2013: 2).

The approach adopted by the National Socialist regime between 1933 and 1945 eliminated the diversity developed for centuries through a policy of drastic centralization, suppression of civil society and eliding cultural affairs with the regime's political interests. This experience led to a strong reaction towards federalism when the Federal Republic of Germany was formed post 1945. When the Second World War ended in 1945, Germany was divided into four occupied areas: West, three areas, and East, one area. These four areas were finally transformed into the Federal Republic of Germany and the German Democratic Republic (essentially the Soviet occupation area). This situation lasted until the reunification of Germany in 1990 after 40 years (Blumenreich, 2013: 2).

Reunified Federal Republic of Germany (since 1990)

The 1990s were profoundly influenced by the unification of Germany. In the new eastern Länder, the adoption of the administrative structure of the former Federal Republic and its approach to cultural policy prompted a restructuring of and radical changes in the cultural landscape. These years have also been marked by austerity measures and budgetary constraints and by the increasingly evident structural problems of the major traditional cultural institutions. In the early years of the following decade, cultural policy in Germany stabilized compared with the changes of the 1990s. However, cultural policy still faced great challenges and required constant re-orientation. The main issues have been financial, particularly as the negative consequences of the recent global financial crisis on local and regional public budgets became more visible. On the other hand, some of these problems are structural in nature and concern the conceptional basis of cultural policy (Blumenreich, 2013: 3).

Despite improved state budgets on the national level and in some of the Länder, there is ongoing pressure on cultural institutions to increase their economic equity-ratio, to manage their institutions more economically, and to obtain funds from other sources

such as sponsorship, patronage and marketing. In particular, the structural problems have required a readjustment of the relationship between the state, market and society concerning the financing of cultural institutions; including among other methods, through a public private partnership models and a stronger integration of civic commitments. In addition, the conceptional basis of past cultural policies has been challenged by migration processes, rapid media development and a change in the composition of audiences. Currently, intensive discussion is taking place in Germany on the requirements of cultural policies, due to these societal changes (Blumenreich, 2013: 3).

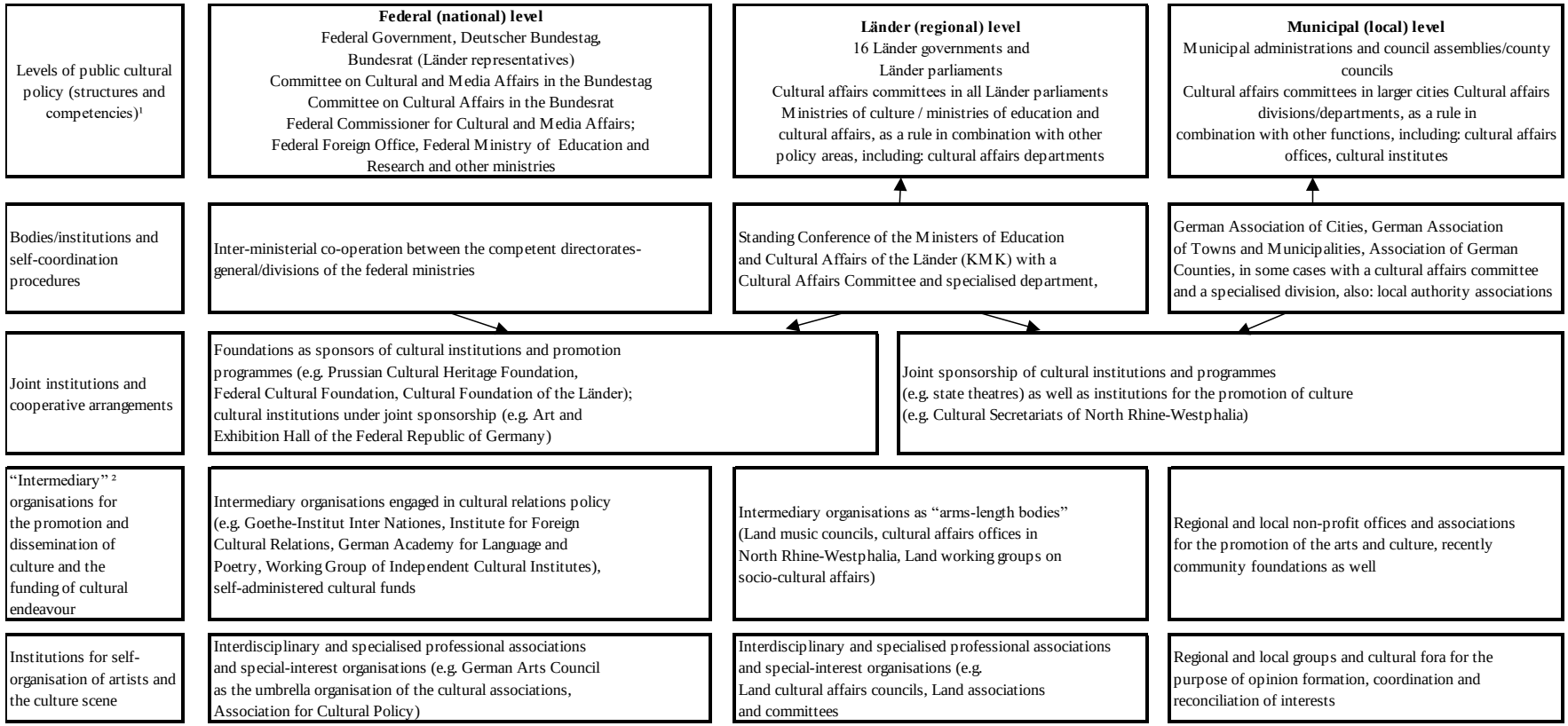
Main Characteristics of the Current Cultural Policy Model

German cultural policy is based on a federal model and it is governed by the principles of decentralization, subsidiarity and plurality; a tradition rooted in the nation's historical development and reaffirmed in its Constitution. All levels of government operate within a Constitutional framework which specifies their respective competences in the cultural field (Figure 3.39). In reality, there is a high degree of competition among the different Länder, municipalities, cultural institutions, artists and other intermediaries. An important objective influencing the development of cultural policy throughout Germany is finding a balance between public-sector responsibility for ensuring the existence and funding of cultural institutions and programs without government interference in cultural activities. The state is responsible for actively encouraging, supporting and upholding this artistic freedom in what is referred to as a cultural state. This approach to cultural policy is primarily supply-oriented. This means that the majority of cultural infrastructure is governed under the rule of law and is supported by the government – mainly by the individual Länder and the cities. More recently, there have been discussions concerning the privatization of public services and institutions which has intensified efforts to promote more efficient arts management. As a result, there is a greater receptiveness to public-private partnership models and a willingness to privatize some cultural institutions (Blumenreich, 2013: 4).

For many years, there has been an ongoing debate regarding a greater pooling of resources among the different levels of government. Prompted by the problematic financial situation of many Länder, the Federal Government has been called upon to co-finance important cultural aspects. A precedent was set for its involvement in the 1990 Unification Treaty calling on the Federal Government to support cultural values located in the Länder of the East Germany. This is especially important for cultural institutions located in the new capital city, Berlin, which faces a plethora of structural and financial problems as a consequence of German unification and which requires substantial support from Federal agencies. Along with additional obligations and competences, this federal involvement gives agencies a greater say in cultural matters at the national level; a development that is contested by some of the Länder on constitutional grounds (Blumenreich, 2013: 4).

Cultural Policy Targets

From the very beginning, the new cultural policy of the 1970s and 1980s reflected the priorities put forward by the Council of Europe on issues related to cultural identity, cultural heritage, cultural diversity and participation in cultural life (Blumenreich, 2013: 5).



1) Under the Basic Law, the municipalities are part of the Länder. They are furthermore guaranteed the right (Article 28 [2] of the Basic Law) to regulate all local affairs on their own responsibility, in other words, to also voluntarily and autonomously take decisions concerning the cultural affairs of the local community.
2) The concept of "intermediary" is very broadly interpreted here because the spectrum of private-law organisations that sponsor "public" cultural institutions, implement cultural programmes or distribute funds for cultural activities and institutions is very heterogeneous and all exhibit a varying degree of proximity to the state.

Figure 3.39 Competence, decision-making and administration in Germany (Blumenrich, 2013: 6)

Today, one of the main objectives of cultural policy in the Federal Republic of Germany is to make the arts and cultural events accessible to as many people as possible. Additionally, in terms of multiculturalism on a local scale, the issue of integrating different cultures in the society into cultural policy has been recognized to be as an issue to be considered (Blumenreich, 2013:5). Targets in the new culture policy mainly reflect requirements and purposes related to the definition of social solidarity by the Council of Europe. In addition, the equality of cultural opportunities has grown in importance in terms of cultural diversity and intercultural dialogue (Blumenreich, 2013: 30).

Main cultural policy issues and priorities

Following the collapse of the system in Eastern Europe and the unification of Germany in the early 1990s, new cultural imperatives emerged, both within the Federal Republic of Germany and in its relations with European neighbors. The difficult financial situation regarding all public funding has been a determining factor in cultural policy discussions on the municipal and Länder levels from the mid-1990s to 2000s (Blumenreich, 2013: 15).

The economic and financial crisis of 2008/2009 also impacted on private and public culture financing. During the crisis years the promotion of culture from private sources declined, whereas the effects of the crisis on public institutions only became visible to a greater extent in the culture budgets for the years 2010 and 2011. Over the last few years, more functions have been transferred to local authorities and communities without additional financial resources and in the context of declining revenues. Currently, pressure on public culture institutions is also high at the state level (Blumenreich, 2013: 15).

Cultural Heritage Policies

Heritage is a cultural policy priority at all levels of government and includes museums as well as the conservation of historic monuments and sites which bear witness to the

country's cultural traditions. The importance of the conservation of historic monuments and sites lies not only in the protection of cultural heritage but also in its economic significance for the construction industry, in particular specialized small and medium-size businesses. The protection of historic monuments is promoted through government sponsored public relations campaigns (Blumenreich, 2013: 21).

Germany's intangible cultural heritage is continuously addressed and examined from a modern perspective through theatrical, musical and literary productions. Municipal and state sponsors of cultural institutions provide facilities for this purpose. A public debate on the importance of tangible and intangible cultural heritage in cultural policy has been going on for several years. It is usually fuelled by large-scaled projects and events of outstanding political significance in the federal capital, e. g. the reconstruction of the Stadtschloss (former castle of the Emperor) or the reconstruction of the Museumsinsel in Berlin; both projects have meanwhile received parliamentary approval and have partly been accomplished. Up to the end of 2010, three museums of the Museumsinsel had completed their renovations and been re-inaugurated. The reconstruction of the Stadtschloss was delayed to 2013 due to cost requirements. The same debate took place in Braunschweig and Potsdam in 2007-2008. The issue related to the reconstruction of the former castles for these regions, while in Frankfurt, the debate related to the proposal to rebuild a great part of the old town center (Blumenreich, 2013: 21-22).

The cancellation of support programs from the Federal and Länder governments did not go unnoticed by the public, e.g. the program for Protection and Maintenance of Cultural Monuments in the New Länder was intensely discussed. The main issues continuously addressed were questions on how many and which monuments from the past the state should protect, reconstruct and maintain and by which measures. The rich, albeit rather dilapidated, heritage of cultural monuments in the East absorbed huge amounts of public funds throughout the 1990s and included the reconstruction of historic city centers, parks and gardens. However, experts estimate that the amount of funding available to date only covers about 50 % of the monuments requiring restoration in the East Germany (Blumenreich, 2013: 22).

Cultural heritage policies are coming under growing pressure in the face of dwindling financial resources and difficulties in finding appropriate and economically sound concepts for the use of reconstructed buildings. This also applies to some monuments of industrial culture included on the UNESCO World Heritage List (e.g. the Völklinger Hütte in the Saarland or Zeche Zollverein in Essen. In June 2011, 25 new cultural and natural sites were added to the UNESCO World Heritage List and three of them are located in Germany (for example: Fagus Factory in Alfeld built by Walter Gropius) (Blumenreich, 2013: 22).

Financial reasons are only one aspect of the problem; another is the widened concept of culture that developed in the 1970s and 1980s which included objects of everyday life as well as industrial culture. The reunification of Germany increased the number of objects worth protecting and reconstructing to an extent that makes the development of new evaluation criteria a necessity. Furthermore, there are frequent discussions on whether industrial spaces can be used in a meaningful and sustainable way by cultural projects because public funds are less and less sufficient for their high maintenance costs. More fundamental cultural policy considerations regarding financial support to works of art and culture from the past leaves little room for support to contemporary living art, thus upsetting the balance between protection of heritage and support to contemporary creativity. Therefore, there is a demand to reconsider the criteria used to determine public support for culture and that expensive cultural institutions such as the theatre and music be modernized and economically streamlined (Blumenreich, 2013: 22).

The debates in 2006 concerning cultural heritage focused on two issues: first, the discussion on the implementation of the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage in Germany. Secondly, since October 2006, there have been discussions regarding museums and libraries selling works of art in order to acquire funds for the upkeep of cultural institutions. Some municipalities announced their intention to sell works of art, despite the ongoing debates. However, such moves led to highly controversial public debates and the public authorities concerned were forced to retreat (Blumenreich, 2013: 23).

3.2.7.2. Legislation on Conservation

Constitution

At present, the Federal Constitution for the Republic of Germany includes one sentence referring to culture and the arts: 'The arts and science, research, and teaching shall be free'. According to the interpretation of the Constitutional Court, this clause not only stipulates a right for creative artists to protection from state interference, but also mandates the state to preserve and promote culture and the arts. This principle was explicitly reaffirmed in Article 35 of the 1990 Unification Treaty. In the past two decades, there have been efforts to insert a more precise 'cultural clause' or to include culture among the main goals of the state in the federal constitution. The last of these proposals was issued in 2005 by the Commission of Inquiry set up by the German Parliament entitled Culture in Germany. In contrast to the Federal Constitution, the majority of the Länder Constitutions address the arts and culture more specifically – the only exception being the city-state of Hamburg. Three of the Länder – Bavaria, Brandenburg and Saxony – include culture among the main goals of the state. Most constitutions of the Länder include pledges for public support to the arts or cultural development (Blumenreich, 2013: 34).

Division of jurisdiction

With regard to the division of competence between the federal authorities and the Länder, the Federal Constitution stipulates that 'except as otherwise provided or permitted by this Constitution, the exercise of state powers and the discharge of state functions is a matter for the Länder' (Article 30) (Blumenreich, 2013: 34). The states carry out legislative work at the federal level through the Federal Senate (Bundesrat), which consists of its representatives. The states and the Federal State have shared legislative powers (Keleş, 2009: 88). Legislative and executive forces must therefore be expressly delegated to federal authorities which has resulted in some duties of relevance for cultural policy (Blumenreich, 2013: 34).

There is not much dispute about the role of federal authorities in representing the country in cultural matters and particularly in the federal capital Berlin. Other federal responsibilities relate to the protection of the national and world heritage, the care for specific sites, the protection, acquisition and return of cultural goods of national importance, the funding of important cultural institutions in the East Germany and the promotion of cultural unity in the country (Blumenreich, 2013: 35).

Other public responsibilities in the cultural sphere are usually regulated by the Länder. However, the Länder transferred the majority of responsibility for cultural affairs to the local level, as is explicit in some of their respective Constitutions and municipal codes. The competence of the municipalities in the cultural field is, on the one hand, enshrined in Article 28 of the Federal Constitution as well as in various Länder constitutions and county and municipal codes (Blumenreich, 2013: 35).

The protection of cultural heritage in Germany is subject to four different sets of legislation, namely international conventions, European regulations, state laws and federal statutes (Kono, 2010: 423). The legal aspects of cultural policy are governed by related provisions in constitutional and administrative law. These provisions, however, are not codified in a single text; they consist of a host of constitutional and statutory provisions. All of these provisions are based on either the Federal Constitution and the constitutions of the Länder or the municipal and county codes, a few specialized statutes of the Länder, various federal legislation (federal building act, federal regional planning act) (Blumenreich, 2013: 38).

One of the central tasks of cultural policy is the protection, i. e. cultural monuments and man-made landscapes including architectural, archaeological and paleontological monuments as well as parks. At the Länder level, monument protection legislation has been passed. In addition to their sovereign right to define their own tasks, the Länder also consider it their duty to preserve such monuments and provide funds for this purpose. Municipalities are also involved in monument conservation; as a general rule, they have been assigned specific roles in this domain. Despite the primary role of the Länder in monument conservation, a program at the federal level has been

operating since 1950 to promote monument conservation measures in order to preserve and restore immovable cultural monuments of national significance. This involves federal co-financing of those cultural monuments that are significant for Germany as a whole. Following re-unification, the federal government launched several monument conservation programs to help meet the special needs for long overdue monument conservation work in Germany's eastern Länder. These programs are co-financed by the Länder involved. The federal and Länder authorities work together in the German National Committee for Monument Protection (Blumenreich, 2013: 40).

While monument conservation measures are designed to preserve and safeguard immovable cultural assets and thus protect this part of the nation's cultural heritage, other cultural heritage protection measures serve to protect its movable cultural treasures, as objects are also at risk of deterioration and destruction. The greatest threat to the nation's movable cultural heritage is, however, the loss of specific treasures, especially through their sale abroad. The statutory basis for state protection against the export of cultural objects is the Act on the Protection of German Cultural Heritage against Removal Abroad. This legislation is in line with EU law and includes restrictive provisions for national cultural assets possessing artistic, historic or archaeological value (Blumenreich, 2013: 40).

The cultural authority of the Länder is restricted by constitutional responsibilities of federal authorities and by duties assigned to municipalities in line with the principle of ‘local self-government’ (Article 28. 2) as well as by municipalities’ obligations to enrich and encourage cultural life as per many Länder constitutions. The Länder benefits from a more precise definition of cultural authority than the other two administrative levels thanks to the Länder constitutions and individual laws. For instance, archives and the care of monuments are subject to specific cultural laws at the Länder level (Blumenreich, 2013: 38).

The protection of cultural and natural heritage is basically addressed in two separate aspects of German legislation. These provisions have been shaped by laws enacted by

Länder, rather than federal laws. There are separate laws of 16 Länder on the protection of cultural assets. The first regulations on this matter were seen under the imperial constitution dated 1871 entitled 'Culture Management in Länder'. After the Second World War, there was intensive work on comprehensive legislation; regulations for protection were issued in 1952, 1953 and 1961. In 1970s, the protection of cultural assets started to be addressed at the state level (Sancakdar and Tepe, 2010: 1760).

The distinction between movable and immovable cultural assets is the basic classification in German law concerning which cultural assets are worth preserving. Immovable cultural assets are defined as constructional/architectural cultural assets and landscapes; there is no classification for movable cultural assets. Archaeological cultural assets are considered within the scope of both immovable and movable cultural assets (Sancakdar and Tepe, 2010: 1769).

A structure must have certain structural characteristics to be considered as constructional/architectural cultural asset. In determining this characteristic, the evaluation is concerned with whether the object has minimum constructional/architectural features within the framework of the state's development regulations. The other condition relates to whether the existing architectural work is a cultural asset worth preserving for the public interest (Sancakdar and Tepe, 2010: 1770).

An archaeological cultural asset is not defined in the German protection legislation. State laws include the conditions under which something can be accepted as an archaeological cultural asset. Accordingly, whether movable or immovable, a physical/tangible asset should be mentioned, and this asset must have survived from ancient times until today in terms of archaeological value. Parks, gardens and cemeteries are termed green cultural assets and constitute a more limited preservation area. There is no definition in the state laws regarding movable cultural assets. Movable cultural assets are recognized as displaceable assets because they are not fixed at a point or area (Sancakdar and Tepe, 2010: 1776).

In German protection legislation, the three important criteria for recognition as a cultural asset are rarity, limited quantity and non-reproducibility criteria. All cultural assets meeting these criteria and the above conditions are worth preserving without any classification. Another aspect included in the legislation is the principle of giving priority to utilization in protection. It is important that the cultural asset to be protected is put into use without isolating or abstracting it from the outer world. In the German system, the principle of protecting by using is at the forefront in establishing a protection/use balance (Sancakdar and Tepe, 2010: 1785, 1801).

In Germany, there is no Ministry of Culture to address cultural issues at the national level. This responsibility is shared by many ministries at the national level, in particular by the Federal Government Commissioner for Cultural Affairs and the Media (URL 99). Both the federal government and the states are obliged to formulate policies employing the appropriate scientific techniques, cultural and other resources for effective protection, preservation and presentation of cultural heritage (URL 100). Pursuant to the division of powers between the federal government and states, states are responsible for the preservation of monuments. Therefore, structures of Cultural Heritage Organizations and competent authorities may vary from state to state (URL 99; URL 100).

Architecture and spatial planning

In Germany, two fundamental characteristics of the urban planning system are a strong legislative framework and a decentralized decision-making structure. The separation of powers between government levels is included in the Federal German Constitution. This situation has significant implications for the planning system and causes important differences in the planning application processes of states making their own planning laws. The planning system is typically implemented at the state level or lower levels. The federal level makes a framework arrangement to provide a basic consistency in the planning laws in the basis of states. The essential principle of the system is that plans and policies must follow the one at the highest level (that of the federal structure) by remaining within the localization concept that provides authority

to the lower governments for the details of the policy. Federal Government, Federal Ministry of Transport, Development and Housing Ministry, Federal Regional Planning, Zoning and Urban Development Ministry, Federal Settlement and Regional Planning Office and Federal Statistics Office are the institutions for planning at the federal level. Federal Settlement and Regional Planning Office provides expert opinion to the federal government in planning, so it has an important function (Kayıkçı, 2003: 3, 6).

The most important objective of spatial planning is to provide equality of living conditions in Germany. The aims of spatial planning in Germany are sustainability, equality and strengthening the regions. The spatial planning process in Germany is based on cooperation between experts and federalists instead of hierarchical and centralized decision making. Federal Regional Planning Act formulates the purposes and principles of the spatial planning. Länder prepare detailed planning programs in line with how this law applies to their own land. In this respect, municipalities decide to use land within their own planning authorities. Horizontal and vertical coordination of all public planning bodies for designing plans is a unique characteristics of the German planning system. The vertical extent can be defined as the coordination between different authority levels (national, regional, local). Formal coordination at the horizontal level defines the coordinated activities of the parties involved in public and private sector on the same administrative level. Spatial planning is developed with mutual cooperation at national level and state level by considering the inputs of the bodies' decisions on the lowest level. Decisions are taken at lower levels, but authorities at higher levels always check them (Kayıkçı, 2003: 10-11). All of the general definitions related to architecture and urban planning are specified in the Construction Law and relevant construction regulations (Blumenreich, 2013: 41).

In Germany, environmental care and landscape protection are generally not included in the cultural policy. Both at national and regional levels, these issues are addressed by the relevant environment ministries under different legislative arrangements. However, in the narrow sense, the protection of national heritage and monuments are undertaken, at least partially, by the administrations responsible for the care of

monuments within the scope of the monument protection legislation of 16 Länder (Blumenreich, 2013: 42).

3.2.7.3 Description of the Administrative Structure

The Organization of German Administration

Germany is a federally structured country and has different management levels: Federal Government (parliament, national institutions, etc.), autonomous states (Bundeslander/ Länder) and municipalities (counties, cities, etc.). Depending on these levels, the German Constitution observes the responsibilities and authorities at different levels of government (Figure 3.40). Article 30 of the German Constitution assigns most competencies to the Länder: 'the exercise of state powers and competencies lie with the Länder, except where specifically stipulated or permitted by the German Constitution'. Currently, there is no general constitutional clause giving the Federal Government responsibility for areas such as culture or education. Hence, the Länder are the main public authority in the cultural field and are responsible for setting their own policy priorities, funding their respective cultural institutions and for supporting projects of regional importance (Blumenreich, 2013: 7).

In each German state, except for city states such as Berlin, Bremen and Hamburg, the cultural authority is characterized by a three-stage hierarchy. At the top of the hierarchy sits the state ministry of cultural affairs, followed by regional authorities and local authorities in districts and cities. The protection of monuments is performed by a specific unit within the ministries (Kono, 2010:431). There are likewise specialized sub-administrations in each state with notable examples being Baverian State Heritage Office (Bayerisches Ländesamt für Denkmalpflege), Berlin Monument Authority (Ländesdenkmalamt Berlin), State Office for Culture and Heritage (Ländesamt für Kultur und Denkmalpflege) in Mecklenburg-Vorpommern, and Sachsen-Anhalt State Office for Heritage and Archaeology (Ländesamt für Denkmalpflege und Archäologie Sachsen-Anhalt) (Stubbs and Makas, 2011: 214).

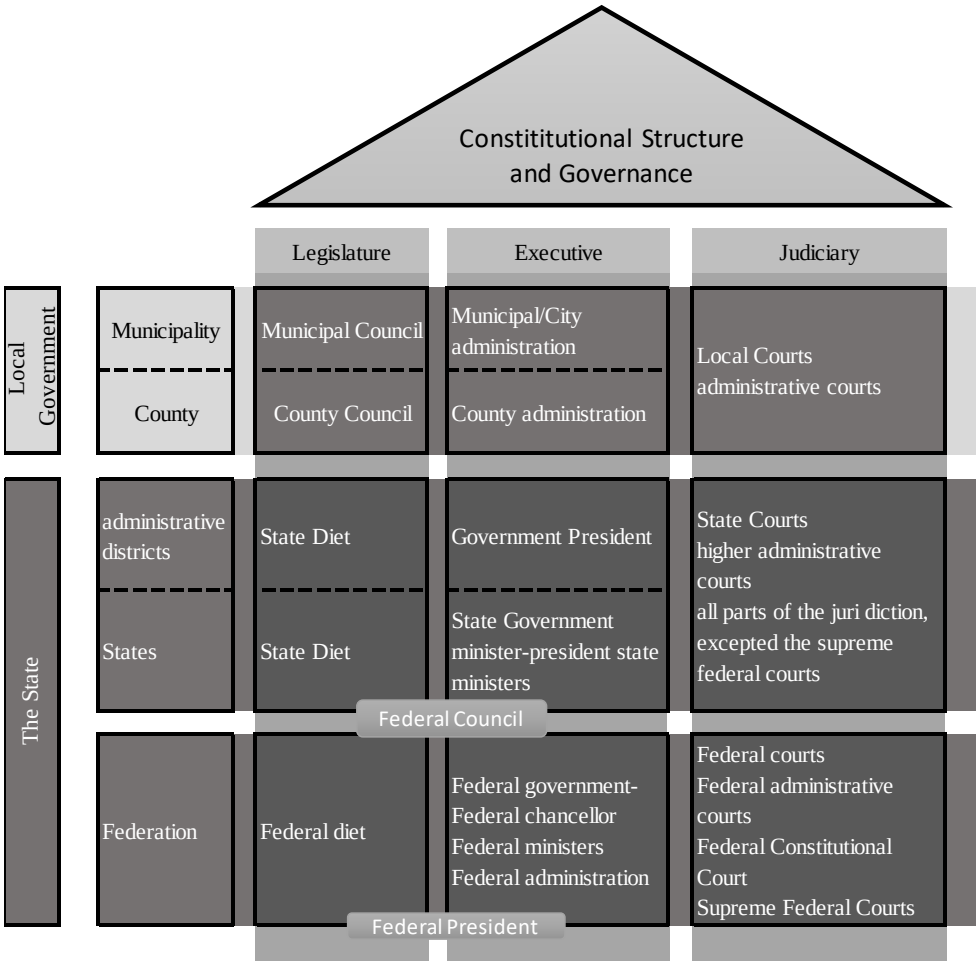


Figure 3.40 Administrative Structure of Germany (URL 103)

Paragraph 2 of Article 28 of the German Constitution affirms the role of municipalities in cultural affairs at the local level. The respective Constitutions of each Länder reinforce this provision and further define specific cultural responsibilities for local governments (Blumenreich, 2013: 7).

Within this federal and highly decentralized system, there are a number of institutions which formulate and implement cultural policy: legislative or self-governing bodies (i.e. parliaments, councils), government administrations (i.e. ministries or departments for cultural affairs), or consultative bodies (i.e. expert committees). The size and structure of these institutions will differ across the country. In their fields of competence, the Federal Government, the Länder and the municipalities are largely

free to shape cultural policy as they see fit, in other words, to determine the form, extent and priorities of their cultural programs (Blumenreich, 2013: 7).

Federal level

In 1998, the Federal Government created, for the first time, a Federal Government Commissioner for Cultural Affairs and the Media and thus creating a central contact point for cultural affairs at the federal level. Since 1998 the German Bundestag (parliament) has subsequently set up a Committee on Cultural and Media Affairs. It acts as a supervisory structure for the work of the Federal Commissioner for Cultural and Media Affairs and for the department responsible for foreign cultural policy. One of the most important responsibilities of this committee is to examine all legal initiatives and changes with respect to their possible effect on culture (Blumenreich, 2013: 7).

States (Länder) and municipalities

The Länder and municipalities are the main authority responsible for cultural policy in Germany. The scope and priority areas can vary greatly from Länder to Länder and from municipality to municipality (Blumenreich, 2013: 8). Länder are responsible for improving the laws on monument protection and for the enforcement of these laws to their full extent as the highest competent authority, in some cases comparable to regions, municipalities and administrative areas (URL 104).

All of the 16 Länder have their own parliaments, parliamentary committees that deal with cultural affairs and ministries responsible for culture. As a rule, culture is combined at the ministerial level with other policy areas, mainly education or science. In such cases, there are specific departments for cultural affairs. In 2004 and 2005, some Länder abandoned this tradition and transferred responsibility for cultural affairs to the Staatskanzlei (Office of the Prime Minister), as has occurred in North Rhine-Westphalia, Schleswig-Holstein, Berlin and Bremen. Meanwhile, all of the

Bundeslander – with the exception of Berlin – incorporated a department for culture/cultural affairs in the ministries (Blumenreich, 2013: 8).

The highest authority in charge of heritage preservation on behalf of the Länder is a designated ministry or senate's department. The senate's department exercises the supervisory control over its subordinates with which it jointly draws up the annual support programs. In each case, the Land's laws on heritage preservation provide for a central specialized authority: the Regional Office for the Preservation of Monuments (Landesdenkmalamt).

At the municipal level, cultural affairs fall, in most cases, under the responsibility of specific cultural commissioners with their own administrative structures. They are responsible for programs, public cultural institutions such as local theatres, libraries, museums or music schools, etc. City and county councils have their own cultural affairs committees (Blumenreich, 2013: 8).

All individual Länder can transfer budgetary resources for culture to the municipalities at their own discretion (Blumenreich, 2013: 8). Following the Land legislation on the protection of monuments, the highest authorities in charge of the heritage preservation (district administrations), generally supervise their subordinate authorities. Sometimes, they are responsible for monuments maintained by the Federation or Land, and also for creating and updating registers of historic monuments. The lowest level authorities in charge of heritage preservation (districts, municipalities) generally implement protection and preservation measures. Thus, all inquiries, applications, objections, etc. must be addressed to them. In some instances, smaller Länder - such as Saarland or city-states such as Berlin, Hamburg and Bremen- work jointly with the above mentioned administrative authorities. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder is the coordinating structure and an important instrument for representing the common interest of the Länder to the Federal Government, the European Union and UNESCO and it is therefore involved in, and aware of, the Länder's federal approach to cultural affairs (URL 104).

On 1 September 2006, a reform of the federal system came into effect. This has involved a re-distribution of competences between the federal government and the Länder in some policy areas. In the field of culture, the federal government assumed more responsibilities with respect to culture in the capital, Berlin, and to the conservation of cultural heritage. German representation in the field of cultural policy within the European Union has been given greater weight. Because the federal government is prohibited from co-financing cultural projects, the possibilities of supporting cultural education projects are limited (Blumenreich, 2013: 9).

The Regional Office for the Preservation of Monuments (Landesdenkmalämter)

A decentralized institution (the Regional Office for the Preservation of Monuments) (Landesdenkmalämter) is responsible for the management of administrative affairs related to cultural heritage. The Landesdenkmalämter performs its works as the representative of the authority granted to the Länder for cultural heritage (URL 102). This institution is responsible for, as well as the protection of historical monuments, sites, parks, archaeological areas and all matters requiring expertise (URL 105). This institution is also responsible for providing consultancy services to partner competent authorities and monument owners and reporting issues related to the preservation of historical monuments. This unit represents interests for preservation in public construction and planning projects on behalf of public interests. In some Länder, it is responsible for keeping records of historical monuments (URL 100).

The regional offices for the preservation of monuments (Landesdekmalämter) has subordinate authorities and passes on some decisions to subordinates. Only one Landesdekmalämter exclusively owns a laboratory, which is called Bayerisches Landesamt für Denkmalpflege (BLFD). The Landesdekmalämter guides decisions to apply new materials on monuments and examines their performance wherever possible (URL 102).

Advisory Committee for Monuments

The committee called 'the Advisory Committee for Monuments' or 'State Advisory Committee for Monuments' is a committee established within the framework of the current historical monument protection legislation and providing voluntary consultancy service to the executive bodies for protection in the case of historical monuments (URL 104).

The Advisory Committees for Monuments (in Länder) support bodies operating in the protection of antiquities and the fields of expertise related to these monuments. These committees are organized within the framework of the laws on protecting antiquities throughout the Länder[47] (URL 104). In principle, 'Advisory Committees for Monuments' support monument protection departments at lower level (in counties). Such committees are organized only in the antiquities protection legislation in Brandenburg (article 18[5]), Hessen (article 3[3]) and Thüringen (article 22[4]). In Nordrhein-Westfalen state, the relevant legal provision (article 23 [2]) envisages to establish a 'monuments committee' for this duty on the basis of counties. This voluntary consultancy duty given to the monument protection departments at lower levels is performed by 'country care officer' in the state of Bavaria, by 'care officer' in the states of Lower Saxony, Saarland, Sachsen and Sachsen-Anhalt and by 'monuments voluntary care officer' in the state of Rheinland-Pfalz (URL 104).

The Association of State Conservators and the Association of State Archaeologists

The Regional Office for the Preservation of Monuments of the Germany created the Association of State Conservators (1949) and the Association of State Archaeologists

[47] For example, it was organised in Länder within the relevant legislation such as in the state of Baden-Württemberg (Article 4 in the relevant law), in Bavaria (Article 14), in Berlin (Article 7), in the state of Brandenburg (it's referred as 'Monuments Maintenance Committee' within the scope of Article 18), in Bremen (Article 6), in Hamburg (Article 3), in Hessen (Article 5), in Lower Saxony (Article 22), in North Rhine-Westphalia Rheinland-Pfalz (so that it was called as 'State Advisory Committee' within the scope of Article 26 in this state), in Saarland (Article 5), in Sachsen (Article 6), in Sachsen-Anhalt (Article 6 [3, 4]), in Schleswig-Holstein (Article 4) and in Thüringen (Article 25) (URL 104).

in the Federal Republic of Germany (1951). The main objective of these latters is to ensure the continuous exchange of knowledge and experience as well as enhancing cooperation between specialists at national level in fields of heritage conservation and science (URL 100). They organize thematic working groups from different states and create an environment for sharing knowledge and expertise and publish a magazine called The Heritage (Die Denkmalpflege) (Stubb and Makas, 2011: 214).

The German Cultural Heritage Committee (DNK)

The German Cultural Heritage Committee (DNK) is an interdisciplinary forum on the protection and conservation of Germany's architectural and archaeological heritages. This committee targets private and public stakeholders linked to the heritage protection and conservation (URL 100). In addition to governmental institutions, there many civil parties involved supporting cultural programs (Blumenreich, 2013: 9).

This extensive network of intermediaries between the state and the culture scene complements public-sector activity and is indispensable to a vibrant and progressive cultural life in Germany. Pluralism of sponsors and vehicles of culture is a structural and important element of the system which is also indicated in the Constitution and the laws governing Germany's cultural sector. The various forms of commercial cultural activities likewise play an important role in the nation's cultural life. As a rule, there is no organized form of co-operation or coordination of cultural activities between the state and this diverse network of non-governmental organizations. Furthermore, private sector activities in the area of monument conservation are of great importance. There are a substantial number of volunteer monument conservators in Germany who work hand in hand with the respective public authorities. Private funding has also become indispensable in this field (Blumenreich, 2013: 9, 40).

Non-governmental organizations

The German Foundation for the Protection of Monuments (Deutsche Stiftung Denkmalschutz) functions as a useful and effective link between public and private

sector activities in this area. The Foundation mainly supports the practical restoration of selected monuments. In certain cases, the pilot applications of new materials can be included. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (KMK) serves as the national platform for recommendations of monuments to the UNESCO World Heritage List (Blumenreich, 2013: 40).

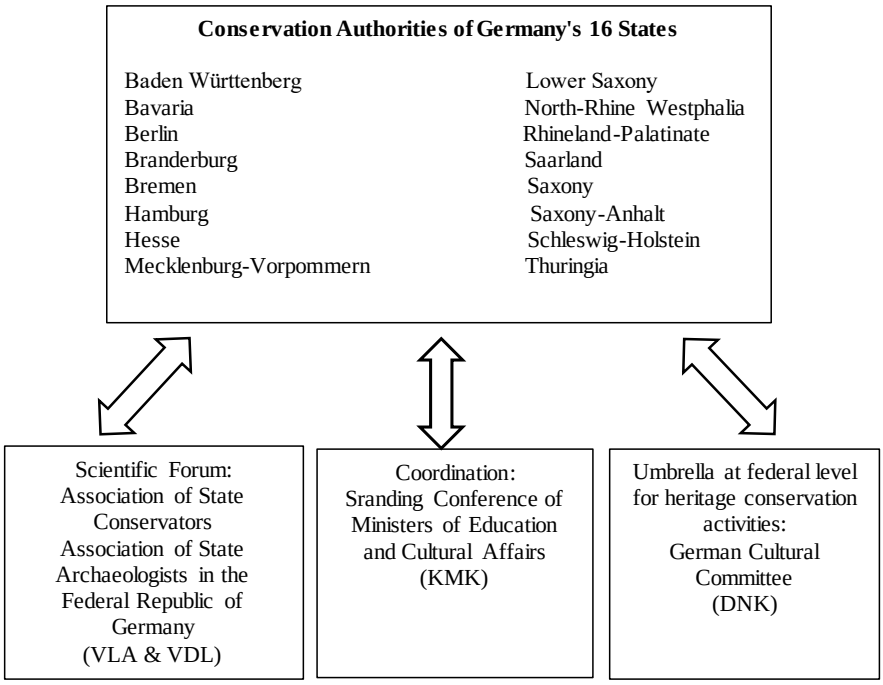


Figure 3.41 Organizational structure and relations of conservation authorities (URL 100)

Inter-ministerial or intergovernmental co-operation

There is no official institution in charge of coordinating cultural policy initiatives, programs and measures undertaken by all levels of government. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (KMK) acts as a platform for co-operation and exchange among the Länder. Co-operation platforms also exist at the municipal level through local authority associations such as the German Association of Cities, the German Association of Towns and Municipalities, and the Association of German Counties.

These associations have created specialized divisions and cultural affairs committees to address specific topics which may also be relevant at the Länder and Federal levels. The sub-committees prepare recommendations which are submitted to the respective local authorities for consideration (Blumenreich, 2013: 9).

Consultation and coordination of cultural policy between the Länder and their municipalities is handled in a number of ways; in addition to bilateral contacts between the relevant ministry and individual municipalities, consultations take place between the ministry and the local authority associations on issues of significance for the Länder as a whole. In several municipalities, specific offices have been created to facilitate supraregional cooperation. In other municipalities, this type of cooperation is accomplished by Regional Conferences on Cultural Affairs (Blumenreich, 2013: 9).

The various levels of government have rather different approaches to the systematic integration of culture into other policy areas and to strategic planning. However, dwindling resources at all governmental levels have encouraged greater inter-ministerial coordination in terms of the definition of goals and the use of resources (Blumenreich, 2013: 9).

Within the general process of intensifying transversal debates across different policy areas, various work groups have been established. EUBAM (European Affairs for Libraries, Archives, Museums and Monument Preservation), which was established within the Cultural and Media Affairs Federal Commission (BKM), including members from federal government, state governments and municipalities, non-governmental organization and ministries, forms a good example of this (Blumenreich, 2013: 10).

International cultural cooperation

European/international institutions and programs

International cooperation in the cultural sphere is taking on increasing significance. In February 2007, the German parliament passed the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and Germany participates in the UNESCO Convention for the Intangible Cultural Heritage. This convention was ratified in July, 2013 for Germany (Blumenreich, 2013: 11).

Direct professional co-operation

In addition to the longstanding international town twinning arrangements, communities in all the Länder have entered into bilateral or multilateral regional partnerships with comparable territorial communities or authorities in other countries, primarily – but not exclusively – in Europe. This cross-border cultural exchange covers 28 Europe Regions (Euregios) including Germany (Blumenreich, 2013: 12).

Since the 1970s, many private actors, professional organizations (e.g. theatres, museums or libraries) and informal networks have started to develop their own international relations and exchange programs, which are not necessarily linked any more with the official foreign policy (Blumenreich, 2013: 12).

3.2.7.4 Financial Issues

In general, there are no legal provisions governing cultural financing in Germany. Exceptions are the Act on the Cultural Areas in Saxony, which provides for joint funding of cultural endeavors of regional or supra-regional importance by the Land, the counties and the municipalities, and a cultural treaty for the federal capital, which defines the funds to be allocated by the Federal Government to cultural institutions and activities (Blumenreich, 2013: 35).

Beyond these exceptions, the funding for cultural institutions and general cultural activities, supported by the federal/Länder authorities, is regulated through the annual parliamentary budget appropriations. The same procedures apply for most of the Länder allocations to local cultural institutions and for the cultural budgets of cities and counties (Blumenreich, 2013: 35).

The financing of culture in the Federal Republic of Germany rests on several pillars. In keeping with the subsidiarity principle, culture – and thus the public financing thereof – is first and foremost responsibility of the citizens and their local communities. Only when the scope or nature of a cultural policy task is beyond the community's resources does the state step in as a sponsor. The municipalities thus bear the lion's share of the cost of financing public cultural activities and institutions, followed by the Länder. Due to its limited competence in the field of cultural policy, the Federal Government provides only a small share of the total support for culture in Germany (Blumenreich, 2013: 44).

As in other countries, strategic partnerships are increasingly being formed in Germany between the public and private sectors (public-private partnerships) for funding cultural projects and institutions. These strategic partnerships are expected to proliferate in the future. Even during periods of sluggish economic activity, cultural industries have formed an economic growth factor. Cultural industries have been increasingly supported through cultural policy measures; indirectly through measures like tax exemptions and more directly e.g. though support to a music export office (Blumenreich, 2013: 24).

Cultural Finance Reports for 2006, 2008, 2010 and 2012 reflect the defined general cultural concept and expenditure principles. Since that time, scientific and other museums, archives, cultural heritage issues, cultural management, cultural aspects have begun to be included in relevant statistics (Blumenreich, 2013: 44).

Regardless of these differences, cultural expenditure increased disproportionately in comparison to other areas of public expenditure in the 1970s and 1980s. In the 1990s

and the 2000s however – apart from the rise in cultural expenditure at the federal level due to the unification – total public expenditure increased nominally, but declined in real terms. This negative trend ended in 2006-2007 when cultural expenditure started to rise slowly again in real terms – a development that came to a halt at the regional and local levels, following the September 2008 world financial crisis. On the other hand, the budget for cultural affairs on the national level has increased steadily over the last eight years (Blumenreich, 2013: 44).

The Federal Government Commissioner for Culture and Media provides financial support to the conservation of architectural, archaeological monuments, and gardens if they have an outstanding relevance either to the country as a whole or for the development of the cultural landscape in Germany. Between 1950 and 2007, more than 500 cultural monuments were funded with a total of € 280 million within a program framework 'cultural monuments of national importance'.[48] Besides funding possibilities provided by the individual states' monument agencies, intended to help the owners of monuments fund maintenance works, there are many private funds, foundations and individual sponsors that offer financial support for the conservation and restoration of cultural monuments (URL 99). In addition, there are subsidies for listed monuments. In this respect, tax exemption is an important instrument for the protection of historical monuments (URL 100).

Before 1995, research on conservation in Germany was supported by the Ministry of Research or by the Environmental Agency. The research projects were integrated into special programs (e.g. concerned with stone conservation or with environmental impact on materials). At the present time, the German government finances research on conservation only at a very low level (e.g. in the program 'Naturwissenschaft in den Geisteswissenschaften' (natural science for arts) (URL 102).

[48] Monuments funded include the cathedrals of Erfurt, Cologne, Aachen, Meissen, Halberstadt, Naumburg, Freiburg, Ulm, and Passau as well as the Frauenkirche in Dresden and the Thomaskirche in Leipzig. Furthermore, the historic city centre of Lübeck, monuments of classical Weimar, Germany's oldest bridge still in use in Regensburg and the Völklingen steel works were also among the objects chosen.

The major grant making agency for the conservation of cultural heritage in Germany is the 'Deutsche Bundesstiftung Umwelt'. This foundation for the environment has had a special section dedicated to cultural heritage since its foundation in 1991 and has supported 190 projects. Several other grant disbursing agencies offer the possibility for staff exchange programs with groups in other countries, e.g. German Academicians Exchange Service (Deutscher Akademischer Austauschdienst) offering grants for co-operation on an academic level (URL 102).

Streamlining and optimizing cultural funding

At the time of the establishment of the Federal Cultural Foundation, there was an intense debate between the Federal Government and the Länder regarding measures to streamline and optimize the system for funding cultural activities and facilitating a merger between the Cultural Foundation of the Länder and the Federal Cultural Foundation. Negotiations to merge these foundations failed in December 2003, and the Federal Government terminated its commitment to the Cultural Foundation of the Länder at the end of 2005. In December 2006, negotiations failed again and both foundations arranged for closer cooperation instead of unification (Blumenreich, 2013: 16).

Since 2006, an extensive process of evaluation of cultural funding began in the field of cultural policy on all levels. Quite apart from the difficult situation regarding public cultural budgets, an increasing debate on concepts and instruments for maintaining the current cultural infrastructure can be noted (Blumenreich, 2013: 17, 20).

3.2.7.5 Interim Evaluation

In Germany, the administrative structure consists of five levels, namely the federal state, sixteen states, provincial administrations, districts and municipalities. Given the federal structure of Germany, the states are responsible for culture and implementation related cultural heritage. In this respect, there is no administrative model applicable to the whole country. This leads to each state creating its own form of administration and

local associations, therefore administrative units may differ in terms of authority, duty and responsibility.

There are approximately 1.000.000 movable and immovable cultural assets in Germany from the prehistoric period to the 20th century. Because of this rich content, cultural heritage is a cultural policy priority at all levels of administration. In addition, the conservation of historical buildings, monuments and sites contributes to the economy of the enterprises operating in the construction sector not only in terms of the possibilities created in the conservation sector but also terms of the construction sector.

The first legal action regarding conservation in Germany came into force in 1902. The only article concerning culture in the existing German constitution is about free of charge access to culture. The tasks of the federal government are limited to the conservation of national and world heritage, maintenance of certain protected areas, provision of cultural goods that have importance at a nation-level, financing of cultural assets in the former East Germany and provision of the cultural unity of the country. There is a program, which has been carried out since the 1950s, at the federal government level in terms of conservation of artifacts with national significance. The constitutions of the individual states handle the subjects of culture and conservation in more detail. Each of the sixteen states has separate laws for the conservation of cultural assets. The states often delegate cultural responsibilities to the local level. The authorities of the municipalities in this area are regulated in Article 28 of the constitution, in some state's constitutions and municipal laws.

In order for a building in Germany to be accepted as a cultural asset, conditions are sought such as to ensure minimum building conditions in the state and its value for conservation in the name of public interest. At the same time, it is required to meet criteria such as being rare, being limited and not being reproduced. Conditions of being an archaeological cultural asset are being a tangible asset and having been in existence from the ancient times until today.

There is no ministry specifically responsible for culture at the national level in Germany. This responsibility is basically distributed among different ministries, primarily including the Federal Chancellory and the Federal Government Commissioner for Cultural Affairs and the Media. Both the federal government and the states are responsible for creating and implementing effective policies for the conservation and management of cultural heritage. States are responsible for the conservation of monuments. In terms of planning, there has been a decentralized decision-making system in which decisions are taken at the lowest level but validated by higher levels.

In Germany, there have been a large number of competent institutions and organizations, including administrative or autonomous institutions (parliaments, councils), state institutions (ministries, directorates) or consultancy institutions (expert committees) on the management of cultural heritage. All states, except Berlin, have established a unit responsible for cultural heritage in their own structures. The highest-level institutions in the states responsible for conservation of cultural assets are the ministries or the senates. The Senate has more the role of an observer and supervisor. The central conservation unit of the states is the Regional Office for the Preservation of Monuments. This unit is responsible for preserving and advising on historical monuments, sites, parks and archaeological sites. In some states, carrying out an inventory of monuments is also among the duties of this unit. The Monuments Advisory Boards of the states advise the executive units with regard to the preservation and maintenance of historical monuments. In principle, it provides support to lower level (in the districts) Office for the Preservation of Monuments. Cultural commissions in municipalities carry out cultural issues. These commissions are responsible for implementing cultural programs.

The Memorials Advisory Boards of Germany established The Association of State Conservators in 1949, and the Association of State Archaeologists in 1951. The objectives of these associations, also termed scientific forums, are the strengthening of cooperation as well as provision of sharing knowledge and experience in the scientific studies. In addition to these associations, The German Cultural Heritage Committee is

an inter-disciplinary forum concerned with preservation. In addition, The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder-KMK serves as a platform for interstate sharing and cooperation and provides regular communication.

With regard to cultural heritage management, although there is no central administration authorized on the national scale in Germany, constant communication and coordination among the conservation authorities operating in all the provinces, scientific forum, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder and the German Cultural Heritage Committee allow pursuance of national principles about conservation, despite the decentralized structure.

In addition to government-affiliated institutions, there are a lot of civil institutions. These institutions are complementary to the functions of the public sector. The private sector gives considerable support in the field of conservation, while volunteers support cultural heritage management by working with relevant public administrations. So as to ensure cultural cooperation and coordination between states and municipalities, exchanges of views are constantly made between the ministry and autonomous municipalities and between the ministry and the local unions. Many municipalities have offices that are responsible for providing interregional coordination.

Based on the principle of delegation of authority, the financing of cultural heritage management is among the primary responsibilities of local administrations, citizens and NGOs. When the content of a cultural project is beyond the ability of a local authority or community, sponsorship support can be obtained from the federal government. Increasingly limited resources in the cultural heritage management have raised the importance of strategic partnerships between the public and private sectors. The German Federal Environmental Foundation is one of the main donor organizations in terms of cultural heritage in Germany. Furthermore, in order to ensure transparency and accountability in cultural expenditures, some provinces have created reports on spending from public funds.

With its 41 official World Heritage Sites among the total of 1051 World Heritage Sites, Germany ranks in the top 20% among 186 countries signing the World Heritage Convention (URL 99). Since the monuments in the World Heritage List are subject to the UNESCO legislation, this has facilitated the subject of cultural heritage management being high on the agenda in Germany. When it comes to the German World Heritage sites, it is noteworthy that in the case of VölklingerHütte (iron foundry) a better resource has been created thanks to new management and conservation plans and a better development in the market (URL 105). In Germany, there are a great number of organizations dealing with the management of cultural heritage throughout the country, and all of these organizations take care of special types of objects. '*Verband der Landesarchäologen, e.V.*' is one of these organizations that is responsible for archaeological heritage (URL 102).

In addition to these organizations, special units for cultural heritage management have started to be established in some states. For instance, in Baden-Württemberg State, the Department of Cultural Heritage Management was established. The objectives of this department, which is the central authority on cultural heritage management, is the investigation, preservation and presentation of cultural heritage. In addition to the central office in Esslingen, there are two branch offices in Gaienhofen-Hemmenhofen and Konztanz (URL 106).

The multifaceted responsibilities of the Department of Cultural Heritage Management cover basic and supra-regional issues in Baden-Württemberg. This responsibility includes the management of architectural heritage and monuments as well as archaeological heritage. The State Office implements the work of the Departments for Cultural Heritage Management in the Regional Administrative Authorities and supports all issues across the state (URL 106).

The central office in Esslingen has about 150 staff, such as photographers, illustrators, natural scientists of diverse disciplines, engineers, historians, computer specialists and many other experts. Most of the employees, who work in different areas of expertise

in the central office, have a professional background in archaeology, history of arts, architecture, restoration etc.

The Department of Cultural Heritage Management fulfills the following tasks through its 6 departments:

- managing cultural heritage of Baden-Wuerttemberg
- setting benchmarks for compilation and evaluation of cultural heritage
- formulating guidelines for cultural heritage management and assisting their implementation
- public relations
- supervision of and recommendations to heritage management boards and owners in affairs related to heritage management
- advising holders of cultural heritage
- performing and assessing archaeological excavations
- restoration of excavated objects, works of art and architectural monuments and developing restoration methods
- supplying scientific, technical and historical knowledge and performing archaeological prospection
- preparation and coordination of the programme for cultural heritage promotion nationwide
- publishing affairs on cultural heritage management
- central data compilation and provision of a scientific library.

In this federal, and to a great extent localized system, there are significant problems in the creation of financial resources in the context of the global crisis in 2008, on the other hand, the more effective, transparent and accountable management of institutions investing in cultural heritage is on the agenda. There are various pressures on institutions particularly in regard to creating more funding through sponsorship and donation. There are some efforts to encourage public-private partnerships and to take measures to increase individual contributions to overcome these problems. Financial problems negatively affect all cultural assets to be protected, including structures on

the UNESCO cultural heritage list. On the other hand, the unification of Germany has also increased the number of cultural assets that need conservation and repair in the country and the need to establish new assessment criteria for them has become a necessity. In spite of the aforementioned financial shortcomings, cultural heritage management in Germany has a functional mechanism in which social consciousness is provided, organized and effective structures are established throughout the country and scientific and technical consultancy can be provided.

3.2.8 Case Study: Regensburg World Heritage Management

3.2.8.1 General Description

The old town of Regensburg is situated on the southern bank of the River Danube at the juncture of the Danube and the Regen. The World Heritage Site encompasses the town center and two islets in the Danube, the so-called Wöhrde (ICOMOS ABE, 2006: 101) (Figure 3.42). The city of Regensburg was only slightly damaged during World War II; the urban space, with notable Roman, Romanesque and Gothic architectural structures, remaining largely intact (Figure 3.43). Even though the World Heritage Site is not a part of the imperial city situated to the north of Regensburg, it is a zone of 183 hectare and also includes the quarter of Stadtamhof which has always been closely associated with Regensburg (Mühlmann, 2012: 14).

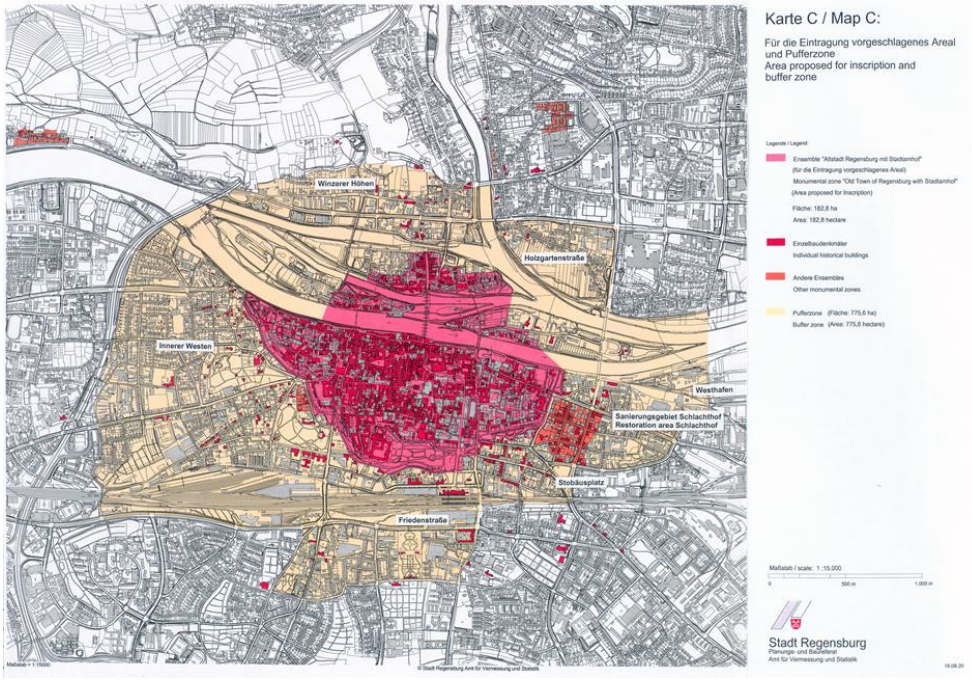


Figure 3.42- Regensburg World Heritage Site (URL 107)

The history of Regensburg dates back to Roman times. The first settlements in the area were established in A.D. 179 and inhabited until A.D. 470. The medieval town flourished around the remnants of the Roman fort. Even in the early Middle Ages, the Roman ramparts continued to be used to protect the city. The medieval town reached its widest extent at the end of the 13th century with the city developing in an unplanned form and having an organic character. Today the city hosts a large number of stone architectural structures dating back to the 11th and 13th centuries. Two main characteristics of the historic fabric of the city comprise the towers erected by aristocratic families and the stone bridge (*Die Steinerne Brücke*) (Figure 3.44) originating from the 12th century. In the neighborhood of the city there are three monasteries with significant historical roles in the cultural, economic and political life of the city. The theatre building, built in1803 and the residential palace from 1804 are the structures which stand out among the edifices built in the 19th century. Other outstanding structures are the Legionary Fortress Castra Regina (A.D. 161-180), the Carolingian Palace, St. Emmeram's Monastery (783-790), The Benedictine Monastery of St. Jacob's (1090), The Mendicant Church of St. Salvatore (13th to 15th Centuries), The Dominican Church of St. Blasius (1233), St. Ulrich's Church (1225-1240), the

Patrician Towers, The Goldene Turm (12th century), Baumburgerturm (1270) and The Goldenes Kreuz (13th to 16th centuries) (ICOMOS ABE, 2006: 101-102).

There are, nowadays, several buildings fulfilling different contemporary functions from private dwellings to offices and from retail shops to cultural spaces and service areas in the old part of the city together with the quarter of Stadtamhof. The historic part of the city houses a population of 15.000 people and there are 21.000 work places and 600 single retail shops in this area. Nonetheless, attempts have been made to eliminate motorized traffic from the city to create more space for pedestrians and cyclists (Mühlmann, 2012: 14).

Figure 3.43 Old Town of Regensburg with Stadtamhof (URL 107)

Figure 3.44 Steinerne Bridge (URL 107)

3.2.8.2 Nomination

The nomination application for the city of Regensburg as a World Heritage Site began to be prepared from 1996 by the Department of Administration. Regensburg was registered in the list of World Heritage nominated sites in 1999 and in July 2006 it was taken into the World Heritage List. As from 2007, the City Council made efforts to develop the Management Plan devised in 2006, and the second version of the Management Plan became effective in 2013 (Mühlmann, 2012: 7)

3.2.8.3 Current Conservation Status

The old city of Regensburg and the quarter of Stadtamhof were registered as legally protected areas under Bavarian Law on the Protection and Preservation of Monuments in 1975. The World Heritage Site, on the other hand, has held old town preservation status since 1982. The Federal Building Code contributes to the sustainability of protection by setting the conditions applicable to new buildings and development plans (ICOMOS ABE, 2006: 103).

Even though Regensburg was bombed during World War II, its historic fabric was little damaged and survived in better condition compared to many other cities in Germany. From the beginning of the 1960s planning activities were initiated and a

general traffic plan devised to enhance the inner-city transport network. The time from the 1960s to the 1990s was a period when new housing blocks were erected together with large shopping centers. The Polytechnic School, a university and a healthcare center were also established. Between 1950 and 1960 historical outer facades were protected, but many inner spaces underwent damaging alterations because restoration projects devised in that decade mainly focused on re-use So that new approaches had to be developed in the 1970s as a result of criticisms of these earlier activities. As a consequence, the Law on the Protection of Monuments, passed in 1973, provided more protective measures not only for the listed edifices, but also for the whole of the historical core of the city. Efforts have been made from 1986 until today, to rectify the mistakes made during previous restoration projects, defining the areas of specific character and protecting these through more systematic restoration projects. Nowadays protection and preservation are based on the understanding that the historic fabric is an integral part of the living city (ICOMOS ABE, 2006: 103).

3.2.8.4 Legal Protection

The protection of the World Heritage Site is legally secured through international conventions and national and local laws and norms. While, at the international level, conventions, regulations and European agreements provide the legal framework, laws on environment and construction at a national level have to be taken into consideration in this context. Pursuant to the Bavarian Historical/Listed Buildings Act, the old town of Regensburg was registered, together with the quarter of Stadtamhof, as a building ensemble in 1975. While the historical buildings are protected and preserved under the Bavarian Historical/Listed Buildings Act of 1973, projects involving new buildings are carried out under Bavarian Building Regulations. However individual historical buildings or groups of such buildings are evaluated within the grouping principle defined as proximity, which is associated with visual appearance. In other words, all the building activities to be carried out in this context have to be approved by the Historical Buildings Department. In this respect, old town preservation status concerning the Local Building Ordinances for the protection of the Old Town of Regensburg), one of the regulations within the related local legislation, provides a

specific location in terms of the protection of the World Heritage Site (Mühlmann, 2012: 26)

International Conventions

The international regulations concerning the protection and preservation of the World Heritage Site are as follows:

- 'The Convention for the Protection of Cultural Property in the Event of Armed Conflict (Hague Convention, 1967)
- The International Charter on the Conservation and Restoration of Monuments and Sites (The Venice Charter, 1964)
- The UNESCO Convention for the Protection of the World Cultural and Natural Heritage (World Heritage Convention, 1972)
- The Charter on Historic Gardens and Landscapes (The Florence Charter, 1981)
- The European Convention for the Protection of Architectural Heritage (Granada Convention, 1985)
- The International Charter on the Preservation of Monuments in Historic Cities (Charter of Washington, 1987)
- The Charter on the Protection and Management of Archaeological Heritage (Charter of Lausanne, 1990)
- The European Convention for the Protection of Archaeological Heritage (Malta Convention, 1992)'

German Federal Legislation

- 'The Federal Building Code (Baugesetzbuch-BauGB)
- The Federal Law on Nature Conservation and Landscape Protection – Federal Nature Conservation Act (BNatSchG)
- The Income Tax Act (Einkommensteuergesetz-EStG)'

State (Land) Legislation

- 'The Bavarian Constitution
- The Bavarian Law for the Protection and Preservation of Buildings / Monuments (Historical Buildings / Monuments Act
- The Bavarian Building Regulations (Bayerische Bauordnung- BayBO)
- The Bavarian Law on Nature Conservation, Landscape Protection & Outdoor Recreation

- Preserving Local History in Counties (Landkreise), Towns not integrated into Counties (Kreisfreie Städte) and County Towns (Kreisstädten)'

Local Regulations

- 'By-Laws on 'Using Public Roads and Spaces in the City of Regensburg for Special Purposes' (Sondernutzungssatzung)
- By-Laws on 'Local Building Regulations for Protecting the Old City of Regensburg' (Altstadtschutzsatzung)
- By-Laws on 'Advertising in the City of Regensburg' (Werbeanlagensatzung)
- The City of Regensburg's Ordinance on Fixture of Notices, in particular Posters and Visual Projections (Posters Ordinance – Plakatierverordnung)
- The City of Regensburg's Guidelines on the Appointment, Legal Status and Tasks of the Curator of the City of Regensburg
- The Guidelines for Granting Special Permits for Serving Food and Beverages Outdoors in the Old Town
- Formal Definition of Restoration Areas under Federal Building Code Section 142 (BauGB)
- The Land Usage Plan (Specialist supply and disposal plan and landscape map)
- The Development Plans'

Local Planning Instruments

- 'Historical Building Plans
- Shopping Experience Old City of Regensburg 2020 – Guidelines for the retail trade
- Concept for the design of streets and squares in the Old City
- The Cultural Development Plan of the City of Regensburg
- The City Lighting plan
- The Regensburg Plan 2005
- The Urban Planning Framework Concept for the Inner City 2025
- The City Silhouette Study'

3.2.8.5 Factors Affecting the Site

Nowadays, the City of Regensburg is exposed to changes and other threats in many areas. New structural and technical needs pose, among others, new demands on the buildings and the substructure alongside increasing commercial competition, global climate change and shifts in human population patterns (Mühlmann, 2012: 19)

The World Heritage Site has to be protected against the following challenges:

- Protection of the historical architectural heritage and its visual integrity
- The necessity to maintain the quality of the Old Town of Regensburg and Stadtamhof with special focus on the multi-functionality of the area
- The necessity to anticipate and guard against natural risks and environmental impacts.

The protection of the historical architectural heritage and its visual integrity

In this context, while the historical architectural heritage within the World Heritage Site has to be protected, changes and developments form an inevitable part of the probable future functions of the city. Such developments also include new building projects and requests for particular changes in the existing structures from landlords of buildings. The conflicts of interest arising are resolved within proper procedures with the participation of all the stakeholders thereby obtaining the approval of the Listed Buildings Department (Mühlmann, 2012: 19).

Since 1975 the buildings in the historical area in Regensburg have been protected within the categorization and scope of a building ensemble under the Historical/Listed Buildings Act and the Historical Buildings/Monuments Act which constitute the legal base of the protective measures. Several factors, such as those indicated below, cause in implementing this legislation leading to conflicts among property owners, users, investors and protection experts:

- Roof fixtures and modifications made to roofs (e.g. dormers, roof-top recesses, roof-terraces) cause significant impacts in terms of the visual integrity of roofs.
- The materials used pose problems regarding adaptations to historical buildings (e.g. pvc windows, doors).
- Signboards in diverse layouts (e.g. advertising signboards) used at workplaces have a negative effect on the visual integrity.

- Measures to comply with the actual technical needs affect the overall structural and visual integrity (e.g. fire protection installations, installation of lifts, air venting and conditioning)
- Extensive projects of retail shops in relatively small areas have a negative effect on the spatial integrity (Mühlmann, 2012: 19).

Maintaining the quality in terms of multi-functionality

A distinctive characteristic of the city of Regensburg is that work places, places of recreation, gastronomy and tourism sectors and shopping spaces are intermingled within the same area. The limited opportunities for investment areas of suitable quality can be problematic for carrying out projects for extending tourist accommodation in a balanced way, and in line with the needs of the urban population in terms of protecting the residential functions of the city. This creates competition between different functions and results in commercial pressure potentially damaging to the architectural heritage. This mixture of diverse usages sometimes causes conflicts of interest creating threats to the multi-functionality of the city. However it is of great importance that the balance between conservation and usage is maintained in Regensburg in line with the network of functions where life, work and recreation are interwoven, one with the other. For this reason there is a need for urgent but careful action to maintain this network of functions (Mühlmann, 2012: 20).

Natural risks and environmental effects

Regensburg is located in an area dominated by two rivers. In such a location several natural risks, such as the threat of flooding, acid rain, resulting from air pollution, damaging the stonework of the historical buildings and global climate changes necessitating adaptation to climatic conditions, can potentially harm the city fabric. Efforts have been made from 2000 to take precautions against the flood risk through a system of barriers set up, as far as possible, without damaging the historical cityscape. Besides such measures against the flood risk, efforts are under way to reduce emissions of the sulphur dioxide which damages limestone and sandstone, and the continuing

implementation of the Air Purification Plan, updated in 2000, is being maintained. The Federal Ministry for Transport, Building and Urban Development carries out research to develop strategies and take precautions in terms of maintaining climatic stability and adapting to any foreseeable climatic changes (Mühlmann, 2012: 21).

3.2.8.6 Management

The fundamental philosophy in relation to the management of the World Heritage in Regensburg is based on ensuring a balanced relationship between conservation, change and preservation. This management is based on the Venice Charter as the basic document, in addition to other international conventions and agreements. The successful results from managerial projects executed in recent years have been reviewed in the light of World Heritage values and all the issues which can affect the future development of the city have been projected in plans devised for the next 10 to 15 years. While developing its own methods for the management, Regensburg has also taken advantage of being one of the partner cities in the project of HerO (Heritage of Opportunity) within URBACT II Urban Development Network of EU. This project is a platform where nine European cities (Regensburg, Graz, Naples, Valletta, Sighisoara, Lublin, Vilnius, Liverpool, Poitiers) come together with the aim of sharing experience and developing new procedures as far as historical urban landscapes are concerned (Mühlmann, 2012: 3-7).

The main goals of the management are as follows:

- Sustainable protection of World Heritage values
- Raising awareness of the World Heritage values
- Maintaining the quality of the World Heritage Site in terms of attraction and multi-functionality both for the inhabitants and visitors
- Utilisation of the World Heritage listing for a comprehensive urban, commercial development strategy (Mühlmann, 2013: 11).

The presentation, preservation and maintenance of the Old Town of Regensburg with Stadtamhof are the duties of the institutions listed below (Auswärtiges Amt, 2013: 4):

- 'The Bavarian Regional Office for the Preservation of Historical Monuments (Bayerisches Landesamt für Denkmalpflege)
- State Structural Engineering Office (Staatliches Hochbauamt Regensburg)
- City of Regensburg - World Heritage Coordination Unit
- State Cathedral Construction Works (Staatliche Dombauhütte Regensburg)
- City of Regensburg, Office for Archives and Preservation of Historical Monuments:
- City of Regensburg, City Museums of Regensburg
- City of Regensburg, City Planning Office
- City of Regensburg, Building Ordinance Office
- City of Regensburg, Structural Engineering Office
- City of Regensburg, Underground Construction Engineering Office
- City of Regensburg, Regensburg Tourist Office
- Diocese of Regensburg, Episcopal Building Committee
- Diocese of Regensburg, Art Collection
- The Administrative Headquarters for the Lutheran Church
- The University of Regensburg Building Office
- The Thurn und Taxis Building Office'

3.2.8.7 Management Plan

Regensburg had submitted the relevant Management Plan to the World Heritage Centre during the candidacy process in 2004. In July 2006, about one year after the registration as a UNESCO World Heritage Site, the City Council put into effect the Management Plan submitted as part of the nomination file. This Management Plan, applied over 7 years, underwent a renewal process starting in 2009. In 2013 the resulting second Management Plan was implemented after being completed and approved by the City Council in 2011. One of the main functions of the Management Plan is cataloguing measures defined in more than 60 individual plans and projects relating to the World Heritage Site. Despite the impossibility of implementing the measures for every project due to economic difficulties or legal regulations, a sensitive and systematic perspective with respect to planning was nevertheless developed in this process. The implementation strategy is based upon ensuring a continually enhanced

dialogue with the participants and all other interested parties, and updating the Management Plan using a collaborative approach (Mühlmann, 2013: 5).

The goal in preparing the Management Plan consists not only of ensuring the protection of the World Heritage Site, but it also includes instituting sustainable development by creating integrated methods within the plan. To this end a Management Plan Work Group has been formed with the executives from the related municipalities and states as well as diverse local entities participating and meeting at regular intervals to discuss the issues concerning the management plan. In the first instance the group defined eight action fields: preservation of built heritage, economy, culture and tourism, housing, urban design, traffic, environmental issues and recreation, and awareness raising and research. Goals have been specified for each action plan. These goals have then been realized through specific projects and actions defined in precise time frames (URL 108).

Compared with other planning processes, the Regensburg Management Plan differs in some points (Mühlmann, 2013: 7). These point are:

1. The plan has been executed using an integrated process involving a large number of participants defining the strategies and measures by discussion and mutual consultations.
2. Concrete measures have been defined based on specific architectural processes and these measures then redefined in general goals.
3. At the beginning of the planning process the government of Oberflaz and the administrative authorities of the State of Bavaria was given responsibility for financing the plan.
4. The actions defined in the Management Plan were accepted as a basis for practical work and consequently it was decided that the Management Plan Work Group would meet once a year. It was projected that the inhabitants would participate in the process every two years.

The basic features of the management planning were specified as: an integrated approach; action-based orientation; participatory preparation process; and continual improvement as a basis for the management plans to be devised in the future. The eight action fields, defined by the working group for the Management Plan were revised over time. Under cultural heritage, culture and tourism, economic development, housing, mobility, urban planning and development, environment and leisure, and awareness raising and research were specified as fields where specific action plans would be developed. Consequently, the basic principles, goals and measures were defined under the overarching vision created by the framework of these headings (Figure3.45) (Mühlmann, 2013: 10, 50).

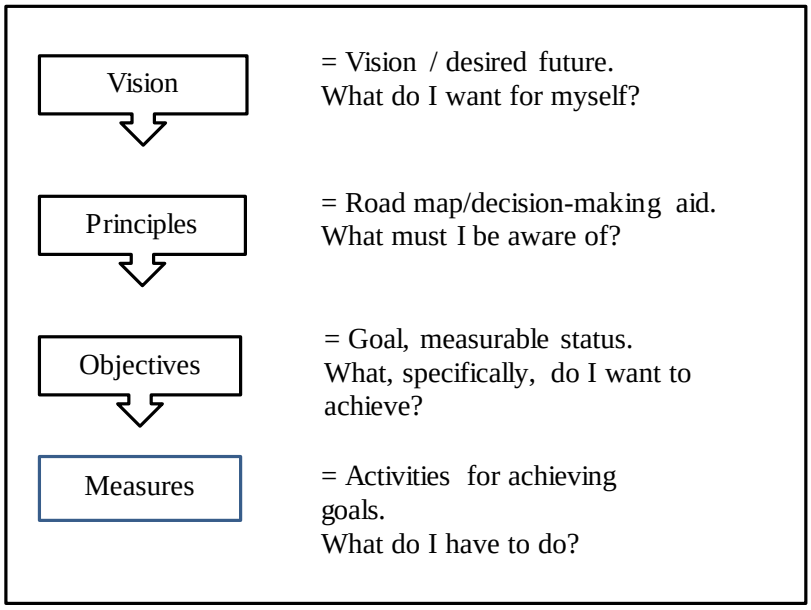


Figure 3.45 Explanation of key terms (Mühlmann, 2013: 91).

The principles of management plan are (Mühlmann, 2013: 51-73):

‘Principle 1: World Heritage – also in the future
- Safeguarding the tangible cultural heritage
- Safeguarding the urban landscape
- Sustainable use and development
- Documentation and monitoring
- Protection from natural risks and adaptation to climate change

Principle 2: The World Heritage is, and will remain, authentic

- Expansion of cultural activities
- Art and culture in public space
- Increasing visitors' duration of stay
- Improvement of visitor management
- Consideration of international requirements

Principle 3: A sustainable economy in a setting steeped in history

- Improvement of range and diversity of offers
- Effective exploitation of expansion potentials
- Promoting the feeling of together
- Specialist stores and branches
- Supporting start-ups

Principle 4: Residing and living in the World Heritage area – for young and old

- Securing the housing function
- Promotion of differentiated housing forms
- Improvement of residential environment and infrastructure
- Mitigating use conflicts

Principle 5: The World Heritage site is open to all transport users

- Improvement of the connection to the entire World Heritage area (Old City and Stadtamhof)
- Improvement of the accessibility of the entire World Heritage area (Old City and Stadtamhof)
- Optimization of moving and parked car traffic

Principle 6: Safeguard the heritage and design for the future

- Taking into account the history of the location
- Improvement of the quality of public spaces
- Integration of contemporary architecture and Stadtreparatur (urban repair service)

Principle 7: Green spaces are a fundamental element of life in the World Heritage area

- Expansion of green spaces
- Qualitative upgrading
- Temporary green spaces
- Increasing energy efficiency

Principle 8: World Heritage for all – get to know, understand, communicate

- Information about benefits
- Conveying the cultural value
- Educational services for children and young people
- Improvement of the legibility and ability to experience
- Research about the World Heritage'

A very sensitive approach is applied in approving building projects to be carried out in the World Heritage Site in order to protect heritage values. In this context, construction consulting sessions are held with the participation of relevant building contractors with the purpose of settling any conflicts through open communication and

transparent decision making. Bodies such as the Design Advisory Committee and Conservation Round Table (Figure3.46; Figure 3.47) provide expertise and consultancy concerning the design and building projects to be realized within the concept of the World Heritage. Competitions are held to select the projects with potential to enhance the existing heritage.

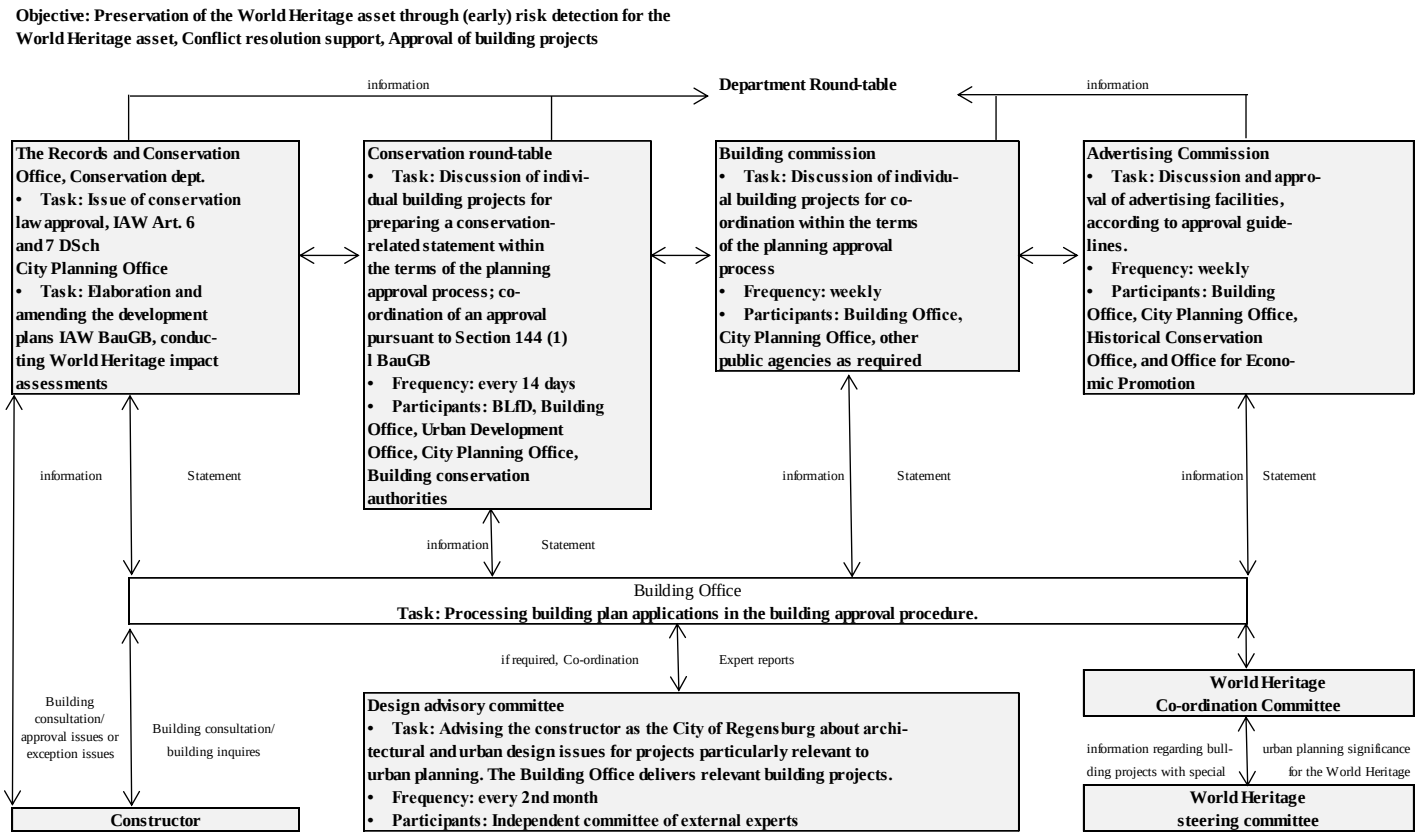


Figure 3.46 Approval of Building Project (Mühlmann, 2013: 78).

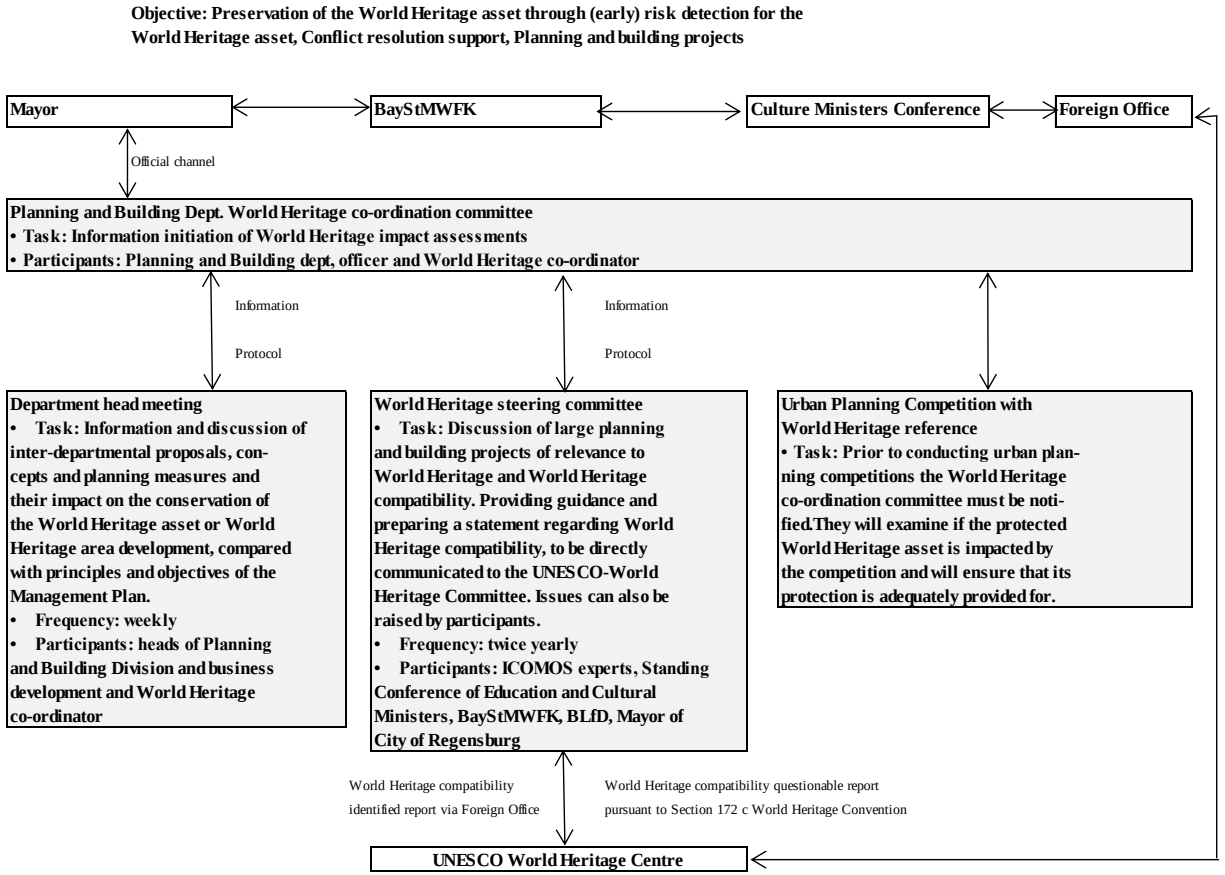


Figure 3.47 Planning and Building Projects (Mühlmann, 2013: 79).

The department heads meet at a round table meeting (Department Head Meeting) to discuss the principles and goals defined in the Management Plan in terms of their effects on the protection of the World Heritage values and development of the World Heritage Site. New proposals, concepts, plans, measures and information emerging from this meeting are circulated among the departments. After consultations with the planning and building department the World Heritage Coordination Committee submits all the proposals incompletely clarified to the World Heritage Executive Committee to seek approval of compliance.

3.2.8.8 Involvement of Local Communities

One of the primary aims is to design a management plan encompassing the widest possible participation. This method is crucial in ensuring the satisfaction of all the relevant parties in terms of the end product and the acceptance of the plan. The foundation of this participatory process was laid by the Municipal Council and the World Heritage Coordination Committee. The agreement of the political and administrative authorities to the process is designed to be based on integrative planning with a special focus on embracing all the interested parties from both the public and private sectors within a cooperative environment (Mühlmann, 2013: 86).

The residents of the city were invited to a consultation under the title World Heritage Dialogue to ensure the widest possible feedback and the reception of opinions from the local people involving as wide a base as possible. The discussions took place over a week through questions and answers sessions covering a wide range of fields from cultural heritage to tourism and the needs in terms of development. The outcome of the consultation provided a basis of information about both the concerns of all the parties involved and concrete proposals that were brought forward. Political decision makers who participated in this consultation provided information about new developments and encouraged the parties to create concrete and realistic proposals. The Committee for Town Planning, Transport, Environmental and Residential Matters assessed the intermediate outcomes at regular intervals and utilized them to define principles and goals and take the necessary precautions (Mühlmann, 2013: 86-87).

The Planning Committee, under the auspices of the Municipality Council of Regensburg, also took part in this process and created a Management Plan Work Group. The members of this work group were selected with special care from public and private organizations able to contribute in the long term implementation of the measures defined in the Management Plan in this concept (Mühlmann, 2013: 87).

The number of the institutions participating in this work group was limited to 18 to ensure effectiveness, functional ability and meeting the needs of the particular environment through intensive discussions[49]. Several representatives from each institution took part in the meetings. In this way every group had the opportunity to be represented in the meetings held in smaller groups to ensure the continuity of the activities. The first two meetings were held in 2009 to define the scope of the cooperation, lay its foundations, and the agenda of goals, tasks and work together on a defined program. All the proposed actions were defined in compliance with the goals and content of the Management Plan (Mühlmann, 2013: 89).

In the next phase, an external expert was invited to participate in the process in a professional capacity as a neutral party. This expert participated in the capacity of a moderator helping maintain the relationships between different parties, and planning, preparing and managing the meetings and recording the outcomes. The work group held talks on the goals and objectives in relation to the World Heritage Site and the measures to be taken in this context. Then the needs, goals and measures for each action field were coordinated. Additionally, any threats potentially affecting the World Heritage Site and its potential were defined. In the next six meetings, discussions were conducted on the strategic vision, principles, goals and measures in relation to

[49] These participating institutions are: *Aktionsgemeinschaft Altstadt e. V.,* the Records and Conservation Office, Office for Urban Development, Office of Business Development, Building Office, Bavarian State Conservation Office, Bavarian State for Business, Infrastructure, Transport and Technology, Main Press and Public Relations Dept., *IHK Regensburg* (Chamber of Trade and Industry), Cultural Office, *Oberste Baubehörde im Bayerischen Staatsministeriumdes Innern* (State Building Authority, Bavarian Ministry ofthe Interior), Environment and Legal Office, *Regensburg Tourismus GmbH*, Oberpfalz Government, *Stadtmarketing Regensburg* (City Marketing Assoc.), Stadtplanungsamt (City Planning Office), *Welterbe Kulturfonds Regensburg – die Förderer e. V*., World Heritage Co-ordination Committee and one male and one female representative among the inhabitants.

Regensburg and Stadtamhof and the management system within the scope of which the world heritage values would be preserved (Mühlmann, 2013: 89).

3.2.8.9 Stakeholders

A large number of people and institutions have participated in the efforts to protect the old town of Regensburg and Stadtamhof, the most significant of which are as follows:

a) Stakeholders at the local level

Departments of the City of Regensburg
World Heritage Coordination Committee

The World Heritage Co-ordination Committee under the Planning and Building Department is the unit managing the coordination, and is also the contact point about the matters relating to world heritage. Public relations, informing the public about world heritage values and executing related matters concerning training, ensuring communication and exchange of scientific knowledge with other world heritage cities, maintaining the monitoring function and ensuring the continuity and actuality of the Management Plan are also among the tasks of this institution (Mühlmann, 2013: 106).

Records and Conservation Office

The protection department responsible to this office is responsible, in accordance with the Bavarian Monument Conservation Act, for all the historical edifices and monuments outside the technical and administrative competence of the Federal Government, the State of Bavaria and the regional authorities (Bezirke). This department is responsible for the proper maintenance of monuments and movable assets which are under protection pursuant to the relevant legislation. Furthermore, it also provides information and consultation services in relation to the protection of buildings and monuments (Mühlmann, 2013: 107).

City Planning Office

The City Planning Office is responsible for creating the basic infrastructure required for the phases of preparation, coordination and support ensuring proper development of the built environment and the commercial activities of the city. This unit primarily focuses on tasks associated with both the World Heritage Site and the city as a whole. It aims at conserving World Heritage values as a protected historical ensemble while fostering the dynamism and sustainable development of the city as a living organism. Its task consists of creating counselling and planning projects from the perspective of urban development, designing public spaces, carrying out assessment of the general urban development and legal planning (Mühlmann, 2013: 107).

Building Office

The Building Regulation Department

The Building Regulation Department is the Municipal Building Supervisory Authority within the City of Regensburg. This department bears primary responsibility for the process of planning implementation and other regulatory planning processes; it also assumes the task of monitoring the World Heritage Site in terms of statistical assessments while providing information and consultancy in connection with legislation on building to the Design Advisory Committee of the City of Regensburg (Mühlmann, 2013: 107).

Institutions and agencies at local level

Design Advisory Committee of the City of Regensburg

The Design Advisory Committee of the City of Regensburg is an independent committee of experts. Several architects, building contractors and five prominent architects who advise the City of Regensburg form the membership and provide

consultancy services in relation to buildings in both public and private sectors in specific urban development areas (Mühlmann, 2013: 107).

IHK Regensburg (Chamber of Trade and Industry)

Representatives associated with circa 75,400 projects in Oberpfalz (Upper Palatinate) and Kelheim Municipality also participate in IHK Regensburg. The Committee of IHK is run by 600 businessmen and 2,500 auditors who work voluntarily. These businessmen are elected in the general assembly of IHK and represent business communities in the region and reflect their views. IHK also supports the companies with several services and products to enhance their competitiveness with the overall aim of boosting the economy in the region, and in Germany in general. IHK Regensburg was established as a special strategy group consisting of retail traders, the representatives of the City of Regensburg, the city marketing office and the organizational representatives of IHK. It mainly focuses on maintaining the multi-functionality of the heritage area and providing access to park areas (Mühlmann, 2013: 107).

City Curator of Culture and History

The city curator provides support and consultancy on all cultural and historical issues and concerns regarding planning and development, and is an independent and autonomous expert on the culture and history of the city. The curator works within a remit defined in the Bavarian Monument Conservation Law (Mühlmann, 2013: 107).

World Heritage Steering Committee

The task of this committee is to examine, assess and evaluate the building and planning projects submitted in terms of compliance to the statutes of World Heritage. It thus defines the points of conflict between urban development projects and World Heritage values, and monitors both projects carried out in the World Heritage Site and the buffer zone regarding their compliance with World Heritage values. Representatives from all

the levels of the administrative apparatus act as members of the committee, whose office is adjacent to that of the World Heritage Coordination Committee (Mühlmann, 2013: 108).

b) Stakeholders at the Land level

Agencies of the Free State of Bavaria

Bavarian State Ministry of Science, Research and the Arts

The Ministry is the responsible authority for the universities, issues relating to culture and art in the state and several research institutes. As the leading public institution, the ministry, takes action upon the conservation areas and studies about UNESCO related issues in Bavaria (Mühlmann, 2013: 109).

Bavarian Ministry of Economic Affairs, Infrastructure, Transport and Technology

The overall objective of the ministry is to address the economic issues, define policy in the fields of transport and technology and enforce regulations as provided for in the Federal Law on Regional Planning. The ministry is also the founding part of the European Regional Development Fund (ERDF) in Bavaria which provides funding for balanced regional development (Mühlmann, 2013: 109).

Bavarian State Department of Historical Monuments / Department Official for conservation of historical buildings culture for the City of Regensburg

The Department of Historical Monuments of the State of Bavaria is the central organization focused on the conservation and preservation of the historical buildings and monuments in Bavaria. The task of this department is to ensure that the recording, preservation and research are carried out in a proper manner. To do this, it collects and assesses all the necessary information and ensures that public funds are allocated to

the related projects. Besides assuming tasks concerning the records and research relating to historical buildings and monuments, the department also provides expertise and consultancy services for property owners, building contractors and architects (Mühlmann, 2013: 109).

State Building Authority, Bavarian Ministry of the Interior

The State Building Authority coordinates, steers and supports the development of public buildings in Bavaria. The institutions under the authority follow up the undertakings in matters concerning cost-effective planning in a defined time-frame and construction, preservation and maintenance. Regarding construction development, it serves as an interface between all the interested parties. The central departments for inter-disciplinary relations and technical issues embedded in its organization not only carry out the operations at the state level, but they also execute those at the municipal level and others concerning the private sector (Mühlmann, 2013: 109).

Oberpfalz Government

The Oberpfalz Government, the ultimate authority on issues regarding the protection of historical buildings and monuments, serves as the approval authority. Bavarian Ministry of the Interior, authorized by the State Building Authority, approves the financial resources supported from the EU, the Bund (Federacy) and the Land for financing urban development renewals (Mühlmann, 2013:109).

State Monument and Historical Buildings Conservation Advisory Board/ Department at State Ministry for Science, Research and the Arts

The Advisory Board has the task of consulting the Bavarian State Government and ensuring participation in important issues relating to the protection of historical buildings and monuments. The Board consists of members representing various interested groups such as political parties, communes, churches, owners of buildings and monuments, architects, the Bavarian Fine Arts Academy, the Bavarian State

Association for the Preservation of Local Traditions and several other groups comprised of experts (Mühlmann, 2013: 109).

c) Stakeholder at Federal level

Federal Agencies

Permanent Standing Conference of Education and Cultural Ministers of the Länder

The States (Länder) are responsible for producing projections regarding the protection of historical buildings and monuments in Germany. The issues relating the World Heritage values in Regensburg are the responsibility of the City of Regensburg in cooperation with the State Ministry of Science, Research and the Arts. The Permanent Standing Conference is also a meeting point allowing advanced interactions with international agencies (Mühlmann, 2013: 110).

Nationally active institutions and associations

German National Committee on the Protection of Monuments

This national committee is a very influential body which acts as a political committee in determining protection policies relating to monuments in Germany and serves as an interface between experts, governments and administrative units. It is also a forum for actual technical issues in involed in international agreements. It develops parameters for material cultural heritage. It was established in 1973 for the event of the European Year of Protection of Historic Monuments 1975 (Mühlmann, 2013: 110).

German National ICOMOS Committee

The German National ICOMOS Committee carries out activities at national and international levels regarding the protection of historical buildings and monuments,

ensembles and cultural landscape. It serves as a consultant for experts and public authorities, provides information and stimulates public interest in the issues regarding the protection of historical buildings and monuments. It contributes to the monitoring of buildings and monuments in Germany registered in the World Heritage List. It organizes colloquiums and conferences at an international level. It publishes policy documents concerning the protection of historical buildings and monuments (Mühlmann, 2013: 110).

German Commission for UNESCO

The German Commission for UNESCO is charged with cultural foreign policy. It performs a liaison function between the government and scientific communities within the scope of the activities of UNESCO. Its tasks are to provide consultancy to the Federal Government and other related departments and institutions within the framework of UNESCO, contribute to the realization of UNESCO programs in Germany, enlighten the general public about the activities of UNESCO and ensure communication between several institutions, organizations and experts and UNESCO. The appropriate application of the World Heritage Convention in Germany constitutes its basic responsibility. In this context, it works in close cooperation with expert institutions in matters pertaining to world heritage values (Mühlmann, 2013: 110).

UNESCO World Heritage Sites in Germany Association

The UNESCO World Heritage Sites in Germany Association, established in September 2001, is a unit linking the tourist organizations concerned with World Heritage Sites. The association aims at raising awareness about the World Heritage Sites in Germany, enhancing protection and tourism coordination, and advises the World Heritage Sites about tourism marketing. It meets once a year with the participation of representatives from all the World Heritage Sites in Germany (Mühlmann, 2013: 110).

3.2.8.10 RESOURCES

Financial Resources

The urban development grant programs play an essential role in financial matters. These programs constitute a tool for the allocation of federal and state funds and are also jointly supported through city funds to enable the modernization and preservation of the structures, and the revitalization of the residential zones in the old town. The structural programs of EU have also been of importance for Regensburg when specific restoration or maintenance projects have arisen. Among these programs is the Federacy Investment Program which is a one-off program providing funds for World Heritage Sites. There are also several private or public bodies such as the Deutsche Stiftung Denkmalschutz (German Foundation for Monument Protection) that are engaged in the protection of world heritage values (Mühlmann, 2013: 35).

The City Development Funding Act, enacted in 1971, and Bavarian Protection of Historical/Listed Buildings Act dating from 1973 constitute the legal basis as far as restoration works and preservation of monuments in the city are concerned. Legally binding rules regarding protection and preservation are elaborated in these laws. In 1977 the Municipal Council introduced a number of basic regulations to ensure that the World Heritage values in Regensburg could be enjoyed by visitors and inhabitants as an integral part within a living urban mechanism. These regulations are;

- Assuring the principal need of protecting the old city in general, both as far as its general topography, and its layout and the safeguarding of outstanding value
- Avoiding development pressure on the old city center.
- Giving priority should be given to current residential use
- Maintaining small-scale ownership
- Guaranteeing the continuing presence of small enterprises and workshops (Mühlmann, 2013: 36).

In accordance with the City Development Fund, adopted into the Building Code in 1986, seven fields were defined for restoration works and two other fields were

specified as areas where investigation would be carried out. The strategy of 'building-by-building restoration' has been substantially successful. The main goal of this strategy is to improve the dwelling function and enhance the quality of residential life in the old city. During these works, social schemes were designed to avoid any negative impact of restoration works on the inhabitants of the restored buildings. In this way, nearly half of the properties in the World Heritage Site have been restored up to the present. Based on the existing projections, and assuming that the existing tax concessions at Federal level are maintained, it is assumed that all the buildings in the world heritage area will be restored within the next 20 years. Restoration work is in progress in these areas in an integrated manner based on scientific evaluation and specific principles. 80 million euro have been spent on this work since 1971. This budget has been used for the preparatory work before restoration, restoration of private properties, lodging of students, nursing homes for the elderly, the enhancement of residential areas and redesigning of public areas (Mühlmann, 2013: 37).

Urban Development Historical Preservation Program

Urban Development Historical Preservation is a federal-state program designed with a special focus on conservation, preservation, modernization and sustainable development. In 2011 funds totaling about 1 million euro were allocated from this program to the projects in Regensburg (Mühlmann, 2013: 37).

Active City Centers and Urban District Centers Program

The Active City Centers and Urban District Centers Program provides a framework within the scope of which regeneration projects, including associated measures, are designed for abandoned areas falling into decay in order to create specific financial resources for renovating these areas to restore their commercial, cultural and recreational functions and become, once again, living and working spaces. It provides a cooperative environment between public authorities and private sector. The quarter of Obermünster was included in this program in summer 2011. The project has been

successfully completed and efforts have been made to create several funds for the future (Mühlmann, 2013: 37).

EU Funding

The European Union has created several policies and creates initiatives to support the sustainable development of cities and towns. The European Regional Development Fund (ERDF), one of the several financial tools embedded in the integration policies of the European Union, plays a significant role in revitalizing urban spaces and supporting their development. Recently, several projects designed to support the protection and improvement of the historical and cultural heritage have been funded through Regensburg ERDF. Thanks to such financing, several projects regarding disabled access have been realized at Steinerne Bridge, World Heritage Visitors Centre, the museum of snuff tobacco called 'the document Schnupftabakfabrik' and the tourism information office. Regensburg continues to benefit from EU structural funds (Mühlmann, 2013: 38).

Investment program for national UNESCO World Heritage Sites

In 2009, the Federal Ministry for Transport, Building and Urban Development established a fund to support investments to be implemented in World Heritage Sites. Between 2009 and 2014, funds were made available for urgent investments, especially for the conservation of protected historical sites. In this way projects were funded up to two thirds of the value of the related entire investment portfolio. A fund of 220 million euro is available in this context; the City of Regensburg has benefited by an amount of 10 million euro from the fund. The projects executed within this framework are the World Heritage Visitor Centre, Document Niedermünster, energy extraction from waste water at the Donaumarkt, Haus der Musik, restoration of the Neupfarrkirche, Overhaul Works at the Steinerne Bridge, conservation of the frescoes in St. Kassian and restoration of walls in Villapark (Mühlmann, 2013: 39).

German Foundation for Historical Preservation (Deutsche Stiftung Denkmalschutz Funding)

This fund was established to restore historical edifices and monuments under threat, to rescue such heritage ensuring that it was used in an appropriate manner conforming to its status. The funds are primarily allocated to the preservation and restoration of historical buildings and monuments in the ownership of municipal organizations, parishes, communes and private persons. The fund has increased its presence in Regensburg in recent time, supporting the restoration of three churches in the city and, in addition, contributing to the repair of the Steinerne Bridge (Mühlmann, 2013: 42).

Besides these funds several public and private entities provide financial support for the protection and restoration of historical architectural heritage. Among these, mention should be made in particular of the Bavarian State Foundation and Welterbe Kulturfonds Regensburg; these have provided financing to a large number of projects. Furthermore, the active tax relief regulations aid in particular to the conservation of the World Heritage Site in terms of producing incentive options for property owners. In its periodic evaluation report for 2013, ICOMOS mentions that while sufficient resources have been allocated to the World Heritage, they should be increased to meet the requirements of an effective management system aligned with international best practice standards (Auswärtiges Amt, 2013: 5).

The costs of the activities carried out between 2009 and 2013 in association with protection projects were covered by financial contributions from the following funds:

- ‘Multilateral funding (GEF, World Bank, etc.) 5%
- Governmental (National / Federal) 35%
- Governmental (Regional / Provincial / State) 25%
- Governmental (Local / Municipal) 33%
- In country donations (NGO´s, foundations, etc.) and individual visitor charges (e.g. entry, parking, camping fees, etc.) 2%’

Human Resources

Many experts from various professions make their contribution to the human resources needed in the World Heritage Site. ICOMOS reports in its periodic evaluation report for 2013 that sufficient human resource is available to meet the management needs. While 70% of the employees are employed on full time basis, 30% work on the basis of part time employment. 80% of the human resource is employed on a permanent contract, the rest 20% work on a provisional basis. All the employees are employed on a salaried basis. The number and professions of the personnel employed in some of the institutions are indicated below (Auswärtiges Amt 2013: 4-6):

> - 'The Bavarian Regional Office for the Preservation of Historical Monuments (Bayerisches Landesamt für Denkmalpflege) (2 archeologists, 2 art historians, 1 building researcher, 1 restorer, 1 graphic artist, 4 excavation technicians)
> - State Structural Engineering Office (Staatliches Hochbauamt Regensburg) (3 architects)
> - State Cathedral Construction Works (Staatliche Dombauhütte Regensburg) (1 supervisor, 11 master stonemasons)
> - City of Regensburg - World Heritage Coordination Unit (1 World Heritage Manager (historical geographer) - 1 public relation officer - 1 art historian-City of Regensburg,
> - Office for Archives and Preservation of Historical Monuments (1 historian, 1 art historian, 1 archeologist, 1 architect)
> - City of Regensburg, City Museums of Regensburg (3 art historians, 1 archeologist, 2 restorers)
> - City of Regensburg, City Planning Office (9 architects)
> - City of Regensburg, Building Ordinance Office (1 jurist, 2 architects, 5 constructional engineers)
> - City of Regensburg, Structural Engineering Office (1 architect, 1 constructional engineer, constructors as required)
> - City of Regensburg, Underground Construction Engineering Office (9 engineers, 9 constructional engineers, 20 constructors
> - City of Regensburg, Regensburg Tourist Office (1 Manager, 140 guides)
> - Diocese of Regensburg, Episcopal Building Committee (2 architects)
> - Diocese of Regensburg, Art Collection (2 art historians)
> - The University of Regensburg Building Office (2 architects)
> - The Administrative Headquarters for the Lutheran Church (1 architect)
> - The Thurn und Taxis Building Office (2 architects, 2 Local history guardians)'

3.2.8.11 Monitoring and Reviewing the Plan

Monitoring is one of the prominent aspects of the management system in being an objective layout about the development of World Heritage site. The systematic method applied in the monitoring prescribes the collection of objective data to provide the basis to control the implementation of the Management Plan and simultaneously updating it. Another function of monitoring is to confirm that the protection and development of the World Heritage Site takes place in compliance with the conditions set by UNESCO (Mühlmann, 2013: 76).

The data obtained during the monitoring is utilized in the following processes (Mühlmann, 2013: 81):

- UNESCO-compliant monitoring (designing of monitoring reports by UNESCO guides)
- Continuous monitoring (monitoring the preservation and development of the World Heritage Site in a continuous manner in order to foresee the problematic developments and specify the reasons thereof)
- Success evaluation (monitoring and evaluation of the success of the management plan and the functional capacity of the existing structures and processes)
- Updating the Management Plan (reviewing and reconsideration of the management plan in terms of adaptation of the principles, measures, the related institutions and processes).

Even though the indicators used for the evaluation of achievement of objectives set in the Management Plan have not yet been defined, it was decided, beginning from 2012, to carry out the monitoring once a year. It is envisaged to have completed this process in five phases (Figure 3.48):

1. Data recording

The World Heritage Coordination Committee will obtain the data once a year in accordance with the agreed indicators.

2. Data analysis

The World Heritage Coordination Committee will analyze the existing data to specify potential problems or tendencies. Should the developments be in contradiction with the defined objectives, talks will be held with the related institutions to identify the cause and the necessary remedial actions, and progress reported in the next monitoring report.

3. Discussion of the results

The draft World Heritage monitoring report will be delivered to the individuals from the Management Plan Work Group at their meeting. They will examine any required adjustments of the management plan, such as key measures or update of the objectives.

4. World Heritage monitoring report

Subsequent to the monitoring meeting, the Management Plan Work Group will design the final monitoring report defining the necessary actions and circulate it among all the interested parties.

5. Updating the World Heritage Management Plan

The management plan is updated based on the World Heritage monitoring report as stipulated by the World Heritage Coordination Committee.

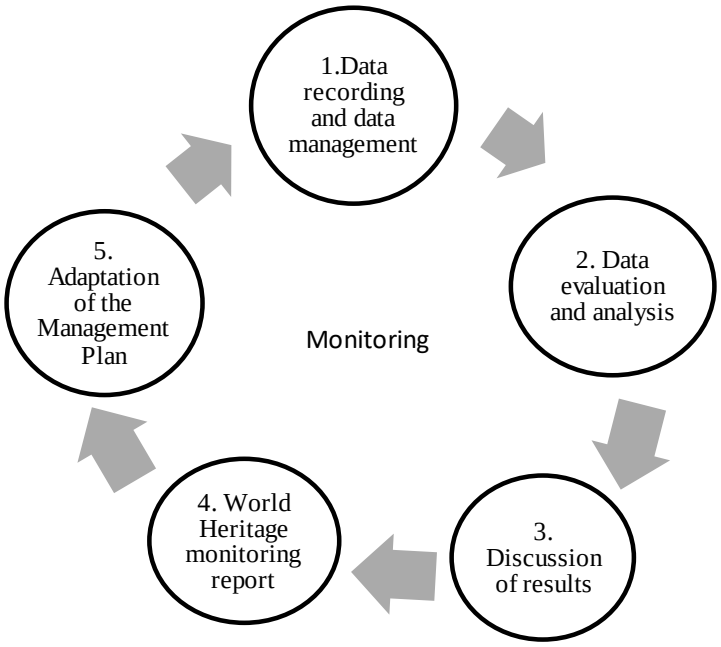


Figure 3.48 Monitoring Cycle (Mühlmann, 2013: 83).

The review of the Management Plan is carried out after the monitoring phase in a process where the World Heritage Site is re-evaluated on the basis of the available data and the objectives in terms of protection and sustainable development are renewed with a view to the future. The actions including the review phase have been classified under two basic points in accordance with the Management Plan (Mühlmann, 2013: 77).

> A. 'Supervision of the constructional development in the site
> - Endorsement of building activities, regarding the interests of the World Heritage site
> - Timely coordination of projects between departments related with the world heritage site
> - Resolution of conflicts
> B. Inspecting the deployment of the Management Plan
> - Scrutinizing conformance with the main outline and goals of the management plan
> - Monitoring the implementation of the key measures
> - Sustainability of the management plan'

The World Heritage Coordination Committee is responsible for updating the management plan. The Management Plan involves the regular monitoring the World Heritage Site together with the Work Group. The Management Plan Work Group defines the findings emerging from these monitoring activities, specifies the current state of the measures that are of key importance in terms of application and determines the extent to which the Management Plan has to be updated. The members of the Work Group also conduct discussions on new concepts, plans and measures in connection with the World Heritage. However, if the presentation of the proposals is not in accordance with the principles and objectives of the management plan, comprehensive discussions will be conducted on this matter based on the opinion of the Work Group. The Work Group will, on demand, present its final proposals regarding the updating of the management plan and the method of the adaptation of the concepts, plans and measures (Mühlmann, 2013: 80).

Another important instrument is the World Heritage Dialogue Forum. This event is convened to inform the general public about the protection of World Heritage Site and to learn about public concern about the protection of the World Heritage assets or the future development of area. The strategic decisions taken about the World Heritage assets are put up for discussion by the World Heritage Executive Group. All these outcomes are taken into consideration in the updating process of the management plan (Mühlmann, 2013: 80).

3.2.8.12 Interim Evaluation of Regensburg Management Plan

With substantial Roman, Romanesque and Gothic architectural assets, Regensburg is a multi-faceted urban conservation site dating back to the Roman period with a present population of 15,000. Regensburg has been benefitted from legal protection by the Bavarian State law for Protection and Preservation of Buildings / Monuments Act, since 1975, while in 1982 it gained old town protection status. A comprehensive legal framework has been prepared to form the foundations of cultural heritage management by means of additional local regulations.

In 2006, the city was entered into the world heritage list, and a site management plan began to be implemented in 2007. After the first plan, implemented between 2007 and 2013, a new plan was put into effect in 2013. The guiding principle behind planning is to create a balance between change and conservation. Regensburg has the advantage of planning within the framework of the 2008-2011 dated HerO project supported by the Council of Europe, this gave it the opportunity to benefit from the cultural heritage management experiences of different European cities while developing a specific methodology to suit the unique situation of the city. In this context, the main management planning approaches were defined as: an integrated approach, action-based orientation, participatory preparation process and continual future improvement. The studies emphasized managing conflicts of interest and the potential impacts of heritage assets on economic, social and cultural actions. The Local Support Group formed during the HerO project brought together the main local stakeholders and was used as an important tool in establishing a sustainable management strategy

The lead institution in terms of organization is the municipal committee, the World Heritage Coordination Committee, established in 2007. It is responsible for information flow between the coordination committee and other departments of local authorities, for organizing a series of round-tables, convening regular meetings and establishing project based sub-groups. The planning team consists of municipal, state and local authorities meeting under the name of the Management Plan Working Group. This working group brings together representatives of the building authority, Planning Department, local tourist organization, Communal Press Department, Department of International Relations, Department of Preservation, the World Heritage Coordination Committee and, depending on the issue under discussion, additional expert stakeholders. The members are selected through a strategy based on involving representatives from institutions that will implement the management plan. The advantages of working with a wide ranging group of stakeholders are that lots of stakeholders may be included in the conservation process, feedback is plentiful, and the widest possible spectrum of participation can be achieved. In addition to the Working Group, a World Heritage Dialog Platform is also convened once every two years with the participation of city-dwellers and relevant groups in order to enable

broader discussion of the necessities of the site, and share information on the current situation and developments with a wider audience. The outcomes of this activity form data to be included in the monitoring and reviewing processes.

The three main priorities defined to guide the process are: the preservation of the visual integrity of the city, the protection of the quality of multi-functionality, and the control of environmental risks. All constructional interventions in the site require the permission of the Department of Historical Structures, particularly regarding the protection of the visual integrity and authenticity of the city. This approach is a significant measure for controlling new construction and ensuring it is in accordance with the existing historical environment. The permit required to be obtained from the Department of Listed Buildings for any modifications to historical structures constitutes another safeguard. These two measures can be evaluated as examples of good practice in solving possible conflicts between change and protection in terms of the public interest. The main strategy employed is defined as ‘development through dialog’ and ensuring full cooperation between all parties involved. The aims and provisions in all fields of activity are determined by considering the principle of strategic planning and these form the working methodology during the period of implementation.

One of the examples that make Regensburg different in terms of cultural heritage management is the convening of Construction Consulting Sessions. These meetings, also attended by the contractors, are used to clearly inform all parties are a device to forestall the emergence of all possible forms of conflict. In this respect, information and opinions are requested from the Building Office, Records and Conservation Office-Conservation Department, Conservation Round Table, Building Commission and the Advertising Commission with regard to new projects. When necessary, the Design Advisory Committee also expresses opinions on architectural and urban issues about the project. The project approval process continues, in this way, with the cooperation of many departments, through a series of processes that involve precautions taken for conservation, visual integrity, authenticity and urban planning. In another important forum, the round table of department directors, new proposals,

precautions and information are shared between departments concerning the world heritage site conservation and development process. This ensures that coordination between departments fulfilling different aspects of the same plan is sustained. The World Heritage Coordination Committee brings all points and projects impinging on concerns about the issue of World Heritage to the attention of the higher unit, the World Heritage Steering Committee, with the knowledge of the Planning and Building Department. ICOMOS experts, Ministers in the Standing Conference, related private institutions and the Regensburg Mayor form the World Heritage Steering Committee, which monitors the aforementioned projects with respect to compliance with World Heritage Procedures. If the proposal is approved, the Ministry of Foreign Affairs of the Federal Republic of Germany forwards the notification of compliance to the UNESCO World Heritage Center. If the proposal is not approved, the necessary evaluations are made in light of Article 172 of the UNESCO Operational Guidelines.

With long term and secure economic resources, half of the necessary restorations had been completed, before the establishment of a site management structure, since activities were initiated in 1986. The basic strategy shaping the restoration has been the enhancement of residential environments and strengthening of the residential function in the old city. The entire site is planned to be restored in 20 years.

All these activities that embrace a holistic, participatory and scientific approach have made it available to control possible changes in the urban area with close regard to the principles of conservation. At the same time, thanks to the delegation of different duties and authorities, units with the necessary and appropriate expertise have made the relevant evaluations and created the solutions needed. In this regard, in terms of administration, there has been a bottom-up structure in which both public institutions are included and the guidance of expert sub-units sought. The only shortcoming concerning cultural heritage management which has been identified by the World Heritage Site Manager is the exclusion of the World Heritage Convention from the 2009 dated Bavarian Law for the Protection and Preservation of Monuments (Ripp, 2011: 293). In conclusion, Regensburg World Heritage is an important example of process management that includes many examples of good-practice including the legal

infrastructure, strategic measures for conservation participatory practices and professional organization and financing.

3.2.9 Cultural Heritage Management Approaches in Austria

3.2.9.1 Overview

Austria (Österreich) or officially the Republic of Austria, is located in Central Europe, adjoining Lichtenstein and Switzerland to the west, Italy and Slovenia to the south, Hungary and Slovakia to the east and Germany and the Czech Republic to the north. Austria is a federal state and comprises nine provinces (Bundesländer) each with its own parliament (URL 109; URL 110; URL 111).

Austria has a total surface area of 83,335 km². Its population is 8,66 million according to 2015 data. The most populated cities in Austria are Vienna (1,8 million), Graz (1,22), Linz (1,43), Salzburg (539,612) and Innsbruck (730,444) (URL 109; URL 110).

The central geographic location of Austria has given it a central role in many of the political, cultural and economic events in Europe over the centuries. The Austrian economy is based on two main -factors: the country's rich culture and landscape and a well-trained labor force skilled in manufacturing processes. The first of these is an important component in shaping main cultural strategies. It focuses on cultural policy, modernization and effective management as a second priority. The legal status of cultural organizations is part of this agenda (URL 110).

The Constitution of 1920 defines the division of authority and responsibility between the federal state and the provinces with regard to cultural and natural heritage. The division is such that it is the federal state that is responsible for the preservation of monuments and the provinces that are responsible for building regulation, protection of nature but also of sites (Ortsbilder) and land-use-planning. The maintenance of built and movable heritage (including export restrictions) and archeology are under the

regulation of the federal office for the protection of monuments (Bundesdenkmalamt, BDA) and the maintenance of nature and landscapes is the duty of the provinces. The provinces have their individual tools and agencies for spatial-planning and regional development (URL 111).

In the history of Austria in the 20th century, the effects of the collapse of the Habsburg Dynasty, the end of the Monarchy, economic issues between two World Wars, the merger with Germany in 1938, occupation by the allied powers between 1945 and 1955, and further peace treaties are pivotal events (Ratzenböck and Lungstraß, 2014: 2).

The post-war cultural policy of Austria focused on federal factors and showed little interest in modernization. This trend changed with closer integration into European policies, and radical changes occurred between 1960 and 1970. Leadership in cultural issues became a political factor and was used as a tool for preparation for political changes in Austria. Enforcement of the Malraux Law in France in 1962 also affected Austria. Therefore, protected zones were created for Salzburg in 1968 and Vienna in 1972 (Wehdorn, 2009: 2).

A series of measures on cultural policies were implemented by the Federal Ministry of Education and Arts in 1975 (URL 110). With a regulation in the Monument Preservation Act in 1978, the term ‘ensemble’ was first use in the protection of monumental heritage (Wehdorn, 2009: 2). In the 1980s, cultural expenditure was seriously increased with the organization of numerous events. At the end of the 1980s, cultural policy priorities and related discussions changed, and cultural sponsorship and privatization issues were brought to the agenda. Discussion about privatization continued through the 1980s and the 1990s (Ratzenböck and Lungstraß, 2014: 2). Responsibilities on arts and culture are covered by Article 15 of the Constitution. Responsibilities listed in the General Clause (Generalklausel) are undertaken by federal provinces (Bundesländer). However, protection of monuments, national theaters and national museums are exceptions to this rule (URL 110).

The State Secretary for Art and Culture, as a part of the Federal Chancellery, was the dominant force in cultural policies between 1998 and 2006. During the coalition government in the 2000s, significant political changes occurred which attracted criticism at national and international social, political and cultural levels. In 2002, outsourcing of responsibility for public cultural institutions was promoted and the budget reserved for culture was reduced (Ratzenböck and Lungstraß, 2014: 2, 3).

The entire responsibility for art and culture was undertaken by the Federal Ministry for Education, Arts and Culture) between 2007 and 2013. However since 2014, issues regarding art and culture have been dealt with by the Federal Ministry for Arts, Culture, Constitution and Public Service, directly operating under the Austrian Federal Chancellor (Ratzenböck and Lungstraß, 2014: 3).

Main Characteristics of the Current Cultural Policy Model

Article 15 of the Constitution transferred much of the authority on cultural aspects to provincial units-provinces called Bundesländer. Responsibility for cultural policy is shared by the arts and culture departments of the Federal Chancellor. The task of these two departments is to mediate presentation of tangible and intangible cultural values and ensure wide scale public cultural participation. The main purpose is to create a continuously developing and integrated environment for culture and arts (Ratzenböck and Lungstraß, 2014: 4).

One of the main missions of the culture department is to create serial opportunities for a sustainable cultural environment, to subsidize federal cultural organizations, regional museums and public libraries. Another important priority is to protect historic monuments and cultural heritage, to create a healthy retrospective perspective, and ensure freedom and widespread dissemination of information by providing access to digital cultural products, and as well as to participate in international cooperation (Ratzenböck and Lungstraß, 2014: 4).

The concepts of culture and cultural development constitute an integral component of the Federal Arts Promotion Law, although they are not explicitly defined by legislation in Austria. In legislation promoting the arts in individual provincial units-provinces (Bundesländer), there are many definitions for the development of regional activities in cultural terms (Ratzenböck and Lungstraß, 2014: 4).

Cultural Policy Targets

Main Legal Provisions in the Cultural Field

Counting the number of legal regulations on culture in Austria is difficult for two reasons. First, Austria is comprised of provinces (Bundesländer) which are relatively independent and whose independency is reflected in the transfer of cultural responsibilities. Second, the Austrian Federal Constitution does not explicitly regulate arts and culture. Neither is there any comprehensive Culture Law which includes provisions regulating the cultural sector, [50] nor a systematic implementation of these laws. Therefore, legal provisions referring to the cultural sector are laid out in the Federal Constitution Act or the Basic Law on Civil Rights (Ratzenböck and Lungstraß, 2014: 31).

All issues, including culture, not undertaken by the national government according to the first paragraph of article 15 of the Federal Constitution are dealt with by provincial authorities (Bundesländer). However, Article 10 sets out that scientific and technical

[50] 'Specific federal regulations or acts on culture include: General Framework Regulations for Granting Supports from Government Funds (1977, amended 2004 and 2009); Federal Arts Promotion Act (1988, amended in 2000); Arts support Act (1981); Public Broadcasting Act (1984, amended in 2007 and 2010); Copyright Act (1996, last amendment in 2006); Film Promotion Act (1980, amended in 2004 and 2010); Federal Theatre Organisation Act (1998, amended 2009 and 2012); Federal Museums Act (1998, amended in 2002, 2009 and 2010); Museums regulations (2009) for the Kunsthistorische Museum (with the Ethnology Museum and the Austrian Theatre Museum), Albertina, MAK, Natural History Museum, Belvedere, MUMOK, Austrian National Library and the Technical Museum; Arts Restitution Act (1998, amended 2010); Artists' Social-Security Fund Act (2000, amended 2008) further changes 2009/10, from January 2011 the Artists' Social-Security Structure Act (KSVSG); Actors' Act (1922), from 2011 Theatre Employment Law Act; Film-Television Agreement (1981; amended 2003 and 2011); Federal Law on Retail Price Maintenance for Books (2000, amended 2004, 2007); Collection Societies' Act (1936, amended 2006) and Salzburg Festival Fund Act (1950)' (Ratzenböck and Lungstraß, 2014: 36).

archives and libraries, art and scientific collections and federal services (state museums, the National Library), federal theaters, historic monuments, religious facilities, foundations and funds all fall under the responsibility of the national government. Provincial units (Bundesländer) are responsible for protection of the visual aspects of urban and rural areas and for maintaining cultural, artistic activities and traditional arts and events of foundations and funds under the administration of Bundesländer. Article 17 of the Federal Constitution, on the other hand, states that the national government and Bundesländer, which are the executors of the Civil Law, are not limited by the aforementioned authorities (Ratzenböck and Lungstraß, 2014: 31).

The Art Promotion Law, dated 1981, required providing a contribution (EUR 0.48 monthly/per inhabitant) to support modern art in addition to monthly radio and television fees and sharing in the proportion of 70% to 30% between the federal state and provincial units (Bundesländer). Of the state contribution, 85% is reserved for the art department of the Federal Chancellor and 15% for cultural heritage protection and museums (Ratzenböck and Lungstraß, 2014: 32).

Cultural policy targets in Austria can be classified in three main groups (Ratzenböck and Lungstraß, 2014:4):

> - **'Basic cultural needs:** Freedom of art and artistic expression, pluralism, quality, innovation, creativity, identity, internationalization, stimulating general conditions for artists and possibilities for them to flourish, digitalization
> - **Management:** Transparency, promotion, competition, efficiency, public-private cooperation, flexibility, decentralization, planning (three- to five-year funding contracts), service orientation, evaluation
> - **Socio-political objectives:** Participation, integration, equality, social security, representation, understanding the economic effects of the cultural sector'

Within the period of 2013-2018, the main objectives in the field of arts and culture in the current legislative period are listed below.

- Assuring art and culture in Austria in the long term

- Improving cultural education
- Prioritizing contemporary art
- Raising Austria's international visibility concerning art and culture
- Setting the conditions of fair pay for creative work (Ratzenböck and Lungstraß, 2014:16-17).

Measures under the Security of Art and Culture in Austria Long Term Group on cultural heritage include ‘modernize the protection of historic buildings and monuments (amend the Austrian Federal Act on the Conservation of Monuments / DMSG)’ (Ratzenböck and Lungstraß, 2014: 16).

3.2.9.2 Legislation on Conservation

Regulations on protection and cultural heritage in Austria are listed in the Monument Preservation Act (Ratzenböck and Lungstraß, 2014:36) (URL 112) (Figure 3.49).

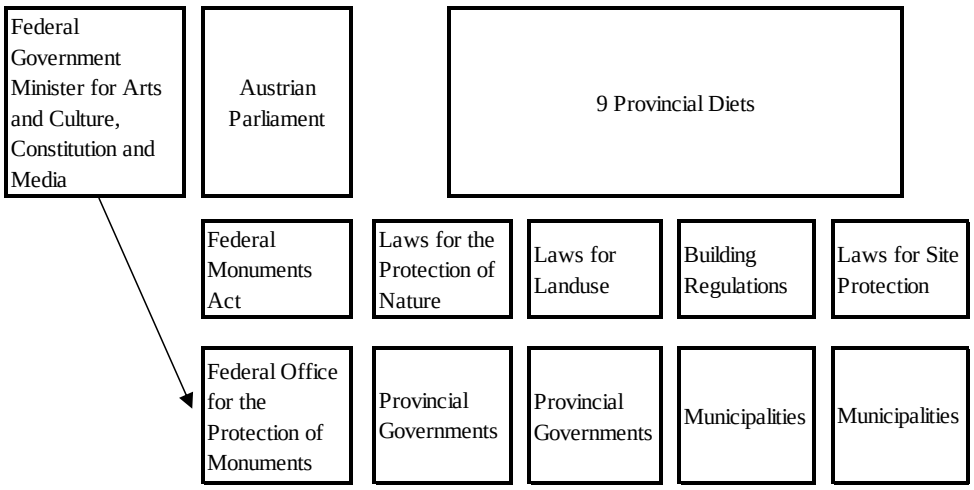


Figure 3.49 Legislation on Conservation and Administrative Structure (URL 111)

A difference from the situation in Germany is the existence of a Federal Law on preservation of cultural property across the country. The initial form of the Federal Law dated 1923 on preservation of cultural property for their historic, artistic or other cultural properties (Law on preservation of cultural property - DMGS) aimed at

protecting cultural property from damage or alteration and preventing smuggling of cultural property under preservation (URL 112).

In accordance with an amendment made to the Monument Preservation Act in 1999, the Federal Monument Office under the culture department of the Federal Chancellor has the right to issue provisional statutory decrees on monuments under the ownership of public organizations. These monuments are listed in the list of Monuments (Ratzenböck and Lungstraß, 2014: 38).

The most comprehensive and recent change in the Monument Preservation Act was made in 2000. Almost all provinces have laws on site protection and protection of nature and landscape. The most important ones are the laws for preservation of the cities of Salzburg (1967/1980), and laws on protection of sites in Graz (1974/2008) and Tyrol (1976/2003) (URL 111).

Currently, while it is the responsibility of the Federal government to protect single monuments, the provinces are responsible for protection of townscape and landscape (URL 113).The updated version of the law regulates, among other things, provisions for the Federal Cultural Property Institution and Cultural Property Advisory Board. The Cultural Property Advisory Board is one of the organizations which offer advisory services to the Ministry of Education and Cultural Affairs Federal Cultural Property Institution. The Board is comprised of about 60 members (URL 112).

The Federal Cultural Property Institution (BDA) is responsible for the preservation, restoration and cataloguing of architectural and artistic monuments, archeological sites and historic gardens. The Austrian List of Cultural Property and an electronic Cultural Property Database have been created under the Law on Protection of Cultural Property. Approximately 36.500 immovable articles of property were identified in Austria within the scope of preservation of cultural property in 2010. The number of protectable items of property under the Federal Law on Protection of Cultural Property (other than archeological heritage) is estimated to reach about 60.000 across the country. A new practice has been adopted in the list of immovable cultural property

under Preservation of Cultural Property since 2010. The Austrian State Archive has undertaken responsibility in place of the Federal Cultural Property Institution in archiving cultural property (URL 112).

Historic Development

There was no legislation covering the entire Austrian Empire concerning preservation during the imperial period (URL 114). Kaiser Franz Joseph I signed the decision for the establishment of Central Commission (K.K. Zentralkommission für Denkmalpflege) (prequel to the Federal Cultural Property Institution) for preservation and examination of historic buildings in 1850. The studies of this commission were an example for the whole of Europe (URL 115). After starting activities in 1853, the commission significantly increased its operations in 1873 and started to administer the institution with its own budget (URL 112). This commission was comprised of a few voluntary scientific members and offered advice (Wehdorn, 2009: 1). The Federal Cultural Property Institution was established under the rule of Crown Prince Franz Ferdinand in 1911. Until the fall of the Austro-Hungarian Empire, 72 draft laws were produced, one of which originated from the art historian Alois Riegl. The attempt at issuing a preservation law did not succeed due to opposition from the church and the nobility. Immediately after the end of the First World War, on December 1, 1918, an export ban was implemented on cultural property to prevent the excessive export of cultural property in the context of a country in a serious economic crisis. In 1923, the Law on Preservation of Cultural Property was put to force, which is still applicable. The Advisory Board became an authority in its own field with these two laws (URL 112).

The federal law dated September 25, 1923 (Law on Preservation of Cultural Property) which included restrictions on historically, artistically and culturally important works was published in the Official Gazette numbered 533/1923 (URL 112).

Changes were made in the Law on Preservation of Cultural Property in 1959 and the definition of cultural property was included in 1965 (the Constitutional Court

Decision). The first comprehensive revision was made to the Law on Preservation of Cultural Property in 1978. The other comprehensive revision was made in 1990 (URL 112).

Significant Changes in the Additions of 2000

The Annex put into effect in 2000 (Official Gazette no 170/1999) also included an export ban. According to this annex, legal protection for public buildings was terminated on 31 December 2009 (according to Annex 2). The new article 31.1 set forth that preservation and restoration cannot be provided for monuments. Austria has not acknowledged the International European Council Granada Convention 1985 until now, and, therefore, has not engaged in any regulation on 'active monument protection', the need for unconditional protection (URL 112).

Cultural Property Status

The Federal Cultural Property Institution which was nominally independent, but operated under the instructions of the Ministry of Education, Arts and Cultural Affairs (Figure 3.50) was relieved of its role of counseling in preservation of cultural property in accordance with this new version dated 2000. The Advisory Board has only the functions of counseling and expertise. Despite the large amount of cultural property under protection in Austria, the Law on Preservation of Cultural Property is traditionally not strictly implemented, and is not discussed much in the press and public initiatives. Despite positive subventions for the Federal Cultural Property Institution including opportunities and penalties, the number of sanctions actually implemented in recent years has declined, and this is part of a continuing trend (URL 112).

The term cultural property is interpreted basing on a ruling of the Constitutional Court on all aspects (to the narrower extent) in Austria, as of the date of enforcement of the related article of the Austrian Federal Constitution (October 1, 1925). This has caused

serious problems in the concept of preservation of cultural property including general protection or protection of historic gardens (URL 112).

With the amendments in 2000, it became a requirement to obtain approval from the Federal Cultural Property Institution before making any change in the structural and plant components of 56 parks and gardens selected across Austria and included in the scope of the law (Law on Preservation of Cultural Property Annex 2). Therefore, Austria became the last country in Europe to include the protection of gardens within the scope of the Law on Preservation of Cultural Property. Preservation depends on the agreement of the relevant garden owners, which has only been possible in half of the cases until now (URL 112).

Opposition on the part of the Ministry to the strict demands of the Cultural Property Institution, as with the Vienna examples (demolition of buildings such as Palais Erzherzog Rainer [1958] baroque riding school, Florianikirche [1965], Stadtbahn Station Meidling [1968] designed by Otto Wagner or recently completed Albertina restoration) points to a serious weakness in the preservation of cultural heritage in Austria (URL 112).

Protection on an area scale, in addition to single monuments, is provided by designating and announcing protected urban zones. Provinces are authorized to designate an area a protected zone. There are many protected zones especially in historic cities such as Vienna, Salzburg, Graz and Innsbruck. Vienna has 111 protected zones, comprised of 13,000 single components and amount to 10% of the buildings in the city. The largest protected zone, covering the entire historic center of Vienna consisting of about 15,000 components, is the Ringstrasse (Wehdorn, 2009: 3).

Architecture and spatial planning

Regional and spatial planning is carried out by the federal government, provincial units (Bundesländer), city and municipalities. In contrast to many other countries, the government does not have a central responsibility; provincial units (Bundesländer)

implement the main principles for regional and spatial planning according to their own laws. Local spatial planning is under the responsibility of municipalities according to the constitution. Since the beginning of the 1960s, regional planning has been defined as an additional task of provincial units (Bundesländer) and municipalities and the Austrian Spatial Planning Conference started pioneering in this regard in 1971 (Ratzenböck and Lungstraß, 2014: 39).

'Platform Baukultur', an initiative for promoting culture which encourages architectural policies in Austria, was stated in the first report on Building Culture in 2007. Platform Baukultur was established by the joint efforts of the former State Secretariat for Art and the Media and the Federal Ministry for Economic Affairs and Labour, and the Federal Real Estate Agency This initiative produced many recommendations on public awareness, production and economic sustainability. The second Architectural Culture Report in 2011 addressed economic and ecological sustainability in construction and municipal spatial planning. The Architectural Cultural Report is issued by the Federal Chancellor every five years (Ratzenböck and Lungstraß, 2014: 28).

3.2.9.3 Description of the Administrative Structure

The Organization of Austrian Administration

The administrative organizational infrastructure of Austria depends on two principles:

- The fundamental constitutional principle of the federation.
- The self-administration principle of Austrian municipalities.
- These two principles lead to an administrative structure comprised of three sublevels.
- The Federal Government at the level of central government
- The federal state administrations of the nine States of Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg and Vienna at federal level

- and the municipal administrations of 2,358 Austrian municipalities at the level of local self-administration (URL 116).

Austria comprises 99 administrative districts that form an extensive network. These districts are not independent territorial authorities but rather structures that are organizationally integrated into the federal state administration (as district authorities) or in the larger city. Hence Austria constitutes a four-tiered administrative structure with the Federal Government, Federal States, Districts and Municipalities (URL 116).

The Federal Government

Leaders of the Federal government, the largest administrative body in Austria, are Federal Ministers, who are solely responsible for their departments. The number of Federal Ministers and departments is not constant; it changes depending on circumstances. At the moment, there are thirteen Federal Ministers. State Secretaries, on the other hand, are appointed for political support and they function as representatives in the parliament or at European level. The Federal Chancellor is also supported by his own department, which comprises a Federal Ministry (or Central Offices). Strategic decisions like draft bills are prepared at the Federal Ministry and the subordinate agencies (URL 116).

Federal State Administration

In contrast to the federal administration, the nine federal states/provinces are not organized according to the branch system. The leading body in the state administration, the state government, mainly functions as a committee. However, individual members are authorized and delegated for making decisions on various matters. Rather than individual State Ministers, there is a common State Government Office (URL 116).

Districts

The 99 district administrations in Austria are a part of the state administration. Outside the 15 larger cities, there are 84 District Authorities in Austria, which are established as administrative districts throughout the country. The State Government appoints District Governors as leaders of district authorities. District authorities have important functions, especially in national administration. In addition, State Administrations have subordinate agencies and various bodies have been disincorporated from State administration (URL 116).

Municipalities

There are 2.358 municipalities in Austria. Only 72 towns have more residents than 10.000 and 80% of the municipalities have less than 3.000 inhabitants. In Austria, strong co-operation has been achieved between municipalities regardless of their size and capacities. In this framework, management efficiency is increased by establishing many municipal associations, particularly in cases that involve high investment and employment opportunities. The largest 15 Austrian cities have a unique characteristic that makes them different from the rest of the municipalities, i.e. they have their own statutes, which indicates that in addition to their municipal responsibilities, these cities also function as administrative districts (URL 116).

The Mayor is the head of municipal offices. He/she is elected by the Municipal Council representative organ or directly by the citizens of the municipality. On the other hand, administrative leadership is the responsibility of the Municipal Secretary or City Office Director. In cities with their own statute, this position is called Chief Magistrate. Many municipal responsibilities are concern the creation of educational, social, environmental and cultural infrastructure (URL 116).

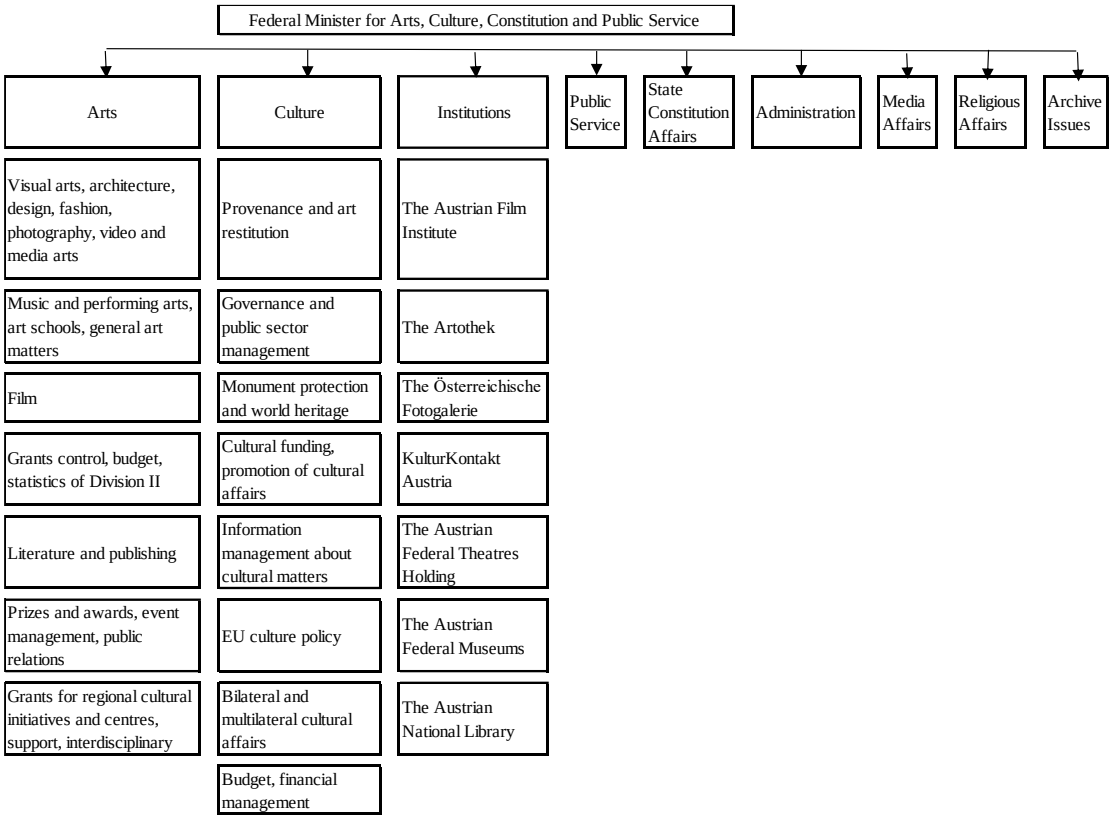


Figure 3.50 The Organization Scheme of the Federal Minister for Arts, Culture, Constitution and Public Service (Ratzenböck and Lungstraß, 2014: 5).

Since 2014, the Federal Ministry for Arts, Culture, Constitution and Public Service has operated under the Federal Chancellery. Operations are executed by 7 departments under the art department and 8 departments under the culture department of the Ministry. This division has been inherited from the former Ministry for Education, the Arts and Culture period between 2007-2013 (Ratzenböck and Lungstraß, 2014: 5) (Figure 3.50).

The following are some of the important organizations on heritage in the country: federal museums and the Federal Office of Historic Monuments. Each of these organizations has its own characteristics depending on their organization, legal and economic conditions. The most important reform in this respect is granting a legal

status to federal museums and the transformation of museums into scientific organizations under the public law, which is also important for selfgovernment. The main principles in terms of national museums concern planning, collection policy and governance (Ratzenböck and Lungstraß, 2014: 18).

The Media Affairs Department under the Federal Chancellery in Austria is responsible for coordination of the 'Digital Agenda for Europe' issued by the European Commission in 2010. In Austria, artistic and cultural property is tracked by a system called the 'monument information system' (DEMIS) continuously updated irrespective of the location of the heritage, which was developed in cooperation with the Federal Monuments Office. The purpose of the system is implement archiving and provide accessibility to Austrian monuments. Moreover, the culture department of the Federal Chancellery and the 'Kulturpool' initiative of the Federal Ministry of Science, Research and Economy provide access to digital Austrian Cultural Heritage sources from museums, libraries and archives (Ratzenböck and Lungstraß, 2014: 28).

Besides the Federal Minister for Arts, Culture, Constitution and Public Service, one of the seven departments of the Federal Ministry for Europe, Integration and Foreign Affairs is the Cultural Policy Department and is comprised of 4 divisions. These are responsible for (Ratzenböck and Lungstraß, 2014: 6):

- the planning, coordination, funding and assessment of international cultural policy
- organizing cultural and scientific events outside Austria
- sustaining scientific-technical cooperation and dialogue between cultures and religions
- multilateral affairs in international culture (UNESCO)

The Federal Ministry for Europe, Integration and Foreign Affairs is responsible for issues about cultural policies in close cooperation with the Federal Ministry of Science, Research and Economy under the Federal Chancellery, the provincial governments,

the Austrian Chamber of Commerce and the National Tourism Organization (Ratzenböck and Lungstraß, 2014: 6).

The Federal Ministry of Science, Research and Economy is responsible for the following in terms of culture (Ratzenböck and Lungstraß, 2014: 7):

- 'cultural tourism
- historical buildings
- different awards given in creative industries (architecture, design, TV, advertising etc. and the 'Evolve' initiative that aims to support creative industries)
- bilateral agreements on films'.

Austria is an active member of UNESCO and was elected to the Executive Council for 2011-2015 in November 2011 (Ratzenböck and Lungstraß, 2014: 6).

The Federal provinces of Austria (Bundesländer) are Burgenland, Carinthia, Lower Austria, Salzburg, Styria, Tyrol, Upper Austria, Vienna and Vorarlberg (Ratzenböck and Lungstraß, 2014: 7) (Figure 3.51).

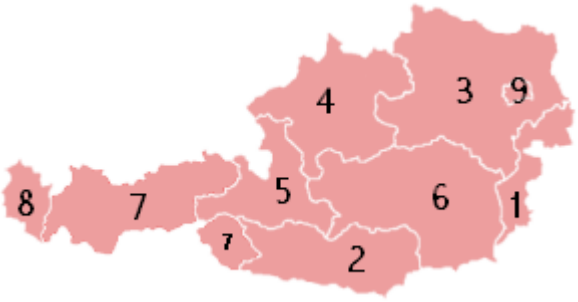
MAP		The Bundesländer	Capital
			
	1	Burgenland	Eisenstadt
	2	Karintia (*Kärnten*)	Klagenfurt
	3	Lower Austria (*Niederösterreich*)	St. Pölten
	4	Upper Austria (*Oberösterreich*)	Linz
	5	Salzburg	Salzburg
	6	Steiermark	Graz
	7	Tyrol	Innsbruck
	8	Vorarlberg	Bregenz
	9	Wien	Wien

Figure 3.51 Austrian Provinces (Adapted from URL 109)

General cultural responsibilities of federal provinces are as follows (Ratzenböck and Lungstraß, 2014:7):

- 'foundations and funds owned by the Bundesländer
- theatres, cinemas, events
- music schools
- annual festivals
- heritage, tradition and folk art
- all legal matters about cultural policy (Kulturhoheit, i.e. cultural sovereignty)
- supporting cultural activities related to the respective Bundesland in cooperation with the federal level, which has different priorities for promotion, whenever possible
- supporting projects that aim to improve the image of villages and towns – maintenance of the old town centres
- supporting contemporary art'

The Federal Office of Monuments (Bundesdenkmalamt)

Two institutions have authority with regard to the protection of monuments, i.e. the Federal Office of Monuments (Bundesdenkmalamt) and the Provincial Conservators

(Landeskonservatoren), which are attached to provincial government. They are responsible for the practically implementing monument protection policies (URL 110).

The Federal Office of Monuments (Bundesdenkmalamt)) in Austria is responsible for preservation and restoration of historic, artistic and cultural monuments and control of archeological excavations and exports of art (URL 110). This office is a collateral unit of the Federal Minister for Arts, Culture, Constitution and Public Service. The organizational structure of the Office consists of the expert section, the regional section of 9 provinces and the administrative section. The Office has about 200 personnel (Pieler *et al.*, 2013: 1).

The Federal Office of Monuments (Bundesdenkmalamt) has three main functions:

- Ensure protection within the authority of administrative public institutions
- Research
- Preservation and safeguarding of monuments (including information, practical workshops and development) (Huber, 2002: 2).

The Federal Office of Monuments, which is a subsidiary to the Federal Minister for Arts, Culture, Constitution and Public Service, has the following organizatorial scheme and departments:

- Supported by his/her bureau, the president is the highest level decision maker.
- All scientific matters and the organization and coordination of all professional agendas are under the responsibility of the Conservator General, who is the second highest level agent.
- The Director of Architectural matters is the third highest ranking authority in the headquarters, and is specifically charged with architectural conservations and the examination of important architectural projects.

- Central departments constitute the next level. These departments are the archeological department, the department of inventory, the department of historic gardens, the center for Art conservation or the center for architectural conservation.
- The Landeskonservatorate (safeguarding offices of the federal country) is responsible for the protection and security of all federal countries (Bundesland) (Huber, 2002: 2).

The functions of the office include preservation, restoration and cataloguing of structural and artistic monuments, archeological excavation places and historic gardens and monitoring of export provisions according to the Law on Preservation of Monuments. The Federal Monuments Office operates in cooperation with the Monuments Board (URL 117).

Today, the Federal Monuments Office is located in the Vienna Chancellery Building with eight state conservation offices in provincial capitals. The headquarters of the Burgenland State Conservation office is located in Vienna. The central departments with specific areas of expertise, which were restructured in 2010 are (URL 117):

- Architecture and construction technique (photogrammetry included)
- Archeology (archeological monuments)
    - Archeology center Mauerbach
- Movable objects - international cultural goods transfer (exports, export licenses for cultural goods)
- Registry in the inventory list and monuments study (formerly: The Austrian Art Research Institute)
    - Dehio - Austria's Artistic Monuments and Austrian Art Topography Manual publisher
    - The list of monuments, the cultural goods preservation list
    - Official library, photograph archive, archive
- Private pictures:
    - Garden architecture (historic garden conservation and historic parks)
    - Industrial heritage (historic factories)

    - ‘Sound monuments’ (church bells and organs)
- Information and Education Center Building monument maintenance - Kartause Mauerbach
- Preservation and Restoration
    - Natural Sciences Laboratory
- Art restoration workshops; namely the Central Chemical Laboratory of the Federal Monuments Office at the Vienna Arsenal, and the Architectural conservation restoration workshop in the Mauerbach Charterhouse (URL 117).

Integrated services include maintenance of museums and libraries (other than federal museums), legal affairs etc. (URL 117).

Among the federal office departments, the center of art conservation (Restaurierwerkstätten Kunstdenkmale) and the center for architectural conservation (Retaurierwerkstätten Baudenkmalpflege) are organized as a laboratory and conduct high level scientific studies in safeguarding, conservation and restoration and test old and new technologies and methods in developing handicrafts (Huber, 2002: 2).

The main function of the center for art conservation is to set up the standards of restoration and improve them continuously by examining ideal restorations that can be use as an example for others. On the other hand, the center for architectural conservation, established in the Mauerbach Charterhouse (Kartause Mauerbach) near Vienna, examines and determines the measure of conditions and proportions of the architectural objects and interventions in its system. The long-term impact of proper traditional materials on craftsmen and conservators is seen as an encouragement and stimulus based on high quality craftsmanship that is maintained by natural scientific methods rather than on sophisticated technologies (Huber, 2002: 2).

The laboratories provide support for the personnel of the Federal Monuments Office (State conservatories, official restoration areas etc.) and independent restorers or private individuals. The central laboratories evaluate and categorize the testing of materials required for restoration and issue expert reports (URL 117).

The Federal Office of Monuments (Bundesdenkmalamt) also has a training department: This department organizes courses for professionals, artisans and employees in the field of cultural heritage preservation (URL 117). Seminars are organized in cooperation with the Technology University in Vienna. In addition, classes are organized for traditional arts and construction techniques (for masons, stonemasons, painters, blacksmiths, joiners and other crafts). Cooperators in organization of these classes are the Vienna Polytechnic, the Technical College For Revitalization in Krems, the Association of Restorers (Huber, 2002: 3).

According to the Monument Preservation Law, the Federal Monuments Office also selects building and archeological areas for preservation of movable objects and collections. This protection can be designated without the permission of the respective owner. In this case, however, the owner (or the Mayor or the Governor in certain cases) can object to the federal court of administration. With respect to preservation, alterations and demolitions are subject to approval of the Federal Monuments Office. If the Federal Monuments Office rejects this request, the building owner can appeal to the administrative court for decision. The Federal Monuments Office does not manage construction works, management of the buildings of the state is carried out by the Ministry of Economy (URL 111).

The Federal Monuments Office has an executive structure in the form of a troika consisting of the CEO, the Technical Director and the Administrative Director. The department heads of the nine provinces (Landeskonservatoren) are charged with the management of the choosing monuments and controlling alterations. Central department heads such as architecture, research, movable heritage etc. support them during the process. Relevant documents are executed by the BDA (URL 111).

The Federal Monuments Office was responsible for revising the Mauerbach inventory which included 8,000 objects and art pieces. This inventory was given to Austria by the American Army at the end of the 1940s and the beginning of the 1950s. Their respective owners were not found until 1996 and this inventory was sold by auction. After long years, however, the archive was opened for study of origins and the owners

of many of the pieces were identified thanks to the tips on the reverse sides of the photographs of the pieces. These results were issued in the beginning of December, 2008 and were exhibited at the Art Museum (URL 117).

Cultural Property Advisory Board

The Cultural Property Advisory Board (or the Monuments Advisory Board) is a board which offers counseling in preservation and maintenance of monuments, established by the Federal Minister for Arts, Culture, Constitution and Public Service as subordinate to the Austrian Federal Monuments Office. This Board is comprised of experts in art history, history (general history, history of technology, history of economy, social history), archeology, ancient history urban planning, planning, superstructure, statics, geology and soil mechanics, business administration, construction (cost calculation), maintenance of immovable, restoration and preservation. These people, assigned by the Ministry for 6 years, serve on an honorary basis. In addition, the Federal Ministry of Science, Research and Economy, the Federal Chamber of Architects and Engineers and the Arts Board can appoint permanent members to this board. The board members offer expert advice to the Federal Monuments Office and the Ministry and sit on related committees. For consulting, temporary members can be assigned from construction owner enterprises or organizations (e.g. provinces and municipalities), the tourism administration of Department of Economy, the respective church or community (if the monument is in the possession of the church) or cultural property preservation associations (according to article 7 of the Regulations on the Monuments Board). In a case involving demolition of a monument which is an immovable property - other than those which pose a definite risk or archeological monuments - recommendations from the Monuments Board is sought for. Currently, the board is chaired by a legal expert member and is comprised of 60 members (URL 118).

The Provincial Conservators (Landeskonservatoren)

The Provincial Preservation Expert serves as the countrywide Monument Conservator. The Provincial Conservation Office is a department of the Provincial Monuments Office and is managed by the State Conservator. The Provincial Conservation Council provides consultancy for protected monuments and maintenance in each province. There are Provincial Conservation Councils in 9 states, namely, Wien (Wien, Hofburg), Burgenland, Niederösterreich (Krems), Oberösterreich (Linz), Salzburg (Salzburg), Steiermark (Graz), Kärnten (Klagenfurt), Tyrol (Innsbruck) and Vorarlberg (Bregenz) (URL 119).

Protected Object List

The list of Cultural Property in Austria (Denkmalgeschütztes Objekt) (Table 3.10) is maintained by the Federal Monuments Office. The December 2007 dated Austrian monument protection law, which listed over 16,000 properties in Austria, constitutes a guide for the Austrian directory of 'kulturdenkmal' objects. Through the complete monument database that was published in 2011, the Office shares its total inventory estimates as nearly 60,000 objects. About 75% of the items in Austria are of a secular nature (castles and palaces, residential buildings, etc.), 10% are religious buildings (churches), and approximately 14% are groups of monuments (museum collections, archaeological sites and findings). Along with the official list of physical monuments, the Austrian Dehio Handbook presented by the Department of Inventory and monument research also lists many items of interest (URL 120).

Table 3.10 Protected Object List (URL 120)

	National	BGL	KTN	NOE	OOE	SBG	STM	TIR	VBG	WIE
Archeology	2330	239	166	1109	205	95	488	25	1	2
Protected Architectural Elements	113	6	3	19	18	6	9	22	2	28
Movable heritage	242	NA	NA	NA	NA	NA	NA	NA	NA	NA
Individual buildings	17	2	2	4	4	1	3	1	0	0
Gardens and parks	25	2	4	5	4	2	1	2	1	4
Horticultural Monuments	115	9	3	22	11	10	10	13	4	33
Secular Buildings	12239	699	968	2924	2413	1121	932	1450	471	1261
Sacred buildings	1384	77	91	305	214	86	144	313	81	73
Collections	121	8	1	10	9	8	20	5	3	57
Technical monuments	92	0	5	26	23	0	14	7	3	14
All Objects	16678	1042	1243	4424	2901	1329	1621	1838	566	1472

Local Level

Administration includes Bezirks (districts) and local communities in lower levels (URL 110). Political responsibility for culture at the local level is undertaken by the city/town councils and minor municipalities. Most of the local government offices or municipal administrations have cultural departments which have control of sports, tourism, science and educational activities. Communities with a population less than 20,000 generally do not have their own cultural departments. One of the main responsibilities at the local level is the preservation of the appearance of villages, towns, old town centers (Ratzenböck and Lungstraß, 2014: 8).

Responsibilities at local level are:

- ‘preservation of the images of villages, towns, old town centers
- festivals, particularly in provincial capitals such as Bregenz, Salzburg, Linz, Graz (in cooperation with the respective Bundesland and the federal government)
- promotion of urban institutions in the cities (stages, cultural centers, etc.)
- libraries, adult education facilities
- crafts

- local museums
- amateur art’

The concept of cultural policy shape main political decisions and developments in certain cities (e.g. Salzburg, Graz, and Linz). In Salzburg, cultural policies were defined with the Cultural Development Plan in 2001 and it was decided to take a serious of measures, this plan was revised in 2007 and was updated again in 2012 (Ratzenböck and Lungstraß, 2014: 8).

System Definition

Although the ultimate public responsibility rests within the federal system, public bodies of government at all levels can take active roles to support all art and cultural activities in cultural areas. In this case, it is possible for various government organs to co-operate together unofficially at many levels. The foundation of the administrative structure in culture is the Federal Ministry Act. Following a series of changes in the responsibilities of the ministries in recent decades, art, culture, and cultural heritage has been combined under the responsibility of the Federal Chancellery since 2014 (Ratzenböck and Lungstraß, 2014: 8).

Both art and culture departments of the Federal Chancellery issue annual reports. These reports, required by the Federal Arts Promotion Act, provide information about expenditure on culture and art expenditures by the state. This expenditure has been monitored by a system called LIKUS (Länder-Initiative Kultur-Statistik) since 1996 to provide transparency and clear comparisons between provincial (Bundesländer) and federal level expenditure. The LIKUS system counts cultural heritage, performance arts, audio visual area, visual arts, books and press and transverse areas under its responsibility and these areas are related to 16 branches of LIKUS in 20 categories in total (Ratzenböck and Lungstraß, 2014:9, 19).

The annual report of the culture department details expenditures of the main cultural organizations, preservation of heritage, maintenance and restitution, foundations,

cooperation between cultural organizations and schools, cultural education, EU and international relations and breakdown of respective expenditures. According to the 2012 annual report, the budget reserved for arts and culture is EUR 441 million (Ratzenböck and Lungstraß, 2014:9, 43).

Cultural Management Activities of Provincial Units And Local Authorities

Provincial units (Bundesländer) play an active role in supporting cultural activities in all areas based on the relevant articles of their own laws. Each provincial unit (Bundesländer) has at least one department on cultural affairs. Generally, a member of the government undertakes the political responsibility for this department. Some cultural authorities can be undertaken by the governor. The Cultural Promotion Acts make it mandatory to establish legally based advisory boards for supporting arts and culture and issuing a report on expenditure for culture and arts. Subsidy reports are available for each provincial unit (Bundesländer) other than Upper Austria, which has a separate section called Art and Culture in the general report of the country (Ratzenböck and Lungstraß, 2014: 9).

Laws on the Promotion of Culture are adapted by provincial units (Bundesländer) other than Vienna. For example, Upper Austria arranged new cultural strategies in 2009 and defined funding priorities for cultural policies. Similarly, the revision of the Cultural Promotion Act based on new cultural trends in 1979 and the expanded concept of culture was accepted in Tyrol in 2010. Therefore, Tyrol had the capacity to create suitable conditions for cultural projects (Ratzenböck and Lungstraß, 2014: 9).

As with the small rural municipalities, capital cities of the provincial units (Bundesländer) reserve certain amounts of funds for cultural encouragement in urban organizations, libraries, adult education activities and museums. There has been trend towards transparency in municipal activities in recent years and cities, such as Linz and Salzburg, arrange new culture development plans which include their strategies. Issuing reports and establishing advisory boards on supporting culture are common practices in major cities (Ratzenböck and Lungstraß, 2014: 9).

Interministerial or intergovernmental cooperation

Cooperation is common between ministries in creative industries, cultural tourism, cultural diversity, architectural policies and intercultural dialogue (Ratzenböck and Lungstraß, 2014: 10). All relations between the federal government and the provincial units are executed by the coordination unit called 'Verbindugsstelle' located in Lower Austria. In addition, meetings called 'Kulturreferenten' where officers and managers in charge of cultural affairs from provincial units are gathered twice a year (URL 110).

Intergovernmental annual information meetings where important cultural projects and activities are shared between 9 provincial units (Bundesländer) and the federal government. When necessary, unofficial meetings are organized between ministries which are attended by many ministers and managers (Ratzenböck and Lungstraß, 2014: 11).

In addition to Vienna and provincial capitals, all cities and towns with more than 10,000 residents are members of the Austrian Association of Cities and Towns where the cultural agenda is discussed at the cultural committee of the association. The Association of Austrian Municipalities, which represents small towns and the Association of Austrian Cities, are authorized to participate in discussions at the national government and provincial level (Ratzenböck and Lungstraß, 2014: 11). The Austrian Towns Federation (Österreichischer Städtebund) and the Austrian Communities Federation (Österreichischer Gemeindenbund) are responsible for ensuring coordination at the municipal level (URL 110).

International cultural cooperation

Austria is a party to many international agreements in its relations with EU, the European Council and UNESCO. Among them are:

- Council of Europe European Cultural Convention

- Council of Europe Framework Convention on the Value of Cultural Heritage for Society
- UNESCO World Heritage Convention
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions
- Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict Ratzenböck and Lungstraß, 2014: 37).

The responsibility for international cultural cooperation is shared by many ministries in Austria. The main participants are the Federal Ministry for Europe, Integration and Foreign Affairs, the cultural policy department and the EU Cultural Policy department of the bilateral and multilateral cultural affairs department of the Culture Department of the Federal Chancellery. In this area, the Federal Ministries of Science, Research and Economy, the Ministry of Education and Women's Affairs, Family and Youth, the Federal Ministry of Labour, Social Affairs and Consumer Protection and the Federal Ministry of Finance which acts a guarantor in the name of the state and the Ministry of Justice have various operations (Ratzenböck and Lungstraß, 2014: 11-12).

The Federal Ministry for Europe, Integration and Foreign Affairs cultural policy department comprises four divisions. The departments of the Federal Ministry of Europe, Integration and Foreign Affairs fulfil the following duties (Ratzenböck and Lungstraß, 2014: 12):

> - 'coordination, organization, assessment and financing of international cultural cooperation
> - the organization of cultural and scientific events outside the country
> - scientific-technical exchange and dialogue between cultures and religions
> - multilateral cultural policies and UNESCO affairs'

The Federal Ministry for Europe, Integration and Foreign Affairs has relations with the cultural departments and cultural attaches of Austrian Embassies as with 27

countries[51]. Most of the operational budget for international cultural policy is shared between cultural forums with their own annual budgets (Ratzenböck and Lungstraß, 2014: 12).

The Culture Department of the Federal Chancellery is responsible for cultural affairs within the framework of EU, the European Council and UNESCO about international cultural exchange. Furthermore, the Association KulturKontakt Austria, established in 1989, is responsible for cultural cooperation with non-EU member states which have strategic importance for Austria and are located in the Eastern and Southeastern Europe. International cultural exchange activities and projects are supported at the provincial and city level. Austria signed a cultural cooperation agreement with 28 countries, 15 of which are EU members. Agreements on scientific and technical cooperation were signed with 18 countries in addition to these cultural agreements. Culture and science based cooperation has also been maintained with 7 partner countries without any written agreement (Ratzenböck and Lungstraß, 2014: 12-13).

Multilateral activities in international cultural policies are executed within the scope of UNESCO, EU and the European Council. Provincial units (Bundesländer) assign their own European and foreign affairs and represent themselves as the Regional Committee at the Assembly of European Regions. Municipalities organize their pair city partnerships (e.g. Vienna-Bratislava) and engage in various international networks including Eurocities and United Cities and Local Governments (Ratzenböck and Lungstraß, 2014: 13).

3.2.9.4 Financial Issues

In Austria, all three level authorities (the federal state, provinces and municipalities) participate in supporting culture, and reserve a certain budget for culture. The respective budget laws determine how much budget will be reserved for what purpose

[51] Belgium, Canada, China, Croatia, Czech Republic, Egypt, France, Germany, Great Britain, Hungary, India, Iran, Israel, Italy, Japan, Mexico, Poland, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Switzerland, Turkey, Ukraine and the United States

by which ministry. Expenditure for cultural purposes is mainly made by the Federal Minister for Arts, Culture, Constitution and Public Service, Federal Chancellery and the Federal Ministry for Europe, Integration and Foreign Affairs. Other financial measures are the extra funds deducted from radio and television fees. This money is used for cultural purposes clearly defined by the Federal Government (URL 110).

Austria is listed among the tops in terms of financial support by the federal government at the international scale. Many associations and organizations at nongovernment level, such as the Austrian Crafts Council, are supported by federal and provincial authorities (URL 110). About 1% of the public budget is reserved for construction and federal and provincial budgets required for supporting culture and art are supported by these funds designated for design of new structures. 15% of the federal budget reserved for culture is provided from the surcharge on radio licenses (URL 110).

One of the funding methods which are used as a model across Europe is the 'Vienna Old Town Preservation Fund'. This fund was established in 1972 and was used for Vienna's protected zones until 2000. The fund provided EUR 162 million for 3,633 projects in total. At the time, it was already clear to all reasonable politicians and experts that subsidies had to be distributed out of public revenues for the implementation of sustainable projects for protected zones and high-quality rehabilitations. The Fund was established by the 'Vienna Culture Schilling Act', which endowed the Fund primarily from its own revenues at the same time. The Act was adopted by the Municipal Council in January 1972. In accordance with the regulations under this Act, a levy (at the moment 20%) on fees payable for a radio or TV/radio license in Vienna is separated for cultural activities, and especially to the preservation of the old town. Furthermore, 1/3 of each annual subsidy is allocated to privately owned houses, city owned houses and ecclesiastical buildings respectively. Last but not least, during the rehabilitation or revitalization of a building the Fund subsidizes 'additional costs accrued from monument protection' as a rule, which means that the Fund completely covers all restoration costs that exceed those made on the straightforward rehabilitation of a house (Wehdorn, 2009: 3).

Within the framework of EU regional development policies, Austria developed art and culture projects in all provinces and comprehensive support programs for regional competition and employment targeted at contribution of these projects to regional development. Austria mainly used the EU Structural Funds in these projects. Within the scope of 534 cultural projects between 2007 and 2010, EUR 78.8 million provided by the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the European Agricultural Fund for Rural Development (EAFRD) was used (Ratzenböck and Lungstraß, 2014: 15).

Public cultural expenditure:

Cultural expenditure per capita in Austria was 286 EUR in 2012. The share of GDP was 0.79% in 2010. These figures indicate a slight tendancy to increase compared to earlier years. In 2010, the nominal value of cultural expenditure per capita was 278 EU and the share in GDP was 0.82%. In 2011, these figures decreased to 273 EUR and 0.76% respectively.

Table 3.11 Public cultural expenditure by level of government, in million EUR (Statistik Austria- Kulturstatistik, 2014)

Domain	**2001**		**2010**		**2011**		**2012**	
Federal State	699.77	38.17%	787.73	33.75%	782.26	34.03%	804.55	33.38%
Regional (Länder)	704.76	38.45%	874.53	37.47%	865.67	37.66%	914.22	37.93%
Local(Gemeinden)	428.62	23.38%	671.55	28.77%	650.31	28.29%	691.39	28.69%
Total	**1 833.15**	**100%**	**2 333.80**	**100%**	**2 298.25**	**100%**	**2 410.16**	**100%**

Table 3.12 Public cultural expenditure by sector according to LIKUS, in million EUR (Statistik Austria- Kulturstatistik, 2012)

Domain	**Federal State**		**Provinces**		**Municipalities**		**Total**	
	M. EUR	%	M. EUR	%	M. EUR	%	M .EUR	%
Total	**782,26**	**100**	**865,67**	**100**	**650,31**	**100**	**2,298,25**	**100**
Museums, archives, Science	155,68	19,9	122,61	14,2	62,42	9,6	340,72	14,8
Historical monuments	82,88	10,6	26,48	3,1	75,88	11,7	185,25	8,1
Folk culture, preservation of homeland and tradition	0,50	0,1	7,59	0,9	18,17	2,8	26,25	1,1
Others	543,20	69,4	708,99	81,8	493,84	75,9	1,743,03	
Cultural expenditure in % of GDP	0,26		0,29		0,22		0,76	
Cultural expenditure per capita	93 EUR		103 EUR		77 EUR		273 EUR	

Table 3.13 Cultural institutions financed by public authorities, by domain (Statistik Austria- Kulturstatistik, 2007-2012)

Domain	**Cultural institutions**	**Number (Year)**
Cultural heritage	Cultural heritage sites (recognized)	16.989 (2009) 15.726 (2010) 15.955 (2011) 16.309 (2012)
	Museums (organizations	209 (2009) 207 (2010) 209 (2011) 196 (2012)
	Archives (of public authorities)	98 (2009) 105 (2010) 100 (2011) 111 (2012)

3.2.9.5 Interim Evaluation

Austria enacted a law on the automatic protection of public structures with government funds in 1928. There is no age restriction for buildings to be protected in Austria. This leads to a very long list of churches, museums and buildings of the state, province and local government. In conclusion, a significant part of the urban architecture remains undamaged in Austrian cities. In general, conservation receives much wider public

attention and uphold, however, certain threats exist. Bouvier (1995) (1989-2007 State Conservator of Styria) discusses the challenges that contractors face. He summarizes them as follows: the problem of bribing commission members, inadequate penalties for poor workmanship, and complicated legislation for owners to understand. Furthermore, reusing vacant castles and palaces constitute regulatory difficulties since builders want to divide these large spaces into smaller apartments (Wiedenhoeft, 1995:1).

Preservation policies started in the 19th century, yet there has been a recent increase in public support and a priority granted to preservation activities as in the 1960s and 1970s. Preservation activities have been observed by the society, albeit slightly slowed down by opposing views. The concept of preservation of the traditional heritage is supported by many Austrians, although such focus and use of state funds are questioned by many. The main issues in this question are:

- Whether Austrian cities lose their modern identity because of excessive preservation of historical buildings
- Whether historic structures are actually preserved or touristic areas are created
- How many monuments can be actually preserved without an age restriction
- Integration of old structures with new structures (Wiedenhoeft, 1995: 2).

About 100.000 heritage places including all public structures and ecclesiastical structures automatically accepted as monuments using today's standards are under protection in Austria. Many of them are registered in the World Heritage List and are located in Vienna, Salzburg and Graz. In addition, there are well preserved town districts from the 19th century including Ringstrasse in Vienna. However, these specific patterns face the risk of façadism today. These places are included in the construction areas of the same nature with general development projects managed by local authorities, leading to damage as a result of discrepant planning policies (URL 115).

Moreover, socio-political and socio-economic decisions taken in the 20th century have damaged the economic infrastructure for preservation of many historic fortresses and palaces all around the country. It became harder for large sized and rich decorated structures which were no longer functional to survive. These structures, in the absence of a suitable purpose, were left empty for a long time after the Second World War in East Austria. As a result, their structural condition gradually deteriorated and poses a risk to their survival. Rotenturm Castle from the 19th century in Burgenland is an example. Moreover, Neugebäude, an important palace from the 16th century in Vienna, a baroque Aurolzmünster palace in Upper Austria and Ladendorf in Lower Austria are at risk. Many pieces of industrial cultural heritage, e.g. the Heiligenstatt branch of the Viennese Stadtbahn designed by Otto Wagner located in Vienna are also at risk. Rural architectural heritage is also at risk, as is the case in many countries. There are many farmhouses that have suffered damage as a result of economic and social pressure on the traditional landscape in Austria. Similarly, some religious structures are threatened. This means preservation experts will put more effort into the protection of these valuable structures and their rich content structures and will face economic challenges in doing this (URL 115).

On the other hand, many homeowners make various structural changes illegally, despite the Austrian state laws requiring prior permission. As a reaction to this, preservation action groups have been created, including the International Urban Forum Graz. This group not only defends preservation activities but also undertakes an inspection role to a certain extent in local projects. Their responsibilities in these projects include the preservation of historic fabric as well as the integrity of shape, form, and overall appearance of new additions (Wiedenhoeft, 1995: 1).

The lack of a comprehensive national inventory of archeology is a problem, therefore the competent authorities need to adopt a broad approach to construction projects and execute rescue excavations to document at least a part of this archeological heritage (URL 115).

Despite all the difficulties there have been recent examples of good practice in Cultural Heritage Management in Austria. One of them is the Schönbrunn Palace in Vienna which dates back to the Middle Ages and which is one of the most important historical buildings in Austria. An important tourist attraction, the Schönbrunn Palace and its surroundings are visited by about 6.7 million visitors a year. The Palace is the property of the Republic of Austria and is managed by the local government. Restoration work and management of the museum involve significant expense (Wehdorn, 2009: 4).

The Schloß Schönbrunn Kultur- und Betriebsges.m.b.H. was established in accordance with the private economic rules in 1992. The company is owned by the Republic of Austria and its sole responsibility is the management of the palace. The Company made an agreement on the usufructuary with the Republic of Austria. The purpose of the management is to provide necessary funding for renovation and maintenance and to maintain historic preservation at the highest level. The organization's philosophy is based on three main principles:

- The operating company primarily aims to take all necessary actions for the reservation and revitalization of the monuments and their historical features.
- One of the objectives of the operating company is to determine currently unused resources and to widen the services it provides accordingly, adapting regularly to cultural, touristic and municipal needs.
- Creating an economic basis for the maintenance and accessibility of cultural heritage (Wehdorn, 2009: 4).

It has tried to achieve a secure financial foundation for preservation and development of cultural heritage by adopting future-oriented management methods. In order to fulfill this purpose, a detailed and efficient administrative organization and a continuously updated service network has been created at a level to meet the needs of all the communities of interest. After 10 years of work, the project became profitable in 2012 and the company earned EUR 5.8 million a year and spent it on restoring the building (Wehdorn, 2009: 4).

After the success of the Schönbrunn Palace project, it was decided to create a national fund for Austria under the name of *'Kulturpark Österreich'* similar to the examples created in other countries including the National Trust system in the United Kingdom, *Caisse Nationale des Monuments Historiques et des Villes* in France and the *Fondo per l' Ambiente Italiano* in Italy. A comprehensive scientific study was made thanks to the sponsorship of the Austrian National Bank which established the main criteria required for the necessary discussions between media, politics, economy and the public. Structure of the Kulturpark Österreich resembles to the mentioned international examples somewhat like a pool of national monuments, developed and run by private economical criteria using advantages of taxes (Wehdorn, 2009: 5)

The Federal Office of Monuments (Bundesdenkmalamt) is the competent authority at the national level for the management of archeological heritage. There is a department in charge of archeology within the office. There is also a qualified archeologist in every regional office. The preservation of archeological monuments is based on the Federal Law for the Protection of Monuments. There is no legal definition what should be considered as an archaeological site, however, archaeological remains – movable and immovable – are covered by the term 'monument'. Monuments are objects made by man and they have to be of historic, artistic and/or cultural significance. Archaeological finds are defined as monuments found under the earth or water – so underwater archaeology is included (Pieler *et al.*, 2013: 2).

Permission of the Federal Office of Monuments is required for protection of archeological sites. The number of excavations which are directly executed by this office is gradually decreasing. Currently, there are about 130 contracting firms executing excavations. They also play a role in heritage management measures in private communities, associations and national museums. There has been a rapid increase in the issuing of reports and questionnaires for regional development and local area zoning for the management of archeological heritage together with large-scaled environmental impact assessments. 2284 assessments were made in 2011 (Pieler *et al.*, 2013: 2).

The Federal Office of Monuments issues the necessary licenses for excavations and the export of movable objects. The protection of sites and movable objects depending on the decision of the office. It is also responsible for registration and inventory all archeological finds and discoveries have to be reported to the office. These duties are the exclusive right of this office and cannot be carried out by any other organization. Other areas of duty of the office are research, maintenance and funding together with organizing many events and exhibitions to increase awareness about cultural heritage. In addition to the office and the ministry, there is an Advisory Board (Pieler *et al.*, 2013: 1).

Quality control activities for archaeology are executed by the office which issues the permission for all excavations and site activities. As all reports on archeological excavations are sent to the office, it has a very large archeological archive. The office issued all excavation and other archeological licences in 2011. Therefore, a guide, which provided transparency for the applicants was produced and high standards were set and other measures became visible in terms of archeological excavations. The operations of the office are inspected by the Ministry (Pieler *et al.*, 2013: 1).

Austria signed the UNESCO World Cultural and Natural Heritage Convention in 1992 and has nine sites in the UNESCO World Heritage List (Ratzenböck and Lungstraß, 2014: 14):

- Palace and Gardens of Schönbrunn (1996)
- Historic Centre of the City of Salzburg (1996)
- Hallstatt-Dachstein / Salzkammergut Cultural Landscape (1997)
- Semmering Railway (1998)
- City of Graz – Historic Centre and Palace Eggenberg (1999, 2010)
- Wachau Cultural Landscape (2000)
- The Viennese Old Town (2001)
- Fertö / Neusiedlersee Cultural Landscape (2001, together with Hungary)
- Prehistoric dwellings on stilts around the Alps (2011, together with Germany, France, Italy, Slovenia and Switzerland).

With its signing of the Convention for the Safeguarding of the Intangible Cultural Heritage, the National Agency for Intangible Cultural Heritage was established within the body of UNESCO Austria Commission in 2006. 60 elements have been registered in the Austrian Intangible Cultural Heritage List since 2010 (Ratzenböck and Lungstraß, 2014: 14).

3.2.10 Case Study: Graz World Heritage Management

3.2.10.1 General Description

The historical center of Graz, the second largest city in Austria after Vienna, is part of the state capital of Styria. Graz has been a multi-cultural area, with a leading role in the Alpine-Adriatic region, since the Middle Ages. Its location at an intersection of trade and travel routes has made it a favored area for human settlement since the Bronze Age. These first Bronze Age settlements maintained their characteristics up until medieval times; but the city enjoyed its real 'golden age' in the 16th and 17th centuries rather than in the Middle Ages (Bundesdenkmalamt, 2010: 3).

The facades of several religious buildings, aristocratic town houses and various other edifices from the Renaissance and Baroque periods are regarded as symbols of the culture and persona of the city. There are a large number of traditional structures from these classical periods to the south and east of the historical city center. Graz has the character of a city with well protected traditional architecture including a rich variety of monuments from various periods (Figure 3.52). Of these structures, especially worthy of mention are the Castle, the Seminary (formerly a Jesuit College), the Old Jesuit University, the Cathedral (Figure 3.53) and the Mausoleum of the Emperor Ferdinand II (ICOMOS ABE, 1999: 17).

The Palace of Eggenberg, included in the listing of the World Heritage Sites of the city of Graz in 2010, is located 3 km to the west of the city center. The palace was erected in 1625 for Duke Hans Ulrich von Eggenberg, a prominent political figure in Austria in the 17th century, on the site previously occupied by a fortress. A road

leading almost straight to the center connects this monument with the city. The main zone of the World Heritage consists of the palace and its park (Figure 3.54; Figure 3.55) The area is surrounded by a buffer zone, which encloses part of the surrounding small housing area and extends to a natural park in the west (ICOMOS ABE, 2010: 36).

Figure 3.52 Graz (Bozkurt, June 2015)

The palace has been the property of the State of Styria since 1939. It was integrated into the Landesmuseum Johanneum after comprehensive renovation works to repair damage inflicted during World War II and the subsequent French occupation and eventually opened to the public in 1953. Prince Eggenberg ordered the palace to be built as an architectural image of the universe, shaped by hermetic ideas of cosmic harmony as taught by contemporary philosophy (Department of Urban Planning of the City of Graz, 2007:4-5). The main structure of the palace consists of 3 floors following a design characterized by references to the notions of time and space. There are 31 rooms on each floor reflecting the number of days in a month. The central tower of the fortress, a structure from the 15th century, occupies the junction point at the center of the structure. On the second floor of the tower there is a chapel from the late Gothic period. The rooms built in the 18th century include decorations designed in Chinese and Japanese styles (ICOMOS ABE, 2010: 37-38).

Figure 3.53 The Cathedral (Bozkurt, June 2015)

The existing Park of Schloss Eggenberg is a successor to a landscape garden after the English fashion laid out in 1802, but some of its characteristics were lost through negligence in the 20th century. In the 1990s a planetary garden was laid out after renovation and replanting works carried out in the parts that had deteriorated. Originally, it had been laid out in a geometric form following the Renaissance style of the 17th century. The style of the garden was completely changed in the next century and it was transformed into a French garden in the Rococo style before being recreated as a landscape garden in 1802 (ICOMOS ABE, 2010: 37-38).

The inclusion of the Palace of Eggenberg in the list of the World Heritage Site in the historical center of Graz substantially strengthened the integration of this group of cultural properties. This extension effectively created a buffer zone with the inclusion of a wider road from the period. Thus the interaction of the city and palace, a mutually complementary interplay existing for centuries, was strongly highlighted while still preserving the architectural integrity of the complex (Federal Ministry for Education, Arts and Culture, 2013: 45).

Figure 3.54; Figure 3.55 Schloss Eggenberg (Nomination File, 2010: 13-15)

3.2.10.2. Nomination

The city of Graz was registered as part of the World Heritage List in 1999 pursuant to the cultural criteria (ii) and (iv). Initially, the intention had been to include the Palace of Eggenberg in the list together with the city of Graz. However, at that point the elaborate restoration and maintenance works were given greater urgency because the authorities could make no definite decision about the form (whether integrated or separately) they would include the palace on the list. Thus the Palace of Eggenberg, not originally included, was eventually added to the candidate list in 2005. The addition of the Palace to the existing world heritage list of the city of Graz and the design of the management plan were discussed during the 30th session of the World Heritage Committee in 2006. Then in 2007 the Management Plan was submitted to the World Heritage Centre of UNESCO. After the completion of the related examination in 2009, the World Heritage Site of the city of Graz was extended to include the Palace of Eggenberg in 2010 (Figure 3.56). This change was also reflected in the Master Plan, and the buffer zone XIII was redesigned to form the physical connection between the palace and the historic center of the city (Werle, 2009: 3; Bundesdenkmalamt, 2010:4,51; ICOMOS ABE, 2010: 36).

3.2.10.3 Current Conservation Status

The World Heritage Site (the main two zones) comprises 450 structures in an area of about 91 hectares. These buildings, most of which are in private ownership, are

regularly maintained. Some of them, on the other hand, are structures with special features under the ownership of the Federal Government of Austria, the State of Styria, and some churches and public institutions. The area is subject to legal and statutory protection at federal, regional, and local levels. The site, protected by strict regulations, is subject to the Act on the Protection of Monuments (Denkmalschutzgesetz) from 1923 and the Act for the Conservation of the Historic Centre of Graz (Grazer Altstadterhaltungsgesetz) from 1980, which were revised in 1978 and 1990 respectively (ICOMOS ABE, 1999: 19).

For decades, the original urban plans and traditional architecture has been respected as a matter of common practice; something institutionalized by passing protective laws and regulations. The existing comprehensive documentation about the protection activities shows both the character of the historic center and its social functions have been meticulously preserved, especially during the periods in the aftermath of the two world in the 20th century (ICOMOS ABE, 1999: 19).

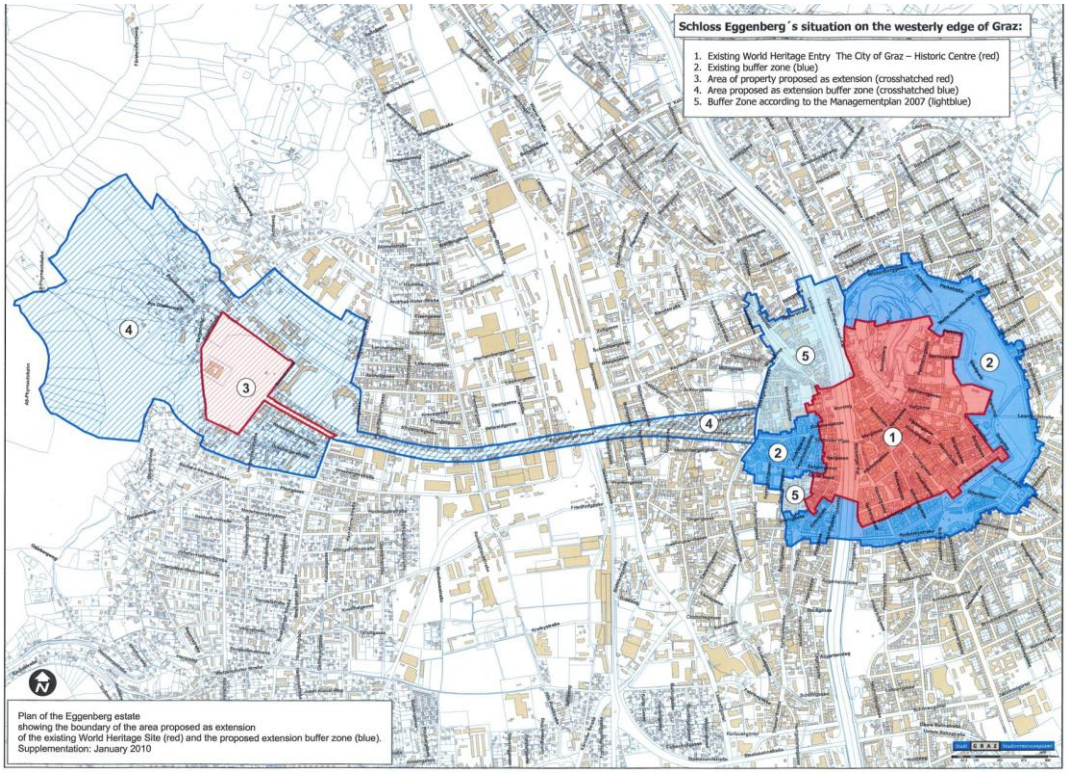


Figure 3.56 World Heritage Area of Graz (Bundesdenkmalamt, 2010: 6).

The historic center has managed to maintain its contemporary and dynamic urban functions while still carefully preserving the original character of its morphology and traditional structures. Both the boundaries of the historic quarters and old fortifications are still traceable. The old market place and the residence of the archduke have maintained their original character. The fact that the city was not seriously damaged during the wars, and the limited changes made in the city fabric have been made in harmony with the existing built environment has proved an advantage in terms of the preservation of the urban form and scale (ICOMOS ABE, 1999: 19). The high quality of preservation in the city is reflected not only in the historical details of the architectural monuments, but the ambiance and integrity which the historical construction materials foster also play a significant role in this sense (Bundesdenkmalamt, 2010: 4).

Apart from the façade of the church on the western elevation dating from the 18th century, the structure of the palace has survived in its original state. The roof, façades, arcaded courtyards and corridors were subjected to comprehensive restoration between 1985 and 1999. The original surfaces and materials were preserved and restored to visibility again thanks to a comprehensive survey carried out by the Federal Office for the Protection of Monuments (Bundesdenkmalamt). The parts altered or damaged during the previous restorations were restored using original techniques and materials. Today, the building shows surfaces in historical lime plastering and lime wash which still survive in their original state in the inner courtyard and corridors (Bundesdenkmalamt, 2010: 4).

The park around the palace was taken under protection by the Federal Office for the Protection of Monuments in November 2006. Thus, in addition to the palace (including the structures, small monuments, alleys and moveable commodities) registered in the protection list since 1938, the parks and gardens have also been registered pursuant to the Monument Protection Act. The park around the palace has been designated as a public park in accordance with Urban Development Plan and Land Use Plan of State Capital Graz. In the land use plan, the palace building appears as a listed building, and the existing natural monuments in the palace grounds and the historic center

conservation zone IV also appear under preservation decrees according to the Graz Historic Centre Conservation Act (Department of Urban Planning of the City of Graz, 2007: 6)

3.2.10.4 Legal Protection

In Austrian legislation there are no regulations directly pertaining to World Heritage Sites; protection measures at various levels indirectly providing the necessary protection. The constitution rules that it is the responsibility of the federal states to enact the regulations relating to protection (Federal Ministry for Education, Arts and Culture, 2013: 4) the Urban Development Plan defines the measures that should be taken into account as a subordinate land planning scheme. The local authorities carry out, within this plan, the goals set out with reference to development and related measures. The Styrian Land Use Plan is a bye-law, first approved by the State Government and then implemented by the City Council of Graz. It regulates the type of use of the whole area of the city sector. The Styrian Building Law defines, on the other hand, the legal measures ensuring the safety and proper conditions in the buildings in terms of technical and hygienic requirements and public health. The Graz Historic Centre Conservation Act legislated in 1980 aims at preserving the integral nature of the appearance of the historic center. This legislation, in addition to architectural monuments, includes streets and squares, small-scale monuments, houses and open spaces under the scope of protection as well. Any approval given to planning schemes designed for the historic center have to comply with this regulation. The Graz Historic Centre Conservation Act was renewed under the title Graz Historic Centre Preservation Act in 2008. The Federal Monument Protection Act is another important piece of legislation regulating the listing of monuments in Austria and relations with property owners (Bundesdenkmalamt, 2010: 6, 55; Federal Ministry for Education, Arts and Culture, 2013: 4).

Regarding the specific status of the palace, the palace and the park are protected under both the Federal Monument Protection Act at federal level, while at the state level it is subjected to the Graz Historic Centre Preservation Act. This protection encompasses

both movable and immovable historical, aesthetical and cultural values. The Ministry of Education, Art and Culture is responsible for the legal protection. As is the case in the city center, the Graz Historic Centre Conservation Act is applied at local level on issues relating to protection. The Development Plan and Land Use Plan relate specifically to building permission in the buffer zone. The buffer zone is subject to specific regulations with respect to building permission and modifications in the existing residential area. Additional structures built in the buffer zone of the palace have to conform to a height prescribed as being in harmony with the buildings in the vicinity. These measures have also been set forth for zone XIII connecting the city with the palace and additional precautions have been taken within a program to protect the architectural and urban quality in terms of an improved visual perspective. In 2009 all these measures were integrated into a framework text worked out with the title Graz Urban Planning (Federal Ministry for Education, Arts and Culture, 2013: 4).

3.2.10.5 Factors Affecting the Site

Development Pressure

Efforts are made to provide protection at the maximum possible level with respect to the characteristics of the terrain in and around the historic city of Graz with a special focus on the structures from the 19th century and developmental pressures arising from the existence of the green belts surrounding the city. This can incur disadvantages in connection with, and respectively depending on, changes in the dwelling areas and the balances of social life. The area in the vicinity of the palace lies in a commuter belt with a dense urban network at some points. Any individual dwelling erected on the slopes on the west side of the palace can negatively affect the landscape. In 2010, on the other hand, the necessary protective measures were taken in the heritage site and the buffer zone in connection with five new projects (a restaurant, a group of dwellings, a secondary school, a project for the reconstruction of the Eggenberg baths, and the extension of the Castle Lapidarium adjacent to the northern part of the castle walls) (Bundesdenkmalamt, 2010: 10; ICOMOS ABE, 2010: 41).

Tourism Pressure

The palace, museum and the park area are visited by about 300,000 people on an annual basis. The events organized and spaces allocated also include some measures such as channeling the visitors through a pre-defined reception area. The number of visitors remains, however, within reasonable limits in terms of possible damage to the buildings. Necessary measures are taken so that tourist activities do not affect the area in a negative manner. Steps have also been taken to ensure the use of the palace for official events does not incur any harmful impact. It has been decided, in this context, to design new rooms and limit the number of receptions held in the palace to five a year (Bundesdenkmalamt, 2010: 10; ICOMOS ABE, 2010: 41).

Environmental Pressure

No specific negative effects have been defined yet in terms of air quality or air pollution. Efforts are undertaken to reduce the environmental impact using various measures such as general traffic limitations, creation of pedestrian zones, reducing the impact of public transportation with various campaigns and controls regarding parking lots (Bundesdenkmalamt, 2010: 10; ICOMOS ABE, 2010: 41).

Natural Disasters

Precautions have been taken against the threat of flooding by measures implemented in the Mur River in connection with the city centre. The palace is not located in an area at risk in terms of flood threat, erosion, avalanche or earthquake. The fire risk is regularly monitored (Bundesdenkmalamt, 2010: 10; ICOMOS ABE, 2010: 41).

3.2.10.6 Management

The objectives set forth for the city centre of Graz and the zone where the palace is located are: providing consultancy services, using new methodologies, targeted orientation, carrying out the actions in a professional manner and providing the

interaction between UNESCO and the stakeholders. The aim is to ensure the harmonious implementation of the Master and Management Plans designed as management tools to realize this philosophy (Werle, 2009: 5). The state government is authorized to make any changes in the structures, exercising this authority through the Landeskonservatorat of Styria.

The historic center is under the protection of two specific authorities: one responsible for monitoring changes in usage and the works carried out; the second manages a Program of Urban Renovation and implements the major projects regarding rehabilitation (ICOMOS ABE, 1999: 19).

The management structure and process with regard to the palace and park are as follows:

- The scientific monitoring of the preservation projects of the palace and park, and the related works are carried out by the Federal Office for the Protection of Monuments
- The management of the protected area pertaining to the Palace, the Museum and the reception area for the visitors is the responsibility of the Landesmuseum Joanneum under the control of the State of Styria
- The protection measures inside the buffer zone are enforced by the departments of the City of Graz, under the control of the relevant national and regional authorities.

3.2.10.7 Management Plan

The Management Plan was approved by the Municipal Council of Graz in November 2006 and put into effect in 2007. Later in 2009 it was integrated, together with the Master Plan, into all other decisions concerning preservation and conservation. Following the extension of the World Heritage Site in 2010, the World Heritage Coordination Office was given comprehensive powers (Bundesdenkmalamt, 2007: 3; ICOMOS ABE, 2010:45). The Management Plan includes, together with the Master Plan, the guiding principles required for the management, maintenance and

preservation of the World Heritage Site and its buffer zone. It also sets out the framework of a program designed to enforce the integrity and originality of the world heritage area. This Management Plan was updated in 2013 (ICOMOS ABE, 2010: 45; Federal Ministry for Education, Arts and Culture, 2013: 5).

The aim of the Management Plan is to create a concept for the future of the World Heritage Site in the form of an operational guide delineating the scope of the necessary steps to be taken in line with probable developments in the future (Werle, 2009: 9). The Management Plan 2007 for the historic city center of Graz has the characteristic of an overall operational guide setting forth explicitly defined targets:

- Promoting architectural quality, both in the buffer zones and the historic areas within the scope of urban renewal
- Supporting and encouraging the activities to be carried out to achieve accurate scientific studies of the historic buildings and history and archaeology of the city
- Creating cultural and political programs, encouraging financial solutions from the public and private sectors and promoting sponsorship activities aimed at raising awareness of the historic cultural heritage
- Encouraging the development of tourism activities in the World Heritage Site to be realized in parallel with the development of a high-quality educational tourism, giving special emphasis to public relations and raising awareness of the cultural heritage
- Ensuring that the residents of the historic city centre of Graz carry out their activities in a manner consistent with a philosophy of life valuing World Heritage, simultaneously paving the way for a social and political compromise to promote a cultural heritage concept in compliance with the fundamental principles of UNESCO
- Lobbying to prevent the building of new dwelling units within the historic city centre, while taking account of the needs of the living urban fabric (Bundesdenkmalamt, 2010: 60).

Various documents are used, together with the Management Plan, as instruments to adapt the required strategies and approaches in terms of the management of the palace and park. These are (Bundesdenkmalamt, 2010: 57-64):

- Vision 2007 Landesmuseum Joanneum GmbH. Strategien 2004 – 2007 (It aims at strengthening organizational identity, facilitating integrated communication with internal and external stakeholders, maintaining relationships at both local and national levels, heightening awareness, improving economic and administrative performance and enhancing human resources management).
- 2008-2012 Landesmuseum Joanneum Action Plan (With aims to organize a total of 20 museums and collections under a common management framework centred on Schloss Eggenberg to pursue common strategies and objectives).
- Park Management and Development Plan (This provides guidelines designed to preserve the Park of Schloss Eggenberg with special focus on its future development and a project to lay it out as a landscape garden involving the re-design of the formal garden elements from the Baroque period and creating a zone representing the contemporary garden architecture of the 21st century).
- The Administrative Manual (Based on the Management Plan and the Master Plan, this defines the specific administrative principles for detailed operations and museum management for the palace and park. Furthermore, it specifies the legal, administrative and economic structure and the measures to be taken to preserve the cultural and natural heritage of the palace and park. It designates the authorities and institutions relating to management and preservation together with the measures necessary to maintain the original in terms of design, material and production and ensure access by public authorities).

3.2.10.8 Involvement of Local Communities

The Management Plan, initially implemented by the Department of Urban Planning, was included in its agenda through a presentation process involving the participation and cooperation of all the interested parties together with strong political support. This Management Plan was designed to serve as an orientation document for the building

contractors, experts and authorities. The aim, from the outset, was to prevent any possible conflicts of interest, set forth clear and understandable principles and develop positive management principles (Bundesdenkmalamt, 2010: 59).

3.2.10.9 Stakeholders

The World Heritage Coordination Office

The World Heritage Coordination Office holds regular meetings with the organizations established by the inhabitants of the city in association with the World Heritage Site. Thus these organizations are incorporated into the management process (ICOMOS ABE, 2010:44). The World Heritage Coordination Office assumed responsibility for the management of the heritage site with effect from 2007 as a result of intensive development during the design phase of the management plan. This unit began to work actively from the year 2009. Right from the outset, all the operations in connection with the world heritage have been executed by the Municipal Department of Urban Development of Graz. In this context the World Heritage Coordination Office was integrated into this municipal department after its establishment. It remains, within this scope, in communication with the following stakeholders (Federal Ministry for Education, Arts and Culture, 2013: 5).

- The Municipal Department of Urban Development (Municipal Planning and Design Office)
- The relevant special offices of the Municipality of Graz
- The State of Styria (Historic Centre Experts Commission)
- The Federal Ministry of Education, Science and Culture
- The Federal Office for the Protection of Monuments/ Landeskonservatorat of Styria UNESCO / ICOMOS
- Other World Heritage Sites national / international

Their responsibilities are as follows,

- Ensuring coordination for each World Heritage action
- Coordinating with higher offices involved in World Heritage (State of Styria, Historic Centre Advisory Commission, Federal Office of Historic Monuments, ICOMOS, UNESCO, etc.)
- Compiling the pertinent reports and documents
- Holding workshops and conferences related to World Heritage

The Federal Office for the Protection of Monuments (Bundesdenkmalamt-BDA)

The supervision of the implementation of the relevant legal protection measures is the responsibility of the Federal Office for the Protection of Monuments. It is also responsible for the direct management of the public buildings. The Federal Monument Protection Act includes provisions prohibiting damage to a registered monument or making changes in such monuments without written approval being obtained from the Federal Office for the Protection of Monuments. The sale of a building under protection is also subject to the approval of this unit.

Historic Centre Expert Commission (Altstadtsachverständigenkommission)

The Historic Centre Experts Commission is authorized for the realization of projected changes pursuant to the Graz Historic Centre Conservation Act. For proceedings under public law it is necessary to produce, in addition to the usual documents, a binding expert opinion of the Historic Centre Experts Commission, a statutory expert advisory board (Bundesdenkmalamt, 2010: 6, 56).

Historic Centre Advocate

The position of Historic Centre Advocate was created in accordance with the Graz Historic Centre Preservation Act of 2008 to improve supervision. The position is not constrained by specific directives. The advocate, contracted for a tenure of 3 years to work independently of the commission, can also be re-appointed for a second term. The advocate participates in all commission meetings with the purpose of safeguarding

the principle of public benefit in the protection of Graz Historic Centre. The key principle guiding the advocate is that all the decisions related to the protection area have to accord with the regulations of the Graz Historic Centre Preservation Act- 2008 and be in keeping with the goals of the World Heritage. The advocate is responsible for identifying any official decisions not in compliance with the commission reports. If required, the advocate can even instigate legal actions which can be brought before the Supreme Administrative Court (Bundesdenkmalamt, 2010: 57, 63).

Mayor

The Mayor of Graz bears political responsibility for World Heritage site interests; something ensuring a greater understanding of the issues involved at the highest public administrative level (Bundesdenkmalamt, 2010: 57, 63).

3.2.10.10 Resources

Financial Resources

The Graz Historic Centre Conservation Act stipulates that the resources required for the historic center are provided by the Graz Historic Centre Fund established in 1974. The costs of the restoration work inside buildings carried out by landlords of the buildings in the protected area (entrance halls, stairs, small monuments, ornaments and decorations) can be covered by this fund if the relevant appraisal supports such an allocation. Between 1993 and 1998, the Municipal Council of Graz approved 240 applications and circa 726,730 Euro were allocated to the related projects. In this context, the investments made from 1974, the year the fund was established, to 1999 amount to about 3,125,000 Euro. In addition to this figure, an allocation of about 10,900,000 Euro was made within the URBAN program of EU to ensure the protection of traditional building quality in Graz (Bundesdenkmalamt, 1999: 31-32). The allocation ratios in the present situation are as follows: Governmental (Regional, Provincial, State) funds 25%, Governmental (National, Federal) funds 10%, Local-

Municipal funds 60% and contribution from visitor fees 5% (Federal Ministry for Education, Arts and Culture, 2013: 6).

The financial arrangements in connection with the palace are indicated in the Administrative Manual. Even though the palace and park are owned by the Government of Styria, their management is carried out by the Universalmuseum Joanneum GmbH (shareholders are the province of Styria with 85% and the City of Graz with 15%). The company is approximately 15% self-financing while future contributions from the City of Graz and the Province of Styria are assured by agreement. For larger restoration works the Province of Styria as well as the Republic of Austria provides additional contributions (Bundesdenkmalamt, 2010: 65).

Restoration works in the palace between 1985 and 1993 involved an investment of 11,000,000 Euro. The restoration work in the state rooms was subsidized through broadcasting fees until 2001, amounting to about 2,500,000 Euro. An investment of 8,700,000 Euro was made in the museum on the ground floor of the palace in 2002. About 2,500,000 Euro were used to create new spaces in the museum and expand the spectrum of visitor activities. 800,000 Euro were allocated to the park. The government of the State of Styria has allocated about 150,000 Euro for restoration projects since 2001. Funds were also allocated within EU Culture 2000 Project for the restoration work in some rooms, Chinese silk paintings and Japanese folding screens (Bundesdenkmalamt, 2010: 47, 67).

Human Resources

The Federal Office for the Protection of Monuments (Bundesdenkmalamt-BDA), under the control of the Federal Ministry for Education, Arts and Culture, is one of the significant stakeholders in terms of the realization of the targets set forth for the city and palace in the management plan. Vienna is home to the Federal Office for the Protection of Monuments, an organization which has offices and staff working in other states as State Conservators. In addition to two restoration workshops and training centers on architectural monuments and movable objects, this head office in Vienna

has also specific divisions for archaeology, musical devices, photogrammetry and architecture, historic gardens, export of movable objects of art, inventory and research on monuments (Bundesdenkmalamt, 2010: 56).

Even though no figures are indicated in the management plan and evaluation reports about the number of personnel to be employed in the authorized institutions, the periodic report for 2013 states that the number of employees is below levels desirable for the optimal management of the World Heritage (Federal Ministry for Education, Arts and Culture, 2013:6). In the palace, on the other hand, 12 people are employed for scientific work and management, while 61 employees working on a part-time basis serve the visitors, 38 employees are responsible for the maintenance works and the number of the staff responsible for security matters is 34 (Bundesdenkmalamt, 2010: 71).

3.2.10.11 MONITORING AND REVIEWING THE PLAN

Preservation and restoration work has been carried out in about 50 % of the 450 buildings within the World Heritage Site to preserve the historical fabric, traditional appearance and visual quality. Rehabilitation work is carried out on a continuous schedule to ensure the survival of the monuments. The status of the preservation works in Graz is constantly monitored by the Graz Historic Centre Conservation Commission, the building authority, the Federal Office of Historic Monuments, and the Styrian Conservation Office. While the Municipality of Graz is responsible for the urban appearance, the Federal Office for the Protection of Monuments is the authority responsible for the monitoring of the protected buildings (Bundesdenkmalamt, 2010: 10).

The palace and park have been regularly monitored by the Landesmuseum Joanneum since 2005. Within the scope of this remit, the palace and park are subjected to annual evaluation, planting works are regularly monitored, facilities in connection with weather proofing in the palace (roof, rainspouts, walls, windows and doors) are monitored annually and reported, the atmospheric conditions inside the buildings and

the fire alarm system are checked, with the internal paintwork, decorative elements and furniture also being monitored on a regular basis. The main documentation involved regarding the palace and its relevant annexes are of control, inspection and monitoring assessment reports. An annual overview report has been prepared by the Landesmuseum Joanneum since the establishment of the institution in the 19th century (ICOMOS ABE, 2010: 45).

3.2.10.12 Interim Evaluation of Graz Management Plan

Graz is a multi-cultural, urban residential area with a population of about 267.000, dating back to the historic Bronze Age, with rich Medieval, Renaissance and Baroque period structures. The legal basis for existing conservation measures is the Act on the Protection of Monuments '*Denkmalschutzgesetz*' of 1923 and the Act of the Conservation of the Historic Center of Graz '*Grazer Alstadteraltungsgesetz'* of 1980, which were revised in 1978 and 1990. Care has been taken to ensure that regular maintenance of historic structures and development in the site is in line with conservation principles, providing the necessary infrastructure to ensure a high level of environmental quality.

Graz was added to the World Heritage List in 1999. In 2010, the World Heritage Site were expanded to include the Eggenberg Palace, which had been registered since 1938, and the park around the palace. This change is also reflected in the master plan and management plan. There are about 450 buildings in the world heritage area. Building permits in the site are monitored within the Development Plan and Land Use Plan. The first-term management plan in the Graz World Heritage Site was implemented between 2007 and 2010. In 2010, the management plan was updated with the extension of the heritage site. The management plan is designed as an operational guide for taking the necessary precautions for the future of the area. Among the aims of the plan are to support architectural criteria in the context of urban transformation in the world heritage site, to provide scientific treatment of historical buildings, to strengthen tourism incentives, to raise awareness about cultural assets and to prevent the development of new housing areas in the historical center. In addition, there are also

specific objectives, such as producing cultural and political programs for the historic cultural heritage, developing sponsorship activities to create political awareness, and demanding political consensus for strengthening a cultural heritage concept compatible with UNESCO principles. The existing management structure related to the palace has been strengthened with conservation and management tools such as a vision document, business plan, park management and development plan and an administrative manual developed on the basis of the master and management plans. The management plan was designed to guide stakeholders from all levels. Preventing potential conflicts of interest and setting comprehensible and participatory management principles are the main objectives of the management planning process.

Initially implemented by the municipal government for the purpose of urban planning, the management plan has been in effect implemented by the World Heritage Coordination Office since 2007. The World Heritage Coordination Office maintains communication with the municipal departments of Graz, the Historic Center Experts Commission, the Federal Office for the Protection of Monuments, the Historic Center Advocate, the Federal Ministry of Education, Science and Culture, ICOMOS and other world heritage sites. The Coordination Office is the first application authority regarding world heritage issues, integrated into the current structure. It provides information services for project sponsors or investors, and is responsible for Public Relations in the World Heritage Site (Werle, 2009: 10).

One of the examples of good practice in the Graz World Heritage Site is the process to be followed for a project proposal that could potentially harm the world heritage values in the field. Registration with the World Heritage Coordination Office is mandatory for any constructions to be built. In this context, the World Heritage Coordination Office will make a preliminary assessment and establish an agreement with the related departments of the municipality to achieve a common consensus on the application before the beginning of any construction process when the project is deemed not to pose any threat to the area. Information is urgently transmitted to the authorities at various levels when the preliminary evaluation of the office has not been

carried out, the construction phase begins without consent, or the existence of an important issue threatening the site is identified.

As a first step, the problem is attempted to be solved through negotiations between the World Heritage Coordination Office, local authorities, experts, consultants of the City Council of Graz and the project owner. In step 2, the relevant political stakeholders are given the opportunity to intervene in favor of world heritage. Information is provided by means of a written report to the relevant political committee. Finally, the central government authorities (the Federal Ministry for Education, Arts and Culture) and the World Heritage Center in Paris are notified. With these measures, it is aimed to detect projects potentially harmful to the remarkable universal value, integrity and originality of the world heritage and to prevent this at the earliest opportunity (Werle, 2009: 11).

Another example of good practice in the Graz world heritage is the control of the sale of properties under protection. Accordingly, the sale of registered historic buildings is subject to permission from the Federal Office of the Protection of Monuments. On the other hand, it is one of the basic principles in Graz to consider the public interest primarily in terms of protection, giving the responsibility for this to the Historic Center Advocate, which is assigned for a period of 3 years. The Historic Center Advocate oversees all decisions of the Historic Center Experts Commission, which is in charge of overseeing the applications in the area, to ensure they are in line with the Conventions of the Historic Center of Graz, world heritage procedures and public interest.

In the context of successful implementation in the Graz World Heritage Site, the existence of continuous and regular funding sources is also an important factor. The Graz Historic Center Fund, established in 1974 before the site management was put into effect, provides important support in this regard. In addition, the largest sources are the local institutions and municipalities. Up until now, half of the 450 buildings in the site have been restored. Rehabilitation work is carried out regularly. And registered buildings are controlled by an effective monitoring program.

One of the negative aspects of the World Heritage of Graz is the shortage of personnel working in the institutions responsible for implementing the management plan. On the other hand, the main problems to be addressed within the framework of the HerO project (Ablasser 2008: 9) are the lack of a management guide and master plan at the institutional level, the lack of a sufficient guidebook for construction in this area, the need for effective communication with ICOMOS, and the need to establish a network of experts within the ICOMOS framework. Although there is a monitoring approach that is stated to be sufficient in the management plan, it is a negative point that there are no indicators to monitor in terms of transparency and accountability.

Despite some shortcomings, the Graz World Heritage management has been successful in implementing developments by conserving traditional buildings and preserving authenticity. In this context, the presence of a strong legal infrastructure, continuous funding, political support for the conservation of cultural heritage, and participation in protection by local people play an important role in controlling the quality and continuity of cultural heritage management.

3.2.11 Cultural Heritage Management Approaches In Greece

3.2.11.1 Overview

Greece, formally the Hellenic Republic, which has been also known as Hellas since ancient times, is located in southeastern Europe in a strategically significant point. According to the 2015 data, Greece's population is around 10,9 million. Athens is the nation's capital and largest city, followed by Thessaloniki, which is commonly referred to as the co-capital (URL 121).

Greece has nine geographic regions. These are Macedonia, Central Greece, the Peloponnese, Thessaly, Epirus, the Aegean Islands, including the island groups Dodecanese and Cyclades, Thrace, Crete and the Ionian Islands. To the east of the mainland of Greece lies the Aegean Sea, to the west – the Ionian Sea and to the south – the Mediterranean Sea (URL 122).

Greece is comprised of thirteen regions encompassing 325 municipalities in total as from the initiation of the Kallikatiris Programme reform which came into effect on Jan 1, 2011. The 54 now-defunct prefectures of Greece and their administrations have been mostly maintained as sub-units of the regions. The seven decentralized administrations amalgamate one to three regions for administrative reasons. There is also one autonomous area called Mount Athos or *Agio Oros* in Greek, referring to 'Holy Mountain', which neighbors Central Macedonia (URL 121).

3.2.11.2 Legislation on Conservation

Historical Background

Between 1821-1830, before the formal establishment of the Greek state, the protection of antiquities as a fundamental approach towards creating a national consciousness was a topic fervently discussed among various administrative and legal organs. The vestiges of the antiquity epoch played a significant role in creating a national consciousness in that it legitimated, partly due to the climate in Europe in the 18th and 19th centuries, the modern Greek State and paved the way towards its establishment in 1830 (Voudouri, 2010: 547-548).

After the declaration of independence in 1827 in Greece, there was much debate about and changes in policy regarding heritage preservation which lasted during the last two centuries, resulting in the construction of many institutions, such as the Greek Archaeological Service, National Archaeological Museum, National Library and University of Athens along in the context of an evolving cultural environment paralleling the modern changes of opinion in Western Europe (Dallas, 2007: 2) The first comprehensive national legislation regarding the antiquities was enacted in 1834. Article 61 of that law provided that 'all antiquities within Greece, as works of the ancestors of the Hellenic people, shall be regarded as national property of all Hellenes in general.' The legislation was inspired by similar legislation enacted by the Papal State in 1820 which resulted in a series of measures intended to protect the antiquities being introduced. This law, enacted in 1834, included systematic regulations regarding

the State Archaeological Services that was to be establish in the forthcoming years. The law also included some plans providing for the opening of museums to the general public (Voudouri, 2010: 549). The Archaeological Society of Athens was established in 1837 to undertake the primary task of financing and supervising the restoration of Acropolis, a task which is still ongoing today, with the benefit of modern technology (Stubbs and Makas, 2011: 325). The law, passed in 1834, forming the foundation of Greek legislation, was extended by a law of a more significant and wider relevance enacted in 1899. This law was an important piece of legislation with provisions giving the state special property rights over all movable and non-movable monuments within Greece, irrespective of whether or not they were private property. By way of amendments carried out in 1914, Byzantine and Christian Museums were established and all the cultural properties with artistic and historical value from the Byzantine and medieval periods, as well as those from Christian culture erected before 1830, the foundation year of the state, were taken under protection. A Byzantine Museum was established in the same year, the establishment of the first Folklore Museum followed in 1918 and both were structured as state museums (Voudouri, 2010: 550,552). The Athens Charter was adopted in 1931 after the first International Congress of Architects and Technicians of Historic Monuments. This charter also included a guide which was the first document with regard to the protection and restoration of historical sites (Stubbs and Makas, 2011: 325).

According to the Law concerning the Protection of Antiquities and Cultural Heritage, Law no. 5351 of 1932, a protected area had to be established around all monuments built before 1453, and nobody but the proper authorities could carry out renovation, construction and modification works in these areas (Yılmaz, 2006: 92).On the other hand, cultural properties dating from after 1830, referred to as modern or recent ones, became the object of legislative protection only in 1950, with Law 1469. This law provided for the protection of objects belonging to the following categories, under condition of their classification by an administrative act:

- ‘Sites of particular natural beauty
- Buildings or monuments considered as works of art deserving special protection

- Paintings, sculptures, architectural works, and prominent works of handicraft or notable popular art deserving special protection
- Historic buildings and historical sites'

Under the terminology used in the legislative text, the law defines a cultural property in terms of its esthetic character in an effort to determine whether it qualifies for being protected. However, not all structures and objects with cultural characteristics are taken under protection (for instance industrial remains or movable objects with historical value) (Voudouri, 2010: 552).

Although the Law no.1469 of 1950 does not specify conservation areas around monuments which are found in extraordinary locations, such protection is provided in practice. There is no obligation to establish conservation areas around monuments in theory, however different protection status are set in accordance with the classification of such monuments as first and second – A and B – degrees. Areas with A status are locations next to an archaeological site or a monument and no construction work can be carried out in these areas. Fewer protection measures are implemented in areas having B status and construction work are permitted to some extent in these areas (Yılmaz, 2006: 92-93)

During the 60s many of the museums were built close to sites with some significant historical value, hosting for a vast array of vestiges remaining from both systematic and rescue excavations. Similarly to the Archaeological Society of Athens and foreign archaeological schools, the Greek Archaeological Service was also structured on a basis of regional ephorates of antiquities. Early in 70s, ministries for culture and cultural policy were established as separate entities. During the junta era, in 1971, Ministry of Culture and Sciences was established on its own, but was only authorized after the return to democracy in 1974 (Dallas, 2007: 2).

Added importance was given to the movement to protect cultural heritage by major restoration initiatives such as the Restoration of the Acropolis Monuments Programme and an international campaign for the Parthenon marbles to be returned following the announcement of the building of a new museum for the Acropolis, which was opened

in 2007. The consolidation of the archaeological sites of Athens was planned through a masterplan providing recreational spaces to create a distinctive touristic experience within the Athenian archaeological sites (Dallas, 2007: 3).

In 2003, a new organization plan was formed for the Ministry of Culture and for rebalancing the role of government against the regional administrations, supporting sponsorship for arts, expanding measures against the economic abuse of cultural valuables and tightening global relations regarding the reclaiming of smuggled antiquities, which have become the main aspects of the policies followed today (Dallas, 2007: 3).

General objectives and principles of policy

As in other European Union member states, cultural heritage issues are covered in Greece by the policies of the cultural sector together with the arts and creative industries. The government policy documents do not include a formal definition of culture. Greek Law, in terms of the Constitution, does not provide a direct reference to culture, but values a certain point of view in the protection of the built environment, including monuments and cultural heritage. As mentioned before in the organizational structure, the Ministry of Culture is responsible for the protection and valorization of cultural heritage (Dallas, 2007: 4).

A mixed cultural policy prevails in Greece, and the government plays a leading role in establishing and enforcing policy imperatives for culture, specifically cultural heritage. However, many sectoral or local communities share the burden in developing and implementing specific programs. Local authorities cooperate with central government through appointed Boards of Trustees and the allocation of state subsidies (Dallas, 2007: 3).

Over the last 30 years, there have been several attempts to co-ordinate the conventional policy priority of heritage protection and research with regional development strategies, as in the Second Support Framework Program, co-funded by the European

Commission. The main purpose is to make cultural tourism attractive by providing the essential infrastructure and recognition. This policy has been demonstrated in (Dallas, 2007: 13):

- provision of financial sources to large-scale projects of archaeological research and site restoration not only in Athens but also in the regions,
- projects to build new museums with the objective of answering to storage capacity needs from newly-found archeological artefacts and creating points of attraction for tourism activity,
- success in raising the number of sites and monuments given the status of World Heritage Monument or Site by UNESCO through sufficient supply of documentation.

Significant policy changes were evident in the late 1990s, in conjunction with the understanding that physical infrastructure was not sufficient on its own. The result was:

- A more integrated approach to cultural heritage based on historical periods, typology and discipline. In this context, common rules have been introduced to protect all cultural heritage items by means of amendments to the related legislation. These rules cover not only archaeological monuments and sites, but also the architectural heritage from recent times and ethnographic objects. It has been decided that monuments from the Classical Greek and Byzantine periods, as well as mosques and synagogues, are taken under protection with the same status. A great many of institutes and organizations have been set up to provide the required know-how and political coordination.

- An initiative to create synergy between cultural heritage and contemporary art. To this end, there are projects to use archaeological sites, such as classical theatres for cultural and artistic activities.
- Interpretation of the country's cultural heritage, aesthetical approaches, an increase in access to cultural heritage discussions in order to realize social and cultural objectives. Adoption of a basic political approach to ensure that the cultural heritage

is dealt with at the same level under general heritage protection und preservation goals. As museums have a key role to play in realizing this objective, an increase has been observed in the number of state museums which are administered independently.

- An increase in the number of visitors and of financial returns in relation to the revenues being generated from the audiovisual and digital presentation of cultural objects. To this end, the ministerial decree of Cultural Sponsorship issued in 2007 regulates how private financial contributions would be channeled.
- A directorate, with the title 'The Directorate of Documentation and Protection of Cultural Goods,' was established in 2007 within the framework of combatting the illegal trade and smuggling of cultural objects since 2005. In this context, the ministry of culture now maintains an IT data base concerning stolen objects (Dallas, 2007: 13-14).

Cultural policy priorities which have been included in cultural policy documents and budget allocations in the last 5 years:

- Protection, preservation and evaluation of tangible and intangible cultural heritage including recent periods, past and contemporary culture in Greek history, ensuring the inclusion of all cultural groups and traditions. To this end efforts have been made to ensure that the budget allocated to cultural heritage is used in a more effective and integrated way through the implementation of comprehensive programs.
- Monitoring the cultural activities through formal criteria and performance measurement methods, and rationalization of their funding. While simultaneously ensuring that cultural heritage values are put to good use through a combination of more effective financial planning and traditional methods such as museum shops, sale of reproductions of archaeological objects, publications for the general public and digital channels. For this purpose approaches have been adopted through special marketing methods to promote Greek art and heritage.

- Continuous modernization and enhancement of the cultural sub-structure through operations such the establishment of new national galleries in Athens and Thessaloniki, opening of private museums such as the Museum of Byzantine Culture

in Thessaloniki, the National Archaeological Museum in Athens, the new Acropolis Museum and the new Benaki Museum (Dallas, 2007: 12).

Recent Approaches and Challenges

The obligation of the state to protect cultural properties is rooted in the Greek Constitution (Art. 16 and 24). Article 16 of the Constitution provides that everybody is entitled to get the benefits of art and culture and obliges the state to secure this right. Article 24, on the other hand, lays an obligation on the state regarding the protection of the cultural environment (monuments, archaeological sites) ruling that everyone has a right to demand such a protection (Dallas, 2007: 22).

Law no. 3028 on 'The Protection of Antiquities and Cultural Heritage in General', passed in 2002, takes account of modern approaches and needs, protection of the cultural and natural environments in the context of sustainability within the rulings set forth in the Constitution and international judicial instruments. It accepts that criteria consistent with local values in correlation with the cultural assets of the country should be applicable to the remains of different civilizations. Thus the primary concern is the introduction of global legislation, and legislation based on global compliance and the implementation of these in relation to all the cultural assets of the country. The definition of the term antiquity was expanded in law no. 3028 from 2002 to cover the all the antiquities from pre-historic times until 1830, however the scope of the monuments to be taken under protection was extended to cover the time until 1453. Besides monuments, the law no. 3028 also brings archaeological and historical sites into the scope of protection, but no special protection system has been developed for these groups (Voudouri, 2010: 553-554)

Law No. 3028 of 2002 regulates various aspects of cultural heritage protection and management, replacing a complex sequence of amendments to earlier legislation dating back to 1932 and 1950. The provisions of the current legislation can be summarized as follows:

- The concept of cultural heritage has been expanded so that it covers, within the archaeological, ethnographic and wider cultural scope, immovable buildings and monuments, moveable cultural assets and intangible cultural heritage (oral traditions, legends, music, dances and handicrafts) across the whole of Greece irrespective of the cultural origin or tradition they belong to.
- The concept of protection has been widened so that it also covers, besides physical protection and preservation, definition, research, documentation, access and evaluation of heritage in terms of its social, aesthetic and educational aspects.
- The law covers the cultural heritage of all periods from pre-historic times until the present day. There are different protection levels for different cultural heritage items. In general all the movable and immoveable cultural assets belonging to the period before 1453 and the immovable ones erected or produced before 1830 are protected under the highest level of protection. The cultural assets belonging to a more recent period are protected under a higher level of protection if they are designated as assets having special value.
- There are rigid protection rules based on a system of protection zones. While building is totally prohibited in protection zones of Level A, building activities in zones of Level B are subject to rigid conditions.
- Cases of abuse and offenses against cultural heritage (theft, damaging, illegal excavations etc.) have been defined in detail and severe penalties have been imposed in this context.
- The law defines the pre-conditions regarding archaeological research including excavations carried out by the state archaeological service, academic institutions and the archaeological schools in Greece, and imposes obligations on researchers in terms of publishing research outcomes in due time.
- Special requirements and standards for the registration of private and public assets as museums have been defined as far as physical sub-structure, personnel and operation are concerned. A national advisory council has been set up to advice the Ministry of Culture on policies concerning museums (Dallas, 2007: 25).

Law 3028/2002 obliges the Ministry of Culture to carry out the protection activities regarding antiquities and cultural heritage by means of central and local services. In

terms of organizational structure, the Ministry is also responsible for formulating up policies and providing the funds to implement these policies to enhance the cultural life and provide access to cultural activities in cooperation with stakeholder institutions. Local and regional governments cannot exercise public authority on cultural policies, but they can establish sub-sections of culture through municipal companies and organize and manage cultural programs within the framework of program agreements signed with the Ministry of Culture (Dallas, 2007: 22).

The private sector has not directly gained public responsibilities. The decentralization and privatization process had an initial priority of founding and empowering the role of independent organizations, and secondarily, to divest the financial and operational tasks for arts development to local authorities. Today, most culture related construction works and programs, excluding the works for museums and archaeological sites, are handled by regional administrations and local government (Dallas, 2007: 31).

Several archaeological museums and art galleries of special status have been given increased autonomy from the central service of the Ministry of Culture, although they are still staffed by Ministry officials and receive their budget from the state. This status allows them to have their own budget and specialized staff, to engage in their own planning and programming and, in some cases, to manage income from their own sales (Dallas, 2007: 31).

3.2.11.3. Description of the Administrative Structure of Conservation

The Ministry of Culture and Tourism (Figure 3.57) is wholly responsible for setting policy regarding cultural heritage and arts. The Ministry of Culture and Tourism tables all legislation related to cultural heritage and arts for debate and endorsement by the Greek Parliament. To do this, the ministry cooperates with other ministries including the Ministry of the Environment and Ministry of Planning and Public Works (Dallas, 2007: 6).

The General Directories under the Ministry of Culture are: Antiquities and Cultural Heritage; Restoration, Museums and Technical Works; Contemporary Culture; and, Administrative Support (which includes the Directorates of European Union and of International Relations). These organs are held responsible for (Dallas, 2007: 7):

- law making and enforcement,
- setting and implementing the regulatory scheme,
- strategic planning, programming and financing,
- programmes and activities with respect to conservation and pricing of cultural heritage, (including archaeology, museums, and folk culture)
- sector-specific policy development for arts and culture in general.

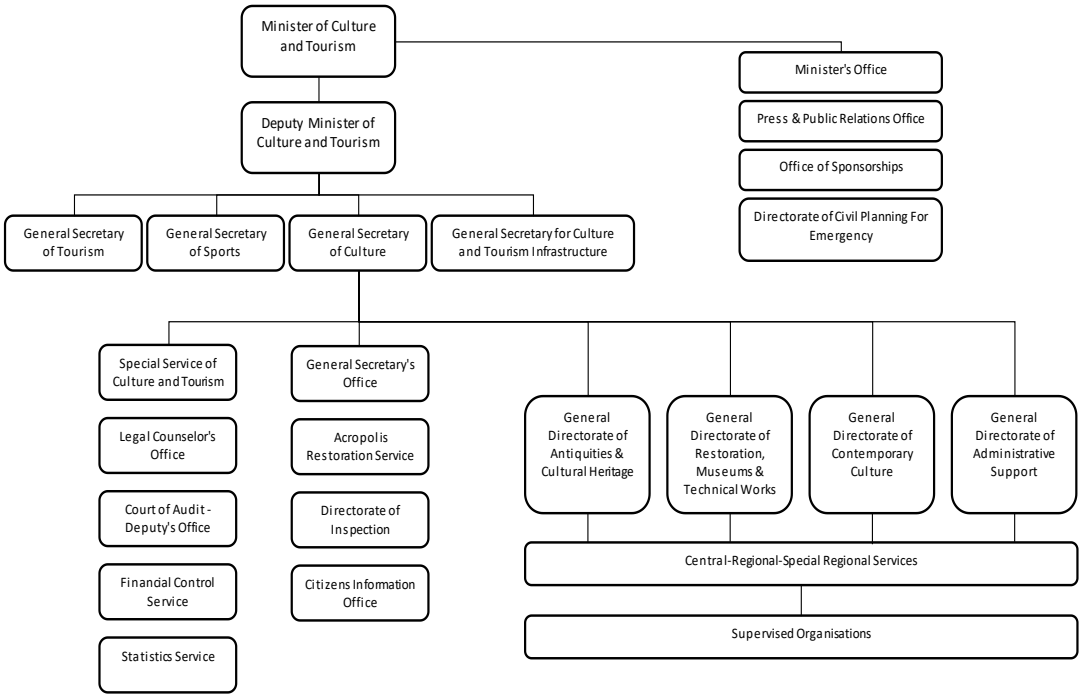


Figure 3.57 Organizational Chart of Ministry of Culture and Tourism

Consultative bodies such as the Fund of Credits Management for Archaeological Work and the Hellenic Culture Organization, provide assistance to the Ministry of Culture for the general organizational procedures such as planning, funding, control and/or

implementation of policy. The Ministry appoints members for these bodies along with some ex-officio representatives, and these bodies may also benefit from a degree of freedom from political interference depending on the standing of their chairperson and board members (Dallas, 2007: 7).

The ministry has set up special departments responsible for different aspects of cultural heritage protection named Ephorates (e.g. the Ephorate of Underwater Antiquities, the Ephorate of Private Collections, the Service for the Restoration of the Acropolis Monuments). In addition, a number of archaeological museums have been given a special regional service status[52]. The ministry has set up regional offices responsible for the on-site implementation of policies on the protection, preservation and valorization of archaeological heritage, namely, 39 Ephorates of Prehistoric and Classical Antiquities, 28 Ephorates of Byzantine and Post- Byzantine Antiquities, and 13 Ephorates of Contemporary and Modern Monuments (Dallas, 2007: 7).

The general cultural policy perspective in Greece is determined by the complexity of interactions amongst different ministries. The Ministry of Culture and its bodies are represented on a series of committees or joint programs arranged between the ministries. These are (Dallas, 2007: 8):

- joint supervision with the Ministry of the Environment, Planning and Public Works of external organisations such as the Unification of the Archaeological Sites of Athens
- co-operation with the Department of Planning on architectural, urban preservation and cultural landscape projects, for instance Rhamnous, Patmos.

Along with the National Cultural Network of Cities, with its 23 independent cultural bodies located nationwide, the Ministry of Culture organizes the coordination of the implementation of cultural development policies with local authorities, with the assistance of sectoral institutions such as the National Council of Museums.

[52] National Archaeological; Epigraphical; Numismatic; Byzantine; Archaeological Museum of Heraklion; Archaeological Museum of Thessaloniki; Museum of Byzantine Culture of Thessaloniki.

Independently active organizations act in several fields of culture e.g. European Cultural Centre of Delphi, the Hellenic Cultural Foundation, and the European Centre of Byzantine Monuments. Several private and non-profit foundations such as Alexandros Onassis Foundation, have provided financial grants as well (Dallas, 2007: 8).

3.2.11.4 Financial Issues

Currently, culture is mainly funded by the state. Although successive ministers have fought to expand its budget, the proportion of the state expenditure allocated to the Ministry of Culture has remained relatively low. Many other ministries (Public Administration, Public Works, Press and Media) have provided support for the arts or heritage through several public projects, however, culture has been heavily reliant on the EU's Community Support Framework, tourism and even the Lottery Fund for almost 20 years. Without this significant extra support, it would have been almost impossible for many scheduled events and attractions to have taken place (e.g. European Capital of Year for Thessaloniki and Patras, Cultural Olympiad and for several concert halls such as the ones in Athens and Thessaloniki to be built) (Dallas, 2007: 3).

Privatization is not seen as a policy priority in Greece. One of the main reasons being the taxation regime for arts sponsorship. However, new measures and incentives are beginning to emerge involving the involvement of a few banks and multinationals in supporting major events in the arts. Over time, the earlier policy proposing integration and synergy between cultural heritage and the state is being renewed using an approach based on accountability and the financial exploitation of cultural goods using private sector criteria (Dallas, 2007: 14-15).

Even though less than 1% of the public budget of Greece is allocated to culture, around 300 million euros for 2006, excluding sports, a 200,5 million-euro fund was allocated to cultural activities through the public investment program and extra funds have been made available through a special lottery scheme. Other activities are funded

collaborately by the state and EU through the multiannual 3rd community support framework, involving about 650 million euros in the years 2007 and 2008 (Dallas, 2007: 29).

Tax laws

Legal and financial incentives have been offered for years now to promote sponsorship in the cultural sector. Tax exemptions for the sponsorships in the cultural field detailed in an amendment to the tax law in 1990 were repealed in 1997 because of the austerity measures. On the other hand, an important law that provided significant tax exemptions for arts sponsorships was introduced in 2007 with the central government laying down the condition that certificates should be granted for sponsorship initiatives and, at the same time, priority sponsorship projects in the fields of art and heritage should be listed (Dallas, 2007: 22).

Human Resource

The public sector employs most of the different groups of cultural worker groups through the services of the Ministry of Culture which is estimated to fund 7,000 staff working permanently and 3,500 contract workers. The number of additional people employed by cultural organizations is unknown. The Operational Program Culture 2000 (running 2000 to 2006), funded by the courtesy of Greece and the EU, aimed to support cultural employment by creating 3000 new jobs to service the infrastructure in terms of regional development. The typical personnel of the Ministry of Culture have been archaeology graduates yet the ministry noticed a shift in the skills needed for effective management of cultural heritage and development as observed in its recent policy initiatives. The ministry has specified further capabilities to be addressed in professional training courses like awareness of the legislation on cultural heritage protection, project management and computer skills as regards to documenting cultural heritage and information management. In practice, museum studies are deemed important and recognition of the degrees of communication studies, cultural resource management, arts administration and arts policy has improved (Dallas, 2007: 17).

Traditional structures within Greece still play a central role in professional education in cultural management. Although there are several academic institutions allocated to theatre, art history, archaeology, anthropology, culture and media, specialized programmes are not much available. Among the available programmes are a postgraduate course in cultural management at Panteion University, museum studies postgraduate programmes at the Universities of Athens and Thessaloniki, postgraduate studies in digital media arts at Athens School of Fine Arts and the University of the Aegean, and an undergraduate programme in cultural communication and technology at the latter (Dallas, 2007: 36).

3.2.11.5. Interim Evaluation

The conservation of cultural heritage in Greece, particularly before the declaration of independence in 1827, has always been a high profile issue in the creation of national consciousness. After the declaration of independence, the issue of the development of conservation policies was discussed for a long time and institutions such as the Greek Archaeological Service, the National Archeological Museum, the National Library and University of Athens were established in parallel with modern developments shaped by the influence of Western Europe. The first far-reaching law on conservation dates from 1834. Thanks to the revision of this law in 1899, all historical buildings and movable objects, even if they are sited on private property, were recognized as belonging to the state. In 1837, the Archaeological Society of Athens, which was authorized for the initial purpose of the financing and supervision of the restoration of the Acropolis, was established. The Protection of Antiquities and Cultural Heritage Law No. 5351, enacted in 1932, requires the establishment of a conservation area around all the monuments built before 1453. Law No. 1469, dated 1950, defines the criteria for cultural and natural assets that need to be protected. Natural conservation areas, structures and monuments that require special protection, cultural objects, historical buildings and historical sites were put under protection within the scope of this law. In the course of the 1960's, museums began to be established near to archaeological sites. In 1971, the Ministry of Culture, responsible for the determination of policies related to heritage conservation and their implementation, was established.

According to Greek central administrative principles, all the authority regarding conservation matters rests with the Ministry of Culture. This authority covers the preparation and implementation of regulations, provision of strategic planning, scheduling and funding, determination of sectoral policies on arts and culture, as well as implementing the necessary actions pertaining to the conservation of cultural heritage. The Ministry of Culture enforces guiding principles and general policies regarding the management of cultural heritage through regional units called 'Ephorates'. There are 39 Ephorates of Prehistoric and Classical Antiquities, 28 Ephorates of Byzantine and Post-Byzantine Antiquities, and 13 Ephorates of Contemporary and Modern Monuments in Greece responsible for the on-site implementation of conservation, preservation and valorization. However, the Ephorates are not systematically organized in 13 regions and 325 municipalities. The government does not delegate authority to local administrations concerning conservation policies and the management of cultural heritage. Owing to inexperience of local administrations, political pressures and lack of trained experts, local administration authorities are not considered suitable to be authorized to conserve cultural heritage (Yılmaz, 2006: 91, 95). However, providing that local administrations negotiate 'program contracts' with the Ministry of Culture, they are given the authority to implement cultural heritage on a single project basis. The Ministry of Culture coordinates cultural development policies in local administrations with 23 independent cultural units within the organization of the National Cultural Network of Cities. The Fund for Credits Management for the Archaeological Work and the Hellenic Culture Organization, which are the consulting units within the Ministry of Culture, assist the ministry regarding promoting, planning, funding, and control and enforcement policies. Members of these autonomous advisory units are appointed by the ministry.

Cultural policies are put into practice through inter-ministerial committees, joint programs and agreements. In this context, studies regarding the integrated conservation of archaeological sites in Athens are monitored by a joint supervision program with the Ministry of Environment, Planning and Public Works. The Ministry of Environment and Public Works has responsibilities regarding the determination of planning policies and preparation of legislation concerning physical planning, urban

development, housing and building. At the same time, within the context of urban planning policies, it also has responsibility for the fulfillment of the heritage conservation function regarding the conservation of monuments, archaeological sites and historic buildings. This ministry works in partnership[with the Ministry of Culture on issues such as general development rules, planning permits, general development controls, and new construction work in archaeological and historical sites.

The Constitution states that everybody has the right to benefit from art and culture, and the conservation of cultural heritage is defined as the constitutional responsibility of the state. The legal basis of conservation in terms of the constitution is the Law on the Protection of Antiquities and Cultural Heritage in General No. 3028, dated 2002, which still remains valid. Taking into account the perspective advocated by international approaches, this law protects the natural and cultural environment in line with the principle of sustainability by bearing in mind contemporary needs and approaches. By this law, the definition of antiquities is limited to the period from prehistory to 1830, and the scope of movable and immovable artifacts under protection is up to 1453. As to the archaeological sites: A level protection zones, where any new construction work is forbidden, and B level protection zones allowing construction work under certain criteria were projected. In addition to conservation laws, the legislation on planning also includes provisions for the conservation of cultural heritage. The Spatial Planning and Sustainable Development Law No. 2742 of 1999 grounds the conservation of the natural and cultural environment on a process of strategic planning at national and regional scales. The Sustainable Development of Towns and Settlements Law no.2508 dated 1997 determines the preparation principles for master plans in metropolitan cities, taking into account the preservation of historical and architectural heritage.

There are two types of inventory in Greece: general and special. Registered buildings are organized by the Ministry of Culture within the scope of the general inventory. The general inventory of examples of civil architecture at the national level is compiled by the Ministry of the Environment, Planning and Public Works. The special inventory includes traditional residences and was prepared by the Ministry of Interior between

1965 and 1975. The special inventory of 20th century building and, industrial heritage, together with rural and traditional heritage, is organized by the Ministry of the Environment, Planning and Public Works. In addition, there are also various inventories organized by public and private institutions (Yılmaz, 2006: 95-96).

The Ministry of Culture is the main source of financial support for the management of cultural heritage. Moreover, revenues (income from entry fees and sales) from the archaeological sites of the Archaeological Receipt Fund are all spent on conservation activities. In addition, revenues earned from a large number of lotteries managed by the Ministry of Culture are also devoted to funding cultural heritage. EU Community Support Fund is also among the financial resources that are used. A large number of private and non-profit foundations (e.g. the Alexandros Onassis Foundation) are effective in collecting donations for conservation purposes. Some museums and galleries have been granted special status and this has allowed them to raise and use their own revenues, employ specialist personnel and make their own planning and scheduling.

Some changes in determining priorities of cultural policies have begun to be made recently. Pursuing an integrated approach to conservation, and the utilization of all kinds of cultural heritage belonging to all periods and decision about the more effective use of the budget is one of the ideas being developed in this direction. In addition to this, the monitoring function is planned to be carried out in the future within a framework of formal criteria and performance measurement methods. The exploitation of special market orientated methods for effective financial management and carrying out activities aimed at speeding up the modernization of the cultural infrastructure are the planned developments in this realm.

Most of the professionals working in the cultural sector in Greece have a background in archaeology. However, following in the wake of changing policy approaches and priorities in recent times, plans have been developed to organize training courses to both educate personnel about the legal and regulatory framework related to

conservation and promote a basic knowledge of project management and information technology in the management of documentation and knowledge.

In Greece, the reliance on the provision of the whole of financial resources by the state; the taking of inventories by different units in an unsystematic manner; the inexperience of local governments in implementation, lack of well-equipped personnel and political pressures on conservation practices can be assessed as negative aspects of a cultural heritage management structure mainly planned and implemented by the central government. Notwithstanding, the existence of studies about moving the system towards more holistic approaches and strategic planning principles, involving modern management applications such as project management and information management, efforts towards the joint planning of development and conservation functions, effective use of monitoring and performance control of budget usage and implementations are emerging contemporary approaches that are compatible with international practices.

3.2.12. Case Study: Corfu World Heritage Management

3.2.12.1 General Description

The Old Town of Corfu is located on the island of Kerkyra, to the west of Albania and mainland Greece. The Old Town, with its fortifications designed by Venetian engineers, occupies a strategic point at the entrance of the Adriatic Sea from where it was able to defend the maritime commercial interests of the Republic of Venice against attacks from the Ottoman Empire for about four centuries. The fortifications on Corfu have maintained their general character despite being repaired and partially rebuilt, especially during the British occupation in the 19th century. Some of the neo-classic residential buildings of the Old Town were constructed during the Venetian era while some date from subsequent periods (Technical Chamber of Greece Department of Corfu, 2005: 38).

The city, which was established by Corinthian colonists in the 18th century B.C., has a unique history due to successive stages of Macedonian, Roman, Byzantine, Angevin,

Venetian, French, British and Greek rule. The structure and form of the Old Town of Corfu have survived more or less unchanged until today, embodying all the characteristics of the late medieval and Renaissance walled towns of Western Europe. Hence the city comprises a striking living example of urban planning largely motivated by defensive considerations (Technical Chamber of Greece Department of Corfu, 2005: 38).

3.2.12.2 Nomination

The first application for the nomination of Corfu to the world heritage list was made in 1999. Upon being classified as ineligible by the ICOMOS evaluation, the nomination file was withdrawn by the State Party before the review at the 24th session of the Bureau of the World Heritage Committee in July 2000. A new file was presented after the inclusion of an extensive comparative analysis and alterations to the buffer zone approach. An ICOMOS Technical Assessment Mission was carried out in 18-21 September 2006. After additional information requested by ICOMOS in December 2006 and January 2007 were submitted by the State Party in January and February 2007, the Old Town of Corfu was included in the world heritage list in July 2007 (ICOMOS ABE, 2007: 164).

3.2.12.3 Current Conservation Status

Corfu, a Mediterranean coastal town surrounded by the remains of city walls bearing traces of Venetian settlement, maintains its historic importance through the presence of the Old Citadel, and the New Fort from the British era. The first interventions of the Greek government in the fortresses with regard to the protection of its history and heritage began in 1922 (Municipality of Corfu, 2005: 77; ICOMOS ABE, 2007: 167). Legal measures for protection of the city, which was damaged by bombing in the Second World War, were implemented after the war. The Hellenic Ministry of Culture and Sports (former the Hellenic Ministry of Culture and Tourism) declared the Old Town of Corfu to be ‘a historic monument scheduled for preservation and an area of outstanding natural beauty and architectural and historical interest’. This registration

contributed to establishing a sound foundation for controlling change in an effort to ensure protection and urban integrity. In the British era, three forts, namely the Old Fortress (Figure3.58), the New Fortress (Figure 3.59) and the small island of Vidos were protected. A plan was prepared for demolition of all the more western forts and demolition began in the southwestern area in 1937 and in the Fort of Sotiros in 1938 to make room for British prisons. There were numerous English interventions, made to internal arrangements and new extensions in the old and new fortresses (Technical Chamber of Greece Department of Corfu, 2005: 35).

Although the general form of the fortresses was maintained, a significant part of them were demolished and rebuilt after military attacks. Interventions in the 19th century, and rebuilding after the Second World War, both damaged the historic fabric; only a relatively small part of the buildings date from the Venetian era (Technical Chamber of Greece Department of Corfu, 2005: 35). Proactive policies for protection of the cultural heritage only began to be supported at the beginning of 1990s with action plans based on historic studies within the framework of the restoration standards determined in accordance with international criteria. Nineteen protection and development programs devised for the Citadel and the New Fort (Figure 3.60) were implemented under the observation of the Fort Restoration and Conservation Office. The main priority of the program was to restore the buildings used for public services today, and to maintain the authenticity of the fortification system (ICOMOS ABE, 2007: 169).

Figure 3.58 Old Fortress (URL 123)

Figure 3.59 New Fortress (URL 123)

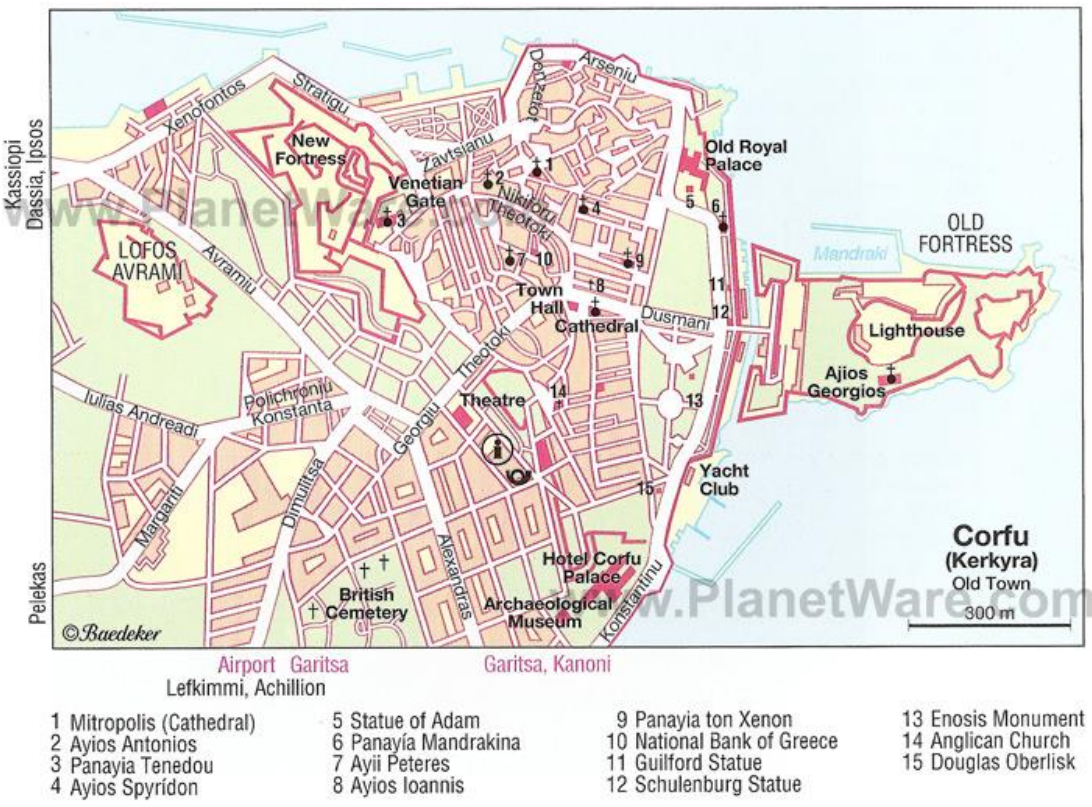


Figure 3.60 Map of Old Town of Corfu (URL 123)

3.2.12.4 Legal Protection

The responsibility for protection is shared at a legal level through related legislation issued by various institutions, namely the Hellenic Ministry of Culture and Sports (Ministerial Decision of 1980), the Hellenic Ministry of Environment, Energy and Climate Change (formerly the Hellenic Ministry of Environment, Planning and Public Works) (Presidential Decree of 1980) and the Municipality of Corfu (Presidential Decree of 1981) (Municipality of Corfu, 2005: 72-74). As per the coastal law applicable to the entirety of the Old Town and the island; a buffer zone was defined to allow control of any changes possibly affecting the urban landscape, natural environment and archeological status within 500 m of the conservation area. The Hellenic Ministry of Culture and Sports, the Hellenic Ministry of Environment, Energy and Climate Change and the Architectural Committee of the Municipality of Corfu are responsible for implementation of these measures within the scope of settlement permits. In addition, any type of change which includes activity likely to affect the seabed is subject to the approval of the Antiquities Department of the Hellenic Ministry of Culture and Sports (ICOMOS ABE, 2007: 169).

ICOMOS also states that there are two new approaches having a positive effect on Corfu. One is the Antiquities and Cultural Heritage Law no. 3028 of 2002 designed in relation to urban and regional planning to increase protection of the surroundings of registered buildings. The other is the independent Superintendence of Byzantine and Post-Byzantine Antiquities established in 2006 (ICOMOS ABE, 2007: 169).

3.2.12.5 Factors Affecting The Site

Development pressure on the Old Town has been observed, in the form of requests from inhabitants to make alterations on the current structures, i.e. building an extra upper floor. Most of the housing stock in the town center is occupied by people having a low socio-economic status and are unable to afford expensive repair operations. Certain buildings need special intervention requiring improvements to weak structural conditions and recent renovation works have contributed to rectifying this.

Environmental problems are related to high humidity and dampness and the risk of heavy rainfall causing floods. No serious risk of earthquake hazard is anticipated. Fire is rarely observed despite being a potential danger. In addition to these factors, there are concerns about (not including high buildings in) the buffer zone despite the extent of the buffer zone of ICOMOS (ICOMOS ABE, 2007: 169).

3.2.12.6 Management

Covering a surface area of 70 ha, the World Heritage Site comprises the two fortresses and the area of the Old Town in between them. In its new definition, (Figure 3.61) the buffer zone is a relatively large and homogenous urban area. On one hand, it reflects many features of the neo-classical town, (some of which have green belts and recent urban extensions). On the other hand, it has ancient monuments, Byzantine monuments, many archaeological excavation areas and museums. The buffer zone has a surface area of 162 ha and forms a homogeneous unit. The shoreline to the north of the buffer zone is not included in the conservation area and is public property. This land, which is an enclosed area used as a port, lies within the jurisdiction of the Corfu Port Authority under the Hellenic Ministry of Mercantile Marine. All modifications to the established structure shall be submitted for approval to the local and ministerial authorities, one of which is the Hellenic Ministry of Culture and Sports (CulturePolis, 2014: 24).

Until the 2006 in nomination, the conservation, protection and management of the Old Town of Corfu was under the joint responsibility of two institutions: the Hellenic Ministry of Culture and Sports, and the Municipality of Corfu. Using their own departmental structures and funds, but employing a division of labor in relevant areas of responsibility, both institutions carried the abovementioned activities of the Old Town. The establishment of the Management Authority and the Steering Committee reorganized the duties and responsibilities of the institutions (Technical Chamber of Greece Department of Corfu, 2005: 41).

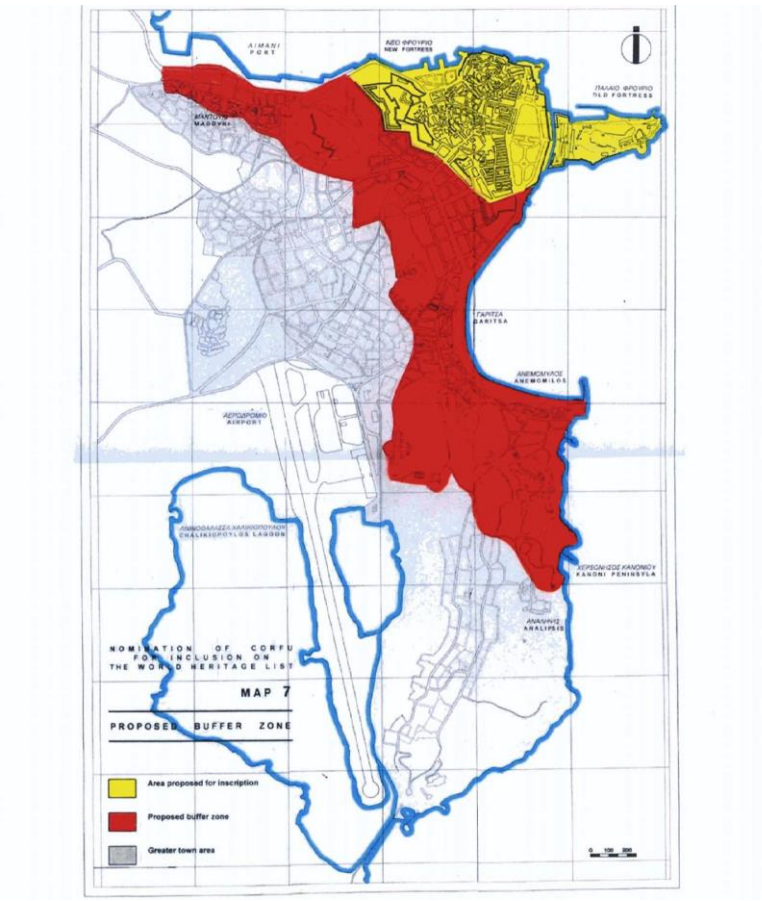


Figure 3.61 Buffer zone and core area of the Old Town of Corfu World Heritage Site (Municipality of Corfu, 2005: 2)

The conservation and protection of the Old Town of Corfu falls within the responsibility of the Hellenic Ministry of Culture, specifically, the Directorate of Byzantine and Post-Byzantine Antiquities. The 21st (Corfu) Ephorate of Byzantine Antiquities and the 6th Ephorate of Modern Monuments are the regional departments. The Municipality of Corfu, on the other hand, is responsible for management. The municipal departments under the supervision of the Municipal Council and the Mayor are as follows: The Department of the Old Town, the Planning Office (for building construction), the Office of Commercial Operating Permits (for monitoring commercial enterprises), technical departments (for carrying out technical projects) and the municipal police (which monitors compliance with relevant municipal regulations) (Technical Chamber of Greece Department of Corfu, 2005: 41).

This division of labor between the bodies concerned in implementing different tasks was, unfortunately, not originally efficient enough. In addition, the contents of the two areas of responsibility, i.e. conservation and protection, and management, usually overlap and are not very easy to separate from one another. Hence, in recent decades, these two factors have led to the establishment of a system of cooperation between the legal representatives of the relevant institutions in the form of 'program contracts' (Technical Chamber of Greece Department of Corfu, 2005: 42-43).

The Program Contract for the Fortifications involves the Hellenic Ministry of Culture and Sports and the Municipality of Corfu. Since 1990, when the program was first implemented, these institutions have shared overall responsibility for the protection, improvement and management of the fortifications. With its own budget and permanent staff, a Fortifications Program Contract Office has been opened in the Old Fortress.

The Program Contract for the Old Town involved the Hellenic Ministry of Culture, the Municipality of Corfu, the Hellenic Ministry of the National Economy, the Hellenic Ministry of Environment, Energy and Climate Change and the Public Corporation for Urban Development and Housing (DEPOS SA). The program was active between 1995 and 2005. The abovementioned parties were responsible for the overall protection, improvement and management of the Old Town. Similarly to the Program Contract for the Fortifications, this contract had an administrative structure called the Old Town Office and had a permanent staff as well as its own budget.

The Program Contract for the Protection and Enhancement the Old Town of Corfu (Urban Ensemble and Fortifications), this contract was active between 2006 and 2012. It was set up between the Hellenic Ministry of Culture, the Hellenic Ministry of the Environment, Planning and Public Works, and the Municipality of Corfu. Its main responsibility was to integrate the structures and experiences of the aforementioned two Program Contracts. With an annual budget of 500,000 euros that was raised from the resources of the contracting institutions with additional grants

from the European Union and the Greek state, this contract carried overall responsibility for coordinating the protection and conservation policies that were pursued and of planning and carrying out improvement projects. It covered, in general, all ongoing matters regarding the management and promotion of the Old Town.

The signing of the program contracts (1990, 1995, 2005) between the central and local government before the first management plan was aimed at implementing successful projects for overall protection, sustainable development and qualitative advancement, promotion of the urban ensemble and the fortifications of the Old Town. The coordinating structure of the program contract, i.e. The Old Town Office, became transformed into the structure responsible for implementing the protection policy and regulating the terms and measures for its implementation, as well as determining the question of legislative protection in every case. In addition, the local authorities prepared a 'Visitor Management Scheme' to deal with the problems due to the growth of tourism in the region, with emphasis on rationalizing the flow of visitors in the area. This scheme was an informal one and acted on the basis of a local government initiative. However, it succeeded in maintaining the participation of all relevant parties, organizations and professional industries (Municipality of Corfu, 2005: 59). Therefore the program contracts have basically framed the first management plan.

The Corfu management vision was structured in consideration of the necessity of a common plan as widely shared as possible for the management of a living historic town. The fundamental requirement was determined as maintaining the balance between two roles undertaken by the historic town, one being having the character of an open air museum embracing numerous cultural values and needs to be protected and promoted for the very same reason, and the other of being a living organism which needs evolution and modernization to maintain its economic buoyancy. It has been proposed that this can be resolved through a strategic partnership system targeting all stakeholders. Cooperation between the central administration, local administration, local organizations and individuals living and working in the town has been determined as the prerequisite for an efficient management (Technical Chamber of Greece Department of Corfu, 2005: 6).

There are 3 major parties involved in management:

- The Hellenic Ministry of Culture
- The Hellenic Ministry of Environment, Energy and Climate Change
- The Municipality of Corfu

The Hellenic Ministry of Culture and Sports is responsible for the protection of historical artifacts and archeological sites as per Law of 1967 amended in 1980. This responsibility is fulfilled by protection, prevention of demolition of sub-structures, provision of restoration recommendations, especially for building façades, and control of actions implemented by municipalities and local authorities to meet contemporary demands. The protection of 35 historical monuments within the protected area, 9 modern structures established after 1830, 21 historical structures in the buffer zone and numerous modern structures fall within this scope (Technical Chamber of Greece Department of Corfu, 2005: 41).

As per Law of 1980, the Hellenic Ministry of Environment, Energy and Climate Change controls all projects having an effect on the natural environment and landscape. As per the Decentralization Law of 1981, this control includes implementation of provisions for construction permits issued by municipalities. The Corfu Municipality executes construction permit monitoring, urban planning and cultural heritage management operations in cooperation with the ministry departments. The management plan includes administration of these plans: The General Urban Planning Scheme (1987), The Town Plan (1958), Program for Local Development (1998) and Action Plans for the Old Town, The Fortifications and Tourism. The Urban Action Plan prepared in 2005 was designed to cover the years 2006-2012 parallel to the management plan (ICOMOS ABE, 2007: 170).

A Memorandum of Understanding (MoU) was signed in November 2011 to establish an inter-institutional and interdisciplinary management authority to implement the Management Plan. The Management Authority (MA) is composed of (CulturePolis, 2014: 27):

- Hellenic Ministry of Culture and Sports
- Hellenic Ministry of Environment, Energy and Climate Change
- Region of Ionian Islands
- Municipality of Corfu
- Archaeological Receipts Fund (CAP)

The executive body of the MA was the Scientific Steering Committee. Management comprised the following (CulturePolis, 2014: 28):

- Determination, examination and elimination of risks to the World Heritage Site (development pressures, construction, waste management, traffic control, parking problems)
- Explicit and hierarchical planning, including short, medium and long run activities to enhance the city's image
- Preparing a prioritized cultural tourism program
- Preparing a prioritized repair and restoration program for monuments
- Planning, implementing, monitoring and assessing proposed activities explicitly and realistically.

The Steering Committee set up a program to guide the financing and activities of the participants of the MA, who took responsibilities commensurate with their field of experience. The Committee also monitored the activities of the participants with the support of a Legal Council, which was also responsible for the smooth implementation of the Management Plan under the MoU. Comprising two representatives of the Hellenic Ministry of Culture and one from the Municipality of Corfu; the Council contributed to solving problems with the implementation the program and resolving any conflict between the parties (CulturePolis, 2014: 28).

The Steering Committee of this structure is constituted of 17 members (CulturePolis, 2014: 28):

1. The Mayor of Corfu as president. The Mayor of Corfu designates the Deputy Mayor responsible for culture as his replacement

2. The head of 21st Byzantine Antiquities

3. The head of the Prehistoric and Classical Antiquities

4. Representative of the Directorate of Byzantine and Post-Byzantine Antiquities (DVMA) of the Hellenic Ministry of Culture, appointed by the deputy of the Hellenic Minister of Culture and Tourism

5. Representative of the 8th Restoration Directorate of Byzantine and Post-Byzantine Monuments (DAVMM) of the Hellenic Ministry of Culture, appointed by the deputy of the Hellenic Minister Culture and Tourism

6. Representative of the Directorate of Modern Monuments and Technical Works (DIMMTW) of the Ionian Islands, or the Division of Modern and Contemporary Architectural Heritage (DINESAK) appointed by the deputy of the Hellenic Minister Culture and Tourism

7. Representative of Archaeological Receipts Fund, appointed by the Board of Archaeological Receipts Fund (TAP)

8-9. Two representatives of the Hellenic Ministry of Culture of the General Secretariat of Tourism, defined together with their alternates by the Hellenic Minister of Culture and Tourism

10. Representative of the Directorate of Urban Planning ministry, appointed by the Deputy of the Hellenic Minister of Environment, Energy and Climate Change

11. Representative of the Division of Special Projects Update area of ministry, appointed by the Deputy of the Hellenic Minister of the Environment, Energy and Climate Change.

12-13. Two representatives of the city (appointed by the municipality)

14-15. Two representatives of the region (appointed by the Region)

16-17. Two representatives of TEK (the deposit insurance system) (appointed by the Board of TEK)

The MoU (CulturePolis, 2014: 28-29):

- built a framework for the agreement on the management, which included all protection and improvement projects and activities implemented for the Old Town of Corfu and its fortifications in ten-years
- the methods and procedures of the implementation.

The President of the Steering Committee and Mayor of Corfu organized the first meeting of the Steering Committee of the Program Manager of the Old Town of Corfu on February 18, 2013 in Faliraki (Gate of Saint Nicholas). The topics discussed in the meeting were as follows (CulturePolis, 2014: 29):

- Establishment of a Legal Advisory Group
- Appointment of the authority responsible for the financial management of the program resources
- Setting up a Working Group for the Management of Economic Affairs and budget planning in 2013

3.2.12.7 Management Plan

The management plan was designed with the idea of an application by Corfu for inclusion on the world heritage list for the first time in 1999 with the initiative of the Corfu Municipality and the Corfu Branch of the Technical Chamber of Greece (Municipality of Corfu, 2005: 77). The preliminary plan was prepared by two architects who drew up the first draft based on the data from the site and their own experiences. These architects were also the coordinators of program contracts between central and local government authorities responsible for the historic town center and the fortifications. The management plan followed the 1993 dated guidelines given by Feilden and Jokilehto in 'Management Guidelines for World Cultural Heritage Sites' (Technical Chamber of Greece Department of Corfu, 2005: 7).

The first draft of the management plan was presented to the committee established by the Corfu Municipality and the Corfu Branch of the Technical Chamber of Greece to be in charge of the preparation of the plan, and then the draft was revised and extended. The plan, which in the first instance was approved by these two institutions, was presented to other stakeholders before being submitted for approval to the Hellenic Ministry of Culture and Sports Directorate of Byzantine and Post-Byzantine Antiquities, Regional Authority of Ionia Island and the Corfu Governorate. After far reaching evaluations, consultations and discussions, it was approved by the Municipal Council under permit no. 23-682/24-11-2005 (Municipality of Corfu, 2005: 76; Technical Chamber of Greece Department of Corfu, 2005: 7).

The management plan is a systematic guide for the protection of all cultural values present in the Old Town of Corfu. The Management Plan defines 32 purposes, mainly on the basis of the following issues:

- Protection and enhancement of the authentic structure of the current architectural assets, fortresses, the urban and the natural environment
- Raising awareness about the historic character of the town and enhancement of this dimension as a source of information
- Maintaining cultural, social and economic welfare of the local communities (Municipality of Corfu, 2005: 76).

The management plan covered 140 recommendations, each associated with the conservation area and the current conditions. Available weaknesses and threats as well as problems created by the current management approaches were listed, and possible approaches were recommended for resolving them. These approaches included the development policies, planning documents and implementations, questionnaires, researches, definition of daily implemented measures and an integrated and correct understanding of all values with regard to cultural heritage. There were recommendations for each of 32 purposes, and 88 actions were planned for realization of recommendations. Actions discussed on a time scale basis are defined as short term (max. two years), medium term (max. six years) and long term (up to ten years or longer) (Municipality of Corfu, 2005: 76). Central state authorities, primary and

secondary local authorities, public organizations and institutions and many others from different levels participate in the implementation of these actions. The management plan aims at the coordination of management of the protected area by cooperation between relevant organizations and individuals sharing the same vision to reach the predefined conclusions (Technical Chamber of Greece Department of Corfu, 2005: 11).

The topics which the management plan aims to address are defined under 5 titles below (Technical Chamber of Greece Department of Corfu, 2005: 13):

1. Implementation and Impact of the Plan

This section covers the effect of the preliminary procedures and practices with regard to implementation of the plan. It includes 11 sub-titles: administration, funding, risk management, information management, monitoring, boundary, local community, statutory protection, assessing change, development control and contemporary development.

2. Protection and Conservation of the Site

The topics under this title cover the highest priorities of the management plan: The conservation of the site in the best condition possible and the sustainability of the factors for inclusion in the world heritage list. The titles are ownership, funding, historic environment, buildings, open spaces, natural environment, forts and fortifications, public realm.

3. Documentation, Education and Research

This title covers topics dealing with ensuring that the importance of the site is appreciated by as many people as possible, a vital factor in the successful and comprehensive management of the heritage site.

4. Physical Access and Transport

This title covers topics with regard to physical access and area usage; topics considered to be the biggest functional problems of the town today. The titles are traffic, parking, entry points, coaches, public transport, pedestrians and cycling, access for all, travel planning and awareness.

5. Visitor Management

This title covers topics such as visitor management, ensuring tourist flow, requirements for the protection of the site and maintaining the balance between the demands of the local people and local enterprises. The titles are visitor facilities, visitor dispersal, marketing, local community.

3.2.12.8. Involvement Of Local Communities

Local community participation in the monitoring process of the protection and proper management of the site has proved to be effective. The majority of the historic properties are owned by private individuals. The participation of the local community in management procedures is considered to be crucial to the success of the plan; engaging with the local community contributes to the enhancement as well as improved presentation of the site (Technical Chamber of Greece Department of Corfu, 2005: 51).

The Municipality of Corfu plays a leading role in the conservation and enhancement of the urban, military and archeological heritage. The planning needed to implement all the common actions recommended in the management plan within the framework of legal decentralization strengthens the leading role of the municipality. The municipality implements in this field through the Technical Department of the Old Town and an Architectural Committee (ICOMOS ABE, 2007: 171). The work is based on a partnership between the central government, local governments, and the local parties involved (Technical Chamber of Greece Department of Corfu, 2005: 52).

One particular role for the efficiency of the application of the plan is expected from the local people, business makers and other local entreprises, which benefit from the site. Besides, the municipality is in charge to build a participant team, which comprise of the representatives of the beneficiaries of the site. Therefore, it's possible to enable the local groups be involved in the implementation process of the management plan. This means the positive outcome of the management plan relies on maintaining a productive coordination among the related parties of the Municipality of Corfu in terms of the implementation of the plan and accomplishing the tasks along with the participation of the stakeholders. Preservation and development of the monumental aspects of the site was a top priority when the necessary measures about the plan and the local groups were regarded as the most important element in the decision making process, as no measures were taken without prior approval of the local groups (Technical Chamber of Greece Department of Corfu, 2005: 73).

3.2.12.9 Stakeholders

Three main structures in charge of the implementation of the management plan are (Technical Chamber of Greece Department of Corfu, 2005: 22).

- Steering Committee
- Project Coordinator
- Stakeholder Group

The Steering Committee comprises representatives of the organizations listed below which take part in the management and consultancy of the conservation area. The committee is responsible for the observation and official monitoring of the management plan practices. Organizations involved in the management:

- The Municipality of Corfu
- The Hellenic Ministry of Culture
- The Hellenic Ministry of Environment, Energy and Climate Change

- The Regional Authority of the Ionian Islands
- The Prefecture of Corfu

The Project Coordinator is responsible for the organization and coordination of all actions listed in the plan and the creation of the working groups required for the implementation of various plans. Other responsibilities of the Project Coordinator are:

- 'Providing recommendations to the related Steering Committee about general programming for implementation of the plan
- Arranging annual work programs and action programs
- Monitoring, inspecting and updating the management plan
- Continuously monitoring the condition of the site
- Providing continuous and secure funding for implementation of the plan'

The Project Coordinator is also responsible for preparing the six year general condition report and interim reports about the status of measures with regard to the protection for UNESCO.

The Stakeholder Group comprises representatives of the user groups of the site. Its purpose is to ensure the active participation of the local community in the implementation of the management plan. The following organizations, apart from the administrative bodies directly in charge of the management with representatives on the Steering Committee, take part in the Stakeholder Group:

- Development of Enterprise of Corfu Municipality
- Technical Chamber of Greece, Corfu Branch
- Ioanian University
- Lawyers' Association
- Notaries' Association
- Corfu Port Fund
- Public Works
- Public Utilities
- Bus Companies

- Civil Aviation Authority
- Travel Agents and Coach Operators
- Corfu Port Authority
- Professional Drivers' Association
- Hoteliers' Association
- Professional Associations
- Tourist Guides' Association
- Greek National Tourist Organization
- Chamber of Commerce

3.2.12.10 Resources

Financial Resources

Securing financial resources for the management plan was a vital prerequisite for its implementation. The funds set aside for the 2006-2012 program contract from national resources were adequate for the first phase of operation of the management scheme. These national resources were provided by the Hellenic Ministry of Environment, Energy and Climate Change, the Archeological Receipts Fund, the Hellenic Ministry of Culture and Sports and the Municipality of Corfu. In addition, many corporate partnerships contributed funding that was crucial for certain activities or programs within the plan. These contributions were very important for the management plan in general, particularly with regard to the realization of planned actions. The main financial resources allocated for the implementation of the plan were budget allocations, structural funds and various allowances, from agencies such as the European Union Community Support Framework Program, European Union funding programs, donations and sponsorships etc. Within this framework, all stakeholders who were relevant agents of site management financially participate in various operations of the plan (Technical Chamber of Greece Department of Corfu, 2005: 96).

The annual budget of the program contract amounts to €600.000 in total and the sum has been provided from 4 sources (Municipality of Corfu, 2005: 77-78).

a) The Hellenic Ministry of Environment, Energy and Climate Change	€150.000
b) The Archeological Receipts Fund	€170.000
c) The Hellenic Ministry of Culture and Sports	€130.000
d) The Municipality of Corfu	€150.000

In accordance with the Old Town Program Contract of 14.09.1995, the aforementioned annual budget was supplemented by a combination of one-off non-absorbed grants. This combined grant facilitated the completion of the activities planned under the program contract. The grant consisted of the following funds:

- €2,612,000 for projects restoring building façades (from The Hellenic Ministry of Environment, Energy and Climate Change)
- €645,630 for the restoration of the Agia Aikaterini Complex (from the Hellenic Ministry of Culture and Sports)

This guaranteed grant, whose composition is given above, essentially covered the running costs of the Old Town Office, the salaries of its employees and a percentage of the expenses of the funding studies allocated to external partners. The Old Town Office, as well as all the other contributing members, was obliged to seek and find additional financial sources to make sure that the projects could be carried out by means of EU and state funding. This practice has proved to be quite successful over the past decade.

Some examples follow:

- The Old Town Office carried out projects in the Old Town of Corfu with a total budget of €10,550,000 between 1995 and 2005. The funding came from the 2nd and 3rd Community Support Framework, the EFTA and the Municipality of Corfu.

- Between 1993 and 2003, the Program Contract for the Fortifications, with the funds of the Ministry of Culture and The Municipality of Corfu (60% the former and

40% the latter) implemented projects concerning the general condition of the fortifications using an annual sum of €300,000 which was drawn from the relevant program.

In addition, the office raised supplementary funds used to make investigative studies as well as to establish an office for the Conservation and Restoration of the Fortresses and related projects. Other agencies provided funds to the world heritage site to carry out some projects, directly or indirectly impacting the promotion of the site:

The Hellenic Ministry of Culture and Sports supports projects financially with substantial annual budgets. The Ministry has two regional offices that are active in Corfu, i.e. the 21stt Ephorate of Byzantine Antiquities and the 8th Ephorate of Prehistoric and Classical Antiquities, both of which are used to support such projects. For instance, during the five-year period from 1995 to 2000, the 8th Ephorate of Byzantine Antiquities, now called the 21st, invested €2,050,000 in projects. Between 1998 and 2000, important interventions were made to the physical plan and organization of the museum at the archaeological site of Palaiopolis by the Hellenic Ministry of Culture and Sports. These interventions were made possible by the collaboration between the two ephorates, which together allocated a total budget of €5,282,500.

The Ionian University has operated in premises granted to it in at the Old Fortress and Old Town for twenty years. The university has carried out the restoration of important buildings, thus supporting promoting the overall image of the town. For example, the cost of restoring four significant edifices in the Old Town was about €13,210,000 from 1994 to 1999 (Municipality of Corfu, 2005: 78).

Human Resources

Human resources are provided by the departments of the municipality, related ministries and the local companies with operational experience. Another initiative in this respect is the provision of training for administrators (historians, archeologists and

technicians) by the Ionian Islands University. Agreements have been concluded in this field with the School of Architecture and the Polytechnic of Athens. The Technical Chamber of Greece provides assistance in consultancy and scientific guidance (ICOMOS ABE, 2007: 171). At the local level, 400 members of the local branch of the Technical Chamber, 100 of them architects, who have all received scientific education and are specialized in the fields of protection and conservation, and 4,200 technicians are involved in conservation projects (Municipality of Corfu, 2005: 87).

In accordance with the program contract 2006-2012 signed between the Hellenic Ministry of Culture and Sports, the Hellenic Ministry of Environment, Energy and Climate Change, Archaeological Receipts Fund and Municipality of Corfu, the Office of the Old Town of the Program Contract has overall authority in the responsibility for the complex problems besetting the Old Town and deals with these problems in a systematic way. This Office employs the members of the two previous Program Contracts and draws on their broad experience. In this context, both the Office of the Old Town and the Office of the Fortifications carry out their works by bringing together talented personnel with expertise in scientific and technical aspects (Municipality of Corfu, 2005: 87).

The Office of the Fortifications Program has 9 permanent employees on its staff (two secretaries, one architect, three construction workers and three guards). The office collaborates with, on a permanent basis, and is supported by the local office of the 21st Ephorate of Byzantine Monuments.

The Office of the Old Town Program has 10 permanent employees on its staff (three civil engineers, three architects, one archaeologist, one secretary and one CAD draftsman) The office is permanently supported by:

- The Technical Services of the Municipality to monitor the projects
- The Development Enterprise of Municipality of Corfu (ANEDK), which is engaged in pursuing the development policy (Municipality of Corfu, 2005: 87).

3.2.12.11 Monitoring and Reviewing the Plan

One of the fundamental requirements of the management plan is the establishment of a rigorous system to enable monitoring both the condition of the site and the implementation of the plan. The Steering Committee is responsible for the establishment of such a monitoring system able to cope with a large number of individual actions and establish the definition of the indicators. Thus the condition of the site will be monitored and recorded. Both the results of the monitoring at the local level and the data obtained from the reports set by UNESCO at 6-year intervals will be used to improve the efficiency of the management plan as well as being utilized in interim modifications and improvements. In accordance with the implementation plans of the Steering Committee, the progress of the program of action was meticulously monitored on an annual basis. This not only ensured flexibility in the implementation of the plan, but also it helped to effectively adapt the plan to any changing circumstances over the six-year period. Short-run updates that facilitated the implementation of the plan were also expedited through the monitoring process (Technical Chamber of Greece Department of Corfu, 2005: 95).

The Old Town Office is responsible for the monitoring of the world heritage site. The Office is the coordinating body of the program contract 2006-2012. A detailed record of the state of the parts of the world heritage site was made as part of the activities of the Old Town Office in 1997-1998 and relevant architectural files were prepared. The information recorded in these files contains detailed features of each construction, describing all the structural elements and their condition, the problems requiring attention (deterioration and alterations), the date of construction, the architect or engineer (if known), all morphological features worth mentioning, the use of the building by floor, the owners (if applicable), etc. The material in the files is preserved in both printed and electronic form in the Old Town Office and since the creation of these files there has been an effort to keep them up–to-date with whatever changes are made, although this process is neither systematic nor complete at present (Municipality of Corfu, 2005: 88-90).

For the purpose monitoring, different authorities have gathered information in different ways (Municipality of Corfu, 2005: 90):

- The Urban Planning Office of the Municipality has two sections, one that issues building permits and the other that deals with illegally built structures such that fines are exacted for the relevant modifications
- The Ephorate of Byzantine Antiquities inspects construction projects and ensures that the implementation of these projects is in line with the approved plans
- The Municipal Police monitors the implementation of resolutions
- Previous report on the conservation condition assists monitoring in general.

This information collected in the architectural files of the office has made it possible to establish a number of indicators, both general and more specialized, which helped measure the state of conservation of the world heritage site. These were (Municipality of Corfu, 2005: 88):

- 'Number of buildings in use
- Number of unused buildings
- Number of completely renovated buildings
- Number of partially renovated buildings
- Number of buildings in need of restoration
- Number of buildings with problems relating to damp
- Number of buildings with problems relating to plaster
- Number of buildings with reversible changes
- Number of buildings with permanent changes
- Number of buildings with structural changes'

In addition to the indicators given above (indicators of the condition of the buildings), some other useful indicators showed the state of public spaces, the financial impact of additional activities aimed at upgrading or promoting the site and the source of necessary funding, the assessment of projects carried out so as to upgrade the fortresses and the change in the touristic image of the fortresses. These indicators, i.e. the monitoring indicators, are given below (Municipality of Corfu, 2005: 88-89):

- 'Number of buildings repaired by private initiative
- Number of buildings repaired by state initiative

- Length of the network to be replaced and put underground
- Surface area of the pavements to be replaced
- Budget of upgrading projects with state funding
- Budget of upgrading projects with EU funding
- Length of galleries in the New Fortress that can be visited
- Length of galleries in the New Fortress that need repair and outfitting
- Length of streets in the Old Fortress with signs, lighting and other conveniences
- Length of streets in the Old Fortress that require signs, lighting and other conveniences
- Number of visitors to the Old Fortress
- Number of visitors to the New Fortress'

There are totally 22 indicators. 16 monitoring indicators were defined as to be implemented for 5 years with regard to the built structure and urban planning of the Old Town; 6 indicators were defined for operations with regard to the forts. It is planned to review important indicators bi-annually and to evaluate data in terms of required studies and cost. ICOMOS states that monitoring indicators and policies are suitable for statement of outstanding universal values of the site (ICOMOS ABE, 2007: 171).

Although containing long term components, the management plan was primarily designed for a six year period. The duration of the action plan depended on achievement of the projects. With the aim of keeping the management plan as updated and relevant as possible, definition, significance, problems and targets of the site needs to be officially evaluated every six years. An annual revision is a regular activity depending on the annual implementation plans to ensure plan flexibility and immediate adaptability to changing conditions during work Short term renewals are planned for efficient implementation of this revision plan (Technical Chamber of Greece Department of Corfu, 2005: 95).

In April 2013 the draft plan for 2013-2018 was circulated to participants for revision of the 2006-2012 plan. Comprehensive opinions were gathered from 23 members from numerous organizations (Bus, Telephone, Electricity Companies, Port Authority, Fire Brigade as well as the Orthodox and Catholic Churches, the Archdiocese Hebrew

Community etc.) and the Consultative Committee SUSTCULT[53] (achieving SUSTainability through an integrated approach to the management of CULTural heritage) Corfu / Old Town with regard to the Management Plan. Some of the components of the management plan were subject to evaluation through an electronic questionnaire (CulturePolis, 2014: 39). The data were analyzed by the Study Team of Culturepolis[54] and its partners in the project SUSTCULT. This analysis was projected to draft a text update of the management plan (2013-2018) for public consultation. All parties and stakeholders were free to state their opinions, make comments and suggestions about the plan until August 15, 2013. The final version update was planned to be widely publicized and submitted to the Municipality of Corfu and all the members of the Monitoring Committee of the Management Authority of Old Town of Corfu to be further examined and improved (URL 126). However, no revised plan was declared in the UNESCO world heritage website.

3.2.12.12 Interim Evaluation of Corfu Management Plan

Corfu is a walled Mediterranean port city originally built in the 8th century AD, rich in late medieval, Renaissance and neo-classical period works and archaeological assets. The city was damaged in World War II, and many buildings were demolished during the period of British rule (1815-64). The first protective measures for the walls

[53] 'Started in January 2011, SUSTCULT (achieving SUSTainability through an integrated approach to the management of CULTural heritage) is a European Union 3-year-project co-funded by the South East Europe (SEE) Transnational Cooperation Programme. The project gathered 12 European partners and was joined by the UNESCO Regional Bureau for Science and Culture in Europe, Venice (Italy). The Project, led by the City of Venice, focused on integrated and innovative approaches and tools for improving cultural heritage site management throughout the SEE region. SUSTCULT partners shared a common challenge, that of strengthening cultural heritage management as an integral part of the sustainable development process of urban centers and surrounding areas and as a driver for boosting local economies' (URL 124).

[54] 'CulturePolis' is a non-profit organization (NGO) which operates mainly in Europe and the Mediterranean Basin, having as its main aim - through research, analysis, debate and dialogue and throughout targeted actions, to contribute to information and public awareness on issues concerning:
(a) culture and arts, in the broadest sense
(b) intercultural dialogue and the emergence of different cultural identities in any place
(c) sustainability in all its manifestations
(d) promoting innovative approaches and new technologies mainly in applications as well as culture and tourism
(e) creative economy and entrepreneurship' (URL 125).

began in 1922. Registration procedures were carried out in 1967. These actions provided an important opportunity for the creation of a sound legal framework for protection and ensuring urban integrity. In the early 1990s, action plans were agreed in accordance with internationally recognized restoration standards. The responsibility for conservation is shared between the Hellenic Ministry of Culture, the Ministry of Environment, Spatial Planning and Public Works and the Municipality of Corfu. In addition, the Superintendence for Byzantine and Post-Byzantine Antiquities departments, established in 2006, are the effective protection agencies. The basic law that ensures conservation is the 2002 Antiquities and Cultural Heritage Law. One of the tools that strengthen the legal basis is the Urban Action Plan, implemented in parallel to the management plan in 2006-2012.

Prior to the first management plan, between 2006 and 2012, Corfu was provided with cultural heritage management through program agreements between central and local governments in 1990, 1995 and 2005. This made Corfu's management experience prior to world heritage site status an important advantage in conjunction with the structure of the program offices and human resources, which enabled provision of resources for world heritage management and the creation of the overall framework for the management plan. An example of a good practice developed within these programs is the 'architectural files' application, which is the basis for the monitoring system used today. In 1997-1998, the Old Town of Corfu Office, responsible for conducting the program, kept a file on the current situation and interventions for all the structural elements of each structure in the cultural heritage area. These records contain detailed information such as used and unused structures, partial or completely renovated structures, and structures requiring restoration. Although these records are not up-to-date within the current management structure, key monitoring indicators are based on this information. It should be noted that the monitoring function was carried out by private firms in the framework of agreements with the ministry between 1976-1977 and 1983-1985.

During the preparation phase of the management plan, it was decided that two roles of the historical city were significant: the first one is the quality of the open-air museum

that needs to be preserved and developed, and the other is the living city that needs change and modernization. The idea that the balance between these two qualities can be solved by a strategic partnership system involving all stakeholders contributed to the design of the plan. The first draft of the management plan was developed in 1999 by the Corfu Municipality and the Corfu Branch of the Technical Chamber of Greece for the World Heritage nomination. Since the 1999 application was not adequate to qualify for candidacy, this draft was subsequently improved and forwarded to UNESCO, and Corfu was included on the world heritage list in 2007. In the approval process, the draft plan received comments from the local community, professional associations, communities established by local residents and other stakeholders after being evaluated by the committee for the evaluation of the plan within the municipality. Later, it was sent to the Ministry of Culture, Ionia Island Regional Administration and the Governor of Corfu for approval. The Management Plan was put into effect by the Municipality after a comprehensive evaluation and discussion environment had been provided and approvals had been obtained.

The main objectives of the management plan, designed as a systematic guide for the protection of cultural values, are to protect and develop the original structure of the city, raise awareness of the importance of world heritage and sustain the cultural, social and economic prosperity of the local community. Problems are identified and proposals for solutions are developed. Actions are suggested for each of the identified objectives. The five main goals of the plan are implementation, protection, documentation, education and research, accessibility and visitor management. Responsibility for the implementation of the plan is allocated to the municipality through the Technical Department of the Old Town and an Architecture Committee.

The most important factor in successfully ensuring the viability of the Corfu management plan is the strategy to determine the tripartite structure responsible for implementing the plan. In this context, the Steering Group (the Municipality of Corfu, the Ministry of Culture, the Ministry of the Environment, Planning and Public Works, The Ionian Islands and the Prefecture of Corfu), responsible for managing the site and providing consulting services, the Project Coordinator and the Stakeholder Group

undertook to implement the plan. In line with the Steering Group's decisions, the project coordinator is responsible for organizing and coordinating the actions and setting up the necessary working groups. It also has responsibility for constantly monitoring the site, advising on the implementation group, and monitoring the sustainability of the financial resources available. The stakeholder group is made up of user groups from the site area so as to ensure the active participation of the local community. In 2011, the Steering Group was expanded with the participation of the Archaeological Receipt Fund, and was renamed as the Management Authority. The executive administration of the Management Authority is designated as the Scientific Steering Committee. The Scientific Steering Committee consists of a total of 17 institutions, and is chaired by the mayor. These include heads of departments responsible for the protection and planning at the central government level, representatives of the Archaeological Receipt Fund, representatives of the ministries of culture, the general secretary responsible for tourism and representatives at the city and district level. In this context, the responsible executive committee is composed mainly of representatives of the central government, together with the head of the local government. In addition, a Legal Advisory Group was established. The second plan period is continuing with this same management structure. In this respect, as seen in the approval process, the government considers that the main responsibility of the state is to monitor that the various duties are carried out; in this respect and the main responsibilities are borne by the municipality under the supervision of the central government.

Financial resources for the implementation of the plan are provided by the Ministry of Culture, the Ministry of the Environment, the Archaeological Receipt Fund and the Municipality of Corfu. European Union funds are also effectively utilized via donations and sponsorships.

An advantage of the Corfu scheme of administration is that the municipality, ministries and experienced local companies benefit from existing human resources in terms of organization. Important examples of good practice in this regard are education and counseling. In this context, the administrators responsible for cultural heritage

management are tutored by the Ionian Islands University. The Technical Chamber of Greece has undertaken scientific advisory function for management.

The monitoring function is directly under the responsibility of the municipality. The archaeological site is monitored by the Ministerial Antiquities Department. Indicators developed for monitoring are also reviewed by the ministries that provide funding for management. In April 2013, many organizations involved in the management plan came together to renew the plan under the SUSCULT project.

Although the 2014 Periodic Evaluation Report assessed the management structure as adequate, it stated that the necessary legislation relating to the management of Corfu is lacking, coordination between administrative agencies should be improved, local communities have no direct involvement in management, visitor management needs to be developed, communication with the tourism industry is limited and monitoring indicators should be developed. Despite some shortcomings, the executive committee's involvement in the management of local stakeholders, training of managers involved in cultural heritage management, provision of an effective program for education and research, pre-qualification of human resources selection, systematic structuring of consulting and monitoring in scientific and technical terms can be cited as examples of good practice in Corfu.

3.2.13 Interim Evaluation of International Case Studies

Conservation practices are a sui-generis issue that vary according to various factors such as the country's public administration structure and practices, socio-economic status and legal infrastructure. The EU Member States examined within the scope of the thesis study display some common approaches, in parallel with country-specific features (Figure 3.62). Among the countries studied, conservation is a cultural service defined in the Constitution in all countries except France and Germany. France does not have a constitutional clause for conservation, but offers conservation services nationwide with its extremely strong unitary structure. In France, the article on the Constitution relates to the constitutionality of the right to culture.

It is observed that, in all countries except Germany, a national policy has been established in terms of conservation. In particular, the UK has made efforts to ensure the conservation policy is well regarded in terms of public opinion by publishing guidance documents on this issue, and the policy documents are highly detailed concerning content. In all countries except Germany, the main responsibility for conservation rests with the government in terms of national policies. In Germany, because of the federal administrative structure, the responsibility for the conservation belongs to the federal states while government support is available for large-scale conservation projects. Again, in all countries except Germany, a ministry is held responsible for the whole country. In parallel, there is a national legislation on conservation in these countries. In Germany, legislation can be set at the regional level. The strongest case in terms of national legislation is the UK.

The UK and France are the countries where a grading system applies to conservation sites. Other countries do not carry out any grading on the cultural property to be protected. The UK has authorized local authorities to plan and designate conservation areas. In France, this authority is not left completely to local governments and is monitored under effective state control. Likewise, in Italy and Greece, the authorities of the conservation areas also belong to the central government. Greece does not require local governments to take responsibility for conservation regarding existing human resources and capacity. In Germany and Austria, authority over the conservation areas belongs to the federal states.

The most advanced inventory system for regulating data on current digital and risk management is available in the UK. Inventory studies are still on progress in all other countries. Special purpose inventories are also available in Greece. There is no nationally applicable inventory work in Germany. The most sophisticated cooperation possibilities for conservation are provided in the UK, in particular between foundations and the state. Cooperation between the state and the private sector is widespread in France, and the municipalities have to cooperate with each other. In France, Italy, Germany and Austria there are private institutions operating in the field of cultural

heritage management. The point at the forefront in this regard is to ensure the accountability of these institutions. The transfer of cultural heritage applications to private institutions in Italy and Greece is still under debate. The cases that include the expression of ‘cultural heritage management in a legal context’ are the UK and Italy.

The countries with the most effective state control over conservation activities are the UK, France and Greece. An audit structure is present in Austria, however, there are ethical problems. Project management, one of the strategic sub-tools of cultural heritage management practices, is strongly implemented in France. Project management practices are also implemented in the UK and Greece. Project management training is given to conservation experts in Greece. The information management system in the UK is extremely strong. There are also applications in France, Austria and Greece. When evaluated in terms of training activities carried out on conservation, it can be seen that regular training on conservation is provided in England, France, Austria and Greece. France, Italy and Austria are the countries that have created solutions for conservation in the form of commissions at a national level. The two countries that have a systematic approach to intervention at risk are the UK and France. Financial planning for emergency measures and precautions can be done within the context of 'heritage at risk' program, which produces integrated information in the UK systematic inventory study. In France, there are only urgent intervention approaches for monuments. Nearly all of the international cases examined, focus on good governance practices such as regular reporting, institutionalization, accountability and transparency in conservation practices. However, there are still problems in applying these concepts in Italy.

There are institutions that provide consultancy support to central governments regarding the development of solutions and applications for conservation issues. The most advanced example in this regard is the UK. In addition, there are public institutions in France, Austria and Greece that provide consultancy support on various issues. The most developed country in terms of adopting strategic management principles and produces conservation planning and implementation examples is again the UK. All policy documents and legislation focus on the determined strategic

objectives of national policy within a certain hierarchy. Strategic planning and programming approaches are also observed in Greece. There are projects in the UK, France, Italy and Germany, with financial support from the creation of national funding sources through central government or foundations. In the UK, France and Italy, there are national funding structures based on traditional and well-established practices. In Germany, in spite of the current severe financial crises, institutions such as the Federal Environmental Foundation constitute major donation sources.

ISSUES	UK	FRANCE	ITALY	GERMANY	AVUSTRIA	GREECE	TURKEY
Provision on Conservation in the Constitution	**NA**	-	+	-	+	+	+
National Cultural Policy	**S**	+	+	W	+	+	W
Main Responsibility	State +NDPDs	State	State	Lander	State	State	State
Ministry Responsible for Culture at National Level	+	+	+	-	+	+	+
Rating	+	+	-	-	-	-	+
National Legislation	**S**	+	+	-	+	+	+
Determination of Conservation Area	Local Authorities	State	State	Lander	Lander	State	Municipality / State
Inventory at National Level	**S**	In Progress	In Progress	NA	In Progress	In Progress	In Progress
Cooperation on Conservation Issues	State + Foundations	State + Private sector / Intercommunalities	State + Local Authorities	Lander + Associations	State + Foundations	State + Local / Regional Autharities	State + Foundations
Private Companies Responsible for Cultural Heritage Management	-	+	+	+	+	-	-
Definition of Cultural Heritage Management in Legislation	+	-	+	-	-	-	W
National Committee on WHC	-	-	+	+	-	-	-
Supervision of State for Conservation Implementations	+	**S**	+	-	**W**	**S**	**W**
Use of Project Management Tools and Techniques	+	**S**	-	-	-	+	-
Information Management Systems	**S**	+	-	-	+	+	-
Training	+	**S**	-	-	+	+	-
National Commission	-	**S**	+	-	+	-	-
Implementations of Heritage at Risk	**S**	+	-	-	-	-	-
Good Governance on Conservation	**S**	+	-	+	+	+	-
State Advisory Board	**S**	+	-	-	+	+	+
Strategic Management	**S**	-	-	-	-	+	**W**
National Fund	+	+	+	-	-	-	-

W - Weak S- Strong

Figure 3.62- Evaluation of International and National Cases

3.3 National Experiences

3.3.1 Case Study: Istanbul World Heritage Management

3.3.1.1 General Description

Istanbul is located in north western Turkey, in the Marmara Region between European and Asiatic Turkey, on both the Bosphorus waterfront and the coast of the Sea of Marmara which also includes the Golden Horn. The Bosphorus, which connects the Sea of Marmara with the Black Sea, divides the city and separates the continents of Europe and Asia in two. Istanbul is a city of great significance in the history of civilization, not only because of its historical identity, but also in terms of its strategic position on a waterway that has served as a connection between the Black Sea basin and the Mediterranean Sea and a point of intersection connecting Anatolia with the Balkans and Europe (Özdoğan, 2009:10).

The historic peninsula of Istanbul has been settled from prehistoric times up to the present. The history of this multi-layered city can be analyzed in five main periods[55] the Prehistoric, Greco-Roman (Byzantion), Byzantine (Constantinople) (330-1453), Ottoman (1453-1923) and the Turkish Republican (1923-present) periods. The city was the capital of both the Byzantine and Ottoman Empires from its foundation by the Emperor Constantine (324-337) until the Turkish Republican period, except for a short period under the so-called Latin Empire (1204-1261) when the capital of Byzantium was moved to Nicaea/Iznik. Throughout history, Istanbul has maintained its strategic importance as a result of its geographical position and multi-faceted settlement history and now became a global metropolis. The topographical and historical features of this city at the intersection of the Byzantine and Ottoman civilizations in particular, made it a center of attraction in terms of culture and tourism.

[55] The sources on the history and topography of Constantinople/Istanbul are extensive. To cite only a few examples: Eyice, S. (1966); Krautheimer, R. (1983); Mango, C. (1993); Çelik, Z (1993); De Carbognano, C.C. (1993); Mango, C. and Dagron, G. (Eds.) (1995); Kuban, D. (1998); Cerasi, M. M. (1999); Müller-Wiener, W. (2001); Magdalino, P. (2002a); Magdalino, P. (2002b); Mango, C. (Ed.) (2002); Bassett, S. (2004); Freely, J. and Çakmak, A. S. (2004); Goytisolo, J. (2004); Kuban, D. (2004); Magdalino, P. (2007); Bardill, J. (2012); Dark, K. and Özgümüş, F. (2013).

3.3.1.2 Nomination

The Historical Sites in Istanbul were inscribed in the World Heritage List of UNESCO in the 9th ordinary meeting coded SC-85/CONF.008/9 on 6.12.1985 with the reference 356 based on the decision taken by the World Heritage Centre in July 1985 in Paris, the related evaluation of ICOMOS dated 31.12.1984 and the application of the Ministry of Culture submitted to UNESCO on 5.12.1984 (Dinçer *et al.*, 2011: 114-115). The physical traces of its religious and historical significance which have survived until today and testimony of its outstanding value were an important factor in its choice as a World Heritage site.

The World Heritage site approved as such in Istanbul covers four zones (Figure 3.63):

- The Archaeological Park (Topkapı Palace and the quarter of Sultanahmet
- The protected area of the Süleymaniye Quarter
- The protected area of the Zeyrek Quarter
- The zone of Istanbul ramparts

The historic peninsula covering the World Heritage Sites (also called the Walled City) stretches over an area of 1562 hectares (IBB Planlama ve İmar Müdürlüğü, 2003: 1). The Archaeological Park is located in an area of 109 hectares; the conservation area of the Süleymaniye Quarter, the conservation area of the Zeyrek Quarter and the zone of the Istanbul city walls stretch over an area of 53,10 and 506 hectares, respectively.

The Historic Areas of Istanbul were recorded on the World Heritage List because of the way that they met the cultural criteria numbered (i), (ii), (iii) and (iv) of the ten criteria utilized for the enrolling of properties with Outstanding Universal Value on the World Heritage List. These criteria are characterized as follows (Bimtaş, 2011: 30-31):

‘Criterion (i): The Historic Areas of Istanbul include monuments recognized as unique architectural masterpieces of Byzantine and Ottoman periods such as Hagia Sophia, which was designed by Anthemios of Tralles and Isidoros of Miletus in 532-537 and the Süleymaniye Mosque complex designed by architect Sinan in 1550-1557.

Criterion (ii): Throughout history the monuments in Istanbul have exerted considerable influence on the development of architecture, monumental arts and the organization of space, both in Europe and the Near East. Thus, the 6,650 meter terrestrial wall of Theodosius II with its second line of defense, created in 447, was one of the leading references for military architecture; Hagia Sophia became a model for an entire family of churches and later mosques, and the mosaics of the palaces and churches of Constantinople influenced both Eastern and Western art.

Criterion (iii): Istanbul bears unique testimony to the Byzantine and Ottoman civilizations through its large number of high quality examples of a great range of building types, some with associated monuments. They include fortifications, churches and palaces with mosaics and frescos, monumental cisterns, tombs, mosques, religious schools and bath buildings. The vernacular housing around major religious monuments in the Süleymaniye and Zeyrek quarters provide exceptional evidence of the late Ottoman urban pattern.

Criterion (iv): The city is an outstanding set of monuments, architectural and technical ensembles that illustrate very distinguished phases of human history. In particular, the Palace of Topkapı and the Süleymaniye Mosque complex with its caravanserai, madrasa, medical school, library, bath building, hospice and imperial tombs, provide supreme examples of ensembles of palaces and religious complexes of the Ottoman period.’

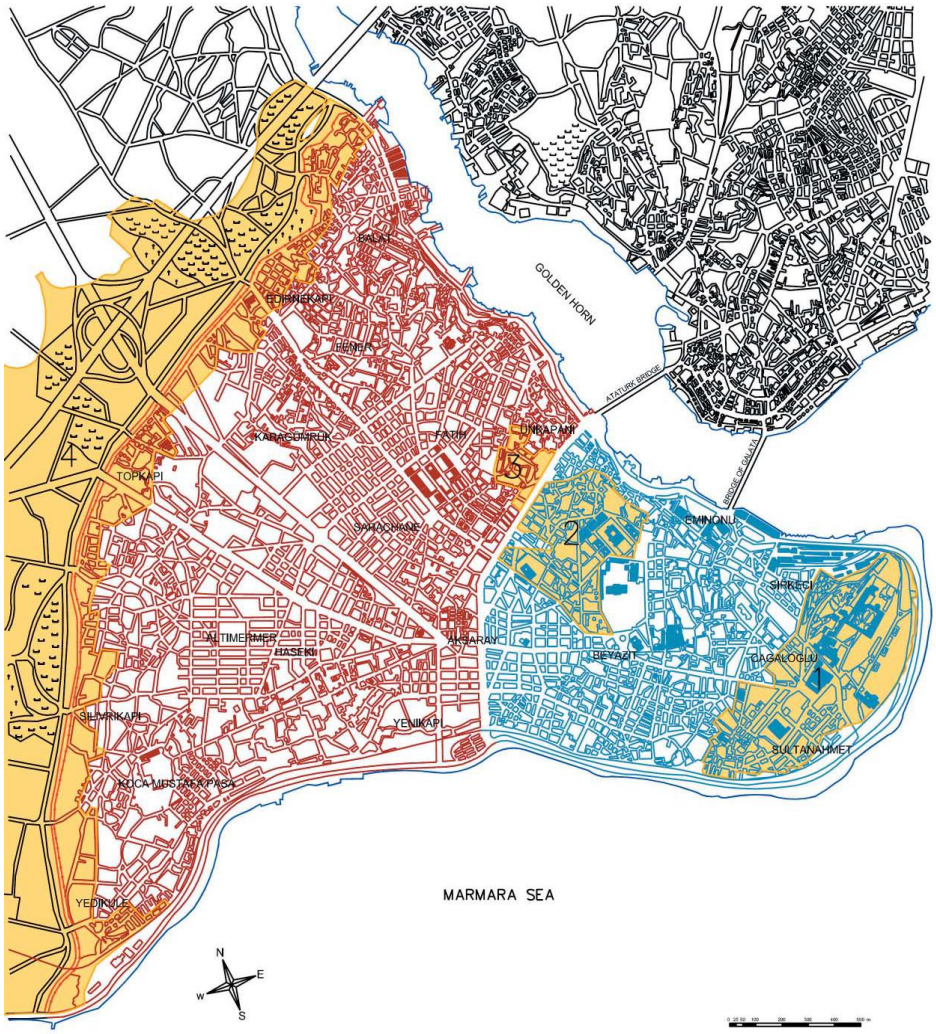


Figure 3.63 Istanbul Historic Peninsula World Heritage Sites (Bimtaş, 2011: 26)

3.3.1.3 Current Conservation Status

Before their inscription on the List, four ‘Historic Areas of Istanbul’, were registered as conservation areas under national legislation. Following the registration of Topkapı Palace and Sultanahmet District as ‘Archeological Park’ in 1953; ‘Zeyrek Mosque and its associated sites,’ ‘Süleymaniye Mosque and its associated sites’ and the ‘Land Walls' were accepted as conservation areas in 1979, 1977 and 1981 respectively. After those, other sites with conservation needs on the Istanbul Historic Peninsula had been evaluated for registration as conservation areas, in addition to the four World Heritage Sites. Accordingly, the Istanbul Historic Peninsula was registered as a conservation

area partially as ‘archeological’, ‘urban-archeological’ and ‘historical and urban’ under Law on the Conservation of Cultural and Natural Properties, and as a whole, it was taken under conservation. Studies for inventory and a conservation plan covering all parts of the Istanbul Historic Peninsula were set off in line with the new conservation status (Bimtaş, 2011: 8).

The Archaeological Park of Sultanahmet

This area which comprises Topkapı Palace and Gülhane Park, both archaeological protected areas, and the quarters of Sultanahmet and Cankurtaran which are urban-archaeological conservation areas, were the center of the Byzantine and Ottoman Empires. The Archaeological Park of Sultanahmet is an area having extraordinary cultural and historical value on both national and international levels in terms of monumental structures and architectural works of art, both above and below ground. There are 10.413 cultural properties within the Management Plan Area and 9.5 % of these properties are found in the World Heritage Site of the Archaeological Park of Sultanahmet which stretches over a surface of 122.6 hectares. 94 % of the works of art are under protection in the area; 6 % of the works in the area have not survived up to the present time, although there is evidence of their existence. The 928 works of art existing in the area correspond to 35 % of 2634 works of art in all the World Heritage Sites in Istanbul. So the Archaeological Park of Sultanahmet becomes the heritage area with the highest number of works of art (Bimtaş, 2011:43).

Süleymaniye Mosque and the associated area

The World Heritage Site of Süleymaniye Mosque and the associated area preserved its traditional structure until 1950s years. In the quarter of Süleymaniye, ravaged by disastrous fires from time to time like other quarters with wooden structures in Istanbul, some streets and civil architectural works of art can be seen which have still preserved their traditional characteristics until today. The building usage in the area decreased in the course of time and the remainder are inhabited by single immigrants who came to Istanbul in the wave of internal migration, or by university students who

prefer the area because of its proximity to the university. The quarter of Süleymaniye, (Figure 3.64) which gradually became more and more impoverished in the last century, was able to preserve its functional vitality in terms of education and health. Reserving a room for each individual in the residential buildings forced changes in plans and façades and the architectural fabric has degraded (Bimtaş, 2011:67).

There are 960 registered works of art in the area associated with the Mosque of Süleymaniye; while 151 of these works have ceased to exist, 809 of them still survive. 466 of these works have monumental characteristics, with 28 of them having been lost. 123 of the remaining 494 civil architectural works of art have also disappeared. The works of art in this area make up 32 % of the works included in the list of World Heritage (Bimtaş, 2011:45).

Figure 3.64- Suleymaniye Complex (Bimtaş, 2011:29)

Zeyrek Mosque (Pantokrator Monastery) and the associated area

The Zeyrek Mosque and its associated area (Figure 3.65) have been used for residential purposes from the Ottoman period until today. This area has a more homogenous structure in comparison with other world heritage areas in Istanbul in terms of social and functional characteristics. It can be defined as a transparent and non-complicated area by comparison to other world heritage areas (Bimtaş, 2011:70-71).

The residential texture of Zeyrek district was destroyed by a variety of factors, including fires and neglect. New inhabitants came to the area after the migration wave in1950s, and the major change occurred through the rapid and dense construction of housing and apartment blocks between the years 1960 and 1975 that now reflect the physical texture in Zeyrek. After that the area was taken under protection, new housing and construction were restricted in the area in 1980. Projects have been realized in recent times in this district for the restoration of civil cultural properties standing out as valuable examples of wooden Ottoman architecture (Bimtaş, 2011:72).

There are 282 cultural assets in the World Heritage Area of Zeyrek Mosque and the surrounding district in total; and 209 of these heritage assets still exist, 73 having been lost. The heritage assets in this area constitute more or less 3 % of the total cultural properties in the Management Plan and circa 10 % of all the cultural assets in the World Heritage Areas in Istanbul. While 32 % of the works of art in the area have monumental character, 68 % of them are classified as civil architectural cultural assets (Figure 3.66; Figure3.67). 78 of the monumental properties still exist, 11 no longer do; while, on the other hand, 131 of the cultural assets having civil architectural value still exist, 62 being lost. The 'Zeyrek Houses Project', carried out in a partnership of the Governorship of Istanbul, the Municipality of Fatih and the Turkish Timber Association and the project for the restoration of Zeyrek Cistern is still in progress. Similar projects are also being carried out at the Pantokrator Monastery Church which is known as Zeyrek Mosque today (Bimtaş, 2011:47).

Figure 3.65 Zeyrek Mosque (Pantacrator) (Bimtaş, 2011:30)

Figure 3.66; Figure 3.67 Examples of Civil Architecture in Süleymaniye (Bimtaş, 2011: 82)

Walls of Theodosius II

The part of the city walls, the oldest and longest continuous defense system in Europe, are of historical and architectural importance due to artistic and archaeological value (Figure 3.68). These parts of the city walls that have survived up to the present time, stretch out over a distance of 7 kilometers and link the areas between the Sea of Marmara and the Golden Horn in the area from Yedikule to Ayvansaray. While the part of the fortification walls in the Historic Peninsula are defined as a protected area of urban and historical importance, the parts within the boundaries of the districts of Zeytinburnu, Bayrampaşa and Eyüp are defined as the 'Conservation Belt'. The part within the boundaries of Eyüp district has also been given the status of urban conservation area. There are 750 registered assets in the World Heritage Site of the walls, 688 of which still exist, while 62 of them have disappeared over time. 53% of the total number of 750 registered buildings in the World Heritage Site of the walls is comprised of monumental buildings and 47% of them are classified as civil architectural buildings. From 62 registered buildings in the site which no longer exist, 28 were monuments and 34 were civil architectural buildings (Bimtaş, 2011:49).

Figure 3.68 Walls of Theodosius II (Bimtaş, 2011: 33)

3.3.1.4 Legal Protection

The planning studies that have contributed to the Historic Peninsula concerning protection activities can be classified into two groups, those drawn up before the Republican period and the ones designed in the Republican period:

Before the Republican period:

- Moltke Plan – 1839 (this plan comprises an approach to enhance a transportation network and prevent fires in the Historic Peninsula)
- Bouvard Plan – 1909 (It includes a planning approach that focused on the image of the government)

During the Republican period:

- The Elgötz Plan – 1933 (This was a plan evaluating the natural assets, historical back ground, exigencies and economic characteristics of Istanbul and making proposals for the protection)
- The Prost Plan – 1936 (This plan was in operation until 1950. It contained conservative approaches, restrictions on the construction of high-rise buildings,

proposals for expropriation. However, it also had negative approaches as there were proposals concerning allocations of building plots to industry.)

- The Menderes operations (high rise and multi-storey buildings and large-scale demolitions in historic areas without documentation were implemented within the scope of this plan under the pressure of development; in this respect it has been a plan that brought about important negative impacts)
- The Högg Structural Plan and the associated detailed studies (This was a plan designed to legitimate the Menderes operations and appease the opposition parties)
- Istanbul City Walls Master Development Plan on 1: 5000 scale – 1964 (This was a zoning plan aiming at combining the previously approved piecemeal plans. The plan included restrictions against high density housing, touristic facilities, construction activities on the coastline and industrialization on the Historic Peninsula and regulations for the green belt and conservation (Ergun and Gülersoy, 2007: 71-79).

No decision could be taken to establish an integrated conservation area in the districts of Fatih and Eminönü, two districts covering World Heritage Sites as well, until 1995. The zone of Sultanahmet was proclaimed as 'archaeological park' by the High Commission of Immovable Antiquities and Monuments in 1953. Later Zeyrek and Süleymaniye were both declared as 'conservation areas' together with the social complexes and other civil fabric associated with them in 1979 and 1981 respectively (Bimtaş, 2011: 34).

The Historic Peninsula Conservation Plan was drawn up in 1990 and the objective of the plan was defined as

> 'the protection of the historical, cultural and natural values of the Historic Peninsula as a vital urban area and promoting its development for the future in such a manner that its existent potential in terms of historical and cultural assets would not be affected in a negative way and offering this area for the benefit of the people not only in Istanbul and Turkey, but all the people in the world as well.'

But as these objectives were not reflected in the practicalities of the plan, the Chamber of Architects filed a lawsuit against it in the standstill period (İBB Planlama ve İmar

Müdürlüğü, 2003: 52). However decisions were taken to establish a conservation area in 1995 before that the lawsuit was resolved (Ergün and Gülersoy, 2007: 80-81).

Istanbul Walled City, stretching out over an area of 1.591,02 hectares and covering the districts of Eminönü and Fatih entirely, according to the old administrative structures, was classified into areas with different status and declared as a conservation area by the decision of the Cultural and Natural Heritage Preservation Board I no.6848 on 12.07.1995; a decision for the Historic Peninsula which was object of various plans until 1995[56] taken 15 years later after the first CP decision.

In accordance with this decision, the area was classified as follows:

- The area on which Topkapı Palace stood was declared as First Degree Archaeological Protected Area
- The area of Sultanahmet-Cankurtaran was declared as Urban Archaeological Conservation Area
- All other areas within the Walled City were declared as Urban and Historical Conservation Areas (Bimtaş, 2011:34, Dinçer *et al.*, 2011: 37).

In addition to these, there is also another conservation area declared by decision no. 9591 on 15.01.1977 covering the quarters of Merkez (the central quarter), Nişanca, Defterdar and Topçular in the district of Eyüp located in the Buffer Zone (Figure 3.69) (Bimtaş, 2011: 34).

The transitional building conditions for the area were determined on 02.08.1995. Planning studies were carried out by the Metropolitan Municipality of Istanbul and the plan scaled 1/5000 realized after a 3-year of studies between 1995 and 1998 was presented to the City Council. As an earthquake occurred in the Marmara region during

[56]45 local zoning plans and 623 renovation plans were drawn up in the period between Walled City Master Development Plan in 1964 and the Historic Peninsula Conservation Plan approved in 1990 on the entire peninsula; and 5 land zoning plans and 29 renovation plans were drawn up in the period between the Historic Peninsula Conservation Plan in 1990 and the plan drawn up in 1995 with which the entire peninsula was declared as conservation area (Ergun and Gülersoy, 2007:80-81).

the evaluation process of the plan, it was requested that the plan had to be revised in compliance with disaster regulations and it was presented again to the City Council on 03.03.2000. However, the plans were returned by the City Council on the grounds that a good number of historical monuments had not been included in the plan. Upon the presentation of the plan again to the City Council, after the required readjustments had been made, the Council decided that the plans scaled 1/1000 and 1/5000 had to be drawn up together. The Directorate of Planning and Public Improvements in the Metropolitan Municipality of Istanbul began to design the Conservation Plans scaled 1/5000 and 1/1000 after the decision taken in the Councils of the Municipalities of Fatih and Eminönü to transfer the authority to draw up the Implementation Development Plans scaled 1/1000 to the Metropolitan Municipality was approved by the Metropolitan City Council (İBB Planlama ve İmar Müdürlüğü, 2003: 54-59).

After the related studies had been completed, the protection oriented Master Plan for Conservation for Historic Peninsula scaled 1/5000 and the Conservation Plan in scale 1/1000 were approved in the City Council of the Metropolitan Municipality of Istanbul in 2003 and 2004 respectively and by the Istanbul Cultural and Natural Heritage Preservation Board I on 26.01.2005 (Ergun and Gülersoy, 2007: 83).

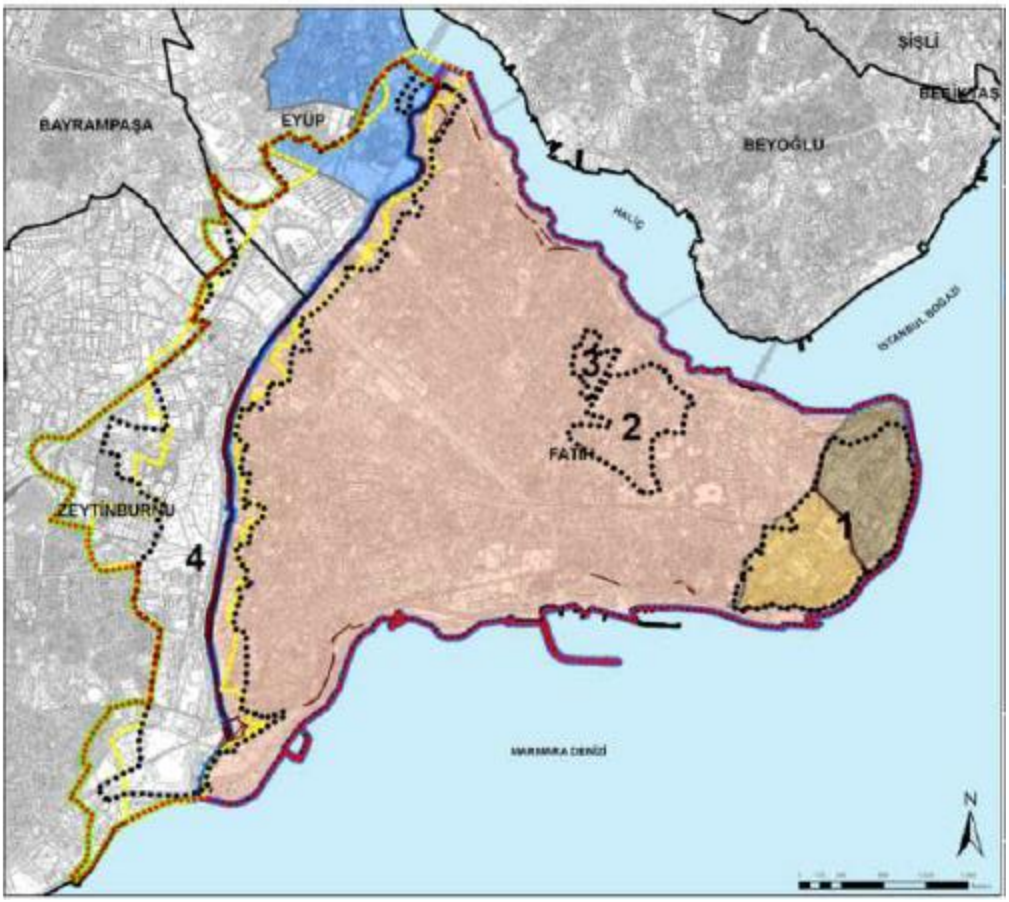


Figure 3.69 Protected areas within the management plan (Bimtaş, 2011: 35)

The plan was annulled by the related Administrative Court on 29.11.2007 in terms of rules of procedure as a consequence of the lawsuit filed for the annulment of the plan scaled 1/5000 by the Chamber of Architects Metropolitan Branch in Istanbul affiliated to TMMOB (Union of Chambers of Turkish Engineers and Architects) after that the plans had come into effect. The Cultural and Natural Conservation Regional Council no. IV annulled the conservation plans scaled 1/1000 for the areas of Fatih and Eminönü with the decision no. 2015 on 26.03.2008 giving the decision of the related court as justification; on the other hand, the Council accepted the rules, principles and plan remarks of the plans scaled 1/1000 with all the amendments made up until that time as conservation rules and terms of use for the transition period. There upon another lawsuit was filed and the decision was annulled as a consequence of the confirmation by the related court that it was contradictory to law. Upon this

development, the following decision was taken by the Cultural and Natural Heritage Conservation High Council under the decision no. 761 on 19.01.2010:

> 'In case that the protection rules and terms of use specified for the transition periods regarding conservation areas or conservation plans scaled 1/5000 and 1/1000 which enters into effect after the endorsement of regional conservation councils and later the approval of the related departments are suspended from execution or annulled in accordance with a court decision, a new planning process should be started by the related regional conservation council in due time, taking the justifications in the court judgement into consideration and specifying the conservation rules and the terms of use for the transition period.'

As a consequence of this decision, the rules of the transition period for the Historic Peninsula were specified again and studies about the protection plan were continued. In the current situation; the Conservation Plan was approved by the Regional Conservation Council no. IV with the decision no. 4728 dated 11.08.2011 and later it was also approved by Istanbul Renovation Areas Cultural Heritage Conservation Regional Council with the decision no. 101 on 03.11.2011. The Municipality of Fatih requested an opinion concerning Implementation Development Plan scaled 1/1000 from Istanbul Chamber of Architects on 07.12.2011. The studies were carried on concerning the conservation plan on the one hand and the management plan on the other one. However these studies were not carried out in coordination; central and local administration units drew up plans and projects independently of each other (Dinçer *et al.,* 2011:37-38).

3.3.1.5 Factors Affecting The Site

Management Plan issues

Strong and weak points, and opportunities and threats were defined in the SWOT analysis undertaken in the scope of the management plan to define the factors affecting the World Heritage Site.

The SWOT analysis was designed with the participation of the stakeholders in the site during the conference within the scope of the management plan, the 'fundamental problems' were defined as, after the assessment of the conference, swot analysis and other related studies and the management plan were evaluated as an important specification so far as the definition of principles, policies and goals are concerned. The fundamental problems were classified into 7 groups in this context (Bimtaş, 2011:138-139).

Main problems are elaborated under seven headings in the Management Plan (Bimtaş, 2011: 120-122):

1. Management and Organization

- Insufficient knowledge among NGOs and ordinary people about the areas of duty, responsibility and authority of authorized institutions in the management area
- The fact that authorized institutions sometimes produced similar projects
- Lack of enough coordination between authorized institutions
- Inconsistencies between conservation legislation and other regulations

2. Conservation, Planning and Quality of Life

- Planning-Conservation
    - Land-use planning
    - Transportation planning and mismatches between transportation projects
    - Presence of functions incompatible with the identity of the area and the value of cultural assets, absence of a sustainable approach for social and economic protection and improvement, integrated with conservation of cultural assets
    - Lack of necessary attention to the protection of archeological values in planning and project design

- Protection-Restoration
    - Worse-than-expected outcomes of protection and restoration implementations in terms of quality
    - Inadequacies in tenders on restoration projects, raising and utilization of funds for such projects and their implementation,
    - Scientific and technical mistakes
    - Absence of effective policies and policy implementations for preservation of small-scale manufacturing traditions and traditional handicraft in the Historic Peninsula
    - Absence of an inventory of intangible cultural heritage and inability to protect them
    - Quality of life
    - Inadequate provision of vital necessities for people living in the area
    - Inability to balance protection and use
    - Environmental problems

3. Accessibility

    - Lack of cultural heritage impact studies during project design
    - Use of the Historic Peninsula as a transport hub
    - Dominance of rubber-tired transportation system
    - Insufficient development of rail systems
    - Not prioritizing marine transportation
    - Lack of integration across different transportation modes
    - Insufficiency of pedestrian walkways and cycle lanes

4. Improving Perceptions

    - High density of unauthorized, vacant and uncontrolled buildings in the Historic Peninsula

- Neglected buildings and environment, deficiency in lightening that make visitors unable to appreciate heritage areas and important focal points
- Insufficiency of accessible and lucid, written and visual documents for the Historic Peninsula to enlighten users and visitors

5. Education, Awareness-Raising and Participation

- Education and Awareness-Raising
    - Inadequate knowledge on the part of people, who work for decision-making and implementing institutions or live in the Historic Peninsula of Istanbul, of conservation of natural and cultural heritage
    - Declining number of constructors with ability to maintain the building tradition
    - Weakening of master-apprentice training models in traditional production sectors
- Participation
    - Absence of effective and sustainable participation mechanisms for all partners to conservation, planning and implementation processes
    - The fact that participation is not assured by law

6. Visitor Management

- Lack of clarification of the decisions on the future of the tourism sector in the Historic Peninsula
- Lower than desired number of visitors to areas included in the World Heritage List, not enough publicity about other important areas and artefacts, difficulties in reaching these areas
- Difficulties for visitors to obtain information about cultural heritage assets

- Problems in museum management, research, presentation and security and the fact that museums do not sufficiently meet visitors' needs

7. Risk Management

- The high earthquake risk of the Historic Peninsula
- A building stock with low quality and no earthquake-resistant buildings, terrace housing and irregular building geometry
- The texture of the Area characterized by high-density housing and narrow streets, which do not allow evacuation and access by emergency services
- The fact that structurally worn cultural assets are not resistant to earthquake
- High fire risk for areas with mass building structures
- Presence of factories manufacturing explosives and combustible materials in the Area

ICOMOS Evaluations

The World Heritage Centre has been voicing criticisms and concerns about the World Heritage Sites in the Historic Peninsula since 1993. These criticisms are significant for international evaluations of Turkey's compliance with the Convention concerning the Protection of the World Cultural and Natural Heritage, to which Turkey is a partner state. The criticisms and recommendations in question mainly concern protection methods and planning between 1993 and 2000, while management of the Historic Peninsula and the impacts of large projects on the Area have become topics of serious attention since 2000. The particular issues raised by the World Heritage Committee are as follows:

- The fact that the Committee was not informed during the planning stages of large-scale construction and infrastructure projects such as the Golden Horn Bridge

and metro routes with potential to significantly affect the area, contrary to the Operational Guidelines for the Implementation of the World Heritage Convention

- Pressure from urbanization, tourism, development and environment and social pressure
- Insufficient technical capacity of the related authorities regarding conservation techniques
- The need for urban renewal projects to target conservation rather than reconstruction and new housing
- Long delays in implementing the conservation plan
- Absence of implementation of a management plan that defines a realistic and effective management structure
- District municipalities' incompetence in fulfilling their responsibilities defined in the conservation legislation
- Inadequacies with regard to monitoring, presentation and interpretation,
- Insufficient human and financial resources
- Lack of information flow, communication, coordination and cooperation between institutions
- Uncertainties about the authority, duties and responsibilities of institutions
- Inadequate earthquake preparedness

The UNESCO World Heritage Committee warned in its evaluation in June 2003 that Istanbul would be placed in the List of World Heritage in Danger if the mentioned shortcomings were not remedied. This issue has been assessed at the Committee meetings in various ways since then and continues to be a threat nowadays. UNESCO keeps criticizing Turkey that it has not taken effective measures despite warnings and recommendations and that the measures that had been taken were not realized within the announced schedule.

The 2006 ICOMOS/UNESCO Common Team of Experts Inspection Report, which includes criticisms about the administrative structure in addition to conservation problems in Turkey, underlines that the Ministry of Culture and Tourism so far assumed a very limited role in the management of the site area and the Ministry has

yet to achieve a strong leadership in and guidance towards conservation, despite having full responsibility for heritage assets as being the state representative. Despite the fact that regulatory changes made in 2004 for better conformity with the EU acquis and other reforms expanded the functions of municipalities and that the new legislation was designed to provide more efficient technical and administrative tools to local administrations in the field of conservation, an effective system of site management has not been achieved yet due to severe problems of cooperation and deficiencies in information sharing, the report read. Notwithstanding the positive evaluation of legislative amendments, the ICOMOS/UNESCO team points at the absence of a conservation framework to ensure effective and coordinative implementation of the legislation at the local level. In addition to the weak coordination, the report underlines problems in harmony, cooperation and awareness across municipal units, for example between the Istanbul Metropolitan Municipality's Planning and Urban Design Center (IMP) and other planning units of the municipality, especially the Directorate for Conservation of the Historic Environment. It is assessed that district municipalities in particular lack capacity and capability to perform duties and responsibilities that were transferred to them as per new legal regulations and they are insensitive to implementing international conservation principles. It is therefore suggested that district municipalities should employ a sufficient number of personnel with appropriate qualifications. The ICOMOS/UNESCO team describes district municipalities as 'bodies that should be responsible for monitoring' but notes that it has not observed fulfillment of this duty. Regarding the Prime Ministry Directorate General of Pious Foundations, which is deemed to play a key role in conservation because of the buildings it owns, the report expresses a need for the Directorate to set out its strategy as being an institutional partner to conservation and that the roles of the Directorate should be clearly defined in the management plan.

The team recommends the appointment of a site manager with special authority and responsibilities to provide effective coordination for the World Heritage Site and clear identification of the manager's authority and responsibilities in the management plan. It advises that the unit responsible for the management be appointed by the Culture and Tourism Ministry as well as its representation at the highest level in the Istanbul

Metropolitan Municipality, and active cooperation with other managers within district municipalities. It is also stated that site managers should strive to develop a culture of cooperation, which ensures community involvement as well, and assume a conservation-based approach rather than prioritizing construction and new housing.

The central government has allowed large-scale projects in the World Heritage Site by making special laws in conflict with the envisaged transfer of authority to the local administration in the new legislation, the report reads, and criticizes that no impact analyses have been done for these projects to consider the visual and historical integrity of the Site. It is deemed necessary that all planning organizations be better coordinated, a comprehensive management plan be prepared with reference to the Operational Guidelines and the Vienna Memorandum, and an integrated administrative structure be established to implement the management plan. The team concludes that communication between the central government and the local authorities in Istanbul was insufficient to create an effective institutional mechanism for conservation. The current situation would improve with the help of legal amendments only if the central government and the local administrations committed themselves to respect for the world heritage, unity of partners, including the central government, the local administration, civil society and city-dwellers, and utilization of civil participation potential, according to the report.

A joint team of experts from ICOMOS/UNESCO recommended the following administrative issues after their inspection of the site in Istanbul in 2008 (World Heritage Committee, 2008: 36-41):

- The new management structure organized by the Turkish authorities in 2008 according to the new preservation legislation; loss and damage avoidance in the site, enforcement of relevant conservation policies by the municipalities and reporting of the monitoring outcomes as of 01.02.2009 should be monitored.
- A management plan should be prepared in line with the council's report of 2006 and should be presented as of 01.02.2009.

- A program should be developed and implemented for raising awareness which will include the conservation terms and standards of the World Heritage assets by the Site Management, partners in the civil society and the municipalities, particularly the units of the Protection, Implementation and Supervision Bureaus (KUDEB).
- Formation of new funds in cooperation with municipalities and special provincial administrations should be encouraged for creating the capacity to start new development activities related to heritage sites revealed in Law no. 5366 on the 'Renewal, Conservation, Maintenance and Reuse of the Historical and Cultural Immoveable Properties in Decay'.
- Integrity of the property should be protected effectively within the scope of the new management structure, which will facilitate the coordination of institutional shareholders. Also, developments on urban transportation should be monitored to ensure that the authenticity of the site is protected during related activities.

In the report of the joint team of experts from ICOMOS/UNESCO after the inspection in Istanbul in 2009, some criticisms were raised and recommendations were made about administrative issues (World Heritage Committee, 2008: 36-41):

- In the report, the site manager was criticized to work as a consultant while he should have assumed the role of an executive officer, powers and responsibilities in the management structure were stated as not clearly defined and the activities of district municipalities, Metropolitan Municipality and the Ministry were said to be not coordinated adequately. Furthermore, lack of a management plan was criticized, and the need for immediate determination of the basic principles of the plan, the responsibilities of the key shareholders such as the Governorship, the Ministry of Culture and Tourism, Metropolitan Municipality and district municipalities, and the legal framework regarding these responsibilities
- Moreover, the need for preparation and approval of the management plan, which will include redefining the boundaries of the affected areas, management of tourism and traffic and raising awareness at the earliest convenience, were among the major points in the report of the team of experts.

In June 2009, during the 33rd meeting organized in Seville / Spain, the Committee requested Turkey to prepare a report about the developments until 01.02.2010 for consideration in the 34th meeting and they emphasized that in case of failing to make progress on the recommendations of the committee, the property would be included in the List of World Heritage in Danger (World Heritage Committee, 2009: 155-156).

The State of Conservation Reports released after the formation of the Site Management Unit in 2006, namely the 2007, 2008, 2009, 2010, 2011, 2012, 2013and 2015 reports, classify elements of threats to the site under six groups. These include:

> 1. 'Continued degradation of the vernacular architecture within the protected zones (particularly Ottoman-period timber houses in the Zeyrek and Süleymaniye core areas)
> 2. Quality of repairs and reconstruction of the Roman and Byzantine Walls and associated palace structures, including Tekfur Saray and the 'Anemas Dungeon' (Blachernae Palace)
> 3. Development and absence of a World Heritage management plan (issue resolved)
> 4. Lack of coordination between national and municipal authorities and of decision-making bodies for safeguarding World Heritage at the site
> 5. Impacts of new buildings and new development projects on the World Heritage property, mainly within the framework of Law No. 5366, and the lack of impact studies before large-scale developments are implemented
> 6. Potential impacts of the new metro bridge across the Golden Horn as well as of the Bosphorus Transition Tunnel Project for Motor Vehicles'

The 2012, 2013 and 2015 reports acknowledge that the issue of absence of a management plan was resolved after a management plan was approved and went in effect in 2011. The Mission Report written after the ICOMOS visit on May 19-23, 2012 says that the problematic issues does not stem from lack of expertise in conservation and crafting or lack of will, but rather from the clash between two different main objectives, which are:

> 'a) the long term objective of conservation-based, sustainable use of the Historic Peninsula, and
> b) large-scaled public and private projects.'

The 2013 Mission Report mentions problematic issues about conservation and, in parallel, cultural heritage management with respect to Istanbul, but that the issues raised rather reflect nationwide problems. It notes that the management plan is a new concept that determines parallel roles and duties and it should be executed by way of reconciliation and coordination. The Istanbul Management Plan provides clear and extensive definitions and problem-detection but it lacks viable solution. In this context, it refers to the SMART principle for setting goals of 'the project management', which is regarded as a significant characteristic of strategic management (World Heritage Committee, 2013: 51):

> 'The 2011 management plan clearly and thoroughly defines the scope of the issues and problems affecting the conservation of the Historic Peninsula, but does not yet offer solutions to them. It is, in effect, the start of a process on issues that are a priority and will lead in time to agreed solutions and the processes and resources necessary to implement them through specific, measurable, achievable, relevant and timely actions.'

The report recommends that 2011 Management Plan should be updated by taking into account plans and suggestions from all public administrations and public participation. The issue of traffic and transportation in the Historic Peninsula should be discussed as a priority by paying regard to the city-wide transportation planning, the report adds. It is also suggested that the World Heritage Site should be defined clearly along with the buffer zone and that management plans should be prepared in a way to encompass protected areas in the neighborhood of the Site because various construction activities in these areas affect the Site. Moreover, Turkey is criticized for the absence of impact analyses and other environmental evaluations needed to be done prior to major projects and the fact that the World Heritage Committee has not been informed about the projects in question, although the Operational Guidelines state otherwise (World Heritage Committee, 2013: 52). The report mentions the 16/9 residence project, the Golden Horn Bridge, the Eurasia Tunnel and the Yenikapı Meeting Area as among large-scale projects that the World Heritage Committee was not notified of.

Notwithstanding studies for around a year to mitigate the adverse impacts of the Golden Horn Bridge on the World Heritage Site, measures in this regard are not

applicable because the bridge is yet to be completed structurally, according to the report. The mission still supports continuation of studies on recommendations for color, platform size and the form of pylon caps. The report concludes that the negative visual effects of the Golden Horn Bridge on the silhouette of the Historic Peninsula and its outstanding universal value remain (World Heritage Committee, 2013: 52).

The authorities did not carry out a strategic environmental impact assessment for the Historic Peninsula prior to the decision on construction of the Eurasia Tunnel, the report states. It also mentions insufficient archeological evaluation and that the Marble Tower at the Zeytinburnu coast would be adversely affected. Accordingly, the report recommends that the tunnel is extended beyond the Land Walls without intersecting Yenikapı in order to mitigate negative effects on the Historic Peninsula (World Heritage Committee, 2012: 53). Contrary to suggestions, the 2016 Progress Report says that the authorities have not taken any measures regarding the tunnel route. Positively, it notes that the operation building and some of the payment units were moved to the Asian side and the height of ventilation shaft was limited. The Eurasian Tunnel has come to the phase of opening (Istanbul Tarihi Alanları Alan Başkanlığı, 2015).

A heritage impact assessment for the project of Yenikapı Meeting Area, which was designed to host more than one million people, was similarly conducted only after construction works had begun, according to the report. Not only physical impacts but also impacts on environment and infrastructure should be studied, given changes in the silhouette of the Historic Peninsula and the coastline, the report reads. Nevertheless, the Yenikapı Meeting Area was inaugurated in March 2014 without carrying out possible studies advised in the report. Yet, the 2015 Progress Report notes that the Cultural Heritage Assessment Report, prepared by an expert, was submitted to the World Heritage Committee.

Regarding urban renewal projects, the ICOMOS mission argues that the dominance of large-scale modern blocks over historic areas in projects applied in Sulukule and Ayvansaray has reached the point of harming historical and cultural values. For

Süleymaniye and Zeyrek, the urban renewal projects as well as the demolition, neglect or isolation of Ottoman timber houses are criticized. The mission suggests emergency interventions in these areas and 'building at risk' researches for a solution to overcome this critical process. In this context, the 2015 Progress Report notes that the Fatih Municipality revised the renewal areas. It regards some of KUDEB's maintenance, repair and restoration works in the area as exemplary in terms of structural interventions, materials used and workmanship. It therefore calls for support to KUDEB's work and emphasizes that excessive reconstruction or excessive construction should be avoided. The ICOMOS mission's following assessment of the issue matters not only for the example of Istanbul but also for implementations nationwide:

> 'A radical reconsideration of how renewal area powers (identified in the management plan as a threat to the integrity of the World Heritage property) and engagement with private sector actors can be used to achieve conservation-led outcomes, rather than maximizing development potential and encouraging 'reconstruction'.

The Istanbul Metropolitan Municipality identified a large number of viewing points at important spots like the Bosphorus Bridge, Üsküdar, Harem, Haydarpaşa, Kadiköy, Moda, Kabataş, the Unkapanı Bridge and the Galata Bridge. The municipality developed a Silhouette Master Plan with the help of analyses based on these view points and imposed height limits for high buildings (Istanbul Tarihi Alanları Alan Başkanlığı, 2015).

3.3.1.6 Management

The Istanbul Site Management Unit took office with the approval of the Istanbul Metropolitan Mayor on October 27, 2006, based on a decision by the Istanbul Metropolitan Municipality, dated September 27, 2006 and numbered 1675, in accordance with the Regulation No. 26006 on the Rules and Procedures for the Determination of Foundation, Duties and Management Areas of the Site Management and the Board of Monuments, which came into effect on November 27, 2005. The decision suggests that the region encompassing urban sites and other sites interacting

each other and showing integrity in the Historic Peninsula (Fatih) and in districts of interaction with the Historic Peninsula, including Zeytinburnu, Eyüp, Beyoğlu, Kağıthane, Sarıyer, Beşiktaş, Beykoz and Üsküdar, is identified as the recommended management area of the Istanbul Site Management Directorate, of which boundaries will be determined later (URL 127).

The Istanbul Site Management Directorate consists of the Site Manager, the Advisory Board, the Coordination and Supervision Board, and the Audit Unit. The Directorate is tasked with working in coordination with and providing coordination between institutions, organizations and authorities that are responsible for implementation during the implementation process, as per the related legislation (URL127).

The Advisory Board of the Istanbul Site Management Directorate comprises of the Governorship of Istanbul, the Metropolitan Municipality of Istanbul, the district municipalities of Fatih, Eyüp, Zeytinburnu and Bayrampaşa, the Istanbul University, the Istanbul Technical University, the Mimar Sinan Fine Arts University, the Yıldız Technical University, ICOMOS Turkey, the Chamber of Architects, the Chamber of City Planners, the Istanbul Chamber of Commerce, the Foundation of Conservation of Historic Houses of Turkey, participants from the Mukhtar of Süleymaniye and several expert members (URL127).

Members of the Coordination and Supervision Board are the Site Manager, two members chosen from the Advisory Board, the Governorship of Istanbul, the Metropolitan Municipality of Istanbul, the district municipalities of Fatih, Eyüp and Zeytinburnu, the Regional Directorate of Foundations (URL 127).

Based on the 104th and 106th articles of the UNESCO Operational Guidelines, the Advisory Board of the Site Management of the Conservation Areas in Istanbul came to the conclusion that;

- each conservation area in and around the Historic Peninsula in Istanbul had outstanding universal value and because of that, they could not be defined in the buffer zone of the historic peninsula
- all these protected areas were in close proximity to each other in their interaction zones, considering the need of an integrated conservation approach and their aesthetical and architectural silhouette values
- five aspect points were defined, along with the Historic Peninsula as an entirety with all the sites in Istanbul and the conservation belt beyond the City Walls, as an area for which management plans had to be prepared in the first stage covering the totality of these sites
- the boundaries of the buffer zone to be defined for other sites with outstanding universal value had to be assessed and finalized in parallel with the studies concerning the management plan to be drawn up for these areas.

Therefore the boundaries, comprising not only the World Heritage Sites, but also whole of the Historic Peninsula, defined by the Advisory Board on 4.12.2008, approved by the related Conservation Council and ratified by the Ministry of Culture and Tourism on 22.4.2009, were specified as ‘the management area boundaries’ (Figure 3.70) (Bimtaş, 2011:4,12).

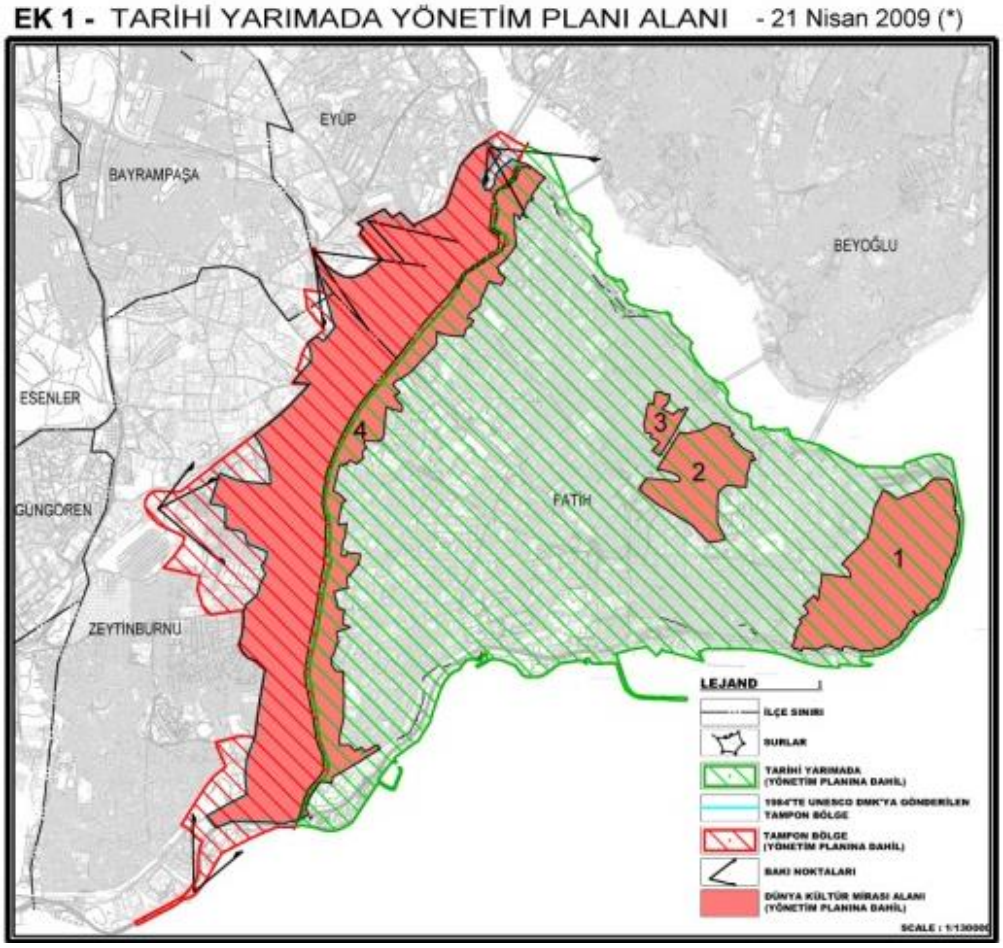


Figure 3.70 Istanbul Historic Peninsula Management Area Boundaries (Bimtaş, 2011: 27).

3.3.1.7 Management Plan

A letter of application was presented in the preparation process of the management plan for historical sites in Istanbul to the Agency of Istanbul 2010 European Capital of Culture within the scope of '2010 European Capital of Culture Local Administrations Cooperation Protocol' by the Directorate of Historical Environment Conservation authorized in the name of the Istanbul Metropolitan Municipality, the authority that assumed the duty of coordination. The project for the preparation of the 'Istanbul Historic Peninsula Management Plan' was approved as the Project Istanbul 2010 by the Agency Executive Committee with the decision on 02.02.2009. With the decision of 2010 Agency Budget and Tender Commission on 16.09.2009, the project for 'the Preparation of a Management Plan for the Historic Peninsula in Istanbul' was given to

the company of Boğaziçi Inşaat Müşavirlik Teknik Hizmetler Sanayi ve Ticaret AŞ (Bimtaş) following a tender process. Consequently the studies about Istanbul Historic Peninsula Management Plan were initiated in accordance with the contract signed on 03.11.2009. In this concept, the process of Management Plan; i.e. the preparation and evaluation of the draft plan, approval, controlling, monitoring and updating of the plan were undertaken by a team comprised of experts and counsellors from different occupational groups in connection with the nature of the related site in cooperation with the Site Manager. In addition, the reports of the Common Reactive Monitoring Committee set by UNESCO World Heritage Centre / ICOMOS (2004-2006-2008-2009 and 2011) and the decisions taken concerning 'the Historical Sites in Istanbul' in the 30th, 31st, 32nd, 33rd, 34th and finally 35th meetings of UNESCO World Heritage Committee were taken into consideration during the studies and designing with regard to the Management Plan (Bimtaş, 2011:4).

The following objectives were underlined in the preparation process of the Management Plan (Bimtaş, 2011:4):

- a comprehensive, multi-disciplinary and effective document production
- enabling the participation of all parties and stakeholders in the area in the process
- encouragement of the communication and cooperation between the authorities and the related institutions
- definition of the plan within the framework of a conservation program enabling that the plan could produce solutions for the fundamental problems encountered in the historical urban landscape
- integrating the plan with a reliable management system (ISMP, 2011:4).

The preparation process of the management plan was projected to be realized in 4 phases (Figure 3.71).

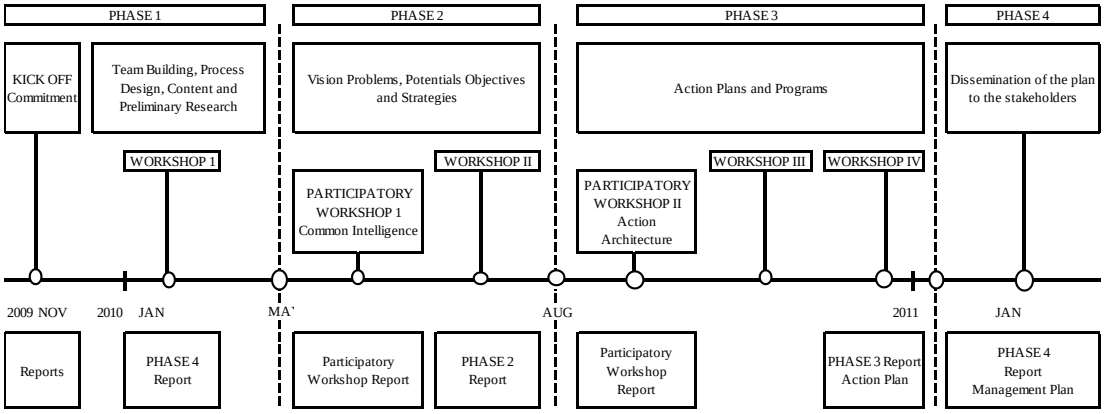


Figure 3.71 Management Plan Preparatory Process (Bimtaş, 2011: 5).

The following activities were carried out in the 1st phase:

- eight decision meetings to define the fundamental working rules and the process concerning Istanbul Historic Peninsula Management Plan
- eight briefings to inform the working team
- five preliminary information presentations about the project and works aimed at the organizations and institutions in the Site
- a workshop

The related organizations and institutions were contacted to get information about the analytical works realized in the 1st phase in the Site; actors/stakeholders were defined with regard to the Management Area and a stakeholder analysis was undertaken in this context. The laws and the institutions connected with the Site were systematically defined, the works and studies carried out in the Site by different institutions and organizations, and qualitative and quantitative data were articulated individually (Bimtaş, 2011:5).

The activities indicated below were undertaken in the 2nd phase:

- preparation meetings for the 1st search conference
- preliminary information meeting for the 1st search conference

- attended conference (1st search conference)
    - 1st flows, brain storming and group studies aimed at SWOT (strong/weak points and opportunities/threads)
    - 2nd future projection – orientation
    - 3rd future projection – Site Management Plan Setup and Management Approach
- three thematic workshops
- expert meetings
- special group meetings

All these activities were initiated to expose the potential and problems concerning the Historic Peninsula, determine the vision and main policies and define the goals, strategies and actions accordingly. 232 people were invited to the Search Conference with the aim of enabling the participation of all the parties involved. 113 people participated in the Preliminary Information Meetings. 113 people took part in the Search Conference in total, 90 of them being participants, 4 from media institutions and 19 people from the working group. 22 % of 232 people who were invited to the Search Conference were from the central government and 23 % from local governments; 21 % of them were from specialized or non-governmental organizations; another 21 % of the invited people were academicians and experts and members of the Istanbul Site Management Advisory Council constituted 13 % of those who were invited to the conference. On the other hand, of 113 people who were invited to participate in the conference; 29 % of them were representatives of local governments, 19 % represented the central government, 12 % were academicians and experts and 12 % were members of Istanbul Site Management Advisory Council (Bimtaş, 2011:6-7).

The activities executed within the scope of the 3rd phase are as follows:

- an attended conference (II. Search Conference)
- four thematic workshops
    - action architecture workshop
    - workshop for planning, transportation and technical infrastructure

    - workshop regarding implementations in the cultural heritage and conservation area
    - culture and tourism workshop
- special group meetings

Actions were developed during these studies in connection with the visions, goals and strategies determined in the previous phase and projects and project packages were defined based on these actions. 134 people participated in the Action Architecture Workshop, one of the thematic workshops. Nine target areas which were defined and addressed in the specific conference were integrated later into the studies and reduced to seven problem and target areas. In all these workshops, the first steps were taken to develop the communication and cooperation culture expected to be continued during the implementation of the Management Plan between the organizations operating in the Site and those which develop policies (Bimtaş, 2011:6-7).

Activities in the 4th phase:

The outcomes of the studies in the 1st, 2nd and 3rd phases of Istanbul Historic Peninsula Management Plan were brought together and evaluated and various processes were defined to transform the designed visions and strategies into projects and provide their organizations and enable the participation of the related parties. An Analytical Working Report, the existing plans and projects concerning the Historical Peninsula and the studies in the 2nd and 3rd phases were taken as fundamental resources for the studies and works in this phase. National and international management plan examples, plan preparation processes and approaches were also put within the scope in this phase (Bimtaş, 2011:8-9).

The 1st draft of the management plan was presented by Bimtaş to the Directorate of Historical Environment Conservation in the Metropolitan Municipality of Istanbul on 31.01.2011. The plan was discussed and evaluated in the meeting of the Advisory Board concerning conservation areas in Istanbul on 21.02.2011 and the required amendments to the draft plan were made there. Members coming from institutions and

experts in the Advisory Board delivered their comments in writing. 20 members in the Board expressed their opinions orally during the meeting of the Advisory Board on 21.02.2011. In line with these comments, the 2nd Draft Plan was prepared, and after that the 1st Draft of Istanbul Historic Peninsula Management Plan was revised and was presented to the Site Management on 08.04.2011. The Istanbul Conservation Areas Coordination and Supervision Board began to study the 2nd Draft on 5.5.2011 and took a decision about the revisions to be made in the plan on 27.7.2011. In accordance with this decision, the 2nd Draft of Istanbul Historic Peninsula Management Plan was revised, completed and presented to the Directorate of Historical Environment Conservation as the 3rd Draft Plan on 16.09.2011 to be conveyed to the Coordination and Supervision Board (Bimtaş, 2011: 8-9).

In this process, the 1st and 2nd drafts of Istanbul Historical Heritage Management Plan were presented to the relevant parties in the 35th meeting of UNESCO World Heritage Committee held between the 19th and 29th of June, 2011. The decisions taken in the 35th meeting of the World Heritage Committee were taken into account during the revision studies of the 3rd draft of the management plan in question. The Committee requested in the 35th meeting that the management plan had to be presented to the World Heritage Centre by 01.10.2011 in its final design as approved by the relevant authorities.

The 3rd draft was approved with the decision of the Coordination and Supervision Board on 29.09.2011, later endorsed in the related municipality councils and finally sent to the relevant institutions for implementation. While the Municipality Councils of Fatih, Eyüp and Zeytinburnu ratified the draft completely with their decisions no.73 on 16.11.2011, no. 196 on 02.11.2011 and no. 153 on 03.11.2011 respectively; the Municipality Council of Bayrampaşa, on the other hand, endorsed it with the decision no. 102 on 04.11.2011 under the condition that statements concerning the imposing of restrictions on improvement and construction works in the buffer zone had to be revised. The City Council of the Metropolitan Municipality of Istanbul ratified the plan with the decision no. 152 on 16.12.2011 suggesting the following proposal:

> ‘We hereby endorse the Istanbul Historic Peninsula Management Plan with the proposal that the differences between the boundaries of the Management Plan and the boundary of the rampart isolation band be addressed and assessed by the Site Management and the related institutions during the revision and updating studies in the future.’

The main principles in 3 fundamental issues were defined in the management plan:

- cultural heritage
- conservation and use
- planning and participation

The problematic fields defined in line with the visions and principles of the management plan, goals to solve these problems, strategies and associated actions to reach the goals set and definition of responsible and supporting organizations and institutions (Table 3.14) were specified in an action framework in seven groups:

1. ‘Management and organization
2. Conservation, planning and quality of life
3. Accessibility
4. Increasing perception
5. Education-awareness raising and participation
6. Visitor management
7. Risk management’

Goals, strategies, actions, responsible and related institutions have been defined so as to create solutions in these fundamental problematic fields, and each goal has been expounded in detail. Project packages were also defined intended for the area included in the Istanbul Historic Peninsula Management Plan and World Heritage Sites within the scope of the implementation of the goals, strategies and actions set up within the framework of the vision defined in the Historic Peninsula Management Plan. The goals, strategies and actions were integrated beforehand to enable the creation of the project packages on two levels.

Table 3.14 Numeric distribution of the problems, goals, strategies, action and projects concerning the Historic Peninsula and World Heritage Sites (adapted from Bimtaş, 2011, 347 – 352).

HISTORICAL PENINSULA						
	Main Themes	**Problem**	**Goals**	**Strategy**	**Action**	**Project**
1	Management and organization	2	2	6	13	3
2	Conservation, planning and quality of life	10	10	19	40	11
3	Accessibility	6	6	6	16	4
4	Increasing perception	2	2	4	6	3
5	Education,-awareness raising and participation	6	6	7	13	3
6	Visitor management	7	7	14	29	3
7	Risk management	1	4	6	12	3
	TOTAL	**34**	**37**	**62**	**129**	**30**

DÜNYA MİRAS ALANLARI						
	WORLD HERITAGE SITES	**Problem**	**Goals**	**Strategy**	**Action**	**Project**
1	The Archaeological Park of Sultanahmet	4	5	6	14	5
2	Süleymaniye Mosque and the associated area	3	3	6	12	5
3	Zeyrek Mosque and the associated area	4	7	7	14	6
4	Istanbul City Walls	3	3	5	12	3
	TOTAL	**14**	**18**	**24**	**52**	**19**

These two levels; i.e. ‘Historical Peninsula’ and ‘World Heritage Sites’ have been defined as project packages. Individual project packages were created within the framework of seven problematic fields in their specific themes and each of the projects were expounded under several titles such as ‘project code’, ‘project denomination’, ‘project definition’, ‘issues related to the Management Plan’, ‘responsible institution’, ‘related institutions’, ‘resources’, ‘duration’, ‘issues related to the projects of other institutions’ (Bimtaş, 2011:179).

3.3.1.8 Involvement of Local Communities

The Management Plan aims to realize three projects so that the local community is able to understand the objectives and principles of site management and to embrace

projects and, in a broader sense, for the sake of public participation and awareness. These projects are (Bimtaş, 2011: 253).

- Project to Develop Knowledge Infrastructure on Cultural Heritage of the People Living or Working Inside and Outside the Historic Peninsula or Other Users of the Historic Peninsula
- Project to Develop and Implement Mechanisms of Functional Participation to Conservation, Planning and Implementation Processes in the Historic Peninsula
- Project to Develop Training Programs on Cultural Heritage and Participation Methods in the Historic Peninsula

In this context, one of the projects developed within the scope of the Management Plan is the Program for Raising Public Awareness. The primary objective of the program is consciousness-raising for conservation and use of cultural heritage. The main target group of the program consists of public institutions and organizations and the Management Plan Area users, which include the people living or working in the area, students and visitors, as well as experts, expert NGOs, trade associations and investors that operate or have a potential to invest in the area. Furthermore, the program envisages developing nationwide awareness for conservation of cultural heritage and popularizing the management plan model through promoting it.

During preparation of the Management Plan, focus group meetings, workshops and two attendant conferences with broad participation were held in relation to the Program for Raising Public Awareness. These studies represented the first steps in the process of communication, coordination and cooperation between related partners to and owners in the area. Attendant conferences aimed to create a common mind, which would form a basis for determination of the vision of the management plan, its mission, principles, main targets, structure and approach via making use of knowledge and experience of owners in the area (Bimtaş, 2011: 366).

3.3.1.9 Stakeholders

During the preparation of the Historic Peninsula Management Plan; the following approaches were defined in the design of the conservation framework to make the plan a comprehensive, multi-disciplinary and effective document; in this way it was aimed to set up an effective management system.

- Enabling the participation of the locals in the area and all the stakeholders in the process
- Encouragement of the communication and cooperation between the authorized institutions and all other ones
- Creating solutions for the problems encountered in the area

In order to be able to achieve this goal, the stakeholders were defined and a stakeholders analysis was undertaken during the studies in the 1st phase. The variety of information collected from the databases of several institutions was classified into two groups: 'stakeholders in the site and those related with the Site' and 'non-domiciled stakeholders who are in some way related to it' (Bimtaş, 2011:5).

The organizations in the site having the status of association, union, platform, chamber and foundation potentially able to make a contribution to the Management Plan have been classified as follows:

- Craftsmen institutions
- Quarter/district institutions
- Local sport clubs
- Social aid / solidarity institutions
- Fellow countrymen associations

The stakeholders who are not domiciled in the site, but in some way in relation to it are:

- Expert non-governmental institutions

- Occupational institutions
- Institutions representing the private sector

76 institutions in total were identified in these two groups within the framework of stakeholder analysis.[57] The institutions and organizations responsible for implementation are classified into two groups of:

- Public institutions (central and local)
- Other institutions and organizations

The central government institutions include:

- Ministry of Culture and Tourism
    - Directorate General of Cultural Assets and Museums
    - Superior Conservation Board
    - Regional Councils for Conservation
    - Regional Council for Conservation of Renewal Areas
    - Istanbul Directorate of Surveying and Monuments
    - Central Laboratory for Restoration and Conservation
    - Directorates of Museums
- Directorate General of Pious Foundations
- Ministry of Environment and Urbanization
- Ministry of Transport, Maritime Affairs and Communications
- Housing Development Administration (TOKI)
- Privatization Administration
- Governorship of Istanbul

[57]14 Local craftsmen and entrepreneur institutions, 9 related craftsmen and artisan chambers, 12 representatives of site users, 18 specialised non-governmental institutions, 2 institutions concerning disaster preparedness, 4 occupational chambers, 9 business firms, 4 fellow countrymen associations, 4 international conservation institutions (Bimtaş, 2011).

The local government institutions include:

- Metropolitan Municipality of Istanbul
    - Department of Housing and Urban Development
        - Directorate of City Planning
        - Directorate of Planning
        - Directorate of Conservation of Historic Sites
        - Directorate of Conservation, Implementation and Supervision
    - Fatih Municipality
        - Directorate of Housing and Urban Development
        - Directorate of Conservation, Implementation and Supervision
        - Directorate of Surveying and Projects
    - Bayrampaşa Municipality
    - Eyup Municipality
    - Zeytinburnu Municipality
- Istanbul Special Provincial Administration

The Management Plan defines a total of 101 organizations, including sub-units of main institutions (Bimtaş, 2011:55-56). Relevant central and local government institutions execute many separate projects involved with the Management Plan Area. These projects can be classified into four main headings with respect to content:

- Façade and Street Rehabilitation-Urban Design Projects
- Renewal projects
- Restoration projects
- Projects to develop technology infrastructure (Urban Information Systems)
- Projects on cultural and social services and projects to enhance public relations

3.3.1.10 Resources

Financial Resources

The main principle of resource utilization in the Istanbul Historic Peninsula Management Plan is that relevant institutions may allocate financial resources from their budget as part of their investment program, purpose of establishment and coverage of activity. In this context, the management plan envisages that the following institutions may provide financial resources:

- Public institutions
- Local government
- Public-private partnerships
- Agencies
- NGOs
- Voluntary participations
- Private sector

The Management Plan groups financial resources as national (central and local governments resources), international[58] and other financial resources (Bimtaş, 2011: 338-343):

Other Resources

- EU Resources (Seventh Framework Program, encompassing the 2007-2013 period)
- Lifelong Learning Program
- Youth Program
- Competitiveness Framework Program
- Entrepreneurship and Innovation Framework Program

[58] National resources (resources of central authorities, resources of local authorities) and international resources have been included in Section 2.4.3 in this thesis.

- Entrepreneurship and Innovation Framework Special Program (Small and Medium Enterprises Development Organization (KOSGEB) under the Ministry of Science, Industry and Technology)
- Support Program for Policies on Information and Communication Technologies (the Ministry of Development)
- Intelligent Energy and Technologies Europe Program (Ministry of Energy and Natural Resources)
- Culture Program (Ministry of Culture and Tourism)
- Contribution of NGOs (Foundation of Historical Towns, Union of Historical Towns, Foundation for Protection and Promotion of Environment and Cultural Heritage (CEKUL), Turkish Foundation for Combating Soil Erosion, for Reforestation and Protection of Natural Habitats (TEMA), Turkish Touring and Automobile Association (TURING), Foundation for Conservation of Turkey's Monuments, Environment and Tourism Assets (TAC), Turkish Archeologists Association, Turkish Timber Association, Cultural Awareness Foundation, Human Settlements Association, Friends of Cultural Heritage (KUMID), Istanbul Foundation for Culture and Arts (IKSV), History Foundation, Foundation For Sciences and Arts, Union of Chambers and Commodity Exchanges of Turkey (TOBB), Istanbul Chamber of Commerce (ITO), Istanbul Chamber of Industry (ISO), private museums)
- KOSGEB support programs
- Development agencies
- R and D support by Scientific and Technological Research Council of Turkey (TUBITAK)
- Projects of national employment agency Is-Kur
- Contribution of IGEME Export Development Center
- Individual donations and grants

Human Resources

The site management unit had worked in coordination with the Directorate for Conservation of Cultural Heritage, a sub-unit of the Department of Cultural Assets under the Metropolitan Municipality of Istanbul, before they became subject to the

Ministry of Culture and Tourism as per Law No. 6745. In this context, the Site Management Unit has a headcount of 22, including one site manager, deputy manager and consultant for each, two architects, three city planners along with one restorer, art historian, technician for each and two workers, seven corporate personnel and two administrative officials. A total of 56 people work in the Directorate for Conservation of Cultural Heritage, including one manager, deputy manager, consultant, interior architect, city planner and historian for each, and two architects, art historians, archaeologists and programmers along with one civil servant, one administrative official and 28 more personnel responsible for tenders (URL 128).

3.3.1.11 Monitoring and Reviewing the Plan

The authorities acknowledged that the revision and updating process of the Historic Peninsula Management Plan would be significant for the success of the Plan so that they set revision and updating criteria and indicators following the approval of the plan, knowing that the revision and updating process would begin with the enactment of the respective legislation. These criteria and indicators were determined in order to measure project outcomes concretely. To this end, indicators were created for all headings and the four regions encompassed by the Management Plan. A total of 167 indicators were determined in nine groups of management and organization, conservation, planning and quality of life, restoration implementations, accessibility, awareness of the importance of the site, training, consciousness-raising, participation and visitor management. In terms of project packages, a total of 67 indicators were set for the four regions.

The process of monitoring and evaluating the implementation process is under the responsibility of the Audit Unit, as per the relevant legislation. The Audit Unit is tasked with carrying out annual performance evaluations of the projects, implemented by relevant institutions, and preparing the working program and the draft budget for the following year. It is envisaged that the reports produced during this process will be assessed by the Coordination and Supervision Board, which will be followed by the approval of the next year's working program and draft budget. In addition to annual

monitoring works, the Audit Unit is expected to review the vision, objectives and policies of the Management Plan once every five years and submit its review to the Coordination and Supervision Board for evaluation. It is also planned that this framework regarding the monitoring and evaluation of the Management Plan will be examined by the Coordination and Supervision Board and the institutions connected to the Board, based on recommendations by the Advisory Board (Bimtaş, 2011: 369-386).

3.3.1.12 Interim Evaluation of Istanbul Management Plan

Istanbul Historical Peninsula World Heritage Site consists of Sultanahmet Archaeological Park, the Süleymaniye Mosque and its surroundings, the Zeyrek Mosque and its surroundings and Istanbul city walls in the historical city center. The historical peninsula is an urban site that is under serious risk due to the uncertainties and uncontrollable consequences of the decades taken to approve a conservation plan together with the failure to make a decision on an integrated site until 1995. Considering that the first plan with a conservation approach was made in 1839 during the Ottoman period, it cannot be said that conservation measures based on contemporary, sustainable and participatory principles in real terms could not have been implemented since then. The site has been on the World Heritage List since 1985. However, this status does not signify that the planning and conservation work has been carried out in accordance with international principles. The Istanbul case, as a first term site management plan, is one of the first site management plans produced and implemented in Turkey having the breadth of a management site; given the, diversity and density of problems, it has only been possible to produce limited solutions for the historical peninsula in 2011-2016 period despite some positive developments.

The Istanbul Site Management Unit was established by the Istanbul Metropolitan Municipality in 2006 and the scope of management site was determined by the Ministry of Culture and Tourism in 2009. In the same year, the management plan prepared to support the outcome of the application made to the 2010 European Capital of Culture Agency was accepted as the Istanbul 2010 project. The main competent

authorities in the Istanbul Historical Peninsula before the amendment by Decree Law No. 6745 were the Zeytinburnu Municipality, Eyüp Municipality, Bayrampaşa Municipality and Istanbul Governorship and the Special Provincial Administration. The Istanbul Metropolitan Municipality allocated office space for the Site Management Unit in Süleymaniye and assigned staff for the necessary secretarial services. The organizing process began with the appointment of the Site Manager, but it was not possible to appoint qualified personnel in sufficient numbers to meet the real needs of the management unit for some time. At the end of 2006, a working group was established with participants from relevant ministries, municipalities, universities and non-governmental organizations under the name of the Istanbul Historical Areas World Heritage Site Steering Committee.

The planning work was carried out by Bimtaş Inc., a company of the Istanbul Metropolitan Municipality. Three academicians, who were members of the Advisory Board, were assigned to work as coordinators in the plan preparation team. The site Management Plan was approved at the end of 2011. In this period, the Istanbul Metropolitan Municipality assigned its members within the site management team and increased the number of employees.

Although the preparatory studies for the Management Plan and the works for the Conservation Plan were carried out in parallel, there was no attempt to ensure coordination between the plans. Thus, the two plans that need to be formed with understanding and decisions supporting each other in the same field under the management of the Istanbul Metropolitan Municipality progressed by independent processes. The site management plan was prepared in four phases. Stakeholder analysis, information seminars and identification procedures were carried out in the 1st phase. Phase 2 search meetings were divided into expert meetings and special group meetings, with issues, potentials, target strategies and actions defined. In phase 3, activities in accordance with targets and strategies were developed and projects were defined. In the 4th stage, the existing outputs were brought together and international management plans were examined. Through the swot analysis conducted during the planning process, the search conference data was compiled to identify the strengths,

weaknesses, opportunities and threats in the area. In this context, the problem areas identified in the seven sections were management and organization, conservation, planning and quality of life, accessibility, raising awareness, education and participation, visitor management and risk management.

In the thesis, problems related to cultural heritage management were evaluated under five main headings: legal, administrative, financial, technical and social problems. In addition, administrative problems were examined under five sub-headings: planning, organization, implementation, coordination and monitoring issues. When examining the problems of the Istanbul Site Management Unit implementations from a legal point of view, in the interviews conducted for the thesis, R1 (respondent) and R6 state that the site manager has no status under administrative law and that the site management unit had no institutional identity. R4, R6, R12 and R13 emphasized that the task, authority and responsibilities of the site manager and other staff are unclear. R4 and R8 stated that the functions of the Regional Conservation Councils in relation to the site management unit were not defined. R5 and R8 drew attention to the lack of legal status of the site management unit, the lack of independence and the fact that it is essentially a municipal-guided unit despite the autonomous definitions in the regulation. R10 stated that it is a problem that provisions in the legislation that give broad authority to site management unit are not included in the legislation of other relevant institutions. R13 stated that the Special Provincial Administrations, Provincial Cultural and Tourism Directorates and Directorates of Surveying and Monuments and KUDEBs are not functioning in terms of site management. At the same time, R13 regarded the fact that world heritage sites and other site management were defined by the same legislation as a deficiency. Yenen (2012) (Appendix B) stated that the sections related to site management in law no. 5226 could not be reviewed by experts due to lack of time and they were transferred into the law just as found in the foreign legislation format. However, she stated that in international implementations, legal regulations operate with the support of both public and moral approaches, but this is difficult to achieve this in Turkey.

The problems raised with regard to the planning process are the difficulty of adopting and executing outsourced plans, outlined by R2 in the site management units. The fact that there are many plans and institutions related to the development and conservation of the management site is also expressed as a shortcoming by R5. R6 stated that the management plan had no place in the planning system. R10 pointed out that there is no guidance information on nomination process and management plan and the importance of preparing the plans by a process of team work. R6 emphasizes the necessity of producing the site management plan within the conservation plan and the necessity of carrying out the envisioned cooperation between both plans, but emphasizes that the vision of the conservation plan is not transmitted to preparation team in the works of the site management plan. R6 states that both plans must be strategic and compatible documents.

One of the problems encountered in the organizational process is that the personnel working in the site management unit are the contractor firm members who are in a relationship with the municipality through various commitments. This situation, which arises from the fact that the site management does not have its own budget, has the potential to be an ethical problem in itself. R6 and R13 emphasize that the quality of personnel involved in site management is important. R4 addresses the need for site managers to be selected from those having sufficient qualification and expertise to understand matters, and emphasizes that the management of a site is not a part-time job. R3, on the other hand, means that it is difficult to assign anyone who has the qualifications defined in the relevant regulation.

Besides, as R4 states, one of the problems related to organizing is that the monitoring function cannot be fulfilled because of the inadequacy of the World Heritage Unit of the Ministry of Culture and Tourism. At the same time, R4 stated that there were no objective approaches in terms of human resources, and that career and merit principles were not applied. R2 and R4 stated that the ministry is unable to handle problems or potential issues. R4 and R7 pointed out the weakness of the local authorities in terms of having competent staff. R8 drew attention to the difficulty of staffing and employing skilled personnel for the site management unit. R5 stated that there were ambiguities

in the selection of Advisory Board members. Yenen (2012) (Appendix B) stated that the failure of the Advisory Board to meet with all its members prevented the board work regarding continuity and efficiency.

In terms of implementation problems, R4, R5 and R13 emphasized the existence of political pressures in practice. R13 stated that there are political, scientific and ideological conflicts in site management. R4 stated that the Regional Conservation Council has not taken measures against buildings that are contrary to the UNESCO Operational Guidelines in world heritage sites because of projects being prepared in a short time. R4 also stated that there is no political responsibility in the area of management for structures built contrary to the Operational Guidelines. R4 and R7 stated that rent surplus and interest relations in local governments had a negative effect on the applications in the area. R6 and R12 stated that there was a problem of policy, political will and intention. R8 stated that site management units were not aware of the constructions made in the area. Likewise, Altun (2012) (Appendix B) stated that site management units were aware of the projects based on suppositions and that the site management unit only issued written warnings. Özden (2012) (Appendix B) stated that the site management unit and the Advisory Board could not discuss with the highest ranking officials the projects threatening the area, and the explanations of the approval of the municipality's in the 16/9 project, about knowing the site management plan, are far from convincing. Onur (2012) (Appendix B) stated that the site management is obliged to coordinate, fulfill its duty within legal boundaries, and should not interfere with the task defined by another institution in the law. The Director of Historic Environment Conservation Unit of Istanbul Metropolitan Municipality, Eriş (2012) (Appendix B) stated that the projects prepared and executed by the central government of the province cause serious distress and developed outside the management plan. Gürkan (2012) (Appendix B), Head of the Department of Culture and Tourism, stated that it is not known what will happen if the projects defined in the management plan are not put into the annual investment program of the relevant public institution. Yenen (2012) (Appendix B) stated that the municipality does not work clearly and that the projects have emerged only after their completion. Yapıcı (2012) (Appendix B) stated that the Chamber of Architects Istanbul Branch had written warning letters to the

municipality, the conservation council, the Ministry of Culture and Tourism and the Ministry of Interior about the 16/9 project. The answers indicated that the project was legal and that it contained no inconveniences. Yapıcı (2012) (Appendix B) stated that if the Istanbul Metropolitan Municipality and the Site Manager are independent of each other, the site management unit will be a fictional unit against UNESCO.

Regarding the implementation, Dinçer (2012) (Appendix B) noted that the Advisory Board should make decisions, set principles and set a working method. Ahunbay (2012) (Appendix B) noted that the site manager should be aware of the site, and noted that no one could have failed to notice a five-story building being constructed until it emerged within the archaeological park. R8 and R15 pointed out that problems arising within site management were solved with the help of personal relationships. R8 stated that there are problems in terms of conservation due to the fact that simple maintenance repairs are not allowed. R14 and R15 stated that local governments perceive site management practice as a new field of power and see site management as a barrier to development activities. R13 noted that some applications made in the area may adversely affect the city skyline.

When assessed from the coordination point of view, R4 and R5 pointed out that site management units are not related to the Regional Conservation Council. R8 stated that institutions are experiencing difficulties in terms of coordination due to their independent working habits, avoiding information sharing, and having communication problems among institutions as well. R13 pointed out that the institutions do not want to share authority and resources.

When assessed from the audit point of view, R4 stated that there were problems in the judicial review of conservation. R4 noted that site management units did not carry out physical monitoring. R5 stated that the Coordination and Supervision Board approved, applied and supervised the plan. At the same time, R5 identified the lack of a legal obligation to establish an audit unit as a disadvantage. R8 and R12 pointed out that it is difficult to control whether the actions specified in the site management plan were carried out. R6 stated that the municipality is disturbed by the shortcomings and

problems mentioned in the management plan. Binan (2012) (Appendix B) stated that if an audit unit were formed and if the Special Provincial Administration is included in this control unit, it could transfer resources for the projects in the management plan and could also control the financial source.

In terms of financial problems, the problem expressed by the vast majority of the interviewees was that the site management unit does not have its own budget. R8 described the fact that the entire expenditure was covered by the municipality as a disadvantage. R6 stated that the municipalities did not want to allocate resources to site management. R4 stated that the municipalities had their own financial problems. R8 pointed out that the resources allocated for development are much more than the resources allocated for conservation. R9, R10 and R15 indicated the difficulties in using the fund consisting of estate tax contribution rates. Another financial problem was stated by R2 as the absence of the personal rights of site management board members. R13 stated that the salaries of site management's staff are paid by the contractors of the municipalities.

In the context of the implementation of technical instruments, R3, R5 and R6 defined the absence of a relationship between the site management plan and the conservation plan as a problem. R2 considered the lack of a visitor management plan in many areas as a shortcoming. R5 considers not perceiving the management plan as a strategic plan is a problem. R7 stated that it is problematic to implement renewal projects and transportation projects without impact analysis. R15 stated that the prolonged delays in preparing the conservation plan were a problem.

From the social point of view, R3 stated that participation in management plans is not as important as it needs to be. R4 pointed out that there is a lack of awareness of the projects of the world heritage sites in the public institutions. R6 stated that there were difficulties in getting involved. R13 observed the lack of pressure groups on conservation. R14 stated that there is a lack of knowledge about conservation and cultural heritage management within the local authorities and that there is resistance to cooperating.

In the SWOT analysis carried out within the management plan, the problem of inter-institutional coordination, the lack of preservation of historic urban fabric in renewal projects, the lack of consideration of social life, the lack of an intangible cultural heritage inventory and the transportation and parking problems were identified as weak points in the site. Transportation projects, poor quality building stock, abuse of authority given by Law No. 5366, inappropriate restoration practices, lack of tourism plan and visitor management plan and rent-seeking were identified as threat points in the site. However, in a contradictory view expressed by R5, the SWOT Analysis, Law No. 5366 was included in the threats section of the 'misuse of the authorities' and at the same time in the section of opportunities under the heading 'opportunities provided by Law 5366'.

In February 2013, ICOMOS specialists exchanged views on how to update the management plan at the meeting of the Ministry of Foreign Affairs, the representatives of the General Directorate of Cultural Diplomacy, the Field Administration, the Governorship of Istanbul, the Istanbul Metropolitan Municipality, the Fatih Municipality and the Steering Committee. The revision of the Management Plan was tendered by the Istanbul Municipality. In this context, the management plan objectives and project packages were reviewed, workshops and focus group meetings were held and the revised plan was prepared in August 2016 and forwarded to the UNESCO World Heritage Center. The management plan will be approved by the Coordination and Supervision Board after UNESCO review. The work carried out so far has been in the direction of promoting the area, raising awareness of world heritage, being more qualified in environmental practice, and putting the world heritage logo on street signs.

Attempting to implement participatory methods with the aim of producing a comprehensive, multidisciplinary, effective and strategic management plan, emphasizing the need to encourage cooperation and coordination among competent institutions and stakeholders, and supporting the plan with a sound management system are the positive steps in the site management planning process in Istanbul. When assessed in terms of the methodology and tools used in the planning process,

the Istanbul Historical Peninsula Management Plan was developed with a modern vision and planning approach that is compatible with strategic planning techniques.

On the other hand, regarding the implementation of the management plan, the failure points of the first term implementations are the projects without impact analyses that will have a negative effect on the world heritage site, implementation decision without informing the World Heritage Center in accordance with Operational Guidelines, restoration carried out in the examples of Ottoman civil architecture in Süleymaniye and the lack of effective communication and coordination among the relevant public institutions.

3.3.2 Case Study: Bursa World Heritage Management

3.3.2.1 General Description

Bursa, a province in the south of the region of Marmara, is important both for its natural and historical assets and as one of the most economically developed cities in Turkey. The city of Bursa, formerly Prusias ad Olympum, has been a cradle to several civilizations in its 2,200 year history. The city, founded in 185 B.C. and named after Prusias I, the King of Bithynia, was conquered by Sultan Orhan in 1326 bringing it under the rule of the Ottoman Empire after the Kingdom of Bithynia, Romans and Byzantines (Akan Architecture, 2013:13). In the process of the Ottoman territories becoming an empire, Bursa was declared as the first capital and physically formed into complexes (külliyeler) and villages, in the context of the waqf system (World Heritage Committee, 2014).

As Ottoman Bursa developed, the five most important focal points of Bursa were built in the form of architectural complexes ordered by five sultans' (Orhan Gazi, Murad I, Yıldırım Bayezıd, Çelebi Mehmed, Murad II). These complexes (külliyeler) consisted of public buildings such as mosques, medreses, public baths, public kitchens and tombs and, along with their social, cultural, religious and educational functions, also determined the physical boundaries of the city. Houses were constructed near these

social centers and, over the course of time, became surrounded by residential neighborhoods. The relationship of the five Sultans' Complexes, one of which constitutes the core of the city's commercial center, with another being Cumalıkızık, the best preserved waqf village in Bursa, represent a unique example of city planning methodology. This city planning methodology, improved throughout the settlement of the first Ottoman capital beginning from the 14th century to the middle of the 15th century, was subsequently employed to enlarge existing cities World Heritage Committee, 2014).

During the process of designing a management plan for this heritage site, six of the components (Hanlar Bölgesi - Orhan Gazi Complex and the area surrounding], (Figure 3.72) the Sultans' Complexes [the complexes of Hüdavendigâr, Yıldırım, Yeşil and Muradiye] and the village of Cumalıkızık) were included in the management area in accordance with the data provided by the site management, and the boundaries of the site were approved by the Ministry of Culture and Tourism (Akan Architecture, 2013:13). Five of the components included in the management area are located in the city of Bursa, while one component covers the village of Cumalıkızık, located approximately 8 km east of the historic city center in the eponymous province of Bursa. The nomination sets forth the principal components of Ottoman Empire's evolving capital at the beginning of the 14th century with particular trade, religious and local community centers representing the civil and religious aspects of life, except for the last component covering Cumalıkızık village which provides an example of countryside settlement structures (ICOMOS ABE, 2013:270).

Figure 3.72 Hanlar Bölgesi (Akan Architecture, 2013: 1).

3.3.2.2 Nomination

The historical and urban conservation site in Bursa was included in the World Heritage Tentative List as a result of the application submitted in 2000 entitled 'Bursa and Cumalıkızık: Early Ottoman Urban and Rural Settlements'. A draft management plan was prepared for Cumalıkızık by the Metropolitan Municipality of Bursa in 2009 in coordination with the Ministry of Culture and Tourism in Bursa (Hanlar Bölgesi and Sultans' Complexes) and the village of Cumalıkızık based on the boundaries approved by the ministry following the related legislation. Thanks to these works restarted by the Metropolitan Municipality of Bursa, the process of meeting the application requirements gained momentum. In this context, the work to prepare the serial nomination[59] file were initiated; and following the site surveys carried out with the institutions specified by the ministry and the related legislation, the proposal concerning the boundaries of the management site defined by the ministry in consultation with the related institutions in the coordination meeting held on 30.03.2010 was approved by the ministry in the Order dated 19.10.2010. The project for the service procurement for the design of the nomination file for the World Heritage List was contracted to a private contractor with the relevant expertise and the related contract was signed on 15.07.2011 (Akan Architecture, 2013: 16).

On 27.10.2013, ICOMOS asked for information about the selection criteria concerning the serial nomination (Figure 3.73), the contribution of each component site to the outstanding universal value and the comparative analysis. The evaluation team carried out a survey of the site between 8-12 October 2013. The related file was finalized on 27.11.2013, and the revised summary, the justification criteria and the redefined boundaries were relayed to ICOMOS (ICOMOS ABE, 2013: 270). Hanlar bölgesi (Orhan Gazi Complex and the surrounding area), Sultans' Complexes (namely those

[59] A serial nomination is any nomination which consists of two or more unconnected areas. A single World Heritage nomination may contain a series of cultural and/or natural properties in different geographical locations, provided that they are related because they belong to: (i) the same historico-cultural group; (ii) the same type of property which is characteristic of the geographical zone; or (iii) the same geological, geomorphological formation, the same biogeographic province, or the same ecosystem type, and provided that it is the series, and not necessarily each of its components taken individually, which is of outstanding universal value (URL 129).

of Hüdavendigar, Yıldırım, Yeşil, and Muradiye) and the village of Cumalıkızık were accepted onto the UNESCO World Heritage List as the 998th heritage site on 22.06.2014 pursuant to the criteria (i), (ii), (iv) and (vi) during the 38th meeting of the World Heritage Committee (URL 130).

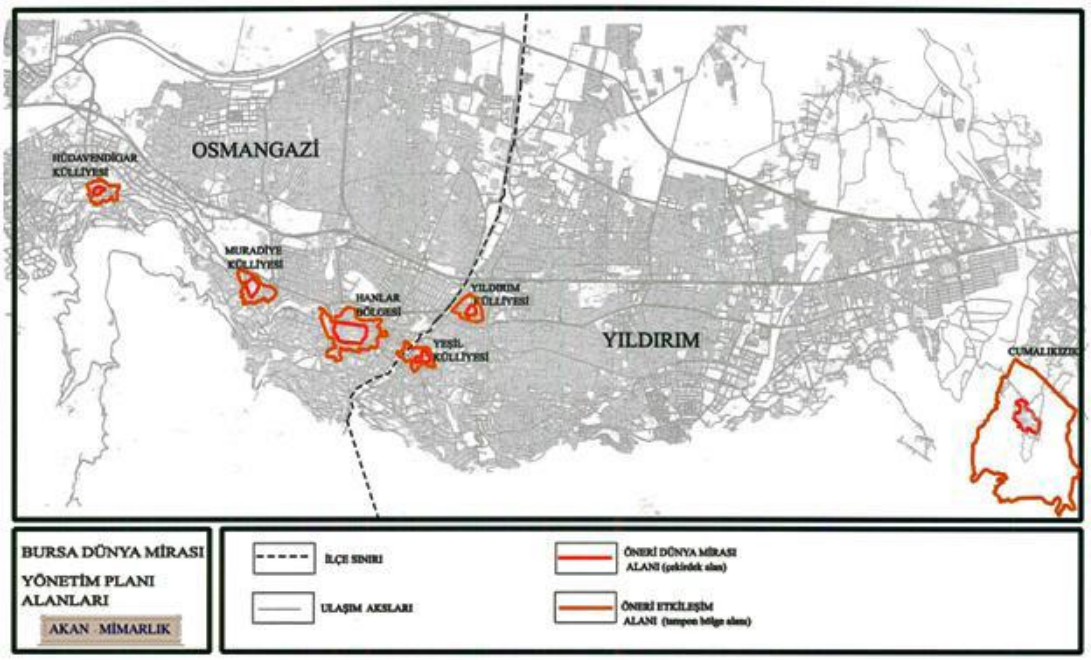


Figure 3.73 Bursa and Cumalıkızık Management Area (Six serial components of the world heritage) (Akan Architecture, 2013: 22).

3.3.2.3 Current Conservation Status

Orhan Gazi Complex and its surroundings (Hanlar Bölgesi)

Hanlar Bölgesi with the complex of Orhan Gazi, the original complex, at its core allows one to experience an Ottoman Bazaar in its spatial form reflecting the artisanal culture of the Ottoman period (Figure 3.74). The inns in the area are structures built with two stories on a square or rectangular plan; all have survived preserving the features of their original plan. The form of this plan has played an important role in enabling the maintenance of commercial functions in these structures up to the present

day. In Hanlar Bölgesi, one can experience the daily practices of traditional Ottoman commercial life. Hanlar bölgesi has not lost its dynamism, with the 700-year-old traditions of the Ottoman period, with characteristics reflecting the traditional practices of Ottoman commercial life still existing alongside modern commercial practices governed by current legislation. The commercial axis of Hanlar Bölgesi was established to comply with the caravan routes of the Ottoman period. The map of Suphi Bey from 1862, showing the oldest urban texture confirms that this texture has substantially (Akan Architecture, 2013: 82).

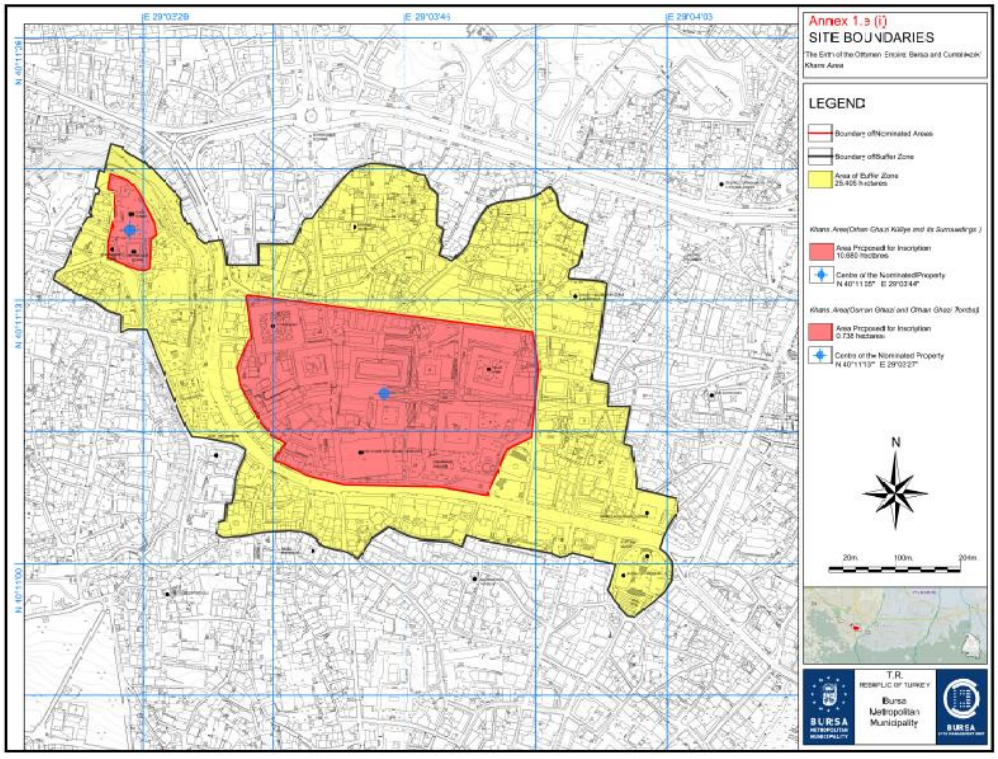


Figure 3.74 Boundaries of Hanlar Bölgesi (URL 131)

The mosque (Figure 3.75) bath and khan (han) have retained intact their original architectural forms and components. As the location of the complex constituted the original center of the city, it is known that building work on commercial premises was densely concentrated in the surrounding area. There is no detailed information available about how the medrese, supposedly part of the original complex, failed to survive. However, it is known that the public kitchen (imaret), badly affected by the severe earthquake which struck the region in 1855, subsequently suffered fire damage

as well. During the 19th century reconstruction work carried out in in Bursa after that earthquake, the oldest town hall in Turkey was built in this area following the urban planning approaches of the time, so that the area continued to maintain its public function. The structures in Hanlar Bölgesi on the commercial axis developed around the Emir Han, one of the structures within the complex of Orhan Gazi, have survived intact in terms of their original form, material and commercial function. However during the construction works in the 19th century, Pirinç Han and Kapan Han were partially damaged during the construction of Saray and Hamidiye Streets. New neighborhoods were established around Hanlar Bölgesi after the conquest of the city. Nowadays these neighborhoods still exist around Hanlar Bölgesi and function as a buffer zone around the area (Akan Architecture, 2013: 83).

Figure 3.75 Orhan Gazi Mosque (Bozkurt, August 2015)

Recently, maintenance and repair works, surveying, restitution and restoration have been carried out in Hanlar Bölgesi also involving the Orhan Gazi Mosque, the Orhan Bath, Emir, İpek (Figure 3.76) Geyve, Pirinç and Koza Han (Figure 3.77) and the Ulu Cami (Great Mosque). These works included the restoration of mihrab and minber (pulpit), repair of hand-carved decorative elements, renewal of the lead roof covering, landscaping, drainage works, cleaning of the facades, replacement of floor coverings and arrangements in the courtyard. The daily care of these structures is carried out by the owners and the associations with which they are affiliated (Akan Architecture, 2013: 83-84).

Figure 3.76 İpek Han (Bozkurt, August 2015)

Figure 3.77 Koza Han (Bozkurt) August 2015)

Hüdavendigar (Murad I) Complex

With its mosque, medrese, imaret, public bath and mausoleum, the Hüdavendigar Complex is an original structure in terms of architectural features and materials as well as landscape layout (Figure 3.78). The neighborhoods developed around the complex are examples of Ottoman urban fabric. All the structures within the Hüdavendigar Complex, namely the mosque and medrese, imaret, public baths and mausoleum have survived in their original architectural form and building elements. In 1863 Sultan Abdülaziz commissioned the reconstruction of the tomb on its original foundations using original techniques and details. The imaret suffered substantial damage during the earthquake that occurred in 1855 and was restored in 1906 by order of Sultan Abdülhamit. Today, the imaret serves as a socio-cultural center, while public baths maintain their original function. The complex area is surrounded by several thermal springs, a significant asset for the city in this sense as well (Akan Architecture, 2013: 87-88).

There are six buildings registered as monuments in the urban conservation area that forms the core of the Hüdavendigar Complex. Some conservation works were recently conducted in the buildings of the complex, such as the Hüdavendigar Mosque and its medrese, and the Gir Çık public baths. The Regional Directorate of Pious Foundations also carried out some works in the Hüdavendigar Complex and its medrese in which

the roofing was replaced, the cracks in the structure were filled by injections, the masonry pointing was cleaned, the wooden windows and floor covering were replaced and hand-carved decorative elements were restored to their original condition. The Metropolitan Municipality of Bursa carried out some works in the Gir Çık public baths in 2012, and the structure was restored in regard to its original function (Akan Architecture, 2013: 88).

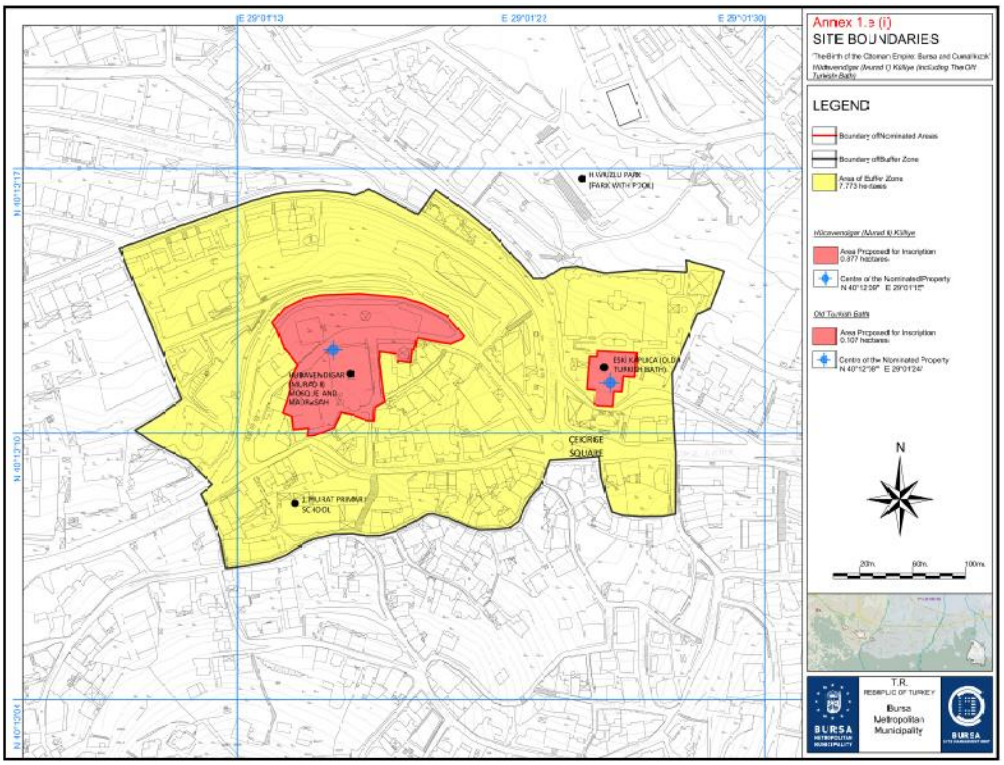


Figure3.78 Boundaries of Hüdavendigar (Murad I) Complex (URL 131)

Yıldırım (Bayezıd I) Complex

The Yıldırım Complex located in the east of the city is a significant building group in the city's topography with its mosque, medrese, and mausoleum and baths (Figure 3.79). The neighborhoods around the complex reflect the original urban texture of an Ottoman town. Originally, the complex comprised a mosque, medrese, hospital, han, imaret and bath; of these, the imaret is the only one that has not survived. On the other hand, the authenticity of the Darüşşifa (hospital) was compromised during recent

reconstruction work and was therefore not included in the management site. The mosque, baths and mausoleum continue to maintain their original functions. The right of usage to the medrese has been transferred to the Ministry of Health to serve as a community health center (Akan Architecture, 2013: 91-92).

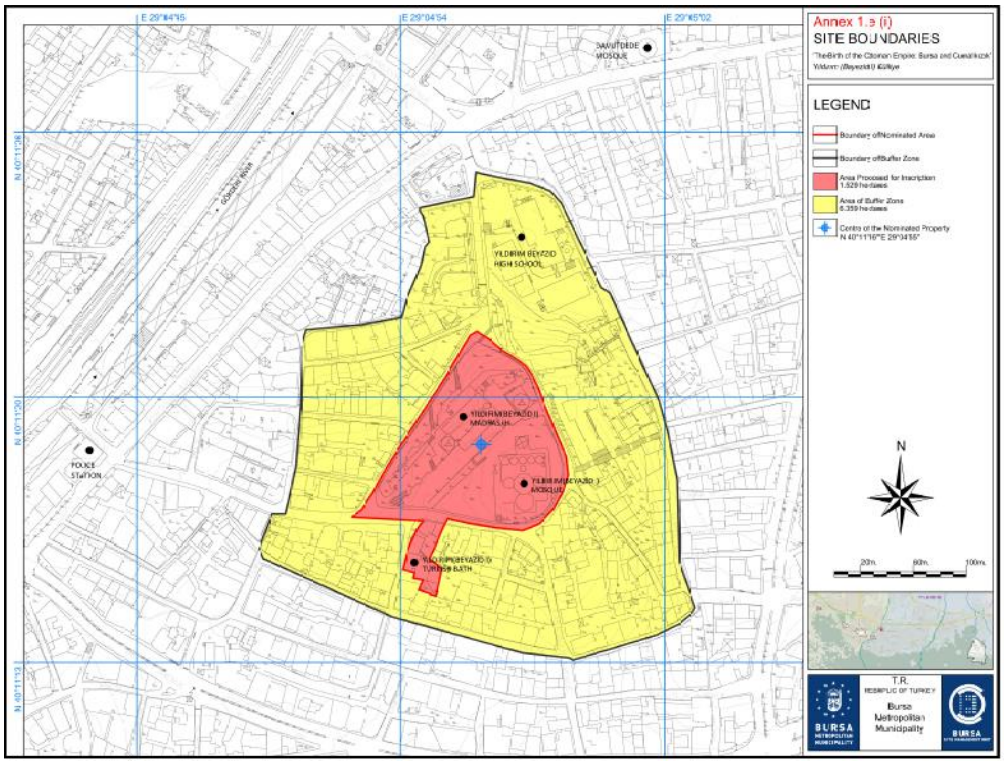


Figure 3.79 Boundaries of Yıldırım (Bayezıd I) Complex (URL 131)

There are five buildings registered as monuments within the urban conservation area covering the core area of the Yıldırım Complex. Yıldırım Mosque and Yıldırım Baths, both in this group of five buildings, have been subject to some conservation works recently. The works in Yıldırım Mosque were started at the beginning of 2010 and completed in 201; in the course of this work parts of the structure that had been altered were removed. The restoration project of Yıldırım Baths was executed based on the original function of the building (Akan Architecture, 2013: 92).

Figure 3.80 Yıldırım Madrasa and the Mausoleum (Bozkurt, August 2015)

Figure 3.81 Yıldırım Mosque (Bozkurt, August 2015)

Yeşil (Mehmed I) Complex

The Yeşil Complex houses (Figure 3.82; Figure 3.83) several valuable monumental structures. The imaret, tomb and mosque have been subjected to repair works in recent times. The seramic tiles used in the mosque and tomb contain quartz. The seramic tile decorations in the hünkar mahfili (sultans' praying place), walls in the mosque and those of the altar, walls and symbolic coffins in the mausoleum have survived in their original form Preserving the unique characteristics of the mosque and tomb (Akan Architecture, 2013: 96).

Figure 3.82 The Green Mosque (Yeşil Cami) (Yeşil Türbe) (Bozkurt, August 2015)

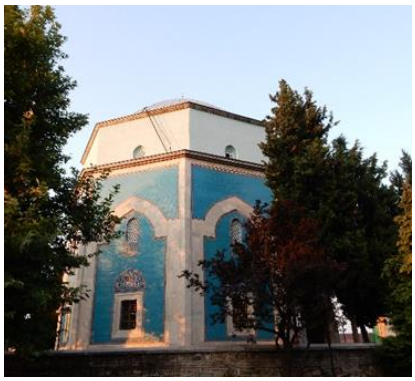


Figure 3.83 The Green Mausoleum (Bozkurt, August 2015)

There are six buildings registered as monuments in the urban conservation area covering the core area of the Yeşil Complex (Figure 3.84). The cleaning of the joints in the masonry and the repairs to the lead roof covering of the mosque, one of these six buildings, were carried out by the Association of Yeşil Mosque between 2005-2006 within the context of simple repair works. The restoration project was approved by the Regional Directorate of Pious Foundations by decision no. 7052 of 30.07.2011 of the Conservation Council. Within this project, windows that had been altered were replaced with wooden ones, the shutters and doors carved using the 'kündekari' technique were restored, the ornaments made by the 'hand-drawn' technique were restored to their original form; the tiles that had fallen into decay and the joints in the minarets were repaired. In addition, the şadırvan (fountain) was reconstructed in its original location and form. The restoration works of the Green Mausoleum were initiated in 2006 by the Directorate of Surveying and Monuments operating under the Provincial Directorate of Culture and Tourism subordinated to the Governorship of Bursa. In the restoration works, the main outer walls were reinforced and strengthened, the lead roof covering and the decayed woodwork were replaced, the original glazed brick paving was reproduced based on the form of the originals and any non-original ones on all the walls were replaced. Nowadays both structures are in good condition. The Directorate of Surveying and Monuments of Bursa carried out some simple repair work in the Yeşil Medrese in 2001, the roof covering was repaired, joints and facades were cleaned, any decayed woodwork in the windows was restored according to its original form, and coating and painting work was carried out. The structure was then used as a museum after approval for The Museum of Turkish-Islamic Art by the Conservation Council in 2004. Yeşil İmaret regained its original function and began to serve as a public kitchen following some simple repair works carried out in accordance with a protocol signed between the Metropolitan Municipality of Bursa, the Regional Directorate of Pious Foundations of Bursa and the Somuncu Baba Foundation. Nowadays, the structure is maintained in good condition by the daily maintenance efforts of the institution it has been allocated to (Akan Architecture, 2013: 96-97).

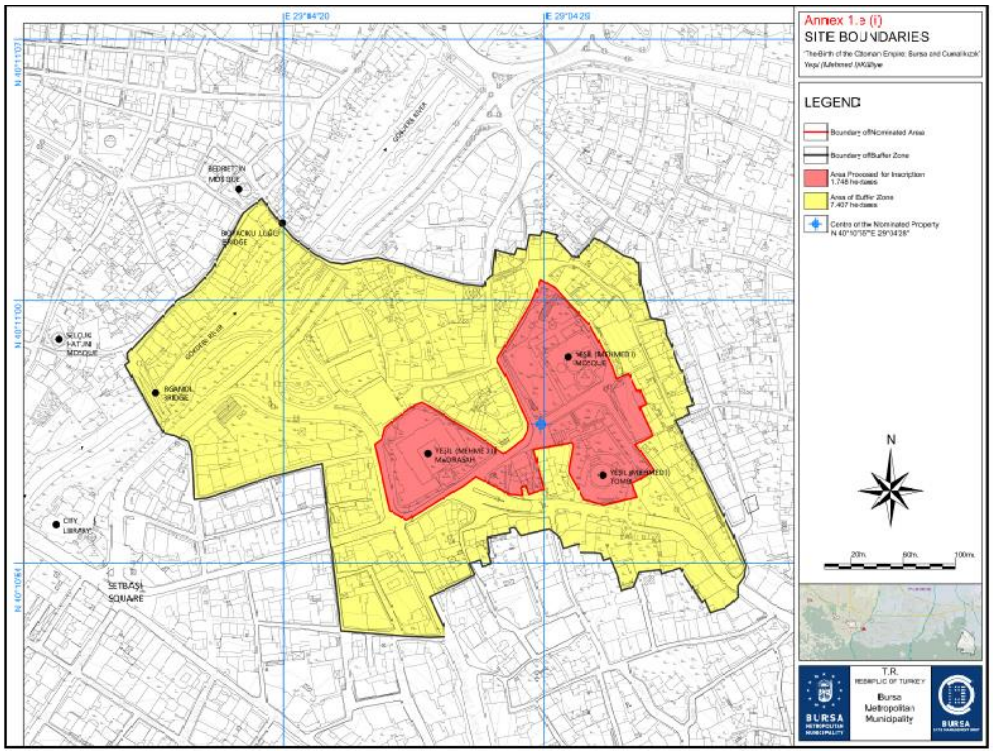


Figure 3.84 Boundaries of Yeşil (Mehmed I) Complex (URL 131)

Muradiye (Murad II) Complex

The Complex of Muradiye, the last social complex built by an Ottoman sultan in Bursa, comprises a mosque, medrese, several tombs and a public baths (Figure 3.85). There are 12 tombs related to the Ottoman imperial family in the complex. All the structures in the Muradiye Complex have survived with their original construction materials and key aspects of their architectural layout intact. The detailed conservation works in the tombs have revealed that the ornamental work in 'hand-drawn' technique in the cupola together with the cupola plinths originating from the 15th-16th centuries, represent the first such examples of that period. The public kitchen is currently used as an Ottoman restaurant while the former public baths are used as a training and rehabilitation center for disabled people (Akan Architecture, 2013: 100).

There are 20 registered buildings of a monumental character in the urban conservation area encompassing the core of the Muradiye Complex. Some structures within the complex, namely the Muradiye Mosque, the baths and the Muradiye Mausoleums,

have been subject to conservation work in recent times. The work involved cleaning the facades, replacing the, lead roof coverings, and restoring the 'hand-drawn' technique ornaments to their original form (Akan Architecture, 2013: 101).

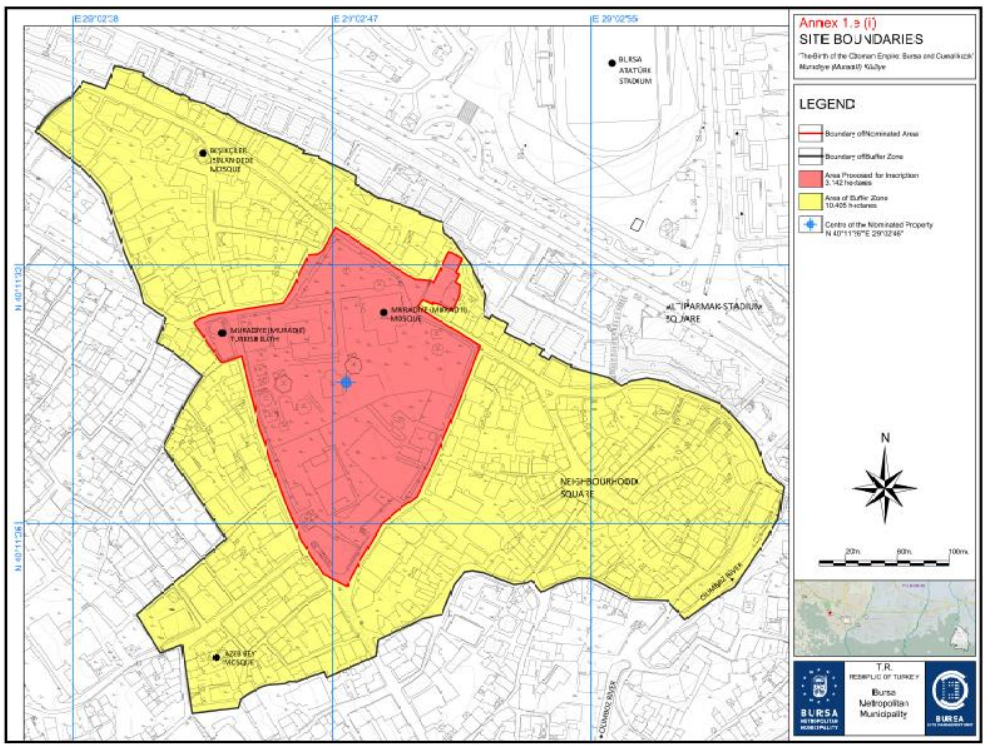


Figure 3.85 Boundaries of Muradiye (Murad II) Complex (URL 131)

Cumalıkızık Village

The archival records states that the village of Cumalıkızık was administered by a foundation as an Ottoman village. It retains its authenticity, with its street fabric, monuments, houses, agricultural terrain making the village one of the best preserved examples of Ottoman rural architecture (Figure 3.86). The structures retain their original form and materials despite continuous maintenance and repair works to the wooden structures. All the streets in the village are paved with natural stone and their specific sloping design allows rain water to flow away from the center of the street. The water and sewage system of Cumalıkızık village have been preserved in their original condition without any interventions up to this day. The streets in the village allow access to the inner parts of the village and open up various perspectives in

harmony with the local topography (Figure 3.87). The houses on both sides of the streets create a dense historical fabric, with the narrow form of the streets reflecting the traditional design. The streets called Cin Aralığı or Şeytan Çıkmazı are especially noteworthy, having widths of only 65 to 90 cm (Figure 3.88). All the monumental structures in the village exist intact. The mosque and public baths are the oldest buildings in the village in terms of construction technique and the building elements embedded in their structure, making the village the best preserved Ottoman village, along with the surrounding agricultural land and socio-cultural life (Akan Architecture, 2013: 103).

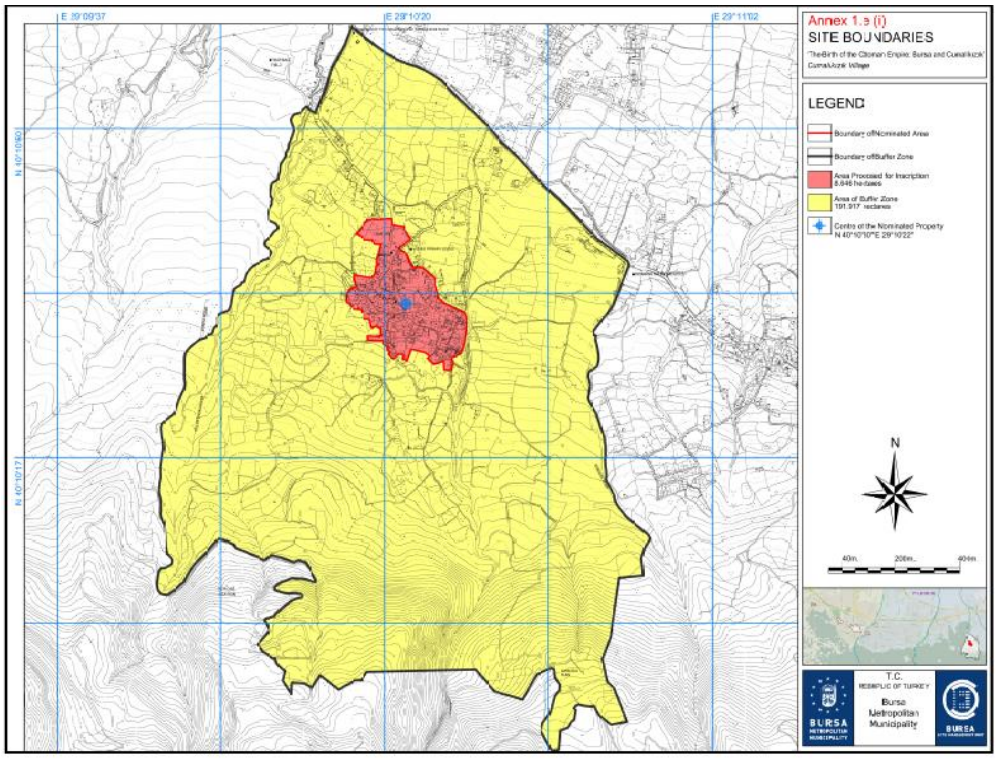


Figure 3.86 Boundaries of Cumalıkızık village (URL 131)

Figure 3.87 Traditional Buildings in Cumalıkızık (Bozkurt, August 2015)

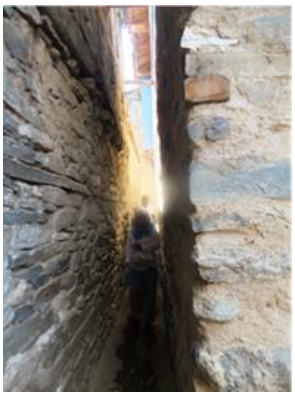


Figure 3.88 Cin Aralığı (Bozkurt, August 2015)

3.3.2.4 Legal Protection

There are a total of 20 registered urban conservation areas in Bursa with conservation plans available for 15 of these areas. All the world heritage sites located within the management area are included in the urban conservation area. The terms of conservation and usage regarding urban conservation areas were adopted by Resolution no. 720 from 04.10.2006 (amended with Resolution no. 736 from 01.11.2007) and the conditions for further construction works are assessed by the Regional Conservation Council. In addition, construction plans encompassing protective measures at a scale of 1/1000 are also available for protected areas. There are a total of 144 registered archaeological sites across the province of Bursa. 33 of these sites are located within the boundaries of the Metropolitan Municipality. With the most well-known of these being Nicaea (İznik), Kios (Gemlik), Pameia (Mudanya), Miletepolis (Mustafa Kemal Paşa) and Apollonia (Gölyazı). Only one of these archaeological sites, namely ‘the ancient city of Prusia ad Olympium’ is located within the management site of Hanlar Bölgesi (Akan Architecture, 2013: 60-61).

All the monumental structures in the city center of Bursa where the area of the Hanlar Bölgesi and Sultans’ Complexes are located were first registered in the national inventory by decision no. 1918 of 14.02.1986 by the Supreme Council for Immovable Cultural and Natural Properties under the Ministry of Culture and Tourism. The traditional and monumental structures with civil architectural quality in the village of Cumalıkızık, on the other hand, were registered in the national inventory by the

decision no. 1372 of 14.10.1990 of the Regional Council of Conservation for Cultural and Natural Assets of Bursa under the Ministry of Culture and Tourism. Other structures with civil architectural character in the village of Cumalıkızık were also registered by the decisions nos. 3508 and 5640 of 24.10.1993 and 28.04.2010 respectively by the Regional Conservation Council. Inventory records are available for each structure. The matters concerning the registered structures and the related projects and implementations require the approval of the Regional Council of Conservation for Cultural and Natural Assets of Bursa. Besides the decisions concerning the monumental trees located in all the core areas are taken by the Regional Council of Conservation for Cultural and Natural Assets operating under the Ministry of Environment and Urbanism (Akan Architecture, 2013: 62).

The legal regulations covering the management site include several laws, by-laws, and resolutions of the Supreme Council for the Conservation of Cultural Properties, ordinances, communiqués, directives, circular letters, and other related legislative documents and international treaties. The basic legislation that forms the legal framework of Bursa site management is as follows:

- Law no. 2863 on Conservation on Cultural and Natural Assets (OG: 23.07.1983/18113)
- Law no. 5737 on Wakfs (OG: 27.02.2008/26800)
- Law no. 5366 on Revitalization and Re-functioning of Degraded Historic and Cultural Immovable Assets (OG: 05.07.2005/25866)
- Law no. 5225 on the Inducement of Cultural Investments and Initiatives (OG: 21.07.2004/25529)
- Law no. 6831 on Forest (OG: 08.09.1956/9402)
- Law no. 5403 on Soil Conservation and Land Use (OG: 19.07.2005/25880)
- Decree no. 644 pertaining to the Organization and Functions of the Ministry of Environment and Urban Planning (OG: 04.07.2011/27894).

In addition to the laws that are mentioned above, the historical areas in Bursa are under the legal protection of Settlement Law No. 3194, National Parks Law No. 2873,

Environment Law No. 2872, Law No. 2634 on Tourism Incentive, Law No. 4046 on Privatization Practices, Bursa Metropolitan Municipality Law No. 5216.

The plans and documents drawn up according to this legislation and embodied in the projects concerning the Bursa site management are as follows:

- Environmental Plan of Bursa (Scale: 1/100000) 1998
- Master Plan of Central and West Planning Districts (Scale: 1/25000), 2005
- Osmangazi Municipality Master Plan (Scale: 1/5000), 2008
- Yıldırım Municipality Master Plan (Scale: 1/5000), 2007
- Bursa Central Area and Reyhan-Kayhan Hanlar Bölgesi Conservation Plan (Scale: 1/1000), 1988, 2005
- Revision of Şehreküstü Conservation Plan (Scale: 1/1000), 2004
- Maksem and Gökdere Structure Plan (Scale: 1/1000), 2004
- Çekirge Sıcaksu Conservation Plan and Structure Plan For Urban and Natural Conservation Sites (Scale: 1/1000), 1995
- Eski Kaplıca Structure Plan (Scale: 1/1000), 1991
- Yıldırım Davutkadı Structure Plan (Scale: 1/1000), 1985
- Yıldırım Setbaşı Yeşil Emir Sultan Structure Plan (Scale: 1/1000), 1983
- Osmangazi Municipality Muradiye Conservation Plan (Scale: 1/1000), 2007
- Cumalıkızık Conservation Plan (Scale: 1/1000), 1994

Ongoing Planning Works with larger scale:

- Environmental Plan of Bursa (Scale: 1/100000)
- Bursa Transportation Master Plan
- Revision of Cumalıkızık Conservation Plan (Scale: 1/1000)

Current Upper Scale Planning Works and Strategy Papers:

- Ninth Five-Year Development Plan (2007-2013)

- Turkey’s Tourism Strategy (2023) and Action Plan For Turkey’s Tourism Strategy (2007-2013)
- TR41 Bursa-Eskişehir-Bilecik (Bebka) Regional Plan (2010-2013)
- Bursa Special Provincial Administration Strategic Plan (2010-2014)
- Bursa Metropolitan Municipality Strategic Plan (2010-2014)
- Osmangazi Municipality Strategic Plan (2010-2014)
- Yıldırım Municipality Strategic Plan (2010-2014)

3.3.2.5 Factors Affecting the Site

Population

The village of Cumalıkızık houses a population of 719 as per 2011. Only 60% of the houses are occupied in Cumalıkızık. The buffer zone contains no residential area (Akan Architecture, 2013: 108). ICOMOS is concerned about the sustainability of conservation and the development of an imbalance between residents and visitors who temporarily frequent the village, if, and when more people emigrate from the village. ICOMOS also considers that precautions are necessary to prevent Cumalıkızık from becoming an abandoned touristic village, which would significantly reduce the authenticity of this serial component and might lead to an unintended, and undesirable gentrification process (ICOMOS ABE, 2013: 276).

Development Pressure

Hanlar bölgesi is a central pedestrian zone mainly frequented by city inhabitants for shopping. People use the main arterial roads servicing the area and the public transport system to access the zone. The lack of adequate provision for parking is a serious problem in the area. Plans to solve this problem are in hand through the acceleration of the public transport projects such as the one associated with light rail systems in accordance with the transport master plan (Akan Architecture, 2013: 108).

Currently, some problems are experienced in Hanlar Bölgesi related to the customs of modern living conditions. Even though commercial activities are densely concentrated in the area, the usage of the area for socio-cultural and touristic purposes remains at a relatively limited level, resulting in the area be relatively deserted during evening hours. While it once hosted various commercial and religious activities, provided possibilities for manufacturing and residential accommodation for centuries during its history, changes occurred in Hanlar Bölgesi and eventually in the district of Reyhan, a residential area, which became home to various commercial units, small manufacturers or storehouses and parking places on vacant lots. Tahtakale, on the other hand, suffered from an economic downturn in terms of its commercial property values and in its interaction with Hanlar Bölgesi (Akan Architecture, 2013: 108).

In the Sultans' Complexes area, green spaces as some of the focal points that make up the urban landscape were defined in the conservation plans and these spaces were designated inaccessible for vehicular circulation. However, the fabric of the attached houses and density of commerce in the vicinity of Yıldırım and Muradiye Complexes still prevail as pressures from economic growth (Akan Architecture, 2013: 108-109).

No new construction work is approved in the village of Cumalıkızık. The village itself is not subject to any pressure in terms of physical development. Two carparks at the entry of the village are combined with a prohibition on vehicular circulation. Only residents are allowed to drive in the village (Akan Architecture, 2013: 109). ICOMOS considers that a reduction of circulation would contribute to the protection of the village, and suggests that any new transport plans need to be carefully evaluated by heritage impact assessments to prevent any adverse impacts (ICOMOS ABE, 2013: 276).

Tourism Pressure

Even though pressure from tourism exists in Hanlar Bölgesi, the conservation areas are far from reaching their carrying capacity. The public spaces, traditionally in the form of spacious bazaars, can cope with a large number of visitors at the same time.

Local people and outsiders are visiting the mosques and tombs within the Sultans' Complexes in increasing numbers. Since all the conservation areas are open to public and the entrance is free-of-charge, there are no precise data available about the number of visitors, but the tourism pressure does not yet pose a threat to cultural values of the conservation areas. This lack of threat also applies to the village of Cumalıkızık. The village is expected to attract more visitors in the future, although, with a proper visitor management, it would be possible to prevent damage to the architectural fabric and spirit of Cumalıkızık. A planned and carefully controlled plan for tourism is a must for sustainable conservation. The consequences of expanded tourism can both damage the local fabric and compromise the natural and cultural values of the region. A balance should be established between the tourism based profits and the rural culture of the village (Akan Architecture, 2013: 108-109).

Environmental Pollution

The usage of natural gas in the city center of Bursa has generally served to reduce air pollution and its effects in the urban area. The designation of core areas as traffic-free pedestrian precincts has reduced the air pollution generated by vehicle traffic. However the facade of the Grand Mosque facing Atatürk Street, one of the main arterial roads, has suffered deterioration from to exhaust emissions. The facade of the mosque was last cleaned in 2009. There is a commitment to keep the environment under control through protective measures in this sense. The negative effects of urban development experienced in the areas removed from the zone are alleviated by means of natural conservation sites resulting in an area free from air pollution in the village of Cumalıkızık (Akan Architecture, 2013: 109).

Natural Disasters

Bursa is located in an area where the branches of the North Anatolian Fault system, an important tectonic belt in which severe earthquakes occur, divide. The map of seismic zones of Turkey indicates that the city is located in a first-degree seismic zone. Bursa and the surrounding region were also affected, suffering minor damage, in the

earthquake with its epicenter at İzmit that occurred in 1999. The Provincial Directorate of Disaster and Emergency Management of Bursa prepare Disaster Prevention and Intervention Plans with special focus on the significance of the historical center. Locations closed to vehicles were defined and necessary precautions are taken accordingly. In addition, training programs are provided for the general public concerning risk prevention in emergency cases. Fire intervention teams with the participation of volunteer villagers and people employed in the inns were established in Cumalıkızık and Hanlar Bölgesi and underwent a training program on how to use the installed fire equipment. In restoration works carried out at building scale, the solutions for a reinforcement that would be required regarding earthquake risk, rehabilitation of problematic drainage systems, installation of hygrometers in buildings of extraordinary quality, such as the tombs in the complex of Muradiye, installation of fire and smoke detectors are considered. Also, the Conservation Council pays special attention to the design of emergency plans in connection with fire exits (Akan Architecture, 2013: 109-110).

Security

Security for all the areas is provided by means of MOBESE cameras in the streets, surveillance cameras and security personnel. The gates of the inns and those of the covered bazaar located in Hanlar Bölgesi are closed at certain hours during the day. Each han and bazaar has its own security personnel and surveillance camera systems. Besides there are security points established by the police force at certain locations. The Metropolitan Municipality of Bursa is the body responsible for the provision of security personnel and surveillance cameras to be deployed in the mausoleums in the complexes (Akan Architecture, 2013: 110).

3.3.2.6 Management

The metropolitan mayor of Bursa was authorized by the city council to assign the site manager, and establish the site management comprised of the Advisory Board, the Coordination and Supervision Board in December 2011. The site manager was

appointed, and the boards were established in accordance with the relevant regulations. The site management unit of Bursa, a department organized within the Office of Surveys and Projects of the Metropolitan Municipality, continues its activities under the Department of Historical and Cultural Heritage (Dostoğlu, 2012: 7). The site management of Bursa comprises, in compliance with the related legislation, a working team including a site manager, a coordinator, several experts, the Advisory Board, and the Coordination and Supervision Board (Akan Architecture, 2013: 17). The Advisory Board consists of 26 people selected from the representatives of the institutions and organizations responsible for the site, and from those of non-governmental organizations and professional chambers. The Coordination and Supervisory Board, on the other hand, is a board of 9 people consisting of the representatives of the institutions who would assume tasks in terms of the approval and implementation of the management plan to be designed for the historical sites, and two members selected from the members of the Advisory Board (Dostoğlu, 2012: 8). The administrative structure of site management unit is shown in Figure 3.89.

The Bursa world heritage management site consists of 6 sites: 3 in the district of Osmangazi and 3 others in the district of Yıldırım. Hanlar bölgesi and the 4 complexes are located in the area where the most prominent cultural assets in Bursa form a historical axis (Akan Architecture, 2013: 125). The village of Cumalıkızık, Hanlar Bölgesi and the Sultans' Complexes are living areas with both tangible and intangible values. On the other hand, most of the buildings with monumental and civil architectural quality are authentic structures that have been preserved with the same architectural understanding and have retained their original functions (Akan Architecture, 2013: 44).

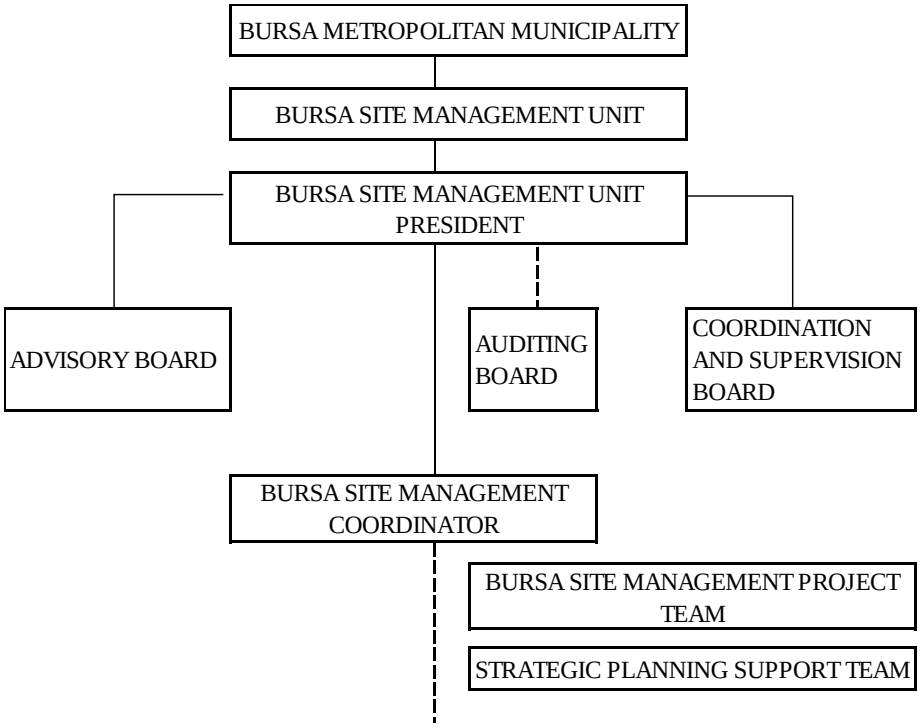


Figure 3.89 The Organization Scheme of Bursa Site Management Unit (Bursa Metropolitan Municipality, 2014: 2651).

Within the scope of the works, the site management has been defined as follows (Akan Architecture, 2013: 237):

> 'Site management is a holistic process that includes all planning, implementation, monitoring, supervision and review activities concerning the site. It mainly aims to coordinate all relevant institutions and organizations to determine the values and significance of the management area, and protect, sustain and assess them via sustainable and participatory methods. Site management also involves the determination of policies, targets and short, medium and long-run activities to solve existing problems and fulfill all necessities at the site.'

The management area, on the other hand, is 'a site where the strategic plan defining the course of action regarding conservation is implemented' (Dostoğlu, 2012: 19). Within the Bursa site management activities, site management was defined as the

platform of coordination. This platform aims to facilitate communication between the institutions responsible for the site, the permanent inhabitants and other people utilizing the site temporarily (Dostoğlu, 2012: 32).

In this context the basic approaches to the site management have been defined as follows (Dostoğlu, 2012: 32):

> 'Even though the site management is a managerial mechanism, it is not a new local administrative unit. If, for example, the site is located in an urban conservation area, the supreme local authority in the city is the governor, and the local administration is carried out by the mayor. As all the administrative units making up public services in the city carry out their normal functions, the 'site management' is a kind of communication system that provides a mechanism of coordination and participation between these administrative units and other stakeholders in the city. In reality, the site management is similar to web-based 'networking sites' or 'networking groups' established by special interest groups. It should however not be forgotten that site management is not an activity that is carried out on voluntary basis, but it is based on the legal requirements that bring together the relevant local persons and organizations in projects concerned with the field of conservation. Because the protection of cultural values constitute a requirement, a social need, which cannot be dealt with in activities carried out on voluntary basis.'

The common criteria were defined as a strategic planning perception, participation processes, transparency and cooperation so that the concepts of site management and the management plan can be perceived similarly by all the stakeholders (Dostoğlu, 2012: 34). The Bursa Site Management Plan defines the implementation tools, which are outlined below, with particular focus on the concept that such tools are indispensable for the realization of an effective conservation (Akan Architecture, 2013:17):

- **Legal:** the current legal regulations and policies covering the field of conservation; the legislation regarding conservation and planning, international regulations, national and regional plans
- **Institutional:** the authorized institutions in respect of conservation; central administration, local administration, the Regional Council for Conservation, people

trained in their respective fields and active in non-governmental organizations (NGOs) and the site management that would ensure institutional coordination

- **Financial:** such tools as the budgetary resources of central / local administrative units, national and international funds, the resources of NGOs and professional organizations, private sector investments and other resources which can be used to implement the plan.
- **Physical and Social:** These tools are part of the physical planning scale: such as the Environmental Plan, the Master Development Plan, works in association with the Conservation Plan designed with a focus on conservation; and plans regarding social participation such as consultation and collaborative decision making processes involving the participation of local inhabitants and the related parties (associations, universities etc.), NGOs, professional organizations and the private sector.

The ownership of hanlar and many monumental buildings located within the core area belonged, until 1936, to the Waqfs'. However many waqf properties were transferred to private ownership based on the law no: 2950 dated 20.04.1936 which has been revoked today. Therefore, the proportion of private ownership among the properties is high.

The Ministry of Culture and Tourism which is in charge of preservation and management of entire movable and immovable heritage assets, has the absolute responsibility for the serial components of the listed sites. The Directorate of the Regional Conservation Council backs up the national authorities within the regions and it has an equal responsibility for each and every serial component. Therefore, it offers an extensive management structure. As for Bursa Metropolitan Municipality, its area of jurisdiction includes daily management problems (ICOMOS ABE, 2013: 277).

3.3.2.7 Management Plan

The Bursa Site Management (concept) defines the management plan as a significant tool used to ensure the coordination between the relevant institutions: namely public institutions and organizations, NGOs, professional associations, beneficiaries and users in the region, in implementing the works required to be carried out collectively.

Within the framework of this definition, the plan aims to create a sustainable system, evaluate the legal and institutional framework, define the works to be executed for implementation, provide the requisite expert knowledge for the projects by defining the duties of the stakeholders to determine the related activities and ensure an effective site management in conjunction with the necessary financial resources (Akan Architecture, 2013:17).

The Bursa site management organization carried out the preparatory works for the management plan in three phases: definition of the management site, establishing the units associated with the site management and drawing up the management plan (Dostoğlu, 2012: 33). The management plan itself, on the other hand, was designed in 4 basic phases as indicated below (Dostoğlu, 2012: 35-37):

Phase I - Analysis Works

- Informative meeting (regarding the definition of the sites and participatory planning)
- Participation planning involving the stakeholders
- Finalizing the analysis regarding the current state
- Workshop I
- Survey meeting I (SWOT Analysis)
- Reporting back about the outcomes of survey meeting I
- Drawing up the report concerning the survey meeting I (presentation to the Advisory Board and evaluation of the results)

Phase II - Defining the Goals and Strategies

- Workshop II
- Survey meeting II (goals-strategies)
- Reporting back about the outcomes from survey meeting II
- Defining the goals
- Defining the strategies

- Drawing up the report concerning the Survey meeting II (presentation to the Advisory Board and evaluation of the results)

Phase III - Draft Management Plan

- Workshop III
- Designing the action plan
- Defining the required organization model to be used for the implementation of the plan, and the actions and the distribution of tasks (defining the proposals, actions, projects and the stakeholders)
- Defining the fund raising needs and budgeting for implementation activities
- Designing the five-year staging and timing charts
- Proposal for a model concerning the implementation, monitoring and evaluation of the plan
- Preparation of the drafts of site management models
- Reporting the model management plans to the stakeholders (holding a meeting by the administration with the broad participation of the implementing institutions)
- Drawing up the report regarding the Phase III (presentation to the Advisory Board, the Coordination and Supervision Board and the ministry

Phase IV - Revision and Presentation of the Management Plan

- Reviewing the plan according to the views of the institutions and organizations
- Presentation of the site management plan to all the stakeholders
- Work regarding publicity and presentation (invitation to ICOMOS/UNESCO common missions)

The survey meeting for Hanlar Bölgesi was held on 23.05.2012, the one for the Sultans' Complexes on 24.05.2012 and the meeting for the village of Cumalıkızık on 29.05.2012. The strengths and weaknesses, opportunities and threats concerning the management of the site, and the future aspirations and proposed solutions were defined in these meetings. Parallel to these meetings, all the works carried out in the

management site and the data were consolidated into an analytical report required for the management plan. This report called ‘the current state analysis report’ aimed at establishing the knowledge base of the management plan to be used in other phases. The management plan was designed on the basis of this report (Akan Architecture, 2013:18).

The second survey meetings were held on 27.06.2012 for Hanlar Bölgesi and the Sultans’ Complexes and on 28.06.2012 for the village of Cumalıkızık. In these meetings the stakeholders brought forward important ideas and discussed differences in priorities, and the goals that could provide new perspectives for the site management strategies and policies were defined. The report designed as a result of these meetings within the scope of the preliminary work for the management plan regarding Hanlar Bölgesi, the Sultans’ Complexes and Cumalıkızık village, includes the goals and strategies which could be guiding factors for the activities for achieving a transparent, participatory, effective, deliberate and integral planning, conservation, usage and development of the social, cultural, economic, tangible and intangible heritage values in the light of the overall vision and basic principles. The goals and strategies report as a result of second phase works, first and second survey meetings reports and current state analysis report were considered as identifying action items as follows (Akan Architecture, 2013:18-19):

1. Management (authority, legislation, organization, coordination, participation) (30 activities)
2. Cultural values – conservation and planning (45 activities)
3. Social – economic – environmental life quality (44 activities)
4. Training and awareness (21 activities)
5. Accessibility – transportation (32 activities)
6. Tourism - promotion - visitor management (31 activities)
7. Emergency and disaster management (26 activities)

These themes were dealt with in two separate sections: one for Bursa and one for the village of Cumalıkızık, in the management plan. In defining the goals and actions in the tables regarding the action plan, an approach was adopted for every theme with a

special focus on the sustainability and proper development of the integrity and/or originality of the management site in the future as a world heritage site. The activities under each theme heading and actions to be taken to reach these goals were defined in accordance with an approach specially focusing on conservation. It is expected that the management plan encompasses actions that will remain consistent for a period of five years. Therefore, considering the size and diversity of the overall management area, the actions depending on the objectives are defined as project packages. The activities within the project packages will be defined individually as a part of annual work schedules prepared with the cooperation of the parties involved (Akan Architecture, 2013: 153).

The main objective of the management plan is to protect the values for which the properties have been nominated, while at the same time allowing for their regular and traditional use and development. The management plan involves suggestions for local authorities, central authorities, and other stakeholders enabling the Bursa historical sites to be sustainable in the future (Akan Architecture, 2013:158).

The basic ideas and the information in the first and second phase reports regarding the management plans for Bursa and Cumalıkızık were combined together and subjected to an evaluation. Transparent, sustainable and participatory processes were defined in line with international principles in order for the vision and strategies involved in planning to be transformed into projects ensuring effective conservation for the sites (Figure 3.90). In addition, examples of national and international plans were examined within the framework of the preparation process and approaches regarding the plans (Akan Architecture, 2013:19).

The management plan primarily consists of three sections:

- The first section includes the definition of the management site.
- The second section encompasses the action plan charts designed using a participative approach based on the vision, mission and the basic principles as defined in the management plan to guide the works of the related institutions and the

implementation, monitoring and supervision processes of the plan, stakeholder analysis and management model.

- The third section includes the appendices.

The appendices in the third section contain the information about the registered buildings, the planning process, construction activities and the tables concerning the completed, ongoing, planned and periodical works carried out by the institutions operating in the area as of May 2013 and the names of those participating in the management plan process. The draft management plan was finalized on 22.08.2012 and submitted to the Bursa site management group/unit and subsequently forwarded to the Ministry of Culture and Tourism on 03.09.2012 (Akan Architecture, 2013:19).

The Site Management Unit carried out studies to facilitate a unified approach by establishing a coordination platform between all stakeholders, preserving the world heritage site within the frame of the management plan. This unit monitors the management sites in direct liaison with the Yıldırım and Osmangazi Municipalities and the Regional Directorate for Pious Foundations, The Metropolitan Municipality's projects department works in close cooperation with the management unit's staff, in terms of prioritizing, planning, approving and inspecting conservation projects (Akan Architecture, 2013:127).

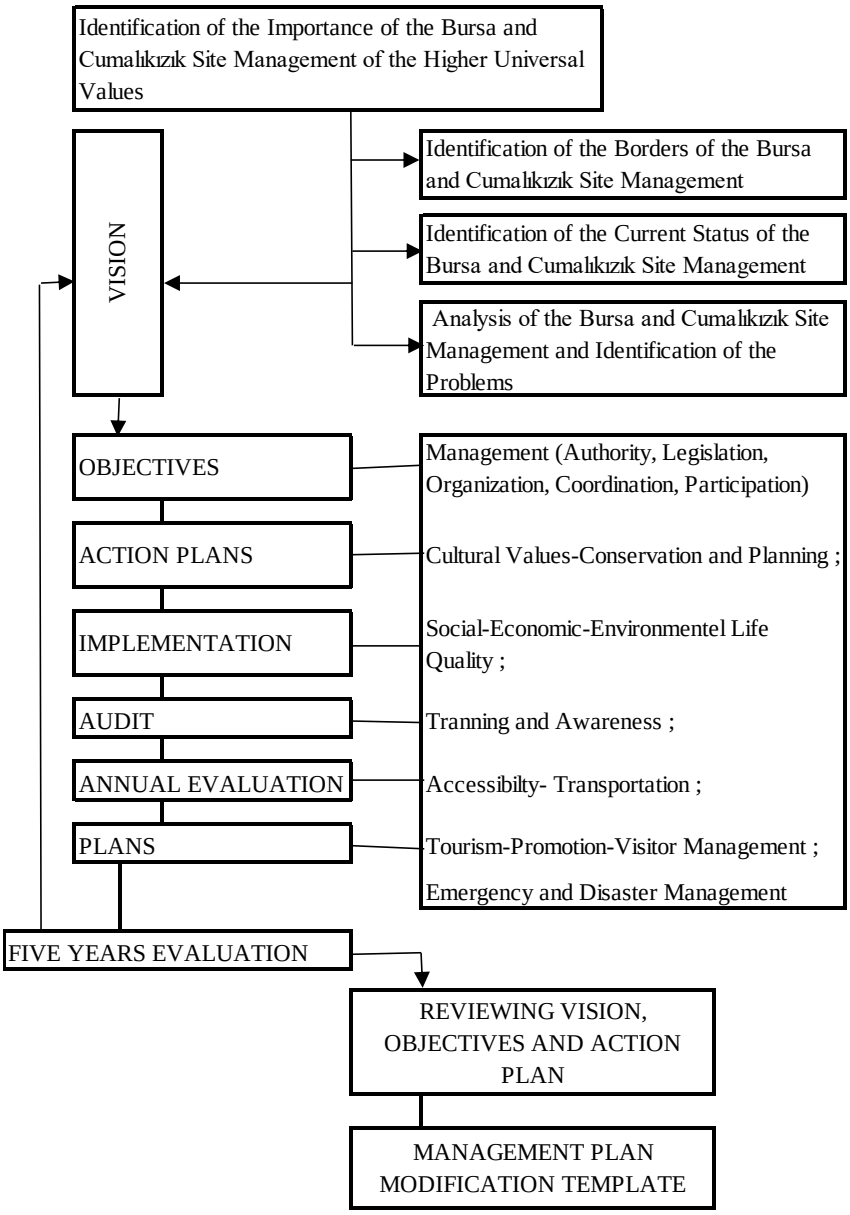


Figure 3.90 Bursa Site Management Process (Bursa Metropolitan Municipality, 2014: 2650).

3.3.2.8 Involvement of Local Communities

The mutual participation of local and nationwide stakeholders and improvement of relations with international stakeholders lie at the core of the formation of the management plan. The success of the plan is highly dependent on providing the coordination among many projects and initiatives which are designed in line with the purpose of the plan (Akan Architecture, 2013:134). Both national and international survey meetings were conducted during the preparation phase of the management plan in order to provide transparency and encourage all stakeholders to attend (Management Plan, 2013:17). The knowledge and experience of the all stakeholders are important assets that the survey meeting which is participative planning method benefits from. Bursa Site Management Unit summoned a number of participants coming from a broad spectrum in order to enhance the efficiency of this method (Akan Architecture, 2013:146).

While making the management plan for Bursa and Cumalıkızık which includes Hanlar Bölgesi, the sultans' complexes and Cumalıkızık, the first survey meeting lasted three days between 22-25 May 2012 and it was accomplished with the wide participation of 162 people chosen from the stakeholders of the related areas. During the first survey meeting, stakeholders who were chosen from three main groups to be cited below, were equally represented (Akan Architecture, 2013:146).

1- Involved parties: Delegacies from several organizations and trade associations, academicians, and some other associations in Bursa.

2- The parties influenced by the decisions: Delegacies of institutions, associations, groups, foundations, companies, inns, village headmen (muhtar), owners selected by village headmen.

3- Decision makers: Governorship, Metropolitan Municipality, District Municipalities, relevant local governorships, Bursa Provincial Directorate of Family and Social Policies, Bursa Provincial Special Administration, Regional Directorate of

Pious Foundations, Provincial Directorate of Environment and Urbanism, Provincial Directorate of Disaster and Emergency, Provincial Directorate of Food, Agriculture and Livestock, Provincial Directorate of Security, Provincial Directorate of Health, Provincial Directorate of Culture and Tourism, BKVKBK, Directorate of Museums, District National Education Directorates, Gendarmerie Command, BUSKI, Türk Telekom Regional Directorate, Uludağ Electric Distribution, BEBKA, consultant academicians.

The main goal of the meeting and the following meetings held after, was to identify and review the ideas of stakeholders about the sites. The expectations of the stakeholders can be categorized under the following nine subjects:

- 'Environmental plan and standard of living
- Raising awareness and education
- Economic structure
- Planning and conservation
- Cultural structure
- Risk and disaster management, emergency
- Advertising and tourism
- Transportation and availability
- Organizational structure'

The expectations of the stakeholders about the site and the current situation were identified at the end of the first survey meetings. The SWOT (strengths, weaknesses, opportunities, and threats) analysis revealed the fact that identifying the targets in advance and forming a current situation analysis in the management plan action tables were beneficial (Akan Architecture, 2013:146).

As for the second survey meetings, experts along with some stakeholders of the first meetings were called to discuss the nine subjects that were cited above. 128 people attended these meetings between the dates of 27 and 28 June 2012. During these meetings, policies that would be incorporated into the management plan along with the targets and strategies and subjects that were classified for every site in the SWOT analysis, were determined. The data obtained following the second survey meetings

was of great importance to find out and distinguish the targets, strategies, visions and missions (Akan Architecture, 2013:146).

Some answers for the following questions were acquired during the succeeding sessions that were conducted as a part of the second survey meetings:

- Which kind of trends may have an impact on the sites in the future?
- Which targets can be emphasized for the sites in the future?
- What is the connection between the weaknesses and strengths of the areas and the selected targets?
- Which policies can be useful to reach the selected targets?
- What are the proposals for mostly favorable policies in the sites?

3.3.2.9 Stakeholders

National public institutions that are stakeholders in the context of cultural heritage conservation are listed under two headings, namely central and local government agencies. The relationship between the site management unit and stakeholders is shown in Figure 3.91. Main stakeholders are central government institutions, local government institutions[60] and other agencies and organizations.

Other Agencies and Organizations

On a national scale there are many institutions and organizations other than the central and local governments contributing to the preservation of historical and cultural values. There is a large number of NGOs that are well organized both locally and nationally which actively participate in the preservation of cultural heritage. For example, the Association of Historical Towns is an important organization at the local level and works to raise awareness and sensitivity among local authorities regarding the preservation of historical areas. Founded in 2000, this association is also a member of the European Association of Historical Towns. The ÇEKÜL Foundation, the

[60] Central and local government institutions have been included in Section 2.4.2.3 in this thesis.

TURING Organization and the TAÇ Foundation are other examples of the civil organizations active in restoration issues. Other professional associations affiliated to TMMOB (Union of Chambers of Turkish Engineers and Architects) and universities, especially Uludağ University, make important contributions with occupational, legal and scientific activities (Akan Architecture, 2013: 54-55).

3.3.2.10 Resources

Resources involved in putting into practice different components of the Bursa (Hanlar Bölgesi and Sultans' Complex) and Cumalıkızık management plan extend beyond the financial to also include information, human resources, technology and similar project experiences of related organizations such as associations, universities and NGOs (Akan Architecture, 2013: 143).

Financial Resources

Financial resources are categorized under two main headings (Akan Architecture, 2013: 143-146).

- National resources
    - Resources of central authorities
    - Resources of local authorities
    - Other resources (public organizations, private sector)
- International resources[61]

[61] National resources (resources of central authorities, resources of local authorities) and international resources have been included in Section 2.4.3 in this thesis.

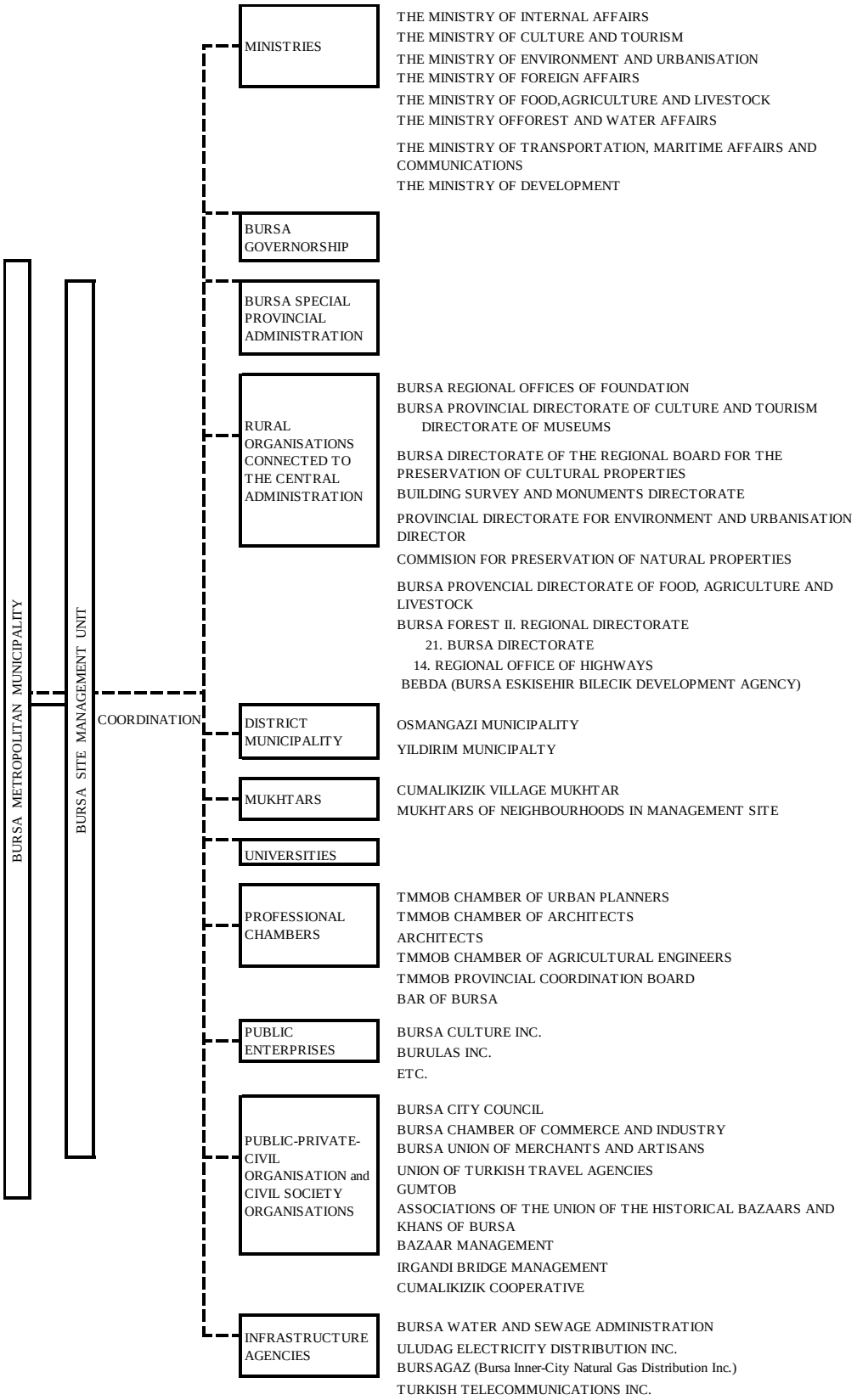


Figure 3.91 The relationship between site management unit and the stakeholders Bursa (Metropolitan Municipality, 2014: 2460).

Other Resources (Public Organizations, Private Sector)

Within this scope, organizations, such as the Historical Cities Association, ÇEKÜL, TEMA, TURING, the TAÇ Foundation, the Foundation of Archaeologists, the Cultural Awareness Foundation, the Foundation of Human Settlements, KÜMİD, the History Association, the Foundation of Science and Arts, Special Museums, TOBB and BTSO are related with both financial resources and awareness projects. The Bursa Foundation for Culture, Art and Tourism, he Tourism Foundation and BURSAV are public organizations which are able to support site management organizations for research, education and publication purposes. Additionally, entrepreneurs may use KOSGEB support for projects aiming to contribute to the economy through historical assets restoration. These means of support may be listed as entrepreneur credits, promotion support, marketing, research and development projects, employment projects as well as electricity and tax supports. Also TÜBİTAK Research and Development Support, Labor Authority Projects, IGEME (Export Development Surveys Centre) supports, individual donations and funds are other important resources. Development agencies established in coordination with the Ministry of Development according to law no. 5449 are autonomous organizations with various financing mechanisms. Local branches of the development agencies have a high technical capacity as well (Akan Architecture, 2013: 145).

Human Resources

The Bursa Metropolitan Municipality is one of the local authorities responsible for conservation of cultural heritage in the management area. In this context, provincial directorates associated to Bursa Metropolitan Municipality can be listed as follows:

- The Urban Planning Branch Directorate and Development Implications Branch Directorate under the auspices of the Development and Urbanization Department
- The Parks and Gardens Branch Directorate operating under the Technical Affairs Department

- The Environmental Control Branch Directorate under the authority of the Environmental Protection and Control Department
- The Historical and Cultural Heritage Directorate within the Culture and Tourism Department

In addition, the personnel of these directorates receive training in conservation and attend symposiums and workshops. The Bursa site management unit, established under the Historical and Cultural Heritage Directorate of the Metropolitan Municipality of Bursa, has on its staff trained architects, specialized conservation architect, architectural historians and site managers. Secretarial services, necessary personnel, tools, devices and equipment are provided by the Metropolitan Municipality (Bursa Metropolitan Municipality, 2014: 17, 54). The staff working in the stakeholder institutions other than the Bursa site management unit are of architects, urban planners, archaeologists, conservation specialists, engineers, technicians and administrative staff, totaling, all together, 435 people (Akan Architecture, 2013:57-59).

3.3.2.11 Monitoring and Reviewing the Plan

Monitoring is one of the specific tasks of the Bursa site management unit. Since monitoring is an important aspect of management, the unit started collecting existing data, and continues with monitoring, following with reference to agreed indicators. The key indicators are defined as the percentage of implementations of the actions regarding the size and the features of the sites (Management Plan, 2013: 242). The indicators listed in the nomination dossier, with their related place and course, are shown in Figure 3.92 (Bursa Metropolitan Municipality, 2014: 172).

The efficiency of the execution of the management plan relies on a continuous cycle of planning, implementation, monitoring, assessment and feedback. The instruments to provide this cycle are action plans, annual work programs, preliminary budget, annual reports, evaluation reports and the decisions of the Coordination and

Indicator	Place	Periodicity
Budget and Strategic Plans for conservation	Bursa (Hanlar Bölgesi and Sultans' Complexes) and Cumalıkızık	Annual
Implemented conservation and maintenance works (Action reports)	Bursa (Hanlar Bölgesi and Sultans' Complexes) and Cumalıkızık	Monthly and Annual
Number of conservation plans prepared	Bursa (Hanlar Bölgesi and Sultans' Complexes) and Cumalıkızık	Annual
Numbers of residents	Bursa (Hanlar Bölgesi and Sultans' Complexes) and Cumalıkızık	Annual
Periodic photographic documentation	Bursa (Hanlar Bölgesi and Sultans' Complexes) and Cumalıkızık	Annual
Total cultivated and forest areas around the village	Cumalıkızık	Annual and on going
Numbers of visitors, in specific places	Bursa (Hanlar Bölgesi and Sultans' Complexes)	Annual
Numbers of empty houses	Cumalıkızık	6-months intervals

Figure 3.92 Key Indicators (Bursa Metropolitan Municipality 2014: 171-172)

Supervision Board. The management plan revision is carried out in the light of the evaluation of these instruments (Akan Architecture, 2013: 243).

The purposes of the cycle are:

1. To enable the stakeholders evaluate the management plan execution
2. To evaluate the sustainability of cultural heritage conservation
3. To provide up-to-date information on cultural heritage through evaluating the variable conditions and the status of the conservation of the cultural assets
4. To build a mechanism for sharing knowledge and experience through collaboration between stakeholders.

The work implemented by stakeholders, completed, ongoing, planned and of a periodic status, can all be found within the management plan as of May 2013. The details of

this work and all the data related to the management area form the present situation, accepted as an initial point from which to evaluate the implementation process. During the implementation process of the management plan, the work program and the preliminary budget of the next year, and the work report on the previous year, along with an evaluation report will be prepared annually and presented to the Coordination and Supervision Board to enable the process be monitored and audited. It is proposed to update the management plan every 5 years depending on the decisions taken by the Coordination and Supervision Board (Akan Architecture, 2013: 243).

3.3.2.12 Interim Evaluation of Bursa Management Plan

Bursa is a city dating back to 5000 BC with cultural assets inherited from the Roman, Byzantine and Ottoman periods. The site on the World Heritage List covers six zones, including five important complexes in the city center, (namely Orhan Gazi, Murat I, Yıldırım Bayezıd, Çelebi Mehmet and Murad II) and Cumalıkızık Village, which is an authentic Ottoman village located at a distance of 8 kilometers from the city center. Particularly in the world heritage site, which is rich in Ottoman structures, especially mosques, madrasas, hamams, hanlar, public kitchens and tombs have been restored to their original functions. The sites, which are the components of the world heritage, preserved their integrity and authenticity through regular repair and maintenance.

The site was taken onto the Tentative List of World Heritage Sites in 2000 through an application made under the name of ‘Bursa and Cumalıkızık Village Early Ottoman Era Urban and Rural Settlements’ (hereafter ‘Bursa World Heritage Site’). As a result of the work initiated by the Bursa Metropolitan Municipality in 2009, the boundaries of the site management were approved by the Ministry of Culture and Tourism on 19th of October, 2010. The Site Management Unit was established in December 2011, operating under the Directorate of Historical and Cultural Heritage, within the Department of Survey and Projects of Bursa Metropolitan Municipality. The administrations authorized on the Bursa World Heritage Site prior to the amendment with Decree Law No. 6745 were Bursa Metropolitan Municipality, Osmangazi Municipality, Yıldırım Municipality and the neighborhoods located within the

administrative boundaries of these municipalities. The Bursa and Cumalıkızık management areas were included in the World Heritage List in June 2014. The staff of the Bursa Site Management Unit were appointed by Bursa Metropolitan Municipality, and in addition to the site manager, a coordinator, an architect specializing in conservation and an art historian are currently in charge. The Metropolitan Municipality provides for workplace, secretarial services, in addition to necessary tools and equipment.

The preparation of world heritage nomination file was awarded by tender to a foreign company and the contract was settled on 15.07.2011. However, the management plan was prepared by a national company, again by a tendering procedure and the contract was signed on 18th of April, 2012. The site management plan was approved in April 2013. The Advisory Board consists of representative of the Ministry, representative of the Provincial Directorate of Culture and Tourism, representatives of the authorized municipalities, expert academicians, the Director of Bursa Regional Conservation Council, related village headmen, Chamber of Architects Bursa Branch Director, Chamber of City Planners Bursa Branch Director, President of Bursa Bar Association and representatives of various NGOs. The Coordination and Supervision Board consists of the deputy governor, the Head of Culture and Tourism Department of the metropolitan municipality, Chief of the Cultural Assets Section in Bursa Governorate, the Regional Director of Foundations, Deputy Mayor of Yıldırım Municipality and two academicians.

In the planning phase, site management is defined as a process management and coordination platform composed of planning, implementation, monitoring, supervision and reviewing activities, and the site management plan is described as a strategic plan. It is stated that site management is not based on voluntariness; rather it is a legal obligation bringing local people and institutions related to conservation together. Four criteria have been identified to ensure a common perception of the concepts and processes of site management and management plan by stakeholders. These are enumerated as strategic plan perception, participation processes, transparency and cooperation. The means of implementation are defined as legal,

institutional, financial, physical and social instruments. The main objective of the plan is to establish a sustainable system for conservation.

The planning process was designed as an analytical work in the first phase, determination of goals and strategies in the second phase, preparation of a draft management plan in the third phase and revision and presentation of the management plan in the fourth phase. In this regard, the survey meetings were initiated in May 2012. The participants invited to the survey meetings were selected from three groups determined namely: determinants, decision makers and those affected by the decision. The survey meetings were held separately for Hanlar Region, Sultan Complexes and Cumalıkızık village. The strong and weak sides of the site, opportunities and threats, thoughts and solution options, which were determined as results of the initial survey meetings and submitted by the participants have been brought together under the name of an analysis report and this report was utilized in the management plan. The second survey meetings were held in June 2012. Objective, strategy and policies were determined in these meetings. The second phase report that includes mission, vision, fundamental principles, objectives and strategies was prepared as a result of these meetings. The problem areas were categorized under seven headings (management, cultural values, quality of life, training and awareness, accessibility, tourism and disaster management). During the drafting of the management plan, activities were identified as project packets, institutional collaborations, distribution of duties, financial resources, indicators and duration were attempted to be defined, the proposals were made about implementation, monitoring and supervision processes. The objective was to define participatory, transparent and sustainable processes. Moreover, the examples of national and international management plans were examined. The management plan was submitted to the Ministry of Culture and Tourism in September 2012, and approved for action by the Coordination and Supervision Board in April 2013.

The financial resources that will enable the implementation were described as central and local administration resources, donations and grants to be provided from private institutions and NGOs. It is predicted that organizations like UNESCO, ICOMOS,

ICCROM, World Heritage City Organization and the European Council will be among the international resources that will contribute.

The monitoring and reviewing processes were designed as specified in the regulation on site management. The indicators of the monitoring were not determined so as to allow sufficient and effective measurement and monitoring within the management plan, however after initiation of application some indicators that can be called as SMART were updated.

In the current situation, there are studies being carried out according to the themes specified in the Bursa management plan. Meetings are held to ensure inter-agency coordination regarding the management objectives. Furthermore, some work continues for organizing the UNESCO World Heritage Mission Team. As far as the objective of conservation and planning is concerned, monuments, 72 of which are located in the world heritage sites, still lacking surveys were identified and an inter-institutional co-ordination is being attempted to prepare their survey. Towards the objective of quality of life, users were consulted and their demands were taken in order to put into effect some certain rules in all the bazaars. Concerning the goal of education and awareness, the World Heritage logos were featured in the urban site, awareness raising activities were organized in approximately 32 schools, as well as panels and city exhibitions being organized on 22 June UNESCO World Heritage Bursa Day. The 5th Module of the 'Site Management: Experience and Sharing Training Program', jointly conducted by Çekül Academy, Historical Towns Union and Turkish Municipalities Union, was realized in Bursa. In addition to these, 'The Project for Youth Conservators of Cumalıkızık' was carried out and 'UNESCO 2016 Youth Forum' was supported. Regarding the accessibility and transportation objective, decisions were made to organize issues such as the pedestrian areas, vehicle traffic, parking spaces, tourist bus stops and sightseeing routes in the World Heritage Sites, and applications were made to UKOME. In relation to tourism, promotion, visitor management, some promotion materials explaining outstanding universal value were prepared. In addition, a connection with the organizations recognized by UNESCO was established. OWHC membership procedures are being carried out. For the purpose

of emergency and disaster management, some studies about the Muradiye Complex, where deficiencies in fire measures have been identified, were conducted by Department of Fire Brigade.

R11, who was interviewed within the scope of this thesis, expressed that generally the site management units were experiencing financial problems because they did not have their own budget, however, this issue did not constitute a problem for the Bursa Site Management thanks to the support of Bursa Municipality. R11 also stated that the actions designated for the management plan had been initiated prior to being accepted as a world heritage, and many meetings were held with stakeholders regarding the determination of site management boundaries. In addition, R11 mentioned that the services needed for site management were provided by tender and in this context the management plan was also created using this method. Furthermore, R11 touched upon the significance of working with a qualified team who know the plan the site management unit wo4rks to, due to the uncertainties surrounding communication between the contractors who prepared the plan and the unit. Finally, R11 stated that the points about elections to the Advisory Board and membership of the Coordination and Supervision Board have not been sufficiently understood in practice.

In addition to the subjects mentioned by R11, it is observed that some specific aspects stated in other national cases were included in the Bursa management plan. These aspects were identified in the SWOT analysis of the plan as: multi-headed leadership in the management, existence of several projects regarding the site and lack of coordination among these projects, lack of awareness of political will about protection, coordination problem between institutions, lack of detailed inventory and archives, deterioration of cityscape due to erroneous development plans and of the condoning of illegal housing by political authorities, jurisdictional conflict among institutions responsible for implementation of conservation, lack of monitoring and controlling mechanisms, different and conflicting expectations of stakeholders, implementation problems of restorations, failure in systematic performance of periodic maintenance and repairs, lack of expertise in institutions dealing with conservation, lack of qualified personnel in implementations, absence of a holistic conservation approach and

common policies, threat of illegal and unlicensed construction, problems about urban design, non-existence of sustainable finance model, problems with urban infrastructure and environmental regulation, weakness in awareness of conservation, inadequate awareness in basic education, traffic and parking problems in historical areas and lack of tourism and visitor management were included in the management plan. On the other hand, in the education and consciousness section of the action plan regarding Cumalıkızık village, mentioning ‘concern about changing the management plan to be prepared as a result of political pressures’ is a negative factor.

When evaluated in general meaning, the Bursa Management Plan shows similarities in consequence of taking the Istanbul plan as a model in terms of method and content. However, the Bursa management plan was prepared in a shorter time, in approximately one year. Membership of the ministry representative and the Director of Regional Conservation Council to the Site Management Advisory Board as well as the Regional Director of Foundations and the Deputy Governor to the Coordination and Supervision Board is an important strategic approach in terms of the involvement of administrations that have responsibility regarding the fulfillment of studies of site management, as well. The process management evaluation of the implementations and perception of the management plan as a strategic plan are initially well-defined approaches. Strategic planning perception, participation processes, transparency and cooperation approaches, which are theoretically aimed at steering stakeholders, were included in the plan as the international basic principles of site management practices. The conceptualization of site management within the framework of the 'system' approach is also a positive aspect of the planning phase. However, although developments that can be qualified as minor in site management have been accomplished, many issues described in action plans could not put into practice.

At this point, in addition to the general problems observed in all national cases, the fact that the Site Manager does not have the opportunity to work full time, the dispersed nature of the Bursa World Heritage Sites in six different places, a shortage in the number of working personnel in the site management regarding physical control and supervision of the site, envisagement of the action plans will take place in 2, 4 and

5-year periods rather than by specific times can be considered as other problems. Nevertheless, the site management has its own web page, in addition, news and announcements related to management plan and the site are included in this domain. This improves transparency and accountability. However, except for the management plan, absence of activity reports, evaluation reports and meeting minutes is an indication that this facility has not yet been properly assessed.

3.3.3 Case Study: Edirne Selimiye World Heritage Management Plan

3.3.3.1 General Description

Edirne, a city in Marmara region of Turkey, is home to the World Heritage Site, which is located close to the crossing point of European and Anatolian highways and railways, neighboring the Bulgarian and Greek borders of Turkey. The site is composed of the Selimiye Mosque (Figure 3.93), its şadırvan (fountain court) in addition to related charities namely the Dar'ül-Kurra Medrese (Qu'ranic college that is converted to the Foundation Museum now), the Dar'ül-Hadis Medrese (religious law college that is converted to the Turkish and Islamic Arts Museum now), the Arasta (covered bazaar that is foundation fund's source of income), Sıbyan Mektebi (Ottoman elementary school), the Muvakkithane (clock house), the mosque's outer courtyard, available space for travelers' collapsible shelters and the library (ICOMOS ABE, 2011: 318).

Figure 3.93 Selimiye Mosque (Bozkurt, August 2016)

The complex of Selimiye in Edirne was designed by Mimar Sinan (Architect Sinan) between 1569-1575 and built by order of Sultan Selim II. The complex (külliye) gave a symbolic character to Edirne, a city which was an asset to the Ottoman Empire as an entry point to Europe in the 15th and 16th centuries. The complex was the last structure where political power was embodied in erecting a building with religious character built by imperial order in the 16th century, at a time when the Ottoman Empire was still one of the dominant powers in Europe. Today the Selimiye Mosque is used for daily prayers, thus maintaining, to this extent, its original function (Edirne Belediye Başkanlığı, 2011: 29-30).

With a large dome resting on pillars (Figure 3.94), and its attendant structural and aesthetical features, when viewed in all its grandeur, the mosque is a landmark recognized as a masterpiece. Not only Sinan's virtuosity in the design of the dome, but also his choice of location within the urban environment, and the architectural and engineering solutions contained in the complex illustrating his capacity as an urban planner are factors adding to the significance of the structure (Edirne Belediye

Başkanlığı 2011: 31-37). In contrast to the double-dome design used in Renaissance architecture, Sinan preferred to build the dome of the Selimiye Mosque as a single-shell. The weight of the dome, with a diameter of more than 31 m, is successfully transferred to the pillars using eight arches. This allowed the inclusion of the many windows that allow daylight to penetrate into the interior. The size of the dome creates a vast central space for the congregation to gather in. In this sense, the mosque is recognized as one of the most important structures of the pre-industrial period. The three-fold staircase system in the minarets is another distinct feature in terms of architectural history. Regarding urban planning, the location of the mosque was chosen to allow for possible future urban development, thus enabling the complex to interact with other important buildings in the city center (Edirne Belediye Başkanlığı 2011: 35-38).

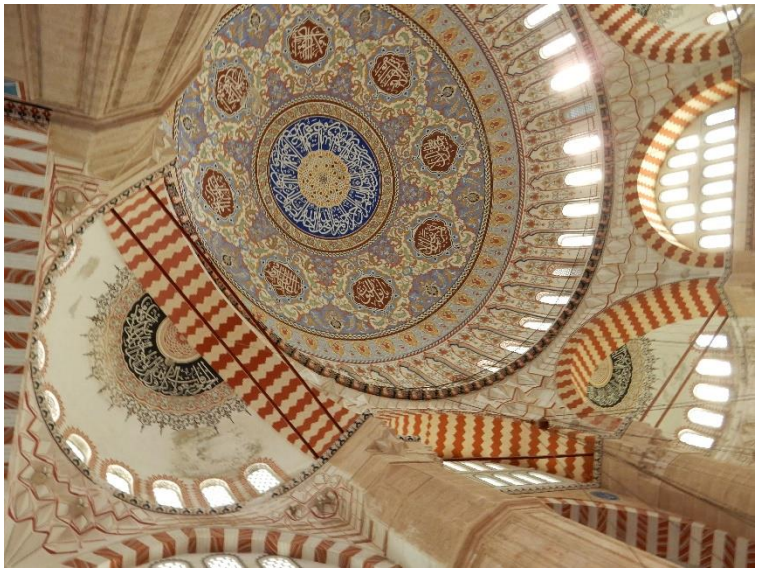


Figure 3.94 The dome of Selimiye Mosque (Bozkurt, August 2016)

3.3.3.2 Nomination

The preliminary work for the nomination of the Selimiye complex for World Heritage were initiated by the Municipality of Edirne and the Ministry of Culture and Tourism in 2003. The site manager was appointed on 11.12.2006. A series of meetings were held by the EU and International Relations office under the auspices of the Department of Cultural and Social Affairs in the Municipality of Edirne in the initial phase with

numerous stakeholders participating. The boundaries of the management area, determined in consultation with the stakeholders, were presented to the Edirne Regional Council for the Protection of Cultural Properties (Regional Conservation Council), and approved by the Ministry of Culture and Tourism under approval no. 218965 dated 31.12.2007 after the required amendments were incorporated (Edirne Site Management Unit, 2012). The related legal amendments were followed up until the middle of 2008, with the preparation of the nomination file gaining momentum after 2008. The work concerning site management were carried out by the EU and International Relations office under the Department of Cultural and Social Affairs in the Municipality of Edirne until July 2009 when the site management unit was officially established as the 'Management Plan Preparation Team'. Subsequently, the affiliated units responsible for the management plan under the coordination of the site manager were established by the Municipal Council of Edirne. The nomination file and the management plan, finalized at the end of 2009 were presented to the Ministry of Culture and Tourism in January 2010 and delivered to the UNESCO World Heritage Center which finalized the preliminary examination in March 2010, and declared the file adequate, forwarding it to ICOMOS, the sub-committee of UNESCO on technical issues, for technical examination (Edirne Site Management Unit, 2011). The complex of Selimiye in Edirne was included in the UNESCO World Heritage List on 29.06.2012 (Edirne Belediye Başkanlığı 2011: 134).

3.3.3.3 Current Conservation Status

Sinan carried out restoration on the Selimiye Mosque after it was struck by lightning in 1584 during the reign of Sultan Murat III. An earthquake in 1752 caused damage to the balconies of some minarets and some of the glazing, and cracked the roof of the clock house (muvakkithane) The mosque escaped substantial damage in the minor earthquakes in the following years. Some of the calligraphy was renovated in 1808 and 1883, and a roof was built over the fountain in 1808. Baroque style motifs were added to the decoration during restoration of some of the original motifs between 1839 and 1861 during the reign of Sultan Abdülmecit. The roof of the Arasta was renovated in 1874. Some tiles and decorative items were damaged during the Russian occupation

of the city between in 1877 and 1878 and the original carpets were removed by the Bulgarians during the Balkan Wars in 1913 (ICOMOS ABE, 2011: 320).

In the republican era, the mosque was restored by the order of Atatürk after a storm damage in the region in 1930. In another tempest occurring in 1932 demolished the conical roofs of all four minarets, which were not replaced until the extensive restoration works carried out between 1950 and 1955. In 1960, one of the minarets that had partly collapsed was reconstructed, the marble paving around the fountain, the stone paving in the outer court and the staircase at the entrance were renovated. Between 1978 and 1983 and 1983 and 1985, the General Directorate of Pious Foundations carried out extensive restoration of the decorative items. The latest works executed between 2004 and 2008 included the renovation of the wooden components of the minarets and the lead roofing, and repair work on the dome. ICOMOS notes that the complex which is under continuous renovation by the General Directorate of Pious Foundations is in a very good condition and has suffered minimal damage since its construction (ICOMOS ABE, 2011: 320-322).

3.3.3.4 Legal Protection

The complex of Selimiye was registered as a monumental architectural landmark by the decision no. 9514 of the Superior Council for Real Estates, Antiquities and Monuments on 13.11.1976. It is located in the urban conservation area within the conservation plan with 1/1000 scale adopted by the Regional Conservation Council by the decision no. 37 on 25.05.1988. The decision no. 7697 of the Regional Conservation Council on 04.07.2003 ensured the maintenance of the status of the complex as a monumental architectural landmark. The boundaries of the urban conservation area and the conservation plan were revised by the Regional Conservation Council by decision no. 1632 on 05.10.2007 (Edirne Belediye Başkanlığı, 2011: 18). In line with the operational procedures of UNESCO and the national site management legislation, the borders of the buffer zone were demarcated and while doing this, all stakeholders within the site participated in the process. Following the Regional Conservation Council's decision to approve the world heritage site's borders (no.1715 dated

13.12.2007), Ministry of Culture and Tourism declared on 31.12.2007 that the buffer zone is a management area (Ministry of Culture and Tourism, 2013: 90) (Figure 3.95).

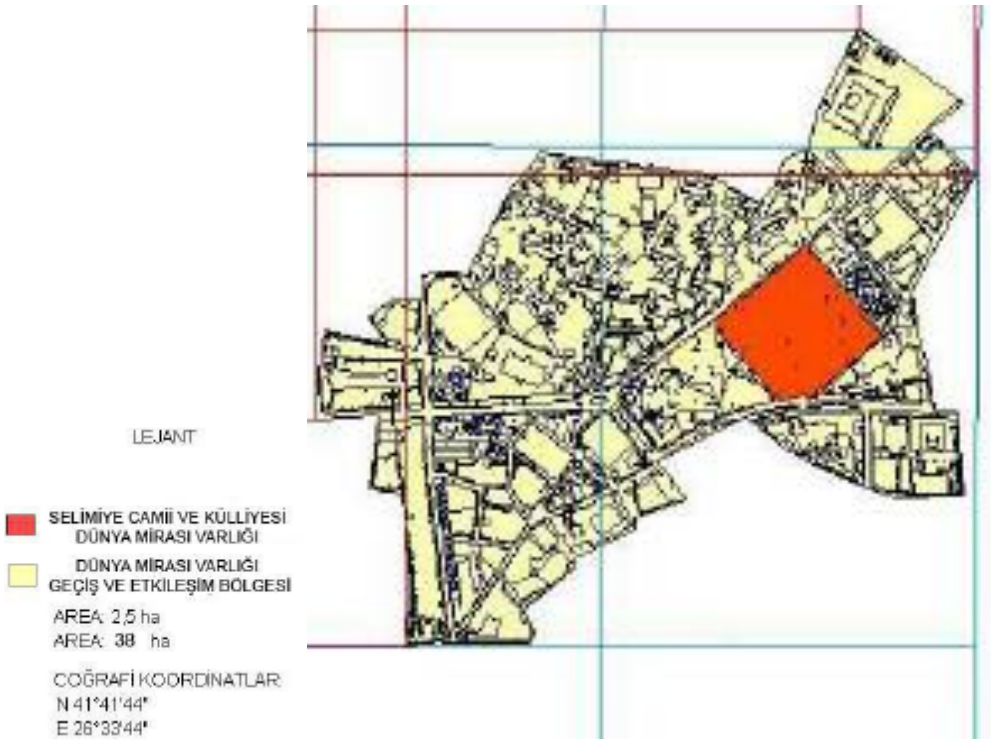


Figure 3.95 Management Area Boundaries (Ministry of Culture and Tourism, 2013: 28).

3.3.3.5 Factors Affecting the Site

Development Pressures

The location of the complex in the center of Edirne makes it vulnerable to the pressures created by unpredictable and difficult to control factors including urbanization, population increase, traffic, tourism, and physical effects such as air pollution. The conservation plan designed in accordance with the decision of Regional Conservation Council dated 05.10.2007 was implemented. This aimed to alleviate development pressures by enforcing height restrictions within the management area and preventing encroachment on the vistas providing views of the complex. Moreover, certain areas

within the buffer zone namely Tahmis Square, Saraçlar Street, Çilingirler Street along with the small square near the Old Mosque's entrance became closed to traffic and opened for the use of the people between the years of 2007 and 2009 in accordance with the conservation plan (Edirne Belediye Başkanlığı 2011: 85, 125).

Tourism Pressures

Edirne, being relatively near Istanbul, attracts a steady flow of tourists all the year round. Besides, academic events in connection with Trakya University with participation from Balkan and European countries, people visiting the mosque in the summer and the traditional Kırkpınar oil wrestling event create a high year round volume of visitors. However, ICOMOS draws attention to the inadequate number of visitors and lack of a visitor management system (ICOMOS ABE, 2011: 324; Edirne Belediye Başkanlığı 2011: 85, 125).

Environmental Pressures

The use of natural gas and fossil fuels during the harsh winter season in Edirne causes air pollution and its effects can be observed on the facades of the historical buildings. The ambient level of humidity encourages the development of vegetation on the stone works in the Selimiye Mosque, without, fortunately, affecting the wooden structures and ornaments. Monitors for temperature and humidity have been installed to protect the manuscripts in the library, with the humidity level being controlled to provide optimum protection. However ICOMOS has expressed concerns about the insufficiency of the climate control system installed in the library. Early warning and electronic alarm systems were installed to ensure fire protection and security (ICOMOS ABE, 2011: 324; Edirne Belediye Başkanlığı, 2011: 87).

Natural Disasters

Edirne is situated in a second-degree seismic zone and has been extensively devastated twice in the past. The mosque has survived without any substantial damage although severe earthquakes have occurred in the region such as the one in 1752. However there are no precise data concerning the earthquake resistance of the ground on which the mosque stands. To have more reliable information regarding earthquake predictability, a land survey will be conducted (ICOMOS ABE, 2011: 324; Edirne Belediye Başkanlığı, 2011: 87).

Lightning and high winds stand as the major risks for the Selimiye Mosque. For several times, lightning impaired the minarets which are of 89 meters height. To prevent the destructive effects of storms that are especially common in spring, the minarets and the cones of the minarets have been reinforced. Every unit of the complex of Selimiye is protected against flood and fire risk in accordance with the decision no. 688 taken by Regional Conservation Council in 1990. Following to this decision, two entrance canopies were built to protect the Arasta against flood risk and a flood barrier was also built near the mosque. The decision of the Regional Conservation Council led to other restoration works: the electrical installation was renewed in 1996 and a transformer was built. Furthermore, canals were constructed in the ground and water tanks were placed near the complex to be used in case of fire (Edirne Belediye Başkanlığı 2011: 87- 88). In addition, the mosque and structures within the complex have been insured by the inhabitants against fire, theft and natural disasters in the name of the General Directorate of Pious Foundations. The Provincial Police Department is in charge of the general security matters concerning the complex, extra security measures are taken on official holidays, month of Ramadan and Fridays (Edirne Belediye Başkanlığı 2011: 100).

3.3.3.6 Management

The ownership of the buildings of the complex according to the different institutions involved. The ownership of the mosque and the ‘medrese’ rests with the Sultan Salim

Foundation, a subsidiary of the General Directorate for Pious Foundations. The Dar'ül Hadis Medrese is used by the Ministry of Culture and Tourism as a museum, and the Dar'ül Kurra Medrese is used by the General Directorate of Pious Foundations as the Foundation Museum. The ownership of the primary school and the Arasta belongs to the General Directorate of Pious Foundations, and all the shops inside the market and the primary school have been rented to private enterprises (General Directorate of Pious Foundations, 2014: 4).

The buffer zone associated with the complex which is situated in the neighborhood of Yeni Mahalle in the city center of Edirne has been determined by all stakeholders in accordance with the operational guidelines of UNESCO and the national regulations. The historical city center that is the hub of cultural and business activities of Edirne mainly constitutes the buffer zone that does not coincide with the borders of the preservation site. The management area has been determined with particular focus on the following points (Edirne Belediye Başkanlığı 2011: 27-28):

- To conserve the complex in a holistic way while retaining its tangible and intangible values
- To maintain the functions of all cultural assets built in different periods such as the mosques, bazaars, inns, the public bath which are located in and around of the complex
- To control the physical developments and changes around the complex in order to retain its architectural integrity for future generations.

The outline of the barracks of Harbiye in the north, the 14th Atik Ali Pasha Mosque, in the east, the Public Education Center and the former commercial high school in the southeast, the Rüstem Paşa Caravanserai and Çilingirler Bazaar in the south, the Ali Paşa Bazaar, Macedonian tower and the archaeology park in the west combine to form the boundaries of the management area together with the junction where Saraçlar Street and Çilingirler Bazaar intersect, which forms the boundary of this area where it narrows towards the south. The management area of the complex of Selimiye

encompasses the historical area which has functioned as city center since the 15th century (Edirne Belediye Başkanlığı, 2011: 42).

The Eski (Old) Mosque and Üç Şerefeli Mosque (the mosque with three minaret balconies), structures that are functionally integral to the complex of Selimiye as architectural, social, cultural and economic witnesses and symbols of their respective eras, form the center of the management area. The Arasta, one of the units within the complex of Selimiye, is a building indispensable to keeping the cultural and economic life in and around the mosque alive. There are also examples of civil architecture, historical houses, disused fountains, historical buildings used by several administrative units and several arcades within the site (Edirne Belediye Başkanlığı, 2011: 44).

The management area, the ground combining the world heritage site and the urban conservation area, is divided into nine different zones in terms of the commercial, residential and cultural fabric in itself. While the first zone encompasses the complex of Selimiye, the park in municipal ownership located in the southwest to the complex has been specified as the second zone. The cemetery of Zehrimar, the former commercial high school and the public education center situated in the southeast to the complex are included in the third and fourth zones. All these buildings and the land they occupy are registered as cultural assets. The barracks of Harbiye covers the largest part of the fifth zone. The neighboring sixth zone covering 10.76 ha within the management area includes civil architectural examples which are mainly used for residential purposes. There are a total of 34 registered civil architectural examples in the sixth zone. Apart from such examples there are also six monumental buildings and some public buildings including the central administration building of the Municipality of Edirne and the premises used by the municipal healthcare department in this zone. The seventh, eighth and ninth zones encompass areas where commercial activities in Edirne are primarily concentrated. In these zones there are several examples of civil architecture used for business purposes such as the Macedonian Tower, archaeology park, the Ali Paşa Bazaar, Saraçlar Street and the Çilingirler Bazaar as well as the Bedesten, the building used by Regional Directorate of Pious Foundations of Edirne and another building used by the Fifth Army Corps command.

There are a large number of assets administered by the General Directorate of Pious Foundation, 29 structures with monumental characteristics, 82 buildings with civil architectural quality and 1 monumental tree within the management area (Edirne Belediye Başkanlığı, 2011: 53, 127).

Some other cultural assets which are not located within the management area, but exist in correlation with the site in an archaeological, geographical, cultural or historical sense in terms of management and development were also included as junction points. These are the complex of Bayezıd II, the old train station of Karaağaç (now Fine Arts Faculty of Trakya University), the Kırkpınar oil wrestling arena in Sarayiçi, all assets located in Edirne, although not directly in the city center. Apart from these, it was decided that the complexes of Şehzade and Süleymaniye in Istanbul, although not situated in Edirne, should also be evaluated as the junction points with the complex of Selimiye as providing information and background to the life of Mimar Sinan (Edirne Belediye Başkanlığı 2011: 55).

At the beginning of 2009, a site manager was assigned in accordance with the related national legislation to ensure the management of the site. The Advisory Board, and the Coordination and Supervision Board, the units of site management required to prepare the management plan, were established immediately afterwards, and these units were entitled to official status by the decision of the municipal council of Edirne on 07.07.2009 (Edirne Site Management Unit, 2011). While the units within the site management have certain duties compatible with the national legislation, the owners of the entities of the complex also have certain responsibilities. The Department of Religious Affairs is responsible for the assignment of religious officials to the mosque of Selimiye and ensuring the continuous functioning of the mosque in terms of services of worship. This department carries out such duties through the provincial office of the Müftü of Edirne. The School of Dar'ül Kurra was converted to a museum by the General Directorate of Pious Foundations in 2007 which now serves as the Selimiye Foundation Museum under the Regional Directorate of Pious Foundations of Edirne. The School of Dar'ül Hadis has been allocated by the General Directorate of Pious Foundations to the Provincial Directorate of Culture and Tourism of Edirne to be used

for cultural purposes until 2018. Today it serves as the Museum of Turkish and Islamic Arts under the administration of the Directorate for Museums of Edirne. The shops in the Arasta are rented out by the Regional Directorate of Pious Foundations of Edirne to private enterprises. Sıbyan Mektebi (Qu'ranic primary school) was also refunctioned by leasing it to private enterprises by the same directorate. While the provincial office of the Müftü of Edirne has the responsibility for the daily maintenance and monitoring of the Selimiye Mosque, extensive repair and restoration work is the responsibility of the General Directorate of Pious Foundations (Edirne Belediye Başkanlığı, 2011: 93).

In accordance with the 'Regulation on the Maintenance, Repair, Cleaning and Landscaping in Mosques' published in the O.G. no. 18763 on 24.05.1985, the General Directorate of Pious Foundations is responsible for the general maintenance and restoration of the Selimiye Mosque; the office of Müftü of Edirne for the daily care, cleaning and security; the Ministry of Culture and Tourism for designing and approval of landscape projects; the Municipality of Edirne for the projects of landscape, forestation and planting around the area administered by the Sultan Selim Foundation; the Provincial Governorship of Edirne for the general security of the complex; and Trakya Elektrik Dağıtım A.Ş. (TREDAŞ) for the establishment of transformer and supply of free-of-charge power (Edirne Belediye Başkanlığı, 2011: 99).

The Department of Work of Art and Construction Works, operating under the General Directorate of Pious Foundations, designs the plans for maintenance, repair and restoration works in line with the principles of the Regional Directorates. The Department of Strategy Development under the General Directorate of Pious Foundations carries out the planning and management of the allocations required for these works. When a need for restoration arises within the complex, the Department of the Art and Construction Work, operating under the General Directorate of Pious Foundations, prepares a technical report showing the present condition of the items in question. Surveys and required projects are designed for the related units in accordance with this report. These projects are then submitted to Regional Conservation Council for approval. After the approval a tendering process is initiated and the restoration

works for the unit of the complex to be restored are approved under contract. During the execution of the contract, the Edirne Regional Directorate of Pious Foundations establishes a monitoring unit and all the related works are audited by this unit. In case of unforeseen extra works or additional necessities, such works will also be carried out only after obtaining the required approvals (Edirne Belediye Başkanlığı 2011: 101). All restoration and conservation activities for the mosque, madrasas and the arasta are carried out according to the national Act on the Preservation of Cultural and Natural Heritage no. 2863 and Act on Pious Foundations numbered 5737 and with the approval of the Regional Conservation Council. Supervision of the projects is the duty of the Edirne Regional Directorate of Pious Foundation (General Directorate of Pious Foundations, 2014: 4).

3.3.3.7 Management Plan

A team was formed within the municipality to sustain site management and design the management plan in accordance with 'the Regulation on the Principles Regarding the Establishment and Duties of the Site Management and Monument Councils and Determination of Their Management Fields' published in the O.G. no. 26006 on 27.11.2005. The team designed the plan ensuring communication between the parties involved and determining the powers and responsibilities of each stakeholder in reference to the plan. The draft management plan was designed in connection with the evaluation minutes signed by the Advisory Board on 30.03.2012 following the Article 11 of the regulation and delivered to the members of the Coordination and Supervision Board on 22.05.2012. The Coordination and Supervision Board approved the plan regarding the minutes kept of the meeting held on 26.07.2012 following the Article 12 of the related regulation (Edirne Belediye Başkanlığı, 2011: 7-8).

In designing the management plan, international regulations such as the Management Guidelines for World Cultural Heritage Sites, the 1999 revised version of the Burra Charter, the Venice Charter of 1964, the Washington Charter of 1987 and the Cultural Tourism Charter of 1999 adopted by ICOMOS to guarantee the protection of cultural

heritage were taken into consideration in addition to the national regulations (Edirne Belediye Başkanlığı, 2011: 9).

The management plan foresees actions and practices covering the management area where the complex is placed at the core. The General Directorate of Pious Foundations and the Regional Directorate of Pious Foundations of Edirne are entitled, as the responsible institutions in the management plan, for the physical interventions to be made at the complex and other cultural assets administered by the Foundation in the management area. In principle, the Municipality of Edirne is charged with duties associated with the protective measures to be taken for other cultural assets situated in the same area. The planning is carried out by the Municipality of Edirne and the related works are executed by the boards formed by the municipality and the site manager authorized by the municipality. Rather than being a plan of restoration, landscape and urban planning, this plan regulates the informative, instructive and promotional activities and the flow of visitors to ensure that the significance of the complex is appreciated by all stakeholders from various social backgrounds (Management Plan, 2011: 110). The plan is aimed to be based on a flexible monitoring and reviewing system enabling the management of changes to the mechanism envisioned within the management plan (Edirne Belediye Başkanlığı, 2011: 15).

The objectives set out within the framework of the management plan particularly focus on the preservation of the complex of Selimiye in its authenticity and cultural and functional values. The primary objectives to be achieved in this sense are as follows:

- To seek ways to provide a balance between the needs for protection, access, sustainable development and the interests of the local inhabitants
- To provide the cooperation among public institutions and organizations, NGOs, the stakeholders with usage rights, volunteering individuals and companies
- To execute the required maintenance, repair, restoration, exhibition, design and landscape works with focus on international principles and charters in the field of conservation

- To create international cooperation and network sharing to promote cultural tourism
- To develop value-driven strategies, methods and tools to meet international standards and to obtain financial resources
- To build knowledge among disciplines regarding the site and to create public awareness enabling the changes in factors regarding conservation be managed in an organized manner
- To use high level standards in the management, protection, design and implementation.

The principles in this plan aims for the provision of the participation, efficiency and planned action in every stage in order to accomplish the objectives indicated above. The objectives set forth in this context are as follows (Edirne Belediye Başkanlığı, 2011: 132).

- Sustainable structural protection
- Management of the effects of urban development in the conservation site
- Improved visitor management
- Research and training
- Efficient information management
- Sustainable site management
- New financial resources
- Improved junction points

In line with these objectives, the management plan is defined as an action plan covering a 5-year period. The timing was set out as short (1-3 years), medium (3-5 years) and long term (5 years and longer) in the action plan. The responsible institutions for all the actions were defined, the cost has however been delineated for only 3 out of 70 proposed actions (Edirne Belediye Başkanlığı 2011: 141-161).

ICOMOS recommends in the evaluation report designed in 2011 to:

- Send the urban design proposal concerning the wide green space located in the southwest of the complex according to the Paragraph 172 of the UNESCO operational guidelines
- Take special care to achieve efficient coordination between the conservation plan and the management plan
- Enhance the cooperation between the General Directorate of Pious Foundations and the local and central authorities; ensure that the General Directorate of Pious Foundations is represented on the Coordination and Supervision Board and the Advisory Board
- Include the documentation related to the traditional system covering the conservation and management
- Develop strategies against fire, earthquakes and storm risks
- Carry out research required for the landscape in the outer court
- Promote touristic activities and interpretation
- Give special focus on the height restrictions regarding the construction projects in the buffer zone (ICOMOS ABE, 2011: 329).

In the periodic report for 2014, ICOMOS criticizes the fact that the local inhabitants, communities and property owners are not familiar with the boundaries of the world heritage site. ICOMOS states in the report that while the existing budget regarding financial issues is acceptable, it should however, be increased to meet the management needs and the long-term financing should be enhanced. The programs regarding training and awareness raising are also only partly satisfactory (General Directorate of Pious Foundations, 2014: 6-10).

3.3.3.8 Involvement of Local Communities

During the preparation of the management plan and the approval process for the World Heritage List, the UNESCO World Heritage management team established by the Municipality of Edirne held a number of meetings for the purpose of training,

awareness raising and communication to share the cultural and socio-economic data regarding the site with local people, NGOs, and public institutions and organizations. The team held 52 such meetings between November 2006 and July 2012 (Edirne Belediye Başkanlığı, 2011: 10, 123). A website under the domain www.dmselimiyecamii.com was also designed to make these events and meetings easily known and accessible to locals. Trakya University is the guiding institution in the research, training and information management concerning the complex of Selimiye and historical city center. Many institutions such as Trakya University, Mimar Sinan University, the Association of Historical Towns and the Respect to Sinan Project arrange symposiums and events on a regular basis collecting information regarding the Selimiye Mosque and Mimar Sinan (Edirne Belediye Başkanlığı, 2011: 124). The recommendation of ICOMOS about communication with local people focuses on activities such as supporting local communities in terms of participation on the boards in connection with the site management, particularly with the Coordination and Supervision Board, supporting, furthermore, the employees and experts employed in the site management in enhancing their relations with the local community (ICOMOS ABE, 2011: 327; Edirne Site Management Unit, 2012). In its periodic evaluation in 2014, ICOMOS criticized the fact that the local communities did not play a direct role in management, even though they participated, and made a certain contribution in discussions concerning the management (General Directorate of Pious Foundations 2014: 5).

3.3.3.9 Stakeholders

The authorized institutions in charge of the management area of Selimiye Mosque and its complex are listed as follows:

- Grand National Assembly of Turkey, Directorate of National Palaces
- Ministry of Culture and Tourism
- Ministry of National Defense
- Edirne Provincial Governorship
- Edirne Special Provincial Administration

- General Directorate of Pious Foundations and its Edirne Regional Directorate
- Edirne Regional Council for the Protection of Cultural Properties (The Regional Conservation Council)
- Edirne Municipality
- Edirne Provincial Culture and Tourism Directorate and Directorate of Museum[62]

The Office of the Müftü

As the office of the Müftü has the usage right of Selimiye Mosque, it is also responsible for the conservation and day care of the mosque (Edirne Belediye Başkanlığı, 2011: 64).

Trakya University

It participates in the scientific and cultural activities related to the city of Edirne. The strategic plan of Trakya University has a specific clause ensuring that the university would provide support in the activities to ensure that the complex of Selimiye be included within the World Heritage List (Edirne Belediye Başkanlığı, 2011: 64).

ETUR (Edirne Turizm ve Endüstri A.Ş.)

ETUR is a company that has been established under a partnership agreement between several organizations, such as the Municipality of Edirne, the Commodity Exchange of Edirne (Edirne Emtia Borsası) and the Commerce and Industry Chamber of Edirne. It carries out several projects for the restoration and refunctioning of various historical monuments and cultural properties with civil architectural quality throughout the city of Edirne (Edirne Belediye Başkanlığı, 2011: 107).

[62] These stakeholders have been included in Section 2.4.2.3 in detail.

Infrastructure Companies

There are four organizations providing infrastructure services in the world heritage site:

1. Türk Telekom A.Ş., providing telecommunication and internet services
2. Zorlu Doğalgaz A.Ş., the authorized company for the supply of natural gas across Edirne
3. TREDAŞ that supplies energy and provides the related services in Edirne
4. The Water and Sewage Department under the Municipality of Edirne that provides the services in this field (Edirne Belediye Başkanlığı, 2011: 108).

Non-governmental Organizations

Several non-governmental and public professional organizations such as the Association of Artisans and Craftsmen of Edirne, Edirne Branch of the Chamber of Architects, the Commerce and Industry Chamber of Edirne, the Rotary Club, the Association of Photographers of Edirne, Edirne Branch of the Turkish Librarians Association, Local History Group and the Association of Women University Graduates are involved in the conservation projects concerning cultural properties throughout the city of Edirne (Edirne Belediye Başkanlığı, 2011: 108).

3.3.3.10 Resources

Financial Resources

The budget of the General Directorate of Pious Foundations directorate is planned in accordance with the Law no. 5018 on Public Financial Management and Control. The main income items in this budget are rental incomes, operational profits, revenues from the affiliates, revenues from concessions, donations, and shares in connection with management and representation. The General Directorate allocates expenditure within this budget in accordance with the yearly investment programs that are designed in consultation with the Regional Directorates. In order to protect the properties situated

in the management area and owned by private and legal persons, on the other hand, measures are taken to create financial resources through privileges granted to such owners and contributors provided by the institutions of the central government (Edirne Belediye Başkanlığı, 2011: 112).

Resources provided by private sponsoring companies constitute the main part of the contributions the private sector makes for protective measures in Turkey. Besides, the owners of these cultural properties also deploy their own financial assets as an instrument of expenditure for the sake of protection and repair works. Also, NGOs such as the Association of Historical Towns and the Commerce and Industry Chamber of Edirne provide financial support in the implementation process related to the management plan (Edirne Belediye Başkanlığı, 2011: 116).

ICOMOS has stated its concerns in the SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis of the management plan that the financial resources would be unlikely to be sustainable in the long term, underlining several problems such as the multitude of cultural heritage resources, non-effective usage of financial resources and improperly designed financial planning. ICOMOS furthermore has underlined the inexperience in the field of financial planning highlighting the fact that resource allocation is generally neglected as an unimportant item in the general planning of the institutions and organizations (Edirne Belediye Başkanlığı, 2011: 127, 130). In the periodic report ICOMOS ABE (2014: 6) has stated that the financial resources are composed of contributions from governmental bodies (regional, provincial, state) in 17%, other governmental bodies (local, municipal) in 60%, in country donations (NGO´s, foundations, etc.) in 10%, and other grants in a proportion of 13%.

Human Resources

ICOMOS ABE (2014: 6-9) has stated in the periodic report that human resources are insufficient to meet the management needs and underlines the need to enhance the administrative capacity. 58% of the employees work on a permanent basis while the remaining 42% is comprised of seasonal staff. ICOMOS evaluates the management

needs in terms of the distribution of professional staff in presentation and education issues.

3.3.3.11 Monitoring and Reviewing the Plan

In 2012, the Coordination and Supervision Board approved the management plan produced by the municipality. The plan provides a forecast for the forthcoming five-year period including the implementation of many activities by the responsible and associated institutions. The site manager and the site management unit are responsible for monitoring the execution of the management plan (General Directorate of Pious Foundations, 2014: 5).

An architect working for the Edirne Regional Directorate of Pious Foundations is held responsible for monitoring, which includes quarterly visits in order to control humidity levels, flora development, effects of global warming, the status of the interior decoration and ornaments, photographic documentation and other required duties. The Conservation, Implementation and Control Bureau under the control of Edirne Municipality will introduce a systematic approach for watching the buffer zone and the property (ICOMOS ABE, 2011:328). General Directorate of Pious Foundations (2014: 3) states in the periodic report that there is an insufficient level of monitoring to directly meet the management needs and underlines the lack of the key indicators showing if the outstanding universal values are taken into consideration or not.

3.3.3.12 Interim Evaluation of Edirne Selimiye Management Plan

Edirne is a world heritage site, with an area of approximately 40 hectares, covering the Selimiye Complex and the surrounding urban site. The Selimiye Complex is a building ensemble built by Architect Sinan as an important symbol of Ottoman architecture in the 16th century, with its original function still in evidence, and demonstrating important qualities in terms of architectural history and urban planning. The boundaries of the area of management are defined to include the mosque, the madrasas, the covered market, the library, the clock house and the historic city center, which

together provide the physical and functional integrity of the complex. The basic principle when determining the management area is to keep the physical development and changes around the site under control and maintain the architectural integrity.

The Selimiye Complex was registered as a monumental architectural example in 1976. The urban conservation site boundaries and the conservation plan including the complex were revised in October 2007. The Selimiye Mosque was subjected to various maintenance repairs in 1808, 1874, 1883, 1955 and 1960. Comprehensive restoration work was carried out between 1978 and 1985. Lastly, in 2008, maintenance work was done in the complex, which is currently in good condition.

Edirne World Heritage Site was included in the UNESCO temporary list of world heritage in February 2000. In 2003, preparations for the nomination file started. In December 2006, the site manager was appointed by Edirne Municipality. In December 2007, the management area was approved by the Ministry of Culture and Tourism. After January 2008, preparatory work for the nomination file accelerated. A new site manager was appointed on April 2009. The Advisory Board and Coordination and Supervision Board were established in July 2009. The team which carried out the planning studies with the collaboration of the EU and International Relations Bureau and the Edirne Municipality Directorate of Cultural and Social Affairs was formalized as the Management Plan Preparation Team. The UNESCO World Heritage nomination file was prepared in January 2010 and in June 2011, the Edirne Selimiye Complex was included in the world heritage list. In January 2012, the site manager changed once again. In March 2012, changes were made in the membership of the site management committee. In April 2012, the site management unit was connected to the Edirne Municipality Development and Urban Planning Directorate. In July 2012, the management plan was approved. In August 2012 and January 2013, the site manager changed once more. Finally, in September 2014, the Director of the Edirne Regional Conservation Board was appointed as the site manager.

The ownership of property in the Edirne World Heritage Site is spread among various institutions. Selimiye Mosque and madrasas belong to a foundation within the General

Directorate of Pious Foundations. The mosque is being used as an office of the Mufti of Edirne. Dar'ül-Hadis Madrasa is used by the Ministry of Culture and Tourism and Dar'ül-Kurra Madrasa is used by the General Directorate of Pious Foundations. The General Directorate of Pious Foundations has responsibility for the restoration work of the Selimiye Mosque while the office of Mufti of Edirne is in charge of daily care and maintenance.

The management plan was prepared by the planning team within the Municipality. Instead of proposing physical measures, the plan is designed to take on the functions of informing, training, definition activities and visitor management in order to ensure the preservation of the complex for future generations and to build public awareness about their protection. In order to achieve these goals, it is necessary to develop strategies, methods and tools. It is aimed to provide a flexible monitoring-reviewing system to manage changes within the framework of the management plan. The main objectives are defined as conservation, management of urban development impacts, visitor management, research and education, information management, financial resources and connection points. The world heritage site is divided into 9 sub-areas, taking into account trade, housing and cultural intensity. Within the framework of the priorities of the areas, a five-year plan of action, together with institutions to carry out the actions were identified. It is aimed to ensure participation, efficiency and planning at every stage of the actions. A number of meetings were held between November 2006 and July 2012 for training, awareness and communication purposes. In order to ensure awareness of these events, a website referring to the site management unit was created.

The stakeholders responsible for the management of the area are the Ministry of Culture and Tourism, Ministry of National Defense, Edirne Governorship, Provincial Special Administration, Edirne Regional Directorate of Foundations, Edirne Regional Conservation Council Edirne Municipality, Trakya University, ETUR (Edirne Tourism and Industry Inc.), substructure institutions and NGOs. For the funding of the site management, the budget of the General Directorate of Pious Foundations is determined to be the source of contributions for the protection of cultural and natural

assets in conjunction with the privileges granted to immovable cultural property owners, the Prime Ministry promotion fund and some NGO supports.

An architect was authorized by the Regional Directorate of Foundations to carry out the monitoring activity. Every three months, humidity, deteriorations, interior decorations, ornamental status and global warming effects will be monitored and photographed. KUDEB will develop a systematic monitoring program. These approaches are examples of good practice developed in the field of world heritage in terms of monitoring. In addition, one of the best practices instituted by the site management is that the city memory database, which is a collection of information about the Edirne and Selimiye Complex, is open to online access.

In interviews conducted within the scope of the thesis, R13 referred to the necessity of establishing a separate management mechanism for world heritage sites. R13 stated that there is a need to define the authority and responsibilities of the organizational structure so as to allow the assignment of qualified bilingual staff. R13 stated that salaries of staff in charge of site management are paid by companies that work in the municipality as 'donations'. In this regard, the lack of an institutional legal status for the site management body was considered as a shortcoming. R13 stated that the management areas are under rent surplus. R13 emphasized that public institutions are reluctant to allocate funds for places that do not belong to them. R13 considered it as a disadvantage for the institutions who did not want to share their authority and resources. R13 stated that it is unclear who will be responsible for financing the site management where the property owner and users are different. R13 stated that political factors are dominant in the nomination of world heritage sites and in decisions to be made in world heritage sites. R14 stated that the actions had begun before Edirne became a world heritage site and that some actions had been completed. At the beginning of the work R14 stated that there were problems with the Governor and the Mayor, along with the declaration that Edirne had been pulled out of the nomination file, abandoning the planning team, because of an assumption that world heritage status would negatively affect urban development activities. R14 also stated that institutions have a problem with the equivalence of their titles. R14 states that if conservation and

site management is left to local governments completely, there would be problems in establishing understanding of the conservation issues. R14 referred to the importance of making city-specific strategic decisions in the formation of the Advisory Board.

In the SWOT analysis included in the management plan, the weaknesses are noted as: the lack of compliance with conservation legislation and other legal regulations, lack of a risk assessment plan and disaster plan for the world heritage site, quality issues in tourism services, the development pressure of urban points of view (vistas). In addition to this, it is stated that the sharing of information between the agencies responsible for the site management unit is inadequate, there are deficiencies in publicity, lack of awareness about site management, some applications related to the management plan cannot be implemented due to lack of legislation, and insufficient funding regarding the large amount of cultural assets involved.

At the ICOMOS evaluation in 2011, it was requested that the project related to landscaping in the surroundings of the complex be communicated to the World Heritage Center pursuant to paragraph 172 of the Operational Guidelines. In addition, coordination between the conservation plan and the management plan was required. ICOMOS recommended that documentation on conservation and management be included in the management plan. ICOMOS recommended the strengthening of cooperation between the General Directorate of Foundation, local and central administrations. Developing emergency risk strategies, height restrictions on new building in buffer zone, tourism and interpretation issues were also topics commented on by ICOMOS. In the 2014 ICOMOS assessments, it was stated that the local communities were not aware of the boundaries of the world heritage site. It was stated that arrangements must be made to meet long-term financial needs and there are inadequacies in terms of human resources. The ICOMOS evaluations also criticized the absence of key indicators for training and awareness-raising programs and that monitoring functions should be identified. In addition, local people should participate in the Coordination and Supervision Board, and direct involvement in the administration should be strengthened and communication with the public should be strengthened.

When the Edirne site management practices are evaluated overall, the notable qualities of the plan are the targeting of site management actions with strategic approaches in the planning stage, to try to design the site management with a view to control and manage development and change, and defining the participation, activity and planning as key targets.

The implementation of some actions for promotion, training, awareness-raising activities, identification of approaches to change management in the monitoring function, and incorporation of KUDEB into monitoring activities within the plan can be considered as site management outputs so far. Despite the fact that the site management unit has its own website, lack of any information on the site regarding activity reports, meeting minutes, and actions taken is a major obstacle to public scrutiny and transparency. The fact that the site manager is the Director of the Edirne Regional Conservation Board is an element that detracts from this being a viable supervisory institution on the site management of the Regional Conservation Council. On the other hand, the fact that the planned objectives were not fully accomplished in the management period, as in other national cases, indicates that the Edirne site management has not yet reached its expected level of effectiveness as with other national cases.

3.3.4 Case Study: Ephesus World Heritage Management

3.3.4.1 General Description

Ephesus, close to today's Seljuk today, is located 70 km to the southwest of Izmir, one of the Western Aegean coastal cities of Turkey. The site sits on the plain between Pion (Panayırdağ) and the Koressos Mountains (Bülbüldağ), which host the House of Virgin Mary on their southern slopes (Ministry of Culture and Tourism, 2015: 2). Ephesus was originally on the estuary of the river Kaystros. Successive settlements were established on new, nearby, sites as the shoreline shifted to the west, forming a wide alluvial plain (ICOMOS ABE, 2015: 320).

Ephesus is one of the most important sites in humanity's common heritage; here the traces of continuous habitation dating back to the Neolithic period can still be found (Figure 3.96) (Ministry of Culture and Tourism, 2013: 14). Ephesus did not develop homogenously, but has a long history of settlement which started with the Çukuriçi Mound, then continued in the ancient city and later on shifted to Ayasuluk (Ladstätter *et al.,* 2016: 421). The research carried out on the Arvalya and Çukuriçi Mounds have provided evidence for the existence of human settlements in the region dating as far back as the Chalcolithic and Neolithic Ages. In accordance with established scientific and historical research, the history of the management area is classified into nine periods[63] (Ministry of Culture and Tourism, 2013: 14-15).

Figure 3.96 Aerial view of Ephesus (Ministry of Culture and Tourism, 2015: 269).

The Neolithic settlement at the Çukuriçi Mound, located in the southern part of the old estuary, was abandoned in the Middle Bronze Age and a new settlement was established on Ayasuluk Hill. Founded around 2000 BC, the Temple of Artemis at

[63]'Neolithic and Chalcolithic period (Çukuriçi Mound, Arvalya Mound), Bronze Age and Iron Age (Ayasuluk Hill), Archaic and Classical periods (Ayasuluk Hill- Koressos), Hellenistic period (4. Century BC–31 BC), Roman period (31 BC – 4/5. century AD), Byzantine period (5. century AD – 13. century AD), Principalities period (1304 – 1426 Ayasuluk), Ottoman period (1426 – 1923) Ayasuluk – Şirince, Republic period (Seljuk)' (Research Report of Ephesus Conservation Plan cited in Ministry of Culture and Tourism, 2015: 13).

Ephesus became one of the largest and most influential temples in the ancient world. Lysimachos, one of the generals of Alexander the Great, abandoned the settlement in the vicinity of Artemision and established a new city in the 4th century BC, a site still undergoing scientific research and excavations. In 133 BC, when Asia Minor was incorporated into the Roman Empire, Ephesus was chosen as the capital of the Asian state (Ladstätter *et al.*, 2016: 412). The remains surviving until today belong to the city established by Lysimakhos in the valley between Panayırdağ and Bülbüldağ. Imperial administration offices were built in the town center, between two mountains within the valley. Major structures in the city of Ephesus are listed below under 8 headings (Ministry of Culture and Tourism, 2013: 19-31).

1. Streets[64]
2. City defense walls[65]
3. City gates[66]
4. Gate structures inside the city[67]
5. Important public buildings[68]
6. Temples and monuments[69]
7. Houses[70]

[64] 'Marble Street, Korybantes (Curetes) Street, Arkadiane (Harbour Street),Theatre Street (Plateiaon Koressos),Damianus Stoa.'

[65] 'Hellenistic defense walls (Lysimachus defense walls) section of Koressos Mountain, Hellenistic defense walls (Lysimachus defense walls) section of Pion Mountain, Byzantine defense walls'

[66] 'Harbour Gates, Magnesia Gate, Koressos Gate'

[67] 'Hadrianus Gate, Herakles Gate, Tetragonos Agora South Gate, Tetragonos Agora West Gate, Tetragonos Agora North Gate'

[68] 'Tetragonos Agora, the Great Theatre, the Celsus Library, Theatre Gymnasium, State Agora, the Prytaneion, Bouleuterion, Basilica Stoa (Royal Colonnade), upper bath (upper Gymnasion Bath/ state Agora Bath), Bath of Varius and Latrina, Stadion, Vedius Gymnasium, Harbour Baths and Stoa of Verulanus, the church of Virgin Mary and Episkopeion, Byzantine Palace'

[69] 'Olympieion, the Temple of Hadrian, Temple of Serapis, Temple of Emperors and Domitian Square, Memmius Monument, Octagon'

[70] 'Terrace Houses'

8. Buildings outside the fortification walls[71]
9. Necropole and sacred areas[72]

Over time, the historical harbor became silted up, compromising the relationship between the city and the sea. In the 10th century A.D., the harbor area became completely filled with silt resulting in the isolation of the city from the sea and its consequent abandonment apart from a small settlement on Ayasuluk Hill without any connection to the sea (Ministry of Culture and Tourism, 2013: 14-15).

In fact, the hill of Ayasuluk settlement, inhabited since the Early Bronze Age about 3000 BC, continued to exist until the Ottoman period. The fact that the medieval settlement was not destroyed during the Seljuk period created favorable conditions for archaeological investigations. Ayasuluk, a Byzantine city in the Middle Ages and afterwards, became a Turkish settlement beginning from the period of Aydınoğulları in the 14th century. The Isa Bey Mosque, the Isa Bey Bath and the tombs are structures that have been well preserved since this period (Ministry of Culture and Tourism, 2014: 30-38).

About 150 years of research and excavations have revealed significant monuments from the Roman Imperial Period, including the Celcus Library and Terrace Houses, located along the old processional way of the ancient city. In addition, Artemision, St. Mary's Church and St. John's Basilica have all become major religious venues for pilgrims from all over the Mediterranean. The religious significance of Ephesus also continues until the present time (Ladstätter *et al.*, 2016: 412).

The travel notes of European visitors to the Ancient City of Ephesus paved the way for archaeological research in Ephesus from the 17th century onwards. John Turtle Wood, an English architect-engineer, started field investigations between 1863-1874

[71] 'Artemis Temple (Artemision), Ancient Ephesus harbour and ancient canal, Ayasuluk Hill and fortification walls, St. John Church, Skeuophylakion and small chapel, Byzantine Aqueducts, Ayasuluk Castle, Isabey Mosque, Isabey Baths'

[72] 'Necropolis, the Graves of Seven Sleepers, sacred rock area (Zeus and Apollon sacred area), the House of Virgin Mary'

hoping to find the Temple of Artemis. In 1869, he discovered the site where the temple once stood. After the English researchers, Ephesus became a center for Austrian Archaeological Research thanks to Otto Benndorf, the first president of the Austrian Archaeological Institute in Vienna, who started excavations here (Ministry of Culture and Tourism, 2013: 14-15).

Excavations were interrupted between 1909-1910, 1914-1925 and 1936-1953. Otto Benndorf and Rudolf Heberdey, the first directors of excavation, focused their investigations on Artemision and the part between the harbor and Agora. After 1926, excavations were started at the Grand Gymnasia, Grotto of Seven Sleepers and Basilica of St. John. In 1954, large-scale excavations were carried out around the Korybantes (Curetes) Street (Figure 3.97) and in the layers of the city dating from the Byzantine period. In addition, some monuments such as the Temple of Hadrian (Figure 3.98) and the Basilica of St. John were reconstructed for the first time in this period (Ministry of Culture and Tourism, 2013: 16).

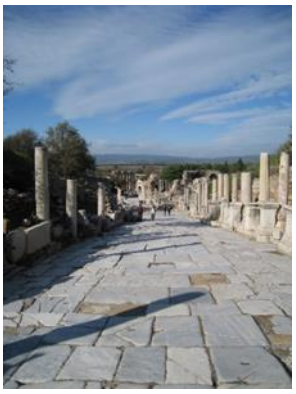


Figure 3.97- Curetes Street Bozkurt, November 2012)

Figure 3.98- The Temple of Hadrian (Bozkurt, November 2012)

In 1960, a new excavation team began long-term projects around the Terrace Houses and Artemision. The Library of Celsus (Figure 3.99) was reconstructed in a restoration process between 1970 and 1978. In the following period, excavations continued around the agora, Artemision, theatre, the Church of St. Mary (Figure 3.100) and the stadion, with a special focus on the historical topography. From 1998 onwards, the

excavations concentrated on restoration projects at the terrace houses (Figure 3.101; Figure 3.102) as a result of which the roof was replaced and the terrace houses were opened to the public. The present excavations in Ephesus have been carried out under the leadership of the Austrian Archaeological Institute since 2010. In addition to Ephesus, excavations continue on Ayasuluk Hill, Ayasuluk Castle and St. John Basilica. The Ephesus Management area has great significance in the history of archaeology, both in Turkey and in the world in general (Ministry of Culture and Tourism, 2013: 17).

3.3.4.2 Nomination

The Ancient City of Ephesus was included in the world heritage tentative list in February 1994 in accordance with the criteria (i), (ii), (iii), (v) and (vi) of the world heritage convention. Despite efforts to formulate a management plan up to the end of the 2000s, little progress was made (Ministry of Culture and Tourism, 2015: 147). In 2001, the world heritage committee decided to delay the nomination to require a comprehensive management plan be prepared and implemented, and a map be made available clearly defining the site and the related buffer zone. The revised nomination file was delivered to the world heritage center on 30.01.2014. The technical assessment team of ICOMOS paid an assessment visit to the site between 23 and 27.09.2014 (ICOMOS ABE, 2015: 320). Ephesus was inscribed on the World Heritage List in 2015 in accordance with the criteria (iii), (iv) and (vi) following the Ephesus Decision 39.COM 8B.37 (World Heritage Committee, 2015).

Figure 3.99: Library of Celsus (Bozkurt, November 2012).

Figure 3.100 The Church of St. Mary (Ministry of Culture and Tourism, 2015: 318).

Figure 3.101; Figure 3.102 Terrace Houses (Bozkurt, November 2012)

The nomination of Ephesus for inclusion on the UNESCO World Heritage List has four components (Çukuriçi Mound, Ancient City of Ephesus , Ayasuluk Hill -including Artemision and Medieval Settlement-, House of Virgin Mary) Together, these sites constitute a 'serial property' in accordance with their cultural importance, hence they cannot be treated separately. The basis for the nomination of Ephesus is the unique characteristic of having been the site of settlements of historical, commercial, religious, cultural, and intellectual importance for more than 9,000 years. Other sites also have some of these elements, however it is the unique complexity and diversity of the Çukuriçi Mound, Ephesus, Ayasuluk, and House of Virgin Mary that make the whole site different from other sites with similar characteristics (Ministry of Culture and Tourism, 2015: 63).

The World Heritage Area is regarded as cultural property for the following reasons (ICOMOS ABE, 2015: 322):

- Çukuriçi Mound, the ancient city and Ayasuluk Hill demonstrate that the area was inhabited for a very long period of time, i.e. all periods between the 7th millennium B.C. and the 15th century A.D.,
- The ancient city was a pivotal capital of the Roman province of Asia Minor as revealed by the remains of the Roman Imperial period
- The Artemision was a significant pilgrimage area from 1000 B.C. to the 4th century A.D.
- The city was very significant for Christianity as reflected by the remains of the Church of Mary, Byzantine Palace and Basilica of St John; the House of Virgin Mary is still a vital pilgrimage area for Christians today
- Seljuk monuments show the final development of the city during the Aydınogulları Period.

3.3.4.3 Current Conservation Status

The excavations in Ephesus have been carried out for 150 years. Records of the research carried out at the site since 1906 are available. The annual reports and

documents are held in the archives of the Ministry of Culture and Tourism as well as in the archives of the Austrian Archaeological Institute and the Pamukkale University, in Vienna and Denizli respectively. Many different processes regarding conservation were carried out in the site in parallel with changes in conservation approaches and techniques. All these projects were gathered in the publication 'Strategies for the Conservation of the Archaeological Site of Ephesus' by the Director of the Excavation Team of the Ancient City of Ephesus. Ongoing research consists of (ICOMOS ABE, 2015: 326):

- Large-scaled paleographical surveys, including drilling and relevant datings, and paleo- environmental studies
- Extensive geodetic land surveys and site identification
- Remote sensing surveys (using ground probing radars) that are useful in understanding the nature and extent of the orthogonal layout of Ephesus
- Excavations under consideration to better understand and revise particular aspects of the site
- Historical research.

The walls of the Çukuriçi Mound excavated by the Austrian Archaeological Institute have been consolidated with mud and a protective shield of textile and sand, and also stabilized by a wooden construction at the end of the excavation season. This area is subject to further investigations and since the site is at present private property, its expropriation is anticipated (Figure 3.103). The objective of previous conservation efforts in the Ancient City of Ephesus were the presentation of the ruins and anastylosis of the Temple of Hadrian (1957-58), the Library of Celsus (1970-78), the Gate of Mazaeus-Mithridates, Terrace House 2, the Memmius monument, the Pollio monument, Fountain of Domitian, Heracles Gate and the upper agora. Ongoing conservation, on the other hand, covers a range of activities including the consolidation studies that involve the 2008 erosion monitoring program for streets and lanes, Terrace House I and the tribune; restoration of the marble hall and conservation of wall paintings and decorative surfaces in the Terrace Houses; evaluation of former restorations of the Temple of Hadrian and the Great Theatre and subsequent

consolidation and conservation studies, and anastylosis of the Serapis Temple. The Great Theatre was the subject of an extensive project with a budget over 3 million euros provided by the Austrian Archaeological Institute, the Ephesus Foundation, the Austrian Academy of Sciences and the Association of Turkish Travel Agencies. Prospective work in the area aims to assess all existing anastylosis projects; current monitoring for maintenance and consolidation; examination and conservation of the Isa Bey Hamam and the Garden Hamam together with the General Directorate of Pious Foundations. The Basilica of St. John is also regarded as a future area of study, including the restoration of mosaic floors in St. John's tomb and some anastylosis (ICOMOS ABE, 2015: 326).

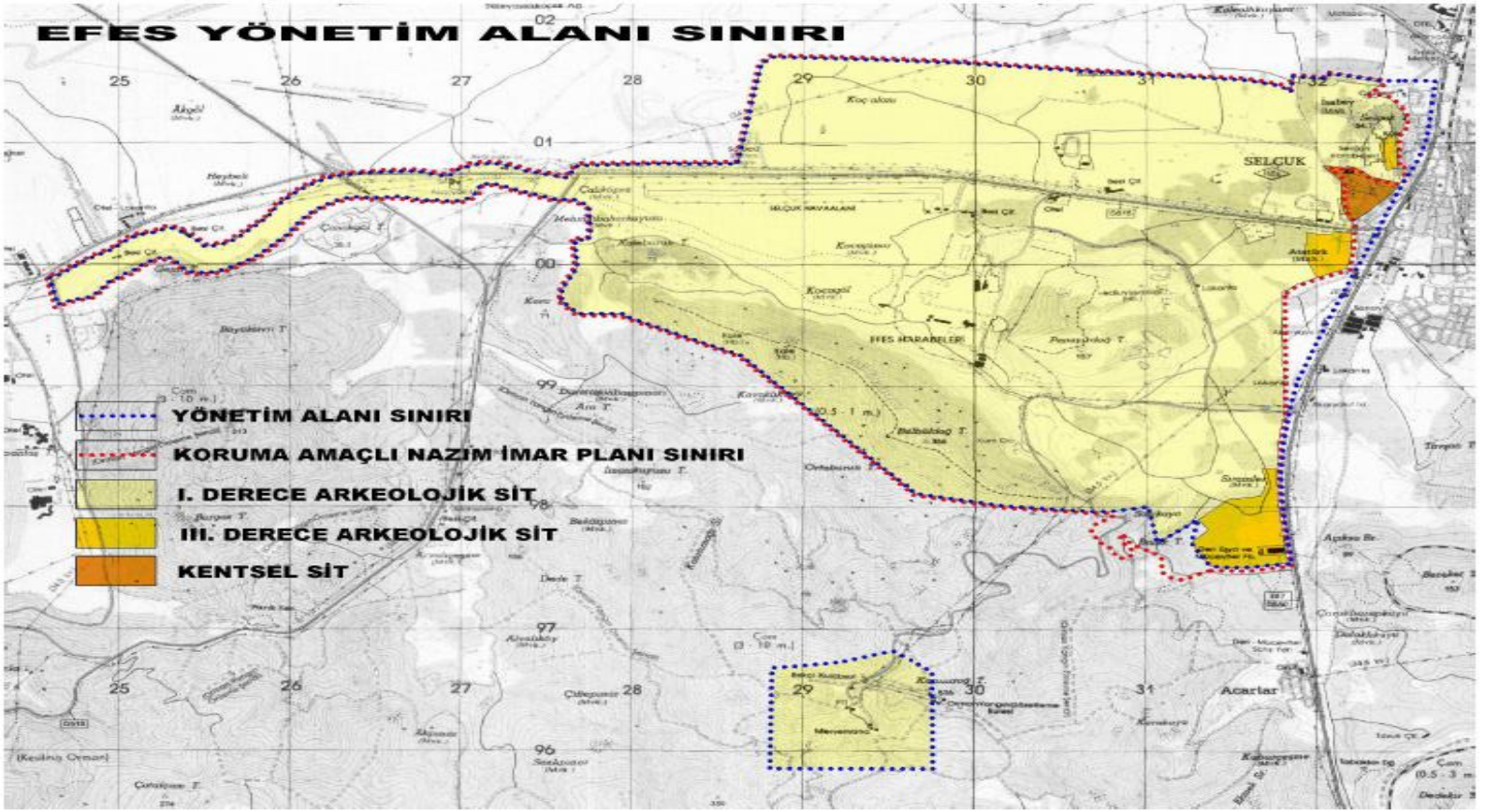


Figure 3.103 Management Area of Ephesus (Ministry of Culture and Tourism, 2013: 10)

3.3.4.4. LEGAL PROTECTION

The management area (Figure 3.103) consists of 4 components.

Component 1: Çukuriçi Mound

The site is not only listed within conservation boundaries of the Ancient City of Ephesus, but was also separately registered on 29.05.2002, by the decision of Izmir Regional Conservation Council's decision No. 10702 (Ministry of Culture and Tourism, 2015: 79).

Component 2: Ancient City of Ephesus

The decision no. A-262 of Superior Council for Immovable Antiquities and Monuments first registered the site on the national inventory on 11.12.1976. On July 14 1979 archaeological conservation areas were rated as 1st and 2nd graded zones. The decision of Izmir Regional Council No. I for the Conservation of Cultural and Natural Heritage, dated 04.04.1991 No. 2809, extended the 1st degree archaeological sites, whereas the decisions dated 20.08.1991 No. 3116, dated 18.08.1995 No. 5905, dated 29.05.2002 and No. 10967 respectively reassessed the boundaries of archaeological and natural conservation sites. Finally, the most recent decision of Izmir Regional Council, No. II for the Conservation of Cultural and Natural Heritage dated 09.06.2010 No. 5827 set the boundaries of current archaeological and natural conservation site (Ministry of Culture and Tourism, 2015: 79).

Component 3: Ayasuluk Hill, Artemision and Medieval Settlement

The site was first registered on the national inventory in 1976. The 1st degree archaeological and natural conservation site boundaries and conservation status of the monumental structures in Ayasuluk Castle are indicated by the latest decisions of Izmir Council No. II for the Conservation of Cultural Heritage dated to 12.03.2010 No. 5575, 07.06.2012 No. 979, 07.11.2012 No. 1421, and 05.12.2012 No. 1585. The status of

and restoration proposals for particular structures, like the Castle Mosque, Basilica – Cistern, Castle Villa and bath, cisterns, fortification walls and towers are elaborated by the decision of Izmir Council No. II for the Conservation of Cultural Heritages dated 12.04.2010 No. 2443, dated 07.06.2012 No. 979, and dated 07.11.2012 No. 1421. The area on the slopes of Ayasuluk Hill, which is still a residential quarter, dating from the medieval period, was registered by the decision of Izmir Council No. I for Conservation of Cultural and Natural Heritage dated 09.11.1989 and No.1341 as the urban conservation area (Ministry of Culture and Tourism, 2015: 79).

Component 4: House of Virgin Mary

The decision no. A-262 of Superior Council for Immovable Antiquities and Monuments first registered the area surrounding the House of Virgin Mary in the national inventory on December 11, 1976. Izmir Council decision no. I for the Conservation of Cultural and Natural Heritage dated 04.04.1991 No. 2809, and dated 20.08.1991 No. 3116 defined the site as 'first degree archaeological conservation zone' and its surrounding as 'natural conservation zone'. In addition, the decision of the Ministry of Environment dated 22.04.2008 registers an area larger than an archaeological conservation zone (363 ha) as a 'natural park' on the grounds that such areas have significant natural and cultural resources and potential to be used as recreational areas (Ministry of Culture and Tourism, 2015: 80).

The National Law on the Conservation of Cultural and Natural Property regulates all conservation and development activities as under the approval of the Regional Conservation Council. All archaeological studies shall be supervised and all archaeological excavations shall be made by excavation teams, whose activities are regularly monitored by the ministry, either through the General Directorate of Cultural Properties and Museums or the directorate of Ephesus Museum. Where there are problems with the implementation of projects, these institutions take legal action. Although conservation plans for the Ancient City of Ephesus, Ayasuluk Hill and Seljuk Urban Conservation Site are made and approved by Seljuk Municipality, providing the sites lie within the boundaries of the municipality, currently, the Ministry

of Culture and Tourism has the authority to approve such plans for Ephesus since the city was declared as a 'Culture and Tourism Conservation and Development Zone' on 21.06.2013 (Ministry of Culture and Tourism, 2015: 80).

The Cabinet (Council of Ministers) is the authority responsible for commissioning the excavation teams that carry out excavations, restorations and scientific researches in archaeological sites. Since 1895, the Austrian Archaeological Institute has been granted the excavation permit annually, with a few exceptions. 'Ayasuluk Hill and St. John Excavation' was granted to Pamukkale University Department of Archaeology in 06.06.2007 after World War I and World War II. However, 'Ayasuluk Hill and St. John Monument Excavation' is an excavation that is entirely independent from Ephesus concerning its legal permits, financial resources, management and excavation team (Ministry of Culture and Tourism, 2015: 80).

Current plans in the region in which the proposed property is located (Nomination File, 2014: 80-81; Management Plan, 2013: 41-43).

- Regional plan for Seferihisar-Dilek Peninsula coastal zone
- Regional plan for the metropolitan area of Izmir
- Master and implementation plans of Seljuk
- The 1/100.000 scale Manisa-Kütahya-Izmir regional plan was cancelled by court decision. The Ministry of Environment and Urbanization has put further research on hold pending a new plan.
- The 1/25.000 scale Izmir Metropolitan city plan, approved in 13-15.02.2013 by the Municipality of Izmir, registers the Ancient City of Ephesus as a 1st grade archaeological site.
- Izmir Regional Conservation Council's decision dated 15.09.1994 No. 5286 approved the conservation plan for the Seljuk Urban Site, which had been prepared by the Seljuk Municipality. In accordance with conservation principals, the plan includes provisions for the construction of buildings in the site. The Izmir Regional Conservation Council's decision dated 28.09.2011 No. 29 and the Izmir Metropolitan Municipality's decision dated 11.01.2012 approved the 1/5000 scale conservation

plans for the Ancient City of Ephesus, which had been produced by the Seljuk Municipality and the 1/1000 scale conservation plans of the 1st and 3rd grade archaeological sites were prepared by Seljuk Municipality. The Plan suggests that the site should have 5 entrances and urban design project areas so that parking areas, ticket offices, visitor centers, security, rest rooms, and health units are properly organized. Next to the ancient harbor, 'entrance A' will function similarly to the current lower gate of the site. On the other hand, 'entrance B' will be used until the present route to House of Virgin Mary is closed and excavations start there. 'Entrance C', which is known as Magnesia Gate, will replace it after the new route between Ephesus and House of Virgin Mary is in use. 'Entrance D' and 'entrance E' will be close to the Seven Sleepers and Artemision respectively. Hence the physical relationship between Ephesus and Ayasuluk Hill will be strengthened. Last but not least, the plan includes the significant decision about the Vista Terrace on Bülbüldağ.

- The Ministry of Forestry and Water Affairs prepared the long term development plan for the 363 ha. extent natural park, which includes the House of Virgin Mary and its surrounding forestland. The plan not only has provisions for the conservation and development of the site, but also for the management of visitor circulation and facilities.

3.3.4.5 Factors Affecting the Site

Development Pressure, Agriculture and Despoliation

The World Heritage Site is not under the threat of development pressure. The major problems of the site are the problem of ownership, which is still unresolved, and the problem of using part of the site for agriculture. The authorities are attempting to monitor the agricultural and development activities of private property owners in the buffer zone by controlling the cultivated plant varieties and by the use of building permits in the urban conservation area (ICOMOS ABE, 2015: 325). In accordance with the relevant legislation, only seasonal cultivation is permitted within the boundaries of the 1st Grade Archaeological Site. Significant problems have arisen linked to the fruit cultivation widely carried out in the area, the irrigation infrastructure

required for this type of cultivation and the requirement to replace the trees very so often (Ministry of Culture and Tourism, 2013: 44). In an attempt to reduce the intensive usage of fertilizers, the use of some fertilizers has been restricted. The problem of looting in the ancient cemeteries (necropoleis) outside the world heritage site has been tackled by police patrols, the imposition of legal penalties and raising awareness among local inhabitants. There is no housing within the core area of the world heritage site; however, 2,000 people live in the buffer zone around the ancient city, 500 around Ayasuluk Hill and 500 in the south of the Artemision. 2000 people live in the remaining buffer zone. These areas are declared as a 3rd Grade archaeological site and urban conservation area to facilitate control of developments here (ICOMOS ABE 2015: 325).

Climate

The climatic conditions in Ephesus are accelerating the deterioration process in the ancient city (ICOMOS ABE, 2015: 325). At certain times during the summer season it is difficult to visit and work in the site due to the climate. For these reasons, it is difficult to fully perceive and visit the area (Ministry of Culture and Tourism, 2013: 45).

Erosion

The ancient city is located on the plain between Panayırdağ and Bülbüldağ, an area where large-scaled slope erosion occurs. The erosion, primarily affecting the Curetes and Marble Streets, and the visitors' main route through the ancient city, has also caused partial collapse. In order to reduce and slow the erosion, a dry stone revetment is being constructed (ICOMOS ABE, 2015: 325).

Natural Disasters and Fire

As the site is an area of seismic activity, measures are taken to reduce earthquake risk. Structural reinforcement is one of the precautions taken to conserve existing remains.

In addition, safety protocols are introduced for visitors and employees. On the other hand, the underground water level is increasing in the Artemision, where flooding is an important problem. The House of Virgin Mary being first among the list, many structures on the area is at risk of forest fire (ICOMOS ABE, 2015: 325). An important physical problem is the fires occurring in the summer due to insufficient maintenance on grass cover at the parts within the site under public ownership, besides the area around the House of Virgin Mary, where there are no agricultural activities (Ministry of Culture and Tourism, 2013: 45).

Tourism Pressure

The exceptionally large number of visitors, up to 1.8 million on an annual basis, makes Ephesus the most visited site in Turkey, and the threats to the site are exacerbated by visitors using private cars or buses to reach the site (ICOMOS ABE, 2015: 325). In particular, multiple tourist groups disembarking from cruise liners simultaneously impose substantial physical stress on the site: damage to marble surfaces due to intensive usage, difficulties in providing protection and visitor management and the inadequacy of the facilities provided. One particular problem is the utilization of some structures and spaces for various events held in the archaeological site of Ephesus. In this context, the Great Theatre, where restoration works are in progress at the moment, the Odeon and the space near the Celsus Library are affected due to short, but intensive usage during cultural performances (Ministry of Culture and Tourism, 2013: 45). Tourism pressure is a less significant problem at the Artemision and Ayasuluk Hills parts of the site. The Çukuriçi Mound has not been opened to visitors (ICOMOS ABE, 2015: 325).

Problems at the Entrances

One particular problem caused by permanent users of the site comprises the commercial units located around the entrances of the Archaeological Site of Ephesus. The emergence of the problems, the irregular structure of existing shops, widespread and unplanned expansion over time form a significant part of these problems.

Insufficiency of parking places is another issue to consider (Ministry of Culture and Tourism, 2013: 44).

Traffic

Another physical problem in the site is the existence of motor vehicle roads which pass through and by the archaeological remains. In particular, the road giving access to the House of Virgin Mary from the town of Selçuk is a route subject to intense traffic from the Magnesia Gate to the upper gate of Ephesus. Similar problems afflict the site at its lower gate and the associated parking lot (Ministry of Culture and Tourism, 2013: 44).

Problems Related to the Excavations

Ephesus is an archeological site open to visitors which attracts numerous people on a daily basis. In parallel with ongoing excavations and restorations in the area. The coexistence of these two; i.e. visitors and excavations, sometimes causes problems; while restricting the number and scope of tours in the city it is also a potential source of serious risks (Ministry of Culture and Tourism, 2013: 45).

Other problems besetting the Ancient City of Ephesus are the inadequate provision for disabled visitors, difficulties of accessibility, inadequate infrastructure and parking lots and a management approach incompatible with the needs of area. In addition to these physical problems, the operation of the entrances of the site was contracted to a private sector company by the Ministry of Culture and Tourism until 2016. However, this management approach could be subjected to innovative reorganization to enable keeping the increasing usage of the site under control and meeting needs. In addition, it is necessary to consider how to understand the new business concept within the planning period after 2016 within the scope of management plan implementations (Ministry of Culture and Tourism, 2013: 37).

In the SWOT analysis carried out during the studies related to the management plan, the following weaknesses and threats appear as follows (Ministry of Culture and Tourism, 2013: 47):

Weaknesses:

- An inadequately close relationship between the management area and the town of Selçuk in terms of socio-economic structure
- Lack of coordination between the units of the local and central administration in terms of conservation
- Lack of coordination between the planning, projecting, excavation, structuring activities
- Insufficiency in information provision, promotional and awareness-raising activities about the site

Threats:

- Political pressures
- Improper operational approaches
- Insufficiency of resources to meet the needs of management
- Conflicts between the institutions in terms of the delegation of authority

3.3.4.6. Management

The World Heritage Site comprises four components with a total area of 662,62 ha. Three of the components, i.e. the Çukuriçi Mound (Component 1), the Ancient City of Ephesus (Component 2), and the area of Ayasuluk Hill including the Basilica of St John, the Medieval Settlement and the Artemision (Component 3), are surrounded by a buffer zone of 1165.96 ha. The House of Virgin Mary (Component 4), on the other hand, is surrounded by its own buffer zone of 83 ha (ICOMOS ABE, 2015: 320). The boundaries of the management site of Ephesus currently encompass the 1st and 3rd Grade Archaeological Sites in and around the ancient city as well as the urban

conservation area. The boundaries of the management plan are largely congruent with the boundaries of the conservation plan and the archaeological site (Ministry of Culture and Tourism, 2013: 13). The boundaries of the management site were approved on 08.10.2010 by the Ministry of Culture and Tourism (URL 132).

The state owns the main areas of the site, which are the Greco-Roman city center, the Artemis Temple, the Basilica of St. John, and the Citadel on Ayasuluk. Some areas of the site, i.e. the Isa Bey Mosque, Hamam 3 and Hamam 4 (formerly known as the 'Garden Hamam') and the Tribune in the Artemision are owned by the General Directorate of Pious Foundations. In the 19th century, a priestess bought the site covering 15,000 m^2, which also includes the House of Virgin Mary. The area has changed hands multiple times since then before finally being donated to House of Virgin Mary Foundation. The rest of the site consists of a forest zone under state ownership. However, some areas in the world heritage site are privately owned (ICOMOS ABE, 2015: 325; Ministry of Culture and Tourism, 2015: 79).

Various central, regional, provincial and local administrations are concurrently involved in responsibility for site management (Figure 3.104). First of all, the responsibility of the urban, archaeological and natural sites within the site and its buffer zones are borne by the Izmir Regional Conservation Council of the Ministry of Culture and Tourism through the General Directorate of Cultural Heritage and Museums. Secondly, Izmir Metropolitan Municipality and the Seljuk Municipality share the management of different parts of the site: Whereas Izmir No. 2 Regional Conservation Council is responsible for the archaeological sites, the Seljuk Municipality is responsible for the Ephesus management area. Lastly, other authorities that have a role in the management of the area are the Ministry of Environment and Urbanization and the Ministry of Forestry and Water Affairs (Figure 3.105). In accordance with the protocol signed between the Ministry of Culture and Tourism and the Municipality of Seljuk, the director of the Ephesus Museum was appointed as the site manager, and an Advisory Board and the Coordination and Supervision Board were established (Figure 3.106) to monitor the management of site (ICOMOS ABE, 2015: 327).

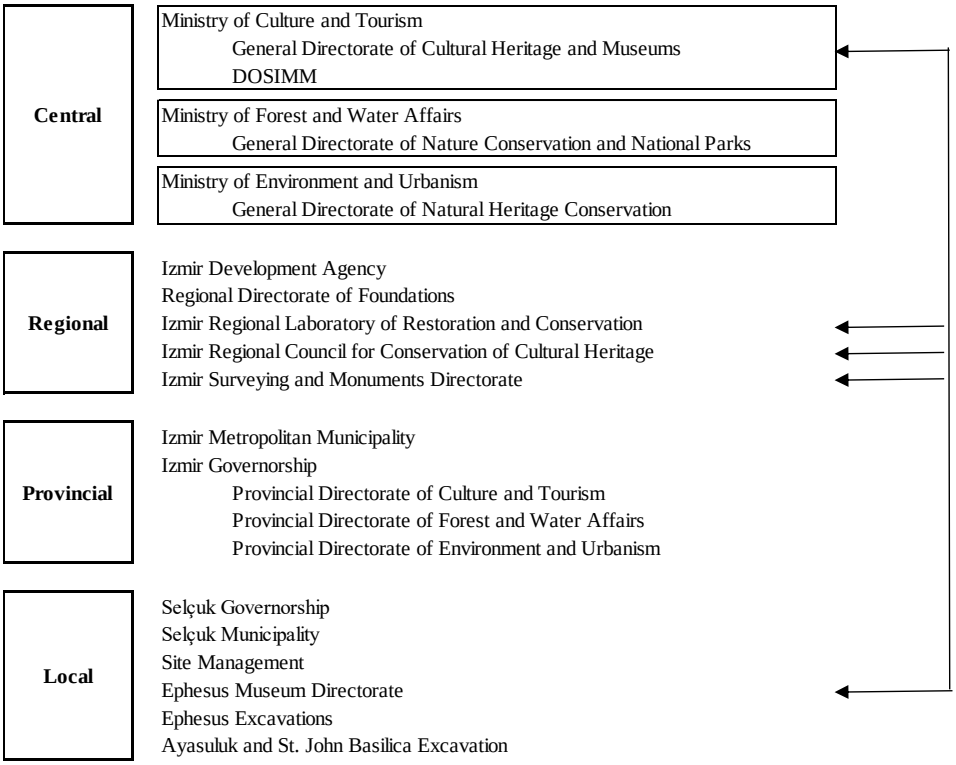


Figure 3.104 Central, regional, provincial and local administration in Ephesus management area (Ministry of Culture and Tourism, 2015: 394-395)

3.3.4.7 Management Plan

After management planning legislation in Turkey came into effect, in 2009, the Ministry of Culture and Tourism and Izmir Development Agency in collaboration took the first serious step towards the preparation of the management plan of the Ancient City of Ephesus. Later, the Selçuk Municipality, which is the local government unit authorized by the relevant legislation to prepare management plans in the region, and the Ministry of Culture and Tourism signed a cooperation protocol on May 25, 2010; hence they set a detailed course for the preparation process. Through this protocol, the Ministry of Culture and Tourism determined the limits of the management area and the Selçuk Municipality initiated the tender process for the preparation of the management plan (Ministry of Culture and Tourism 2013: 6).

MINISTRY OF CULTURE AND TOURISM

General Directorate of Cultural Heritage and Museums
-Giving excavation permits
-Producing landscaping projects
-Coordination of regional councils' work
-Coordination of museums' works
-Coordination of World Heritage issues
-Coordination of site management issues

Izmir Regional Conservation Council
(responsible for urban and archaeological sites)
Designation/revision of conservation boundaries
Evaluation of conservation plans and projects

Izmir Surveying and Monument Directorate
-Implementation of conservation projects of Ministry

Izmir Regional Laboratory for Rest. and Cons.
-Making material analysis for restorations

Ephesus Museum Directorate
-Registration of excavation findings
-Regulation and control of museum visits/entrances
-Control of excavation works

DOSIMM
-Determination of site visit/entrance policies
-Collection of site visit revenues

MINISTRY of FOREST and WATER AFFAIRS
General Directorate of Nature Conservation and National Parks
(responsible for Meryemana Natural Park Zone)
- Designation/revision of national/nature park boundaries
- Preparation/approval of conservation plans and projects

MINISTRY of ENVIRONMENT and URBANIZATION
General Directorate of Natural Heritage Conservation
(responsible for natural conservation sites)
- Designation/revision of natural conservation site boundaries
- Preparation/approval of conservation plans and projects

Izmir Development Agency
- Supporting development projects (industry, culture, tourism, education, research etc) in the region financially

Regional Directorate of Foundations
- *Ownership of foundation assets (mosques, tombs, baths etc)*
- *Preparation of conservation projects for foundation assets*

Izmir Metropolitan Municipality
- Approval of 1/5000 scaled conservation plan
- Management of distribution of site revenue shares allocated by DOSIMM among local authorities

Izmir Governorship
- General coordination in the city
- Management of distribution of fund constituted by real estate taxes among conservation projects

Selçuk Governorship
- General coordination in the district

Selçuk Municipality
- Preparation/approval of conservation plans
- Supporting excavation teams financially
- General management of district infrastructure issues
- General management of service industry within district
- General management of urban development of district
- Preparation of management plan
- Establishing site management unit
- Appointing site manager
- Establishing site management council

Figure 3.105 Stakeholders and their responsibilities in Ephesus management area (Ministry of Culture and Tourism, 2015: 394-395)

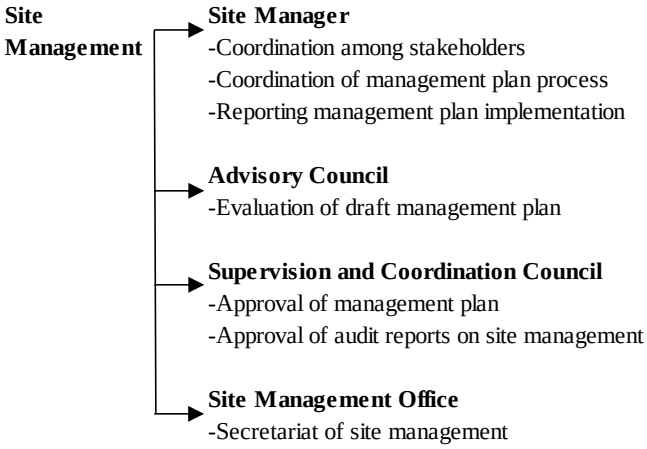


Figure 3.106 Site Management Organization Scheme and responsibilities (Ministry of Culture and Tourism, 2015: 394-395)

1/5000 scale conservation plans were also prepared during the period when efforts were initiated to prepare the management plan. In this respect, the main priority was set as the coordination of physical planning decisions and management planning decisions. The management plan embracing participatory approaches was also aimed to be prepared in conjunction with the conservation plan together with the strategy documents and other plans that were in effect (Ministry of Culture and Tourism, 2013: 7-8). The main principles of the management plan are (Ministry of Culture and Tourism, 2015: 188):

- 'Sustainable conservation
- Integrated and holistic approach
- Innovative management
- Building institutional capacity
- Development of local and autonomous conservation culture
- Sustainable site management'

The management plan process consists of the following stages (Nomination File, 2014: 150-151):

1- ‘Establishment of a management planning team
2- Creating a planning model and planning timetable
3- Making a spatial, historical, social, cultural analysis related to the site
4- Analysis of existing plans and strategies related to the site
5- Stakeholder analysis’

After the completion of stages 1 and 2, the stakeholder analysis was carried out in line with the preliminary analyses (stages 3 and 4). This allowed the stakeholders affected by, and having the capacity to affect the process to be determined. This analysis took into account stakeholders’ positions, member numbers, levels of activity, levels of knowledge, and actions for Ephesus. The analysis was later used to plan and manage participatory processes. In addition, the stakeholder analysis was updated twice by taking into consideration the new stakeholders that had become involved in the planning process. The stakeholder analysis was also used to establish the institutional structure of the site management.

- Analysis of media problem areas

At this stage, a pilot study was carried out in line with the idea that the management plan would, in a way, be based on the perception of the situation. Accordingly, the news broadcasts by national media institutions for the last five years were subjected to content analysis. ENVIVO software (qualitative data analysis computer software) was used for content analysis. Later, the results obtained were shared with the stakeholders.

- First management plan development workshop

A three-day long management workshop was organized in Selçuk between May 23 and May 26, 2011 to determine the basic vision, aims and policies of the management plan in conjunction with the stakeholders identified in stage 5. In this workshop, firstly, a remarkable amount of knowledge and information about Ephesus was accumulated with the participation of scientists and experts by using innovative methods and by adhering to the principles of universality, authenticity and integrity. Secondly, vision and scenario planning activities were held with the participation of all stakeholders.

Hence the priorities, aims and policies of the management plan were determined. More than fifty participants and around forty institutional representatives attended this workshop.

- Second management plan development workshop

After the first workshop, the strategies, aims, policies, actions, projects, responsibilities and resources determined by the participants were collected and systematized. Statistical analysis methods were followed in these studies by using software like SPSS and UCINET. This data was then evaluated under 8 different headings (site management, conservation, business, visitor, transportation-circulation, risk-crisis management, reputation management and promotion, education and awareness raising). Interdisciplinary and innovative approaches were used in enriching the contents of these headings.

- Focus group studies

Following the management plan development workshop, the Selçuk municipality authorities arranged focus studies together with director of excavation, museum directorates, various sector representative and local civil society organizations. Consensus points were determined in accordance with the vision and aims of the plan. A draft management plan was prepared subsequently.

- Studies for developing innovative and creative elements of the plan

Different models from Turkey and all around the world were examined to develop the business, promotion and reputation management elements of the above mentioned draft management plan. In the light of this examination, an innovative and creative business plan, visitor management and finance model, which is in accordance with outstanding universal values, authenticity, vision and integrity of the Ephesus management area was prepared.

- The appointment of a site manager and the establishment of an Advisory Board
- Establishment of a Coordination and Supervision Board
- Accomplishment of the draft management plan

After the establishment of a site management unit, the draft management plan was finalized at the end of 2012 by taking into account the opinions of the site manager, the conservation plan designer, the advisory board and the Selçuk Municipality. In accordance with the management plan, the priorities for the Ephesus management area were determined as follows (Ministry of Culture and Tourism, 2013: 43):

1. Technical studies for conservation (excavation, planning, project design)
2. Documentation (identification, registration, promotion)
3. Improvement of the socio-economic level around the site
4. Technical infrastructure concerning transportation and tourism (accessibility, security, daily necessities of the visitors)
5. Improvement of the management of the coordination capacity
6. Awareness raising within the site
7. Nation-wide awareness raising and pertinence

During the workshops organized within the management plan participatory process, 5, 10 and 20-year scenario planning sessions[73] were held in order to shed light on vision determination. These scenario planning sessions made use of concept map studies. A concept map[74] prepared by stakeholders underlined the following concepts for the

[73] Scenario planning or scenario building is a study that provides possible future perspectives by identifying some key events, major stakeholders, and motivations. Decision makers use scenarios to identify parameters and predict conditions, based on possible uncertainties. In these studies, more than one scenario can be determined since there is not a single parameter set to determine the possible future. Scenarios are designed to identify possible events for strategic planning and to predict what kind of reactions might occur to different events. Scenarios are also designed to test the capabilities of different factors and to identify the skill requirements for different tactical and operational situations (Grundy, 2008: 8; Ritchey, 2009: 2).

[74] Concept maps are graphical tools, that are used to organize and represent knowledge. In concept maps, relationships between concepts in circles or boxes are defined by linking lines. Words, symbols, phrases or propositions are used in defining relations between the concepts. The propositions may contain two or more concepts connected to each other by using interconnected words or phrases to form meaningful expressions. The basic character of concept maps is to represent concepts in a hierarchical

subsequent periods of time: acceptance, conservation, accessibility for the 5-year period; cultural tourism, universal design, human and nature for the 10 year-period; conservation, activities for children, authenticity for the 20-year period. After the scenario planning studies, the priorities and groupings of the aims set by the participants in concept maps were evaluated by again the participants and alternative vision statements were prepared for the Ephesus management area. It is worth noting that 'public benefit' was the prominent concept in these alternative statements (Ministry of Culture and Tourism, 2013: 49-51):

- A site management that creates conservation awareness by using technology and creativity to increase **public interest** and gives particular importance to the security and environmental health for an Ephesus whose continuity of cultural strata is ensured and its integrity and authenticity preserved.

- A site management that creates conservation awareness by using technology and creativity, and puts particular importance on **public interest** in providing integrity, authenticity and continuity for Ephesus, (which is the memory of cultural stratification.)

- A site management that emphasizes **public interest** through a conservation planning approach that provides integrity, authenticity, continuity of the cultural stratification, and that improves awareness of conservation through using technology and creativeness.

- A site management that emphasizes integrity, authenticity, continuity of cultural layers for **public interest**, to provide conservation awareness and memory with the support of technology and creativeness.

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way – namely, the most comprehensive and most general concepts are placed at the top of the map and hierarchically more general concepts are placed below. The hierarchical structure for a particular field of knowledge also depends on the context in which that information is being applied or evaluated. For this reason, it is essential for concept maps to be constructed with reference to a specific question, which is named as the focus question and is tried to be answered (Novak and Cañas, 2008).

Following the determination of vision and mission, policies and strategies for the field have been determined. The first management imperative is the establishment of a functional, highly institutional, democratic, participatory and scientific site management unit for the Ephesus management area. The strategies that were set through the policies of the management plan are as follows (Management Plan, 2013: 53-54).

- To fully implement the management plan and to monitor and evaluate the plan by installing an efficient system during the course of the plan, and to institute a stable management planning process for the upcoming period
- To establish a functional and highly developed organizational structure for the site management during the course of the plan
- To concurrently institutionalize site management and associated working environment in line with the management plan
- To make adequate databases operational during the course of the plan
- To complete all existing projects and plans created by various institutions within the planning hierarchy and to coordinate the process by phasing the plans as well as prioritizing different areas
- To transfer the existing operation of management to the newly established site management after assessing its effectiveness, efficiency and capacity
- To renew the current management structure model in the management area
- To make Ephesus an area of sustainable accessibility, i.e. to make it possible for all visitors to visit the area without overwhelming its carrying capacity and risking current archaeological excavations
- To build disaster and emergency early warning systems during the course of the plan
- To establish an effective transportation infrastructure between Seljuk-Ephesus-Ayasuluk-Meryem Ana during the course of the plan
- To improve the image of the Ephesus management area as an integrated institution with all of its components by the end of the plan

- To raise awareness among the people and key stakeholders in and around Ephesus management area and give adequate information about the site management by the end of the plan.

The main aims, actions, years of actions, responsible stakeholders, contributing stakeholders and resources were set out under 8 headings; policies, strategies, aims and actions were then determined in this context (Management Plan, 2013: 56-79):

1. Organization and resource planning of the Ephesus site management directorate
2. Conservation action planning
3. Business planning
4. Visitor planning
5. Transportation, circulation planning
6. Risk, crisis management planning
7. Reputation management and promotion planning
8. Education and awareness raising planning

3.3.4.8 Involvement of Local Communities

During its preparation, the management plan preparation process was defined so as to be supported by analytical studies and statistical techniques, as well as strengthened in terms of stakeholder participation. The information on stakeholders that was gathered in stakeholder analyses was later used during the institutionalization of the management. Two workshops were organized with the participation of stakeholders. In these workshops, participants were asked their opinions about outstanding universal values, authenticity, integrity, vision and mission statements, scenario studies, policies, strategies, aims and actions. Draft action plans were later prepared through focus group studies which were made with the help a limited number of participants (Ministry of Culture and Tourism, 2013: 9-10).

3.3.4.9 Stakeholders

The Ephesus management area is located in Selçuk, which is a county town of Izmir and a county municipality of Izmir Metropolitan Municipality. The Ancient City of Ephesus and its archaeological sites are all within the borders of Selçuk Municipality and İzmir Metropolitan Municipality. In accordance with current legislation, archeological sites are under the jurisdiction of Izmir Cultural Heritage Conservation Board no. II, and the Ephesus management area is within the Selçuk Municipality's area of authority (Ministry of Culture and Tourism, 2013: 31).

There are many different kinds of decisions taken by various administrative institutions within the borders of the Selçuk Municipality. In accordance with legal provisions and the delegation of tasks, Izmir Metropolitan Municipality as well as Selçuk Municipality are authorized in the area with regard to the provision of services and duties fulfilled by municipalities. In this context, IZSU (Izmir Water and Sewerage Administration) General Directorate is authorized regarding infrastructure services in the area. Since Selçuk coastal area is a tourism center, the Ministry of Culture and Tourism also has authority and jurisdiction, especially concerning planning decisions and allocations. Furthermore, in accordance with the legislation on the responsibilities undertaken at urban and archeological sites within county borders, the agreement of the Regional Council for Conservation of Cultural Heritage under the Ministry of Culture and Tourism is also required. On the other hand, the Selçuk Municipality has the authority to prepare management plans in the area defined as Ephesus management area. Meanwhile, the Ministry of Environment and Urbanization and the Ministry of Forestry and Water Affairs have authority over the small meander delta on which Selçuk is sited, the natural parks to the west and north of the House of Virgin Mary and in the natural protected sites of the region (Ministry of Culture and Tourism, 2013: 31-32).

In addition, the Selçuk-Kuşadası Highway was widened under the control of the museum by the Highway Regional Directorate on the orders of Izmir Regional Council II for the Conservation of Cultural Heritage. In addition to the highway widening

project, activities that are also being undertaken in the area include excavations and restoration work carried out by the Austrian Archaeological Institute which are generally supported by the Ministry of Culture and Tourism as well as the Selçuk Municipality and Izmir Governorship. In regard to current public investments, it can be seen that extensive projects made in supporting cultural value around Ephesus (restoration of the Great Theatre, Aqueducts, Ayasuluk Castle etc.) all fall within the investment programs of the Selçuk Municipality (Ministry of Culture and Tourism, 2013: 32).

On the other hand, the Ephesus management area has attracted interest from universities, trade associations and civil society organizations. In particular, conservation activities undertaken in the area are supported by these aforementioned institutions. In addition, projects such as the dredging of a channel to the ancient harbor, which was suggested in 2011, show that the Ancient City of Ephesus and the Efes management area attract attention from political stakeholders. Furthermore, during the preparation of the management plan, the whole Ephesus management area was declared as 'Culture and Tourism Development Areas' by the Ministry of Culture and Tourism in December 2012. However, it is still not clear what kind of activities may be developed once the management area is subjected to such regulation (Ministry of Culture and Tourism, 2013: 32).

3.3.4.10 Resources

Financial Resources

The lack of adequate financial resources allocated for excavation has caused serious delays in excavations and restorations, especially in the last few years. Hence new financial resources have to be found as soon as possible. The funds allocated within the framework of the investment programs implemented by the Ministry of Culture and Tourism and the financial tools and resources defined by the Law on the Conservation of Cultural and Natural Property constitute important potential sources of finance. Despite these opportunities, the current activities are only being sustained

thanks to the limited funds provided by the Austrian Archaeological Institute and the support of the Selçuk Municipality (Ministry of Culture and Tourism, 2013: 46). The European Research Fund and the Ephesus Foundation also provide some subsidies. The current funding for the area of the site amounts to around $7,5 million for various works plus 2,3 million euros for the Ephesus excavations (ICOMOS ABE, 2015: 327). The Ephesus Archeological Site is one of the most important areas of Turkey in terms of the revenue generated from entrance fees. An arrangement that will allocate a proportion of the revenue directly to the site is seen as an opportunity to increase the available resources in the short term (Management Plan, 2013: 46). One of the main strategies of the business planning component within the framework of the management plan is 'to measure and improve the efficiency, productivity and capacity of archeological site enterprises' in order to ensure the sustainability of financial resources. Another strategy of business planning is 'to renew the business model by taking into the account local development process' (Ministry of Culture and Tourism, 2013: 69).

Human Resources

The municipality employed an archaeologist, an art historian, a restorer, a conservator, an epigrapher, an anthropologist, a cartographer, an architect, a guard, an accountant, an archivist, a librarian and a photographer to implement and coordinate the management plan. In addition to the guards and cleaners at the Directorate of the Ephesus Museum, the Ministry of Culture and Tourism provides 75 technical and administrative personnel. Since the site is subject to ongoing archaeological studies and conservation activities, Ephesus annually hosts over 200 scientists and workers. Expertise and training are provided by Austrian and Turkish institutions (ICOMOS ABE, 2015: 327).

3.3.4.11 Monitoring and Reviewing the Plan

Relevant institutions regularly monitor the project in accordance with their own legal responsibilities. These institutions are as follows:

- Ministry of Culture and Tourism
    - General Directorate of Cultural Heritage and Museums (central)
    - Izmir Regional Conservation Council II (regional)
    - Izmir Directorate of Surveying and Monuments (regional)
    - Ephesus Museum (local)
- Seljuk Municipality
- Austrian Archaeological Institute
- Pamukkale University, Department of Archaeology

The monitoring carried out by the Ministry of Culture and Tourism not only embraces the site, but also the application of the management plan, projects run by other institutions and any actions of individual stakeholders. Apart from the legal monitoring function, it is also possible to establish special groups to supervise monitoring. In 2008, through the collaboration of the Austrian Archaeological Institute and the Ephesus Museum, an emergency conservation team was formed. They identified problematic areas and developed a regular and continuous surveillance method. Four members of this team were specifically trained for this task. In addition to this**,** measures against city street and pathway erosion have been in action since 2012. The Curetes Street and Marble Street repairs were completed in 2013. These interventions have been implemented based on the observations and reports of a construction engineer who is a permanent member of the excavation team.

The formation of similar groueven thoughps within the body of the Ephesus Site Management Directorate, and studies regarding monitoring indicators (Table 3.15) are also planned to be carried out (Ministry of Culture and Tourism, 2015: 90-91). In fact, ICOMOS stipulate that monitoring activity must be expanded, particularly for Components 2 and 3, by compiling a thorough cultural heritage inventory for the area (ICOMOS ABE, 2015: 327). The maintenance team formed detects and reports deterioration and allows the site conservation team to carry out emergency interventions, as was done previously in 2008. In addition, the conservation team

monitors the general condition and repair needs of balustrades, platforms and barriers for the safety of visitors (Ministry of Culture and Tourism, 2015: 75).

All data from current research and conservation projects are planned to be made accessible and revisable by being uploaded onto the Geographical Information System (Ephesus GIS). This data will also be simultaneously available for use by the Ephesus Site Management Directorate**.** Strategies devised from this data will be reflected in the management plan and will be assessed in the annual revisions of the plan. In addition to this, the action plan includes annual workshops that will be held to assess monitoring activities, so that a 'learning' organization is in place (Ministry of Culture and Tourism, 2013: 56; Ministry of Culture and Tourism, 2015: 419).

Table 3.15 Monitoring Indicators (Ministry of Culture and Tourism, 2015: 90-91).

Indicator	Periodicity	Location of Records
Çukuriçi Mound		
Insect and rodent damage	Daily by site guards and annual evaluation	Austurian Archaeology Institute (AAI)
Overall conditions of the structures	Yearly	AAI
Vegetation	Daily by site guards and annual evaluation	AAI
Ancient City of Ephesus		
Screening of wall cracks	Yearly	AAI
Tempretaure and humidity	Daily reading – annual compilation	AAI
Water ingress and water regime in the structures	Daily by site guards and annual evaluation	AAI
Monitoring of the groundwater table	Yearly	AAI
Salt crystallization	Yearly	AAI
Insect and rodent damage	Daily by site guards and annual evaluation	AAI
Inclination/leaning of walls	Yearly	AAI
Overall conditions of the structures	Yearly	AAI
Conditions of walking paths	Yearly	AAI
Numbers of visitors to the site	Yearly	AAI
Land use changes esp. property development	5 year bases	Selcuk Municipality
Ayasuluk Hill, Artemision and Medieval Settlement		
Temperature and humidity	Daily reading – annual compilation	Pamukkale University, Department of Archaeology
Screening of wall cracks	Yearly	Pamukkale University, Department of Archaeology
Inclination/leaning of walls	Yearly	Pamukkale University, Department of Archaeology
Monitoring of the groundwater table	Yearly	Pamukkale University, Department of Archaeology
Water ingress and water regime in the structures	Daily by site guards and annual evaluation	Pamukkale University, Department of Archaeology
Insect and rodent damage	Daily by site guards and annual evaluation	Pamukkale University, Department of Archaeology
Overall conditions of the structures	Yearly	Pamukkale University, Department of Archaeology
Conditions of walking paths	Yearly	Pamukkale University, Department of Archaeology
Vegetation	Daily by site guards and annual evaluation	Pamukkale University, Department of Archaeology
Numbers of visitors to the site	Yearly	Ephesus Museum
Land use changes esp. property development	5 year bases	Selcuk Municipality
Holy House of Virgin Mary		
Overall conditions of the structure	Yearly	Ephesus Museum
Numbers of visitors to the site	Yearly	Ephesus Museum

3.3.4.12 Interim Evaluation Of Ephesus Management Plan

The Ephesus World Heritage Site is a cultural landscape area of 584.66 ha., which, as a site, dates back to the Neolithic period; it contains important cultural heritage assets related to the Hellenistic, Roman, Byzantine, Seljuk and Ottoman periods and consists mainly of archaeological sites while also including an urban conservation area. The Ephesus World Heritage Site Management Area is comprised of four zones (components) including the Çukuriçi Mound, the Ancient City of Ephesus, the Ayasuluk Hill-Artemision-medieval settlement and the House of Virgin Mary. Since the discovery of the Temple of Artemision in 1869, archaeological excavations and research have gained in intensity. With a history of about 150 years of excavation, the Ephesus site management area has provided a source for determining important data in terms of the history of archeology, both in Turkey and in the world.

The ancient city of Ephesus was listed on the temporary list of world heritage in 1994, and on the world heritage list in 2015. The studies on conservation and development have been carried out with the approval of the Regional Conservation Councils in accordance with the National Law on the Conservation of Cultural and Natural Heritage. The first registration activities started in 1976, and today Izmir Regional Conservation Councils I-II carry out the activities. The Austrian Archaeological Institute has been conducting excavations in the area since 1869.

The studies for the management plan started upon the signing of a protocol between the Seljuk Municipality and the Ministry of Culture and Tourism on May 26, 2010. The boundaries of the Ephesus management area were approved by the Ministry of Culture and Tourism on October 8, 2010. The boundaries of the management area include the 1st and 2nd grade archaeological sites and urban sites in the Ancient City of Ephesus and its surroundings. The studies for the management plan were carried out in parallel with the preparatory works for the conservation plan. The fact that the same company completed both works was an advantage in terms of having an opportunity for data transfer between two plans. In this way, a strategy was adopted to ensure that physical plan decisions are consistent with management plan decisions.

The main stakeholders are the Ministry of Culture and Tourism, Seljuk Municipality, the Regional Conservation Councils of Cultural Assets I and II, Governorate of Izmir, the Ministry of Environment and Urbanization, the Ministry of Forestry and Water Affairs, the Austrian Archaeological Institute, the Directorate of Ephesus Museum, Izmir Development Agency and Pamukkale University.

The draft of the management plan was finalized at the end of 2012. In the management plan, the main priority fields are defined as conservation, documentation, improvement of the socio-economic level, infrastructure for transport and tourism, capacity building and awareness activities. A detailed stakeholder analysis was made and it has been used in the selection of members for the advisory board. Two workshops with the participation of the stakeholders have been organized to ensure the establishment of a participatory management plan. In these studies, the stakeholders' views were taken in order to determine vision, priority, target and policy, and the aim was established of determining possible scenarios for the future of the site depending on various parameters. The data obtained were classified using statistical analysis methods. In addition to the scenario building, concept map studies have also been effectively utilized as strategic planning tools. In the vision determination process carried out by the stakeholders, approaches emphasizing the public interest were discussed. The main management policies were defined as functionality, institutional capacity, democracy, participation and scientific management approach.

The studies carried out in the Ephesus management area are currently fulfilled with the financial support of the Ministry of Culture and Tourism, the Seljuk Municipality and the Austrian Archaeological Institute. In the site management plan, suggestions for using some of the entrance fee revenue directly in the management area; the improvement of archeological site management in terms of effectiveness, efficiency and capacity; and the renewal of the business model were put forward for creating new resources.

Regarding monitoring activities, the emergency protection team formed in cooperation with the Austrian Archaeological Institute and the Ephesus Museum identified

problematic areas in 2008, and developed a regular and continuous monitoring program which could be described as a model of good practice. Four members of the team were trained for this monitoring task. The necessary interventions were carried out following the observations and reports of a civil engineer who was a team member. Similar teams were targeted to be formed within the site management unit. In the management plan; monitoring indicators, monitoring frequency and locations to keep the records are identified for each component included in the management area.

R15, a respondent consulted within the scope of thesis studies, has stated that it is especially beneficial to determine the fundamentals for the financial issues, to create a budget with some of the income obtained from the site and a proportion of the revenue generated by the real estate tax, and to give the site management the opportunity to use this budget. R15 also emphasized that a partially autonomous site management should be established by transferring some site-related powers of central and local authorities to the site management unit. On the other hand, R15 mentioned that it would be beneficial for academicians and practitioners to come together and organize a workshop. R15 stated that the approval of the district governor for the use of the amount transferred from working capital created bureaucracy and prolonged the transaction process. However, R15 also stated that separately designing development plans and conservation plans creates negations in terms of conservation.

Producing the Ephesus site management plan with some strategic planning tools such as detailed stakeholder analysis, analytical studies, statistical analysis methods, scenario building and concept map are examples of good practices observed at the planning stage. In addition to these, keeping public interest in the foreground of attention, constituting the site management unit as a learning organization, carrying out the monitoring and evaluation work through annual workshops, foreseeing the preparation of a working charter for the site management unit, targeting the organization of capacity building trainings and including the performance evaluation of the site management unit in the action plan are positive improvements in terms of keeping contemporary and strategic institutional objectives at the forefront. On the other hand, the assessment of the conservation plan process and the proposed role of

assessing the compatibility between the conservation plan and the conservation practices by the site management unit are indications of a badly needed and consistent approach that does not feature in other national cases included in this thesis. Other examples of good practices included in the planning phase are; aiming for the development of a GIS-based inventory system; assessing effectiveness, efficiency and capacity of the site management unit; and training of site management personnel. The action plan also envisions the preparation of plans that could be sub-tools of the management plan, such as the visitor management plan, the transportation plan, the disaster and emergency plan, and the reputation management plan.

Despite the strategic and contemporary approaches envisaged in the planning phase, the problems appearing in all other national cases are also found in the Ephesus Site Management analysis. The fact that the Ephesus site manager is also the director of the museum prevents their full-time availability for site management; the difficulty of physical control and monitoring functions as the site management components are scattered over four different components; and the lack of a detailed time schedule for the activities in the action plan can be considered as pervasive disadvantages. In addition to this, the absence of a website dedicated to the site management unit is a major shortcoming in terms of providing news and announcements related to the management area in order to ensure transparency and accountability, publishing activity reports, evaluation reports and meeting minutes, and informing the public. At the same time, it highlights the fact that the goals of democratization, participation and high institutional capacity envisaged during the planning of the management have not yet been fully implemented.

3.3.5 Case Study: Çatalhöyük World Heritage Management

3.3.5.1 General Description

Çatalhöyük is located on the Plain of Konya on the southern edge of the Anatolian Plateau at an altitude of 1000 m. The site, situated on an agricultural land, is located 60 km from Konya, the capital of the province containing the site, 12 km from the

town of Çumra and 1 km from Küçükköy, a village of 100 households. Çatalhöyük, Konya and Çumra stand one limestone and alluvial deposits originating from the Lake of Çanak that bordering the area to the north and east (The Temper Project, 2004: 13, 14).

The site comprises two mounds: the East Mound and the West Mound (Figure 3.107). The name Çatalhöyük is derived from these mounds located on two different hills of different heights which stood on either side of the Çarşamba River until the beginning of the 20th century when the course of the river was diverted. Hodder (2007:106) describes Çatalhöyük as a dense settlement area originally inhabited by between 3,500 and 8,000 people. While the East Mound mainly comprises remains from the Neolithic period, the West Mound is predominantly characterized by the Chalcolithic period. The East Mound is 21 meters high and bears the remains of 18 levels of occupation (Hodder, 2006:43). East Çatalhöyük, covering an area of 13,5 ha, includes remains dating back to the Neolithic Age, Late Bronze Age as well as from the Roman, Byzantine and Early Seljuk periods. The West Mound, which is much lower at 6 m., forms a sloping site, with Çatalhöyük West, covering an area of 8,5 ha almost exclusively consisting of deposits dating back to Chalcolithic Age, although remnants from the Roman and Byzantine Periods have also been discovered here (Göktürk *et al.*, 2002). The earliest remains date back to the period between 7400 and 6000 BC at Çatalhöyük (Cessford, 2005:90).

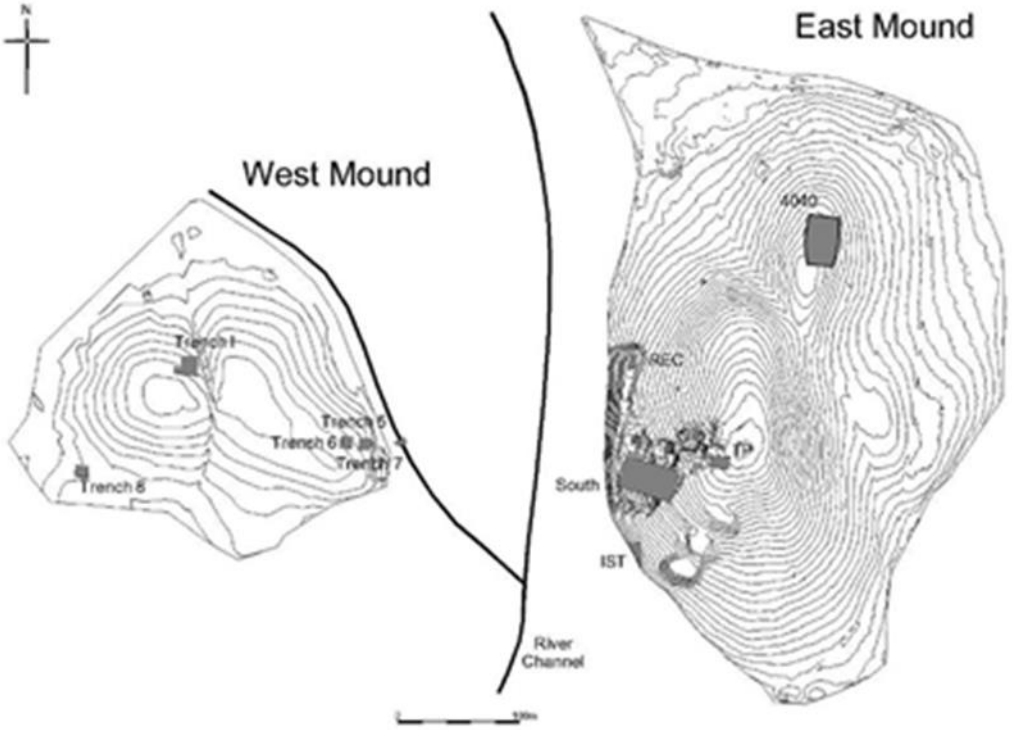

Figure 3.107 Excavation sites at East and West Mounds (Ministry of Culture and Tourism, 2013: 8).

The investigation of the site has revealed that the buildings in Çatalhöyük include structures with significant economic, social and ritual functions (Hodder and Cessford, 2004: 21-22). The mud-brick houses in Çatalhöyük were entered through a hole in the roof through wooden stairs. Inside, there was one main room consisting of platforms where ovens and burials were located and one or more side rooms which were used for store rooms, food preparation and other domestic activities.The houses were built gradually and continuously. The buildings were so tightly packed together that there was little room left for streets (Figure 3.108). The walls were 40 cm. thick and 2.5-3 m. Length on average. It has been found that the walls and platforms were regularly re-plastered, sometimes up to as many as 50 to 100 times. Geometrical figures, symbolic staging and animal reliefs made from mud were formed in the process. The houses were abandoned after about 70 to 100 years of use. To do this, first the roof was dismantled, the mural decorations were covered, and the gypsum ornaments and

wooden posts carrying the roof were dismantled. The ovens and the interiors were filled with soil, the upper half of the walls were pulled down and the lower half of the building completely buried. The new building was built on the remains of the old house (Hodder, 2006: 8-131). Hodder (2007: 108) calls these construction processes at Çatalhöyük as 'repetitive practices'. Even though Çatalhöyük was neither the first, nor the largest agricultural settlement in Anatolia and the Levant, it was part of the significant cultural and economic changes that spread across over the Near East in the Neolithic Period (ICOMOS ABE, 2012: 302).

The first systematic investigations in Çatalhöyük were initiated by James Mellaart in 1951. The first measurements carried out in 1958[75] in the sites where adobe buildings, bones, pottery and obsidian tools were found (Mellaart, 1967: 9). Immediately after its discovery in 1958, the site was put under protection by the Ministry of Culture and Tourism. The Çatalhöyük excavation by a team under the leadership of James Mellaart was sponsored by the British Institute of Archaeology at Ankara (now the British Institute at Ankara**)** between 1961-1965[76]. Then, the excavations were suspended until 1993, with no excavations being carried out at the site between 1965-1993 (The Temper Project, 2004: 13-17). Mellaart produced extensive publications on the research and excavations at Çatalhöyük[77].

[75] This research was carried out by James Mellaart, David French and Alan Hall (The Temper Project, 2004: 13).

[76] In the period Mellaart carried out investigations in the site, the excavations conducted at the southwest flank reached lowest layers uncovered 4 % of the mound and the earth mass unearthed was also taken under protection (The Temper Project, 2004: 17).

[77] Mellaart, J. (1962a); Mellaart, J. (1962b); Mellaart, J. (1963a); Mellaart, J. (1963b); Mellaart, J. (1964a); Mellaart, J. (1964b); Mellaart, J. (1965a); Mellaart, J. (1965b); Mellaart, J. (1969); Mellaart, J. (1975).

Figure 3.108 Site Plan of Çatalhöyük East (URL 133)

In 1993, the Çatalhöyük Research Foundation, later renamed as Çatalhöyük Research Project (ÇRP)[78], was resumed excavations under the auspices of the British Institute of Archaeology at Ankara. This project has 3 primary aims:

- To carry out a site survey encompassing the excavations, regional investigations and environmental reconstruction
- Preservation and restoration
- Ensuring the management of the cultural heritage.

The investigations were part of KOPAL (Konya Plain Paleoenvironmental Research)[79], a program aiming to survey the surrounding area of Çatalhöyük East, and

[78]ÇRP which is based in Cambridge is financially supported by corporate sponsors (29 %), donations (13 %) and academic institutions (58 %) (The Temper Project, 2004: 24).

[79]The KOPAL Project and the Konya Plain Research are aimed at reinscribing the geomorphological history of the Çarşamba fan (Baird, 2004: 223). The KOPAL Project also yielded evidence about the existence of 29 further archaeological sites in the plain of Konya dating back to Pottery (Ceramic) Neolithic, Early Chalcolithic and Middle Chalcolithic Ages (Baird, 1996: 43; The Temper Project,

were initiated by Douglas Baird from the University of Liverpool within ÇRP in 1993 and completed in 2002 (Baird, 1996: 43; The Temper Project, 2004: 16). In the excavations carried out within ÇRP under the leadership of Ian Hodder from Stanford University, teams from England, Turkey, Greece and USA investigated the north and middle parts of the Mound East using systematic surface collection (Hodder, 1996: 1; Matthews, 1996: 75). A limited number of excavations were carried out at the site between 1993 and 1995. In these excavations, the teams focused on archaeological investigations and a magnetometric surveys together with cleaning, analysis and recording the sections excavated by Mellaart and analyses of the previous finds (Matthews, 1996: 81). Excavations and explorations at Çatalhöyük still continue under the leadership of Ian Hodder (Figure 3.109). Apart from the ÇRP, there are research groups from various universities in the site.[80]

Figure 3.109 Hodder's Excavation Areas (URL 133)

2004: 16). Layers dating from the Late Aceramic and Ceramic Neolithic Ages and ones from the Early Chalcolithic Age were uncovered in the East and West Mounds respectively. In terms of the size and continuity of the site, Çatalhöyük East can be defined as one where the characteristics of the Ceramic Neolithic Age are intensely manifested over a large site (Baird, 1996: 139-152).

[80] Between 1997-2002, excavations were conducted in the area named as 'BACH' by a team from the University of Berkeley in California USA. The 'Summit' area was excavated between 1996-1997 by a team from the University of Aristotle in Thessaloniki In 2001, a team from three institutions including University of Poznan (Poland) participated, uncovered an area designated as TP area (Team Poznan Area) that is situated to the east of Mellaart's excavation trenches (The Temper Project, 2004: 18, 19).

The ‘Dig House’ (Figure 3.110), a visitor center and a security building required for excavation works, promotion and auxiliary services, was built at Çatalhöyük East between 1996 and 2002. Copies of several mural drawings and finds uncovered in the excavations in Çatalhöyük are displayed in the visitor center. The ‘Experimental House’ designed in the site for visitors between 1999 and 2002 (Figure 3.111; Figure 3.112) aims to give information about the building techniques and social life at Çatalhöyük. Here the visitors can draw on walls plastered with lime or fire up the oven. This ‘visitor experimental house’ was designed in accordance with the Charter for the Protection and Management of the Archaeological Heritage 1990 of ICOMOS (The Temper Project, 2004: 28-29). Article 7 of 1990 ICOMOS Charter for the Protection and Management of the Archaeological Heritage states that ‘Reconstructions serve two important functions: experimental research and interpretation. They should, however, be carried out with great caution, so as to avoid disturbing any surviving archaeological evidence, and they should take account of evidence from all sources in order to achieve authenticity. Where possible and appropriate, reconstructions should not be built immediately on the archaeological remains, and should be identifiable as such.’

Figure 3.110 Dig House (URL 135)

Figure 3.111; Figure 3.112 Experimental House (Bozkurt, July 2007)

3.3.5.2 Nomination

The Neolithic site of Çatalhöyük was taken into the UNESCO world heritage tentative list in 2009. The nomination file for the World Heritage List was compiled in cooperation with the Excavation Directorship, the General Directorate of Cultural Heritage and Museums under the Ministry of Culture and Tourism and forwarded to UNESCO World Heritage Centre for review in 2011. After a review and evaluation period of one and a half years, the nomination file was taken under consideration on 01.07.2012 during the 36th session of the World Heritage Committee held in St. Petersburg between 24.06 - 06.07.2012 and the site was registered as cultural heritage in the World Heritage List in accordance with the criteria (iii) and (iv) (Ministry of Culture and Tourism, 2013: 3).

3.3.5.3 Current Conservation Status

The two archaeological mounds, and the wide surrounding plain, form a unique landscape which has maintained its visual integrity. The archaeological structures in the two main excavation areas are protected by shelters to limit the direct effects of the climate and prevent possible harm from rainfall and erosion (Figure 3.113). Over forty years of well-documented research and excavation at the site confirm the authenticity

of the archaeological remains in terms of material, substance, location and setting. Accordingly, Çatalhöyük has been shown to have originally been an early Neolithic settlement. Since the discovery of the site in 1958, the excavations and the physical properties of the mounds have not suffered any significant damage due to the good conditions favoring preservation (Ministry of Culture and Tourism, 2014: 1-2).

Figure 3.113 4040 Area (Ministry of Culture and Tourism, 2013)

Numerous interventions, mostly for protection purposes, have been carried out within the Neolithic site of Çatalhöyük. Those for research purposes, such as the Dig House and the storehouse, were built outside the World Heritage Site to minimize their impact on the site. After the site was taken under protection as a 1st Grade archaeological site, Çatalhöyük East was fenced with a barbed wire and began to be guarded by security staff. The West Mound was also included into the 1st Grade archaeological site in parallel with the extension of the boundaries of the site in 1996. Consequently, all agricultural activities have been discontinued on the West Mound which, since it is lower and flatter, could otherwise well be used for agricultural purposes. As with the East Mound, it has also been enclosed by a wire fence, and security staff provided to protect the site. The District Governorship of Çumra is the authority responsible for general security in Çatalhöyük (Ministry of Culture and Tourism, 2013: 21).

In terms of protective measures, an approach has been adopted in the Management Plan for Çatalhöyük Neolithic site which prevents new building activities within the management site. The approach employs and exploits the currently available local legal structures according to the community's needs until an economic life span has been defined and actions have been stipulated to effect this (Ministry of Culture and Tourism, 2013: 21). Extreme interventionist techniques have been avoided in the current approach of ÇRP, focused on preserving the site as long as feasible and displaying the excavation and conservation processes along with the products. The coherence and integrity of the site has been significantly maintained using this approach. As a result of the research and conservation efforts by qualified experts over decades, the site and its attributes have been preserved to a great extent (ICOMOS ABE, 2012: 303, 307).

3.3.5.4 Legal Protection

The Çatalhöyük Neolithic site was first registered as a conservation area in the national inventory by the decision no. A-3256 of 11.12.1981 of the Superior Council for Immovable Antiquities and Monuments. The area surrounding the site, on the other hand, was registered as a 3rd Grade Archaeological Site by the decision of the Council for the Conservation of Cultural and Natural Heritage of Konya dated 07.12.1994. Later, the site was subjected to a new evaluation with a special focus on the world heritage nomination and the 1stand 3rddegree archaeological sites were extended pursuant to decision no. 3890 dated 28.06.2010 of the Conservation Council (Ministry of Culture and Tourism, 2013: 19-20; Ministry of Culture and Tourism, 2014: 5).

The Çatalhöyük Neolithic site and its buffer zone, respectively registered as 1st and 3rd Grade archaeological sites, were taken under protection in accordance with Law no. 2863 on the Conservation of Cultural and Natural Properties. All the projects carried out at the site for the purpose of conservation and development are subject to the approval of the Regional Conservation Council and in compliance with Law no. 2863. Projects associated with the layout of walkways and open spaces, open parking areas,

rest rooms, ticket kiosks, cabins for security personnel are also subject to the approval of the conservation council (Ministry of Culture and Tourism, 2013: 19-20).

The 1st Grade archaeological site is mainly public property. The 3rd Grade archaeological site, on the other hand, which has been defined as the buffer zone of the world heritage site, is owned by private persons mainly involved in agricultural activities. The Metropolitan Municipality of Konya is responsible for the projects implemented in the areas outside the 1st and 3rd Grade archaeological sites. The maintenance and repair of the movable cultural and natural properties uncovered in excavations carried out with the permission of the Ministry of Culture and Tourism in accordance with Article 45 of the Law on Conservation are carried out under the instructions of the excavation director. Archaeological excavations and all conservation activities carried out under the excavation directorate are regularly monitored and supervised by the Ministry of Culture and Tourism through the General Directorate of Cultural Assets and Museums or Konya Museum Directorate. When there are any problems related to the implementation of the projects, legal procedures are being taken by these institutions (Ministry of Culture and Tourism, 2013: 19-20).

In the 1/100.000 environmental plan, Çatalhöyük Neolithic site is established as archaeological site, while the surrounding area is defined as 'land suitable for agriculture'. This definition prevents any building activities which could impact on the site and the surrounding area. This plan envisages the protection of all the land in the planning area suitable for agricultural production or convertable into agricultural production by rehabilitation. It is stipulated that different use decisions cannot be made in areas where agricultural quality is to be protected. Furthermore, the environmental plan has established that all existing natural and cultural values in the planning area must be preserved within the framework of the general principles and objectives of the plan (Ministry of Culture and Tourism, 2013: 19-20).

3.3.5.5 Factors Affecting the Site

Development Pressure

The buffer zone icludes facilities for the ÇRP and tourists, which have been designed to have the least effect on the site. As well as following the guidelines for new buildings at the site, the design and construction of the two new shelters are compatible with the area. All archaeological material was removed together with full recording of all findings before laying the foundations. A consultation process with transport, electricity, and water authorities is required before any large infrastructure project with a possible impact on the site and setting, according to the ÇRP. Fences along all the site boundaries and trained guards protect the site from looting and illegal excavation. The need to apply to the local municipality planning department ensure the control of new constructions. Improving sensitive building practices is maintained through the ÇRP's collaboration with the local community (ICOMOS ABE, 2012: 304)

The materials uncovered in the layers of the excavated areas are made of clay and mud brick that are fragile and vulnerable to damage and deterioration. The nature if this material complicates the consolidation and conservation processes both in terms of the physical conditions, and the economic aspect. Maintenance and conservation, infrequent sponsorship support constitute another challenge the excavating team has to face. To this end, and decorative surfaces were separated, consolidated and then displayed in the Museum of Konya, or in protective shelters built at the site. However, it has to be admitted that these shelters, built to protect the site against weather conditions have a visual impact on the site, whether viewed from inside or outside. As the existing storage areas became exhausted, a projection carried out in 2004 predicted the need for a further storage area of circa 500 m² is needed (Ministry of Culture and Tourism, 2004: 27, 31).

Agriculture

Agriculture has always played an important role as the main source of income for the local people at Çatalhöyük. However, the nature of the countryside in and around Çatalhöyük as agricultural land and concentration of residential activities mainly in Konya, 60 km northeast of the site, have made it possible to preserve the Çatalhöyük landscape until today. There are various registered and unregistered wells in the area surrounding Çatalhöyük used for irrigation purposes. In this region the ground water plan by the State Hydraulic Works which oversees the metering system limiting the pumping from the boreholes, and the intensive use of fertilizers in conjunction with irrigation around Çatalhöyük has led to the loss of organic materials that were previously well preserved in waterlogged conditions, and the deposition of salts and lowering of the ground water level. The analyses carried out by paleobotanists have shown that the withdrawal of water due to irrigation has not had an impact on the base of the mound. However, the existing water level should be monitored and kept at a stable level so that the archaeological remnants in the site suffer no harm. Furthermore, in an effort to raise awareness among the local people within the Çatalhöyük Research Project, a cultivation method has been promoted in cooperation with local farmers excluding deep ploughing and planting of deep-rooted plants that can have a negative impact on the World Heritage Site and landscape around it; which is conducive to preserving the archaeological fabric (Ministry of Culture and Tourism, 2013: 26; ICOMOS ABE, 2012: 304)

Tourism and Visitor Management

The Çatalhöyük Neolithic site can be visited free-of-charge by local and foreign tourists. The related daily statistics are kept by the security personnel. In 2012, a total number of 3025 visitors from home and abroad visited the site. However, given the fact that the total number of visitors only for the Mevlana Museum in Konya was 1,568,872, it is obvious that the overall tourism potential of the province is far from being fully exploited in Çatalhöyük. The numbers of visitors increases in May-June and relatively more people visit the site during the excavation season. Nowadays, the

site remains an undeveloped source of income for the inhabitants of Küçükköy because the site is generally visited by daily visitors who stay for approximately 45 minutes (Ministry of Culture and Tourism, 2013: 28).

The Turkey Tourism Strategy 2023 and Action Plan 2013 aims to increase the share that Turkey will take from tourism by using natural, cultural, historical and geographical values within the conservation-utilization balance and developing tourism alternatives. Therefore, it is envisaged that tourism resources should be planned along the development axes rather than on the spot scale, tourism corridors, tourism regions, tourism cities and ecotourism regions. In this context, Konya is also among the 15 provinces designated as culture-based brand cities. Within this strategy, Çatalhöyük is seen as a valuable asset for the province of Konya in terms of cultural and historical tourism capable of attracting a large number of visitors. In addition, high-speed train projects have been realized to increase the share of railways in the transportation network as a result of which high-speed rail lines between Ankara – Konya (2011) and Konya-Eskişehir (2013) were constructed. Thus public transport between Konya and Ankara-Eskişehir has been enhanced enabling people to travel in less than 2-4 hours between these cities (Ministry of Culture and Tourism, 2013: 28-29).

Information about the site is provided in such a way that it is easily accessible by a large number of visitors. The routing and information panels and displays in the visitor center and experimental house provide on-site information. Interested people can also use the website of the Çatalhöyük Research Project. The information and display panels placed under the North and South Shelters are also of great importance in terms of informing people about the site. Besides, the two protective shelters over the areas excavated, which are also open to visitors during excavation works, enable visitors not only to see the finds, but also to observe the excavating team at work (Ministry of Culture and Tourism, 2013: 29)

Education / Training

Çatalhöyük has an important role in respect of both formal and informal education. The Çatalhöyük Research Project is endeavoring to use the historical area for educational purposes and to create wider educational facilities within this scope. The Project also organizes its own scholarship programs at international and national levels, and provides on and off-site training. It also runs a traineeship program for young people from the villages and towns in the region (Ministry of Culture and Tourism, 2013: 29).

Environmental Pressures

The climatic conditions in Central Anatolia, with hot and windy summer months, and snowy, cold winters also affect the structures in the excavation area. The archaeological remains are widely spread across the extensive site and a large excavation area make the site more vulnerable to the climatic conditions. Monitoring, material analysis, conservation treatment, testing and application are included in the ÇRP's comprehensive conservation program, which also oversees emergency measures to stabilize and protect the mud brick walls and painted surfaces during excavation and seasonal changes. The design of the two shelters enables them to resist severe weather conditions such as high winds and heavy snow (ICOMOS ABE, 2012: 305).

3.3.5.6 Management

Even though the state already owns the majority of the site, Ministry of Culture and Tourism is expected to expropriate some privately owned plots of land. In addition; private owners, mostly engaged in farming, own the surrounding 3rd grade archaeological site, which is projected as a buffer zone (Ministry of Culture and Tourism, 2014: 5).The boundaries of the management area of the Çatalhöyük Neolithic site were determined in accordance with the relevant legislation, and in consultation with the related institutions and with the approval no. 261002 of the Minister of

Culture and Tourism in 23.11.2010 (Figure 3.114). To that effect, the boundaries of the 3rd Grade Archaeological Site were updated by decision no. 3890 of 28.06.2011 of the Regional Council for the Conservation of Cultural and Natural Properties, and were defined as the boundaries of the management site to be taken as basis in designing the management plan (Ministry of Culture and Tourism, 2013: 5).

Within the management plan of Çatalhöyük Neolithic site, and in accordance with Article 14 of 'Regulation on the Procedures and Principles regarding Site Management, the Establishment of Monument Councils and the Identification of Management Areas', the Director of Konya Museum was designated as the site manager by the approval no. 23892 of the Ministry of Culture and Tourism in 31.01.2012. Furthermore, pursuant to Article 15 of the related regulation, the Advisory Board was established by the approval no. 83552 of the Ministry of Culture and Tourism of 16.04.2012. The board was entrusted with the task of assessing and finalizing the draft management plan and making proposals about its implementation (Ministry of Culture and Tourism, 2013: 6).

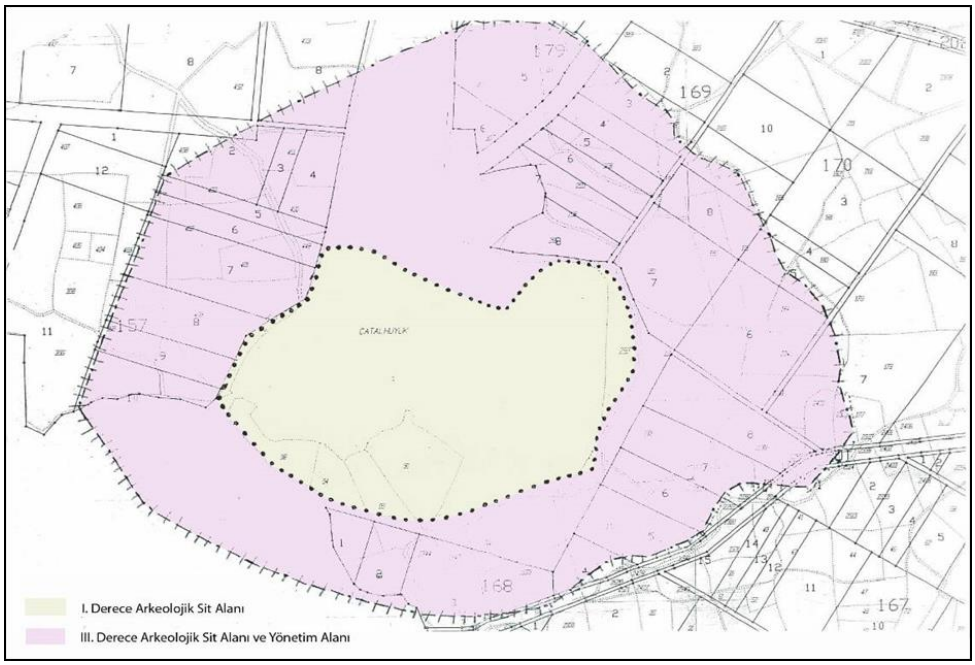

Figure 3.114 Boundaries of the Management Area of Çatalhöyük Neolithic Site (Ministry of Culture and Tourism, 2013: 5).

The Çatalhöyük Coordination and Supervision Board, an Advisory Board and a management plan team carry out the management of the site. There is a formally appointed site manager and a management plan team composed of experts from the related departments of the Ministry of Culture and Tourism and the excavation team in Çatalhöyük. The site manager, two Advisory Board members to be elected at its first meeting, and representatives of the relevant local authorities will constitute the members of the Coordination and Supervision Board. The Advisory Board, which has already been established, is composed of bodies and/or individuals with ownership rights in the management plan boundaries; representatives from the Chamber of Architects and City Planners, non-governmental organizations, the related departments of the universities; and the site manager (Konya Museum's Director) (ICOMOS ABE, 2012: 307; Ministry of Culture and Tourism, 2014: 6).

The new management plan (second management plan), that was announced in May 2013, contains specific sections regarding visitor management, access to the site, education, risk management and the local community's involvement based on the experiences of the previous management plan of 2004. A continuing financial and human resources supply, together with an archive devoted to excavation and conservation related documents are fundamental to the management system (Ministry of Culture and Tourism, 2014: 2).

3.3.5.7 Management Plan

The first management plan for Çatalhöyük was prepared in 2004 under the Training, Education, Management and Prehistory in the Mediterranean (TEMPER) Project, which was part of the European Union Euromed Heritage II Program. Three other management plans for prehistoric sites in the Eastern Mediterranean region were also presented in the same year. The first management plan had to balance the conflicting interests of various stakeholders in Çatalhöyük in terms of scientific, local, and public issues. The major issues include agricultural activities and excavations at the site; local and regional views on tourism development; preserving the setting of the site and its

cultural landscape; and other decisions relating to things outside the site, but with possible effects on it (Ministry of Culture and Tourism, 2014: 2).

The conservation of Çatalhöyük's cultural significance through applicable policies is the main objective of the first management plan. Accordingly, policies on planning, design, excavations, conservation, information management, interpretation, and tourism are all included in the plan. Moreover, the importance of the site for social and economic development in the region is emphasized in the first Management Plan. The following are the major goals of management for the site (Ministry of Culture and Tourism, 2014: 6):

- Objective 1: The setting of the site and its surrounding landscape should be the basis for evaluation and management.
- Objective 2: Better access to information, training and site presence should be maintained to improve research interest in the site.
- Objective 3: The least possible impact on uncovered and covered archaeological material should be the target.
- Objective 4: Proper conservation conditions should be provided for the storage and display of the archaeological finds from the excavation.
- Objective 5: The engagement of local communities in the protection and revival of the site and its surroundings should be supported.
- Objective 6: Safe and informed visits should be provided for visitors, including good quality interpretation and education materials.
- Objective 7: Sustainability should be the basis of the policies identified in the management plan, which should preserve the archaeological, scientific and landscape values of the site.
- Objective 8: The Directorate General for Cultural Heritage and Museums should formally adopt the management plan and the Municipality of Çumra should recognize it as the planning guide.

Even though the Management Plan for Çatalhöyük prepared in 2004 was the first management plan ever designed in Turkey, it was not officially recognized as it was

drawn up prior to the enactment of Law No.5226. It did, however, provide a great contribution to the compilation of the related legislation and has become a guiding document for the work in the site since 2004. Besides, the plan was taken into consideration as a guiding text in the preparation of the second management plan.

Within the nomination of Çatalhöyük Neolithic site in to the UNESCO world heritage list, the work related to the preparation of the second management plan were carried out by the General Directorate of Cultural Properties and Museums in coordination with the excavation directorate. The draft plan was drawn up by the experts from the General Directorate of Cultural Properties and Museums, and the director of excavation. In accordance with Law No.5226, the Advisory Board assessed the draft of the second management plan at the meeting held on 21.01.22013 and decided to submit the draft plan to the Coordination and Supervision Board after revising the plan in line with the amendments and additions proposed by the members of the Advisory Board. The draft management plan revised by the Advisory Board was evaluated by the Coordination and Supervision Board on 13.05.2013 and approved under decision no. 1 of the board (Ministry of Culture and Tourism, 2013: 3,7).

The Neolithic site of Çatalhöyük is located on the settlement of one of the first farming communities in central Anatolia, marking the transition from hunter-gatherer communities to sedentary farming in the Neolithic Age. The site, continuously inhabited over a period of 2000 years, shows all the layers confirming this occupation. The second management plan of the site aims to ensure the conservation of the cultural values embodying the outstanding value of the Neolithic site of Çatalhöyük in a participatory, sustainable and integrated approach together with the surrounding landscape. The management plan aims, by bringing together all the related stakeholders, to:

- preserve the authenticity and integrity of the site for future generations
- ensure that the local community adopts the importance and values of the site
- provide contribution to the local community in terms of economic and social development

- promote the re-evaluation of the site with respect to research and training potential and
- develop strategies and policies to enhance the presentation of the site so that people can enjoy the site through a safer and more satisfying visiting experience (II.Management Plan, 2013: 4-5).

In the management plan 5, 10 and 20 year objectives were expressed by the relevant stakeholders and these targets were classified under seven main headings in line with the projected vision (Ministry of Culture and Tourism, 2013: 39-40):

- Objective 1: Providing for local people to be informed about the outstanding universal value of the site in a manner enabling them to embrace the significance and values of the site
- Objective 2: Conservation and management of the site together with its landscape in a sustainable way, improving the conditions of conservation of the finds uncovered
- Objective 3: Ensuring that the continuity of the excavations and research at the site are maintained, promote the re-evaluation of the site with a special focus on research and training activities
- Objective 4: Ensure that people can easily access the information concerning the site and the work and projects carried out at the site
- Objective 5: Increase the number of visitors in a sustainable manner and enhance the technical infrastructure of the site to strengthen the presentation capacity so that people can enjoy the values of the site through a safer and more satisfying visit
- Objective 6: Ensure that the site makes its contribution to the local economy and the socio-economic development in the region
- Objective 7: Activate the management mechanism that would bring together all the stakeholders in respect of the conservation, improvement and promotion of the site and ensure that the management plan is further maintained in its applicability and sustainability.

The management policies set out with a view to achieving the objectives were classified under six headings, also including the related actions and sub-actions (Ministry of Culture and Tourism, 2013: 40-45):

- Archaeological excavation and research (6 actions, 21 sub-actions)
- Visitor management and presentation (6 actions, 36 sub-actions)
- Tourism and promotion (2 actions, 10 sub-actions)
- Accessibility (2 actions, 5 sub-actions)
- Training, participation and local development (5 actions, 28 sub-actions)
- Risk management (2 actions, 11 sub-actions)

Three types of actions, namely urgent, significant and preferred actions, were principally identified in the action plan (Ministry of Culture and Tourism, 2013: 46):

- **Urgent actions** are the actions which needs to be realized in the shortest time possible with respect to the safety and protection of the site.
- **Significant actions** are those which need to be realized in a rational schedule with respect to the protection, safety and presentation of the site.
- **Preferred actions** are the ones which are not indispensable in terms of the protection, safety and presentation of the site, but can provide a contribution in achieving the management objectives.

The duration of the actions aiming at achieving the management objectives were determined according to their significance level within the 5-year management plan. While, for instance, all the actions carried out continuously have to be performed over the entire span of 5 years, urgent actions need to be completed within the first two years and the ones defined as significant should be carried out, beginning from the first year, according to the period of time needed for the action, taking thereby other associated actions into account. The preferred actions, on the other hand, can be executed at any suitable time within the period of the management plan (Ministry of Culture and Tourism, 2013: 46).

3.3.5.8 Involvement of Local Communities

The local community at Küçükköy has participated in archaeological education programs including TEMPER, as part of the ÇRP. In addition, educational materials about the site, provided by the European Union, have been distributed to local schools. Several hundred children from Konya and other cities in Turkey enjoy summer workshops involving a day visit to the site and a research project for collaboration of the community, including a library in Küçükköy. In order to develop involvement, the future management and care of Çatalhöyük are incorporated into a regular series of comic strips on the basis of current excavations, all six towns and villages receive an annual newsletter and an internship is provided. Additionally, every year a festival supported by the project is organized at the site, which attracted almost 500 community members in 2010. The local community has its own exhibitions in the visitor center as a partner in the project (ICOMOS ABE, 2012: 308).

The current condition of the site was defined in the first phase of designing the second management plan. In this phase, 'the Management Plan Workshop for the Neolithic Site of Çatalhöyük' was organized in Konya on 04 - 05.06.2012 with the participation of the relevant institutions and organizations. The aim of this workshop was to collect and assess the data required as a basis for the determination of policies and strategies to be defined in connection with the site in the management plan, determine the needs, problems, identify strong and weak points, the opportunities and threats regarding the site. The workshop also defined a vision with a perspective for the future of the site. In addition, in order to conduct a pre-assessment prior to the workshop, the related institutions and organizations were requested to provide information regarding their powers and responsibilities with regard to the conservation of Çatalhöyük. Furthermore, also in the same workshop, the participants were informed about the main management issues emerging from the data obtained from the stakeholders related to the framework of Çatalhöyük management plan, and the opinions and evaluations of the participants were solicited. Additionally, the participants were requested to express their ideas and suggestions in the form of a discussion about the creation of a joint vision about the 2nd Management Plan of the Çatalhöyük Neolithic

Site. Then, the draft management plan was drawn up on the basis of the data and the suggestions provided by the participants both before and after the workshop (Ministry of Culture and Tourism, 2013: 6-7).

3.3.5.9 Stakeholders

The stakeholders who can make an effective contribution to the conservation of the Çatalhöyük Neolithic site in association with the objectives set out in the management plan and also be affected by the strategies and policies proposed in the management plan are as follows (Ministry of Culture and Tourism, 2013: 32-33).

- The Ministry of Culture and Tourism, General Directorate for Cultural Heritage and Museum
- The Ministry of Culture and Tourism, General Directorate for Research and Training
- The Ministry of Culture and Tourism, General Directorate for Promotion
- The Ministry of Culture and Tourism, Central Directorate of Revolving Fund Management (DÖSIM)
- The Ministry of Forestry and Water Affairs, 4th Regional Directorate of State Hydraulic Works
- The Ministry of Food, Agriculture and Livestock, the Provincial Directorate of Food, Agriculture and Livestock of Konya
- The Special Administration of Konya
- The Provincial Directorate of Culture and Tourism of Konya
- The Directorate of Konya Museum
- The Metropolitan Municipality of Konya
- The Municipality of Çumra
- The District Governorship of Çumra
- The Head of village of Küçükköy
- The Çatalhöyük Primary School in Küçükköy
- The Directorate of the Regional Council for the Conservation of Cultural Heritage of Konya

- The Directorate of Surveying and Monuments of Konya
- The Mevlana Development Agency
- The TURSAB Regional Executive Committee of Konya
- The KOP Regional Development Administration
- Selçuk University, Faculty of Literature, Department of Archaeology
- Selçuk University, Faculty of Architecture, Department of Architecture
- The TMMOB Chamber of Architects, Konya Branch
- The TMMOB City Planners, Konya Branch
- The KOP Union of Universities
- The Chamber of Commerce of Konya
- The Selçuklu Academic Thought and Research Centre (SADAM)
- The Hoteliers Association of Turkey (TUROB)
- The Association of Support for Development of Çatalhöyük
- The Konya and Surroundings Association of Antiquity Lovers
- The Karaağalılar Fraternity and Solidarity Association
- The Association of Archaeologists Konya Branch
- The Çatalhöyük Culture and Sport Association
- The Tema Foundation Konya Branch
- The Directororate of Excavation

The excavations in the site are being carried out within Çatalhöyük Research Project under the leadership of Ian Hodder from Stanford University. A multi-national team from the following universities and institutions is involved in the project:

- The University of Cambridge, McDonald Institute for Archaeological Research
- The University of Stanford
- The University of Liverpool
- The University of London, Institute of Archaeology
- The University of Adam Mickiewicz, Institute of Prehistory
- The State University of New York**,** Buffalo
- The University of Southampton, Southampton
- Free University, Berlin

- California University, Merced
- Trakya University, Edirne
- Selçuk University, Konya
- Middle East Technical University, Ankara
- Istanbul University, Istanbul

Besides the teams involved in the excavations, other research, scientific and archaeological groups indicated below also take part in the works:

- The British Institute at Ankara
- The University of Ohio State
- The University of Sheffield
- The University of Oxford
- Minnesota Museum of Science
- The University of Wales, Cardiff
- Karlsruhe Media-Technology Institute, Germany

3.3.5.10 Resources

Financial Resources

Foundations and research councils in Britain and the United States of America, in addition to corporate sponsors provided the fund for the ÇRP and its associated teams. The project's annual operating budget is composed of contributions from corporate sponsors (29%), donations (13%) and academic foundations (58%) (ICOMOS ABE, 2012: 308). Maintenance of the infrastructure and facilities is also budgeted under ÇRP and these costs have increased due to the site's registration on the world heritage list. In 2014, maintenance costs totaled around $100,000 together with the expenses for security provided by professionals (Ministry of Culture and Tourism, 2014: 7). ICOMOS states that the current budget may be acceptable but precautions must be taken to ensure that all management needs can be met and long-term funding can be achieved (ICOMOS ABE, 2012: 308).

Human Resources

The implementation of the activities of archaeological research, preservation, visitor attraction, and the management of the site are the responsibility of a multidisciplinary international team of archaeologists, architects, anthropologists, geologists, conservators and other technicians under the supervision of a British archaeologist in association with Stanford University. The institutional partners of the project, such as the University of Selçuk, University of Stanford, University College London, the University of Adam Mickiewicz, and the University of Istanbul are the sources of supplementary expertise and training. There are also local residents employed at the site as cooks, cleaning staff, heavy residue sorters, screeners, guards and flotation machine operators (ICOMOS ABE, 2012: 308).

3.3.5.11 Monitoring and Reviewing the Plan

Monitoring the property is under the responsibility of the ÇRP along with different national agencies legally in charge of monitoring and the evaluation of the conservation projects. However, there are no details regarding the activities of these units in the nomination file. The following are the evaluation criteria (ICOMOS ABE, 2012: 309).

- Yearlong temperature and comparative humidity
- Water influx to walls and floors
- Identifying salt crystals and their possible effects
- Damage by insects and rodents
- Collapse of walls
- General condition of structures
- Shelter condition and roads between shelters
- Condition of paths on the site
- Water table beneath the site

Some of the negative effects on the integrity and authenticity of the values of the site can be identified by these indicators. Nevertheless, possible effects of ecological and climate-related risks, tourism, farming and other factors also have to be taken into account. ICOMOS draws attention to the fact that the monitoring and measurement and the related indicators are not sufficient and the local authorities should participate in a more active way in the Çatalhöyük Research Project in terms of monitoring (ICOMOS ABE, 2012: 309).

A schedule for the evaluation, renewal, endorsement and execution of the management plan and elucidation of the roles and obligations of all associates, the management design and aims and manner of implementation was requested in a letter sent by ICOMOS to the Turkish authority on December 12, 2011. The state party responded to the letter on February 25, 2012 and the information has been included (ICOMOS ABE, 2012: 298). After the establishment of the Advisory Board, work was started to define the current condition in the site and a workshop was held to consult the stakeholders. The objectives and targets of the second management plan were determined in this workshop and the new management plan was designed after the required updates were included and by drawing on the first management plan, and it was approved on 13.05.2013 (Ministry of Culture and Tourism, 2013: 6-7).

3.3.5.12 Interim Evaluation of Çatalhöyük Management Plan

The Çatalhöyük World Heritage Site is an approximately 23 ha. cultural landscape area, which specifically includes features from the Neolithic and Chalcolithic periods and finds from the Late Bronze Age, Roman, Byzantine and early Seljuk periods. The Çatalhöyük World Heritage Site consists of two areas; the East and West mounds. The site was discovered in 1958, and subsequently Mellaart carried out research and excavations until 1965, followed by work initiated under the leadership of Hodder in 1993, which still continue today. The Çatalhöyük management area is an important source in terms of providing archeological and cultural data related to Neolithic period in both Turkey and in the world in general.

Çatalhöyük was included on the temporary list of world heritage in 2009 and declared a world heritage site in 2012. The work related to conservation and development takes place with the approval of the Regional Conservation Councils in accordance with the National Law on Conservation of Cultural and Natural Heritage. The first registrations in the site started in 1958, and today the mound and its buffer zone are in the status of 1st and 3rd Grade archaeological sites respectively.

One of the main objectives of the studies carried out by the Çatalhöyük Research Project (ÇRP) since 1993 has been to formulate and institute cultural heritage management. In this context, the first management plan for Çatalhöyük was prepared in 2004 in line with the 1995 Barcelona Declaration and in the context of the TEMPER project belonging to 2nd phase of the Euromed Heritage program created by the European Union. The First Management Plan is one of the plans realized under the TEMPER Project in the pilot regions in Malta, Greece, Israel and Turkey (Hodder and Doughty, 2007: 3-4).

The first management plan was prepared under the headings of: definition of the site, assessment and execution. From this point of view, the plan is consistent with international documents such as the Burra Charter and the Management Guidelines. However, the management plan does not include the answers to the questions about the administrative boundaries of site management and the way they are determined. Therefore, the boundaries for which management decisions related to this site will be valid are unclear. At the same time, the physical plan decisions required for defining the borders of the site are not included in the management plan because of the lack of a conservation plan.

Management policies were evaluated under ten headings: environment and setting; land use and planning; archeology; preservation and conservation; information; visitor management; local, regional and national framework; education; training and research; tourism; implementation and revision. In order to protect the site while implementing environment related policies, it was recommended that Çatalhöyük should be considered a national park, within a wider boundary than the current management area

which would include the other mounds in the Konya Plain. In addition to this, the proposals for building a museum in the site, partial presentation of the excavation and laboratory processes to the public, turning the site into an excavation and training center in a regional sense, searching for solutions to meet housing needs in the immediate vicinity and offering discount tickets in association with the museums in Konya can be regarded as examples of good practice examples put forward during the first planning process.

However, the first management plan prepared before Law No. 5226 came into force could not be implemented effectively because there was no conservation plan at that time and several issues remained completely unclear including the managerial borders, which administrative team would implement the proposals in the plan and where the necessary funding would come from, whether the sponsors and academic groups mentioned in the plan would contribute regularly or not, and what proportion of the project budget would be met by the state. Moreover, because the action plan, which sets short, medium and long-term goals, is not clearly organized like a work program comprise a factor complicating time and resource management. Furthermore, the absence of co-ordination between excavation planning and management planning resulted in uncertainty about how the excavations will proceed and how the results of excavation and conservation will periodically influence the presentation and promotion of the site.

Following the implementation of Law No. 5226 in 2004, the Çatalhöyük management area boundaries were determined in November 2011 by consultation with stakeholder institutions. In January 2012, the Konya Museum Director was appointed as the site manager and an Advisory Board was established in April 2012. The management plan team was composed of the Çatalhöyük excavation team and members of the world heritage sites department of the Ministry of Culture and Tourism. The excavation directorate and the General Directorate of Cultural Heritage and Museum of the Ministry of Culture and Tourism jointly prepared the second management plan, which was then approved by the Coordination and Supervision Board and entered into force on May 13, 2013. The main national stakeholders consist of the Ministry of Culture

and Tourism; Ministry of Forestry and Water Affairs; Ministry of Food, Agriculture and Livestock; Konya Provincial Administration; Konya Metropolitan Municipality; Directorate of Konya Museum; Çumra Municipality; Konya Regional Council for Conservation; excavation directorate; universities and various NGOs. In addition, international stakeholders include a large number of foreign university research and excavation teams.

During the preparation of the second management plan, the data necessary to determine policies and strategies related to governance were obtained through the organized workshop. The views of stakeholder institutions were also requested before the workshop. The draft management plan was prepared in line with the opinions expressed by the stakeholders before and at the workshop. The main goal of the management plan is to ensure conservation by means of a participatory, sustainable and holistic approach. The plan envisages developing strategies and policies to ensure the integrity and authenticity of the site that would be owned by the local people, contributing to the socio-economic life of the community, for the site to benefit education and research and to increase the viability of the site as a visitor attraction. These objectives were brought together in seven goals, and management strategies to achieve them were determined. Actions were classified as 'urgent, important and desired' according to their priorities in the action plan, and it was decided that these actions should be carried out within specified times (short, medium and long term) based on this classification. The human resources required to carry out the actions predominantly comprised the international staff of the excavation team. Apart from this, the teams of stakeholder institutions will manage actions under the responsibility of national institutions. In financial terms, corporate sponsors especially from the UK and the US, donors and academic foundations provide economic support for the management plan. However, this funding could be jeopardized if the management plan does not receive assurances of secure funding from national sources.

All of the monitoring criteria apply to conservation actions on research and excavation activities carried out by the Excavation Directorate. In contrast, the management plan foresees a large number of actions on different issues in addition to conservation. The

lack of definition of the indicators regarding visitor management, presentation, interpretation, education, research, tourism, promotion, participation and risk management for the actions beyond conservation is a major drawback. On the other hand, most of the monitoring activity is carried out by the excavation team in line with the identified indicators, together with other activities performed by the State Hydraulic Works in terms of water level control. However, ineffectiveness of central and local government units in the monitoring process is also criticized as insufficient by ICOMOS.

The Çatalhöyük World Heritage Site has been an important research and excavation site for about 23 years, maintained by the same excavation directorate within a specific system and conservation approach. Until today, international teams have carried out all actions related to conservation, preservation, maintenance, research, education and tourism using international financial resources. The fact that an international team has produced the first management plan with a particular methodology and contemporary approaches has provided important data for the second plan. The envisioned actions to be performed to implement the second management plan in accordance with prioritized strategies, scheduling, detailed action on protection, continuous physical surveillance of the area, promotion of the site through dialogue with local people and creating ownership by locals, developing training and research opportunities are examples of good practices within the plan. In addition to this, systematic documentation and archival studies on excavations and research in the site, the availability of a site-specific website and online access to a portion of the site are contributing practices to ensure transparency and accountability.

However, despite the examples of good practice envisaged at the planning and implementation stages, the problems observed in all other national cases are also present in the Çatalhöyük Site Management practices. The following issues may be considered as current drawbacks of site management: (i) the site manager of Çatalhöyük is also the director of the museum, so he is not able to work full-time, (ii) the monitoring indicators for actions not directly related to protection have not been defined, (iii) the management plan actions are performed solely by the excavation

director, without other national stakeholders participating, (iv) management plan actions rely exclusively on external financial resources, (v) there is uncertainty about what will happen in the site after the completion of ÇRP in 2018 and the institutional responsibility for maintaining them, (vi) there is not a detailed timetable for the activities envisaged in the action plan and (vii) there is not a website for the site management unit. Moreover, the absence of national policies and strategies for the period after 2018 pose a significant risk in terms of sustainable site conservation and management.

CHAPTER 4

IMPLEMENTATION PROBLEMS REGARDING CULTURAL HERITAGE MANAGEMENT IN TURKEY

In order to be able to propose an effective management framework for the management of cultural heritage in Turkey, it is necessary to identify the existing problems in this area. Any negative factor, deficiency, uncertainty, threat or risks that are revealed within the scope of the thesis study are defined as 'problems'. In this context, the findings of the respondents' feedbacks in the focus group, the findings of ICOMOS or the evaluation reports on Turkey after the examination of national cases, the observations in the field studies on the national cases and factors which are thought to cause negative effects in terms of effective implementation in cases of lack of good practices in Turkey, are listed (Appendix C). After obtaining the general listing, the issues related to legal, managerial, financial, technical and social factors[81], which are the five factors in the contextual framework (Figure 2.3) determined after the conceptual study phase of the thesis study, are categorized. Managerial factors were assessed by dividing them into five basic stages of management: planning, organization, implementation, coordination and supervision (Appendix C).

[81] Social problems are evaluated in Section 2.4.4 under the title ‘Social Framework’.

4.1 Legal Problems

4.1.1 Site Management Unit and Administrative Hierarchy

The Site Management Units in Turkey were established in accordance with Article 2 of Law No. 2863. The site management units are organized by the administration responsible for the site and site manager. In this case, some of the site management units that carry out the functions specified in the law and regulations and serve the same purposes are a provincial organization related to central management, while some were structured as a unit related to local administration and this created administrative confusion. Furthermore, the organization of the site management unit is not included in the Law on the Organization and Duties of the Ministry of Culture and Tourism No. 4848, nor in the legislation related to the municipalities.

This situation is contrary to the principles of central and local administration as it is in conflict with the principle of the integrity of the administration in the constitution. Due to this uncertainty, the site management units, which are defined as essentially autonomous structures, especially those relating to urban areas, were completely municipally controlled structures before the 6745 Decree Law, and they worked under the various departments of municipalities. The archaeological site management units, have benefited from the technical facilities (Efes and Çatalhöyük case studies) of Museum Directorates or Excavation Presidencies, and they have experienced serious problems in terms of working accommodation and equipment in places where there is no Museum Directorate. It is useful to examine the basic principles of public administration and the institutional entities within the administrative structure in general to locate the status of site management organization in Turkey's administrative framework.

4.1.1.1 Institutional Status of Site Management Units In Turkish Administrative System

It is useful to examine the basic principles of public administration and the institutional entities within the administrative structure in general to locate the status of site management organization in Turkey's administrative framework.

4.1.1.1.1Turkey's Administrative Structure

The country's constitution is the essential legal framework that regulates the pattern of public administration in Turkey. The principles set forth in the constitution form the basic foundation of the organization and functioning of public administration bodies. The legislative, executive and judicial functions; the three legal functions of all states, are given in Turkey to different state bodies (Özbudun, 2008:42) and this basic framework is clearly specified in the statement of separation of powers in the preamble to the constitution. The principles embodied in the constitution concerning the organization and functions of public administration can be classified under four headings, namely: indivisibility of administration, legality of administration, centralization and decentralization (Article 123)[82] and devolution of powers (Article 126)[83] (Eryılmaz, 2013: 47)

In Turkey, public administration is organized on the basis of centralized administration and decentralized administration (Table 1). The 'State', the all embracing 'roof' of this structure, can be defined as the community of people composed of all citizens, and is

[82]Chapter Two- Part Four of the Constitution-Administration/A. Fundamentals of Administration/1. Integrity of the Administration and Public Legal Personality 'ARTICLE 123- The administration forms a whole, with regard to its constitution and functions, and shall be regulated by law. The organization and functions of the administration are based on the principles of centralization and decentralization. Public corporate bodies shall be established only by law, or by the authority expressly granted by law.'

[83]Chapter Two- Part Four of the Constitution-Administration/C. Establishment of the Administration/1. Central Administration'ARTICLE 126- In terms of central administrative structure, Turkey is divided into provinces on the basis of geographical situation, economic conditions, and public service requirements; provinces are further divided into lower levels of administrative districts. The administration of the provinces is based on the principle of devolution of powers. Central administrative organizations comprising several provinces may be established to ensure efficiency and coordination of public services. The functions and powers of these organizations shall be regulated by law.'

specified in the Turkish Administrative Law as ‘central administration’ or ‘general administration’ as well. Central administration comprises the performance of the services, resolutions, together with activities regarding these services, by the central government and organizations inside the hierarchical structure of the central government with the objective of providing unity and integrity in public services. Regarding decentralization, it signifies performance of public services as well as resolutions and operations related with these services by local administrations closest to the location of the designated activity (Şan, 2006) (Table 3.115).

Central administration, comprising the ministries and their affiliated corporate bodies, central and provincial organizations, can be separated into two levels as ‘central organization’ and ‘provincial organization’. Concerning local administration, it can be classified as ‘geographically decentralized institutions’ and ‘functionally decentralized institutions’. Geographically decentralized institutions are termed ‘local administrations’ or ‘local authorities’; whereas functionally based decentralized institutions are called ‘service institutions’ or ‘public institutions’.

Within the central administration, the Presidency, the Prime Ministry, ministries, directorate generals not having a separate legal identity and affiliated with ministries, undersecretaries and presidencies comprise the executive body. The ‘state’ constitutes a single public legal identity regarding central public administration. Therefore, the Turkish Grand National Assembly, higher courts, the Presidency, the Prime Ministry, ministries, governorates and district governorates are all subsumed in the state and do not have separate legal identities (Gözler, 2009:163-166; Gözler, 2011:839-840). Since the services undertaken by central government extend beyond the capital to cover the whole country, central government organizations are organized into districts and other sub-divisions. The provincial organization of the central government does not have a separate public legal identity, a separate personnel regime or an independent budget, unlike local government institutions, and is hierarchically tied to the relevant central government organization (Eryılmaz, 2013: 105) (Table 3.16; Table 3.17).

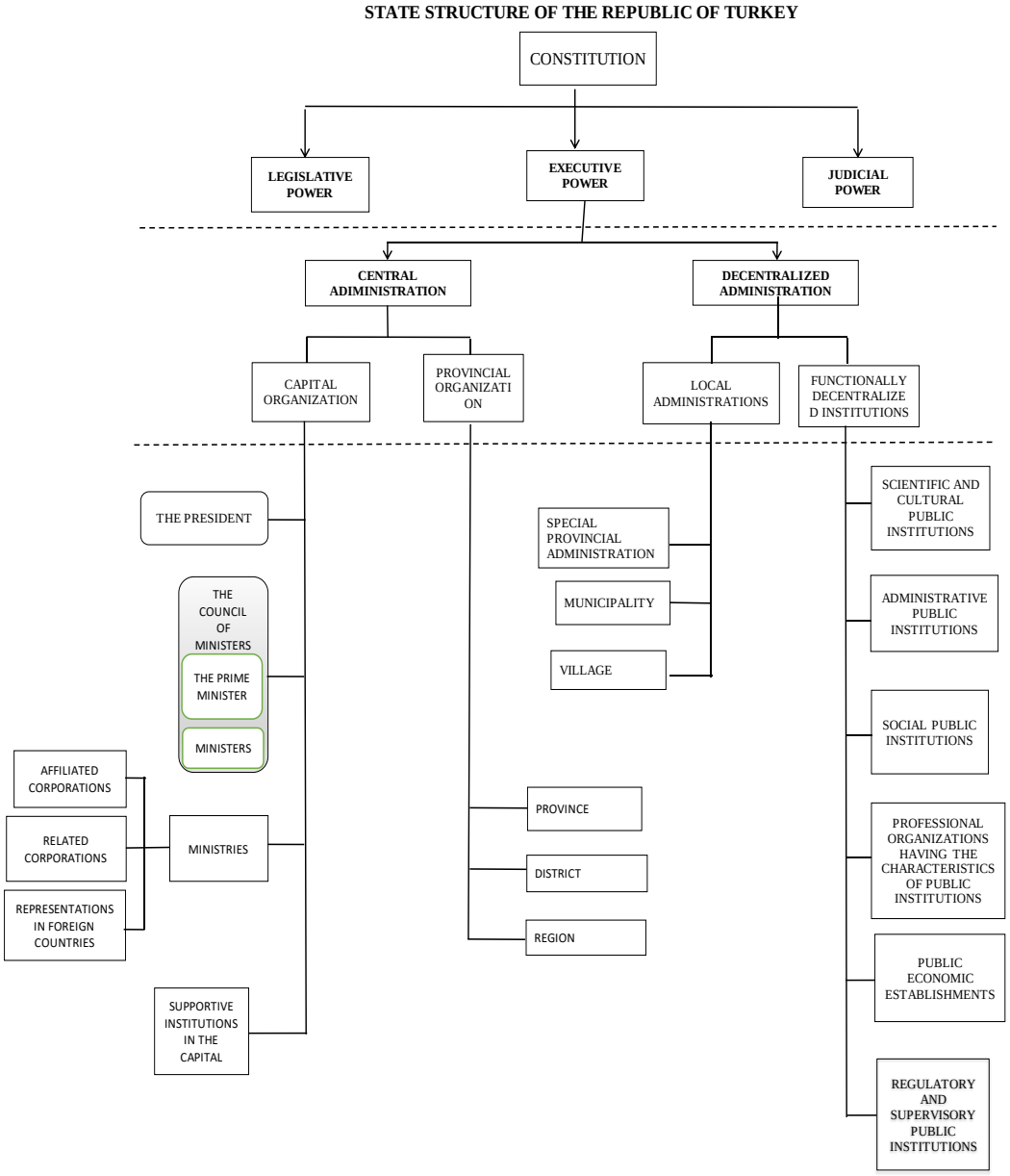

Figure 3.115 State Organization of the Republic of Turkey

Table 3.16 Central Administrative Organizations

CENTRAL ADMINISTRATIVE ORGANISATIONS	**THE CAPITAL ORGANIZATION** The central organization of the state central administration in the capital consists of the President of the Republic, the Council of Ministers, the Prime Minister and the various individual ministries.
	THE PRESIDENCY The president is the most senior person in the state structure of in the central organization of state The general Secretariat of the President of the Republic and the State Supervisory Council are auxiliary units of the Presidency.
	THE COUNCIL OF MINISTERS The council of ministers consists of the Prime Minister, as the chairperson and all the service and state ministers. The Prime Minister is appointed by the President of the Republic from the members of the Grand National Assembly of Turkey. Subsequently, individual ministers are nominated by the Prime Minister and once appointed by the President of the Republic, are confirmed by the Council of Ministers to be able to legally take office. The Council of Ministers is the politically responsible body in the executive authority. The council of ministers is also called as 'government'.
	THE PRIME MINISTER AND THE PRIME MINISTRY The Prime Minister is appointed by the President of the Republic from the members of the Grand National Assembly of Turkey. As chairperson of the Council of Ministers, they ensure cooperation among the ministries. They supervise the implementation of the government's general policy objectives. The organization of the prime ministry consists of central administration, consultative and control units, supportive units, affiliated bodies, relevant and related bodies.
	MINISTRIES Each ministry is the specialized and organized part of the national public services implemented by the state. A ministry consists of central organization, provincial organizations and representations in foreign countries as well as affiliated and related bodies. In the central organization of a ministry there are main service units, consultative and control units and supportive units to exercise the functions under the auspices of that ministry. The role of Deputy Minister and Undersecretary in the central organization is to assist to the Minister.
	SUPPORTIVE INSTITUTIONS IN THE CAPITAL They are the institutions constituted in the executive organization of the central administration to advise the government and ministries, in making decisions, to provide a specific public service or make inspections.
	PROVINCIAL ORGANIZATION OF CENTRAL ADMINISTRATION The provincial organization is the provincial extension that has been created to perform public services delegated by the central administration to the communities throughout the country. The provincial organization of the central administration does not have a separate public legal identity, a different personnel policy or an independent budget, and it is subordinate to the relevant central governmental organization.
	GENERAL PROVINCIAL ADMINISTRATION The prefecture is the highest tier provincial administrative unit of the Central Administration. A provincial administration consists of three sections, namely: the Governor, the branches and department heads of the provincial administration, and the 'Provincial Administrative Council'. In each prefecture, the governor is the representative of the government and each of the ministers and their administrative and political executives the governor's means to implement policies. The governor is responsible for the general administration of the province. In this regard, the duties of the governor are political as well as administrative. The governor has the power of tutelage, as prescribed by law, over the local administrative organizations. The governor ensures cooperation and coordination between the provincial directors. Communication between provincial directorates and their central government ministries also pass through the governor.
	DISTRICT ADMINISTRATION The district is at the second highest tier, after the province, in the civilian administrative structure. Just as with the Provincial Administration, district administrations are established by law. The organizational structure of district administration resembles that of the provincial administration. The district administration consists of the District Governor, the district managers (the Department Heads of the District Administration) and the District Administration Council. The District Governor is responsible for the general administration of the district. This authority makes district governors the hierarchical supervisors of the central administrative institutions in the districts. Each Department Head of the District Administration serves under the authority of the District Governor and responsible to the district governor for the conduct of affairs under their jurisdiction. The Department Heads communicate through the District Governor.
	REGIONAL DIRECTORATES The region is generally the basic unit of provincial administrative organizations of the related and affiliated bodies. The ministries and their affiliated bodies may establish regional organizations covering more than one province by the decision of the Council of Ministers, provided that is foreseen in their status. The central administrative organization existing at the regional level is called the 'Regional Directorate' and the senior executive at the top is titled the 'Regional Manager'.

Table 3.17 Decentralized Administrative Institutions

DECENTRALIZED ADMINISTRATIVE INSTITUTIONS	**GEOGRAPHICALLY DECENTRALIZED INSTITUTIONS** Geographically Decentralized Institutions are simply the administrative structures belonging to a village, town, city or region with a separate legal identity from central government. These structures are organized according to geographical location in administrative terms and thus do not enjoy autonomy. They are administrated by their own departments. Local people elect the decision-making entities. There are four kinds of local government organizations: 'Special Provincial Administration', 'municipality', 'village' and 'local administrative unions'.
	SPECIAL PROVINCIAL ADMINISTRATION 'A special provincial administration' is a geographically decentralized institution, with an established public legal identity, established to meet the common needs of the local community within the boundaries of a province. 'The Province' is the largest provincial administrative unit of the Central Administration in Turkey. There are three units of the Special Provincial Administration: the general provincial council, the provincial executive committee, and the governor.
	MUNICIPALITY A 'Municipality' is a public entity having administrative and financial autonomy, established to meet the common local needs of the inhabitants of a town, and whose decision-making unit is elected. Municipalities are classified as 'metropolitan municipalities', 'province municipalities', 'district municipalities', 'district municipalities affiliated to metropolitan municipalities' and counties. The municipalities, excluding centers of provinces and districts, are termed counties. The municipal administration has three units as 'Municipal Council', 'Municipal Committee' and 'Mayor'.
	VILLAGE A Village is a social unit formed by a locality with fewer than 2,000 inhabitants. The village administration consists of three units 'the village headman', 'village society' and 'the council of elders'. The village headman is the head of village administration and the representative of the state in the village.
	UNION OF LOCAL GOVERNMENTS A 'Federation of local authorities' is a public entity formed by more than one local authority with the objective of jointly carrying out certain services within their remit. The federations of local governments have a separate public legal identity Federations have their own departments such as the federation council, executive committee and chairman.
	FUNCTIONALLY DECENTRALIZED INSTITUTIONS These institutions were established for the delivery of services, which require technical information and specialization through an organization outside the state or local government. (These organizations are organized under various titles such as general directorate, organization, council, chamber, office and chairmanship.)
	SCIENTIFIC, TECHNICAL AND CULTURAL PUBLIC INSTITUTIONS Scientific, Technical and Cultural Public Institutions are the public institutions operating in the fields of science and technology, culture, arts and higher education.
	ADMINISTRATIVE PUBLIC INSTITUTIONS These are the institutions established for the delivery of basic public services that the State or local administrations are responsible for. Administrative public institutions are subordinate to a ministry or to the Prime Ministry through tutelage. They are public entities with separate property, budgets and staff.
	SOCIAL PUBLIC INSTITUTIONS Social public institutions are the institutions established to meet social needs of society such as social security, work, health and pensions.
	PROFESSIONAL ORGANIZATIONS HAVING THE CHARACTERISTICS OF PUBLIC INSTITUTIONS Professional organizations having the characteristics of public institutions are public corporate units established by law, with the objectives of meeting the common needs of the members of a given profession, to facilitate their professional activities, to ensure the development of the profession in keeping with common interests, to safeguard professional discipline and ethics in order to ensure integrity and trust in relations among its members and with the public; their executives are elected by secret ballot by their members in accordance with the procedure set forth in the law, and under judicial supervision.
	STATE ECONOMIC ENTERPRISES State economic enterprises are undertakings established and operated by administrative procedures on the basis of the authority explicitly provided by law or by-law, including public capital, in economic activities such as trade, industry, mining, agriculture and banking.
	REGULATORY AND SUPERVISORY PUBLIC INSTITUTIONS (INDEPENDENT ADMINISTRATIVE AUTHORITIES) 'Independent administrative authorities' or 'regulatory and supervisory institutions', as termed in the legislation, are functionally decentralized institutions, in other words public institutions, which have a separate public legal identity from the state and are not a local administration.

The local government authorities are organized in three tiers on the basis of: provincial special administrations, municipalities, and villages in the framework of the Constitution in accordance with the designated nature of geographically or location based decentralization. In Turkey, local authorities are administratively based decentralized institutions. Whereas decentralized institutions such as universities, TRT, public economic enterprises, bars, professional chambers and regulatory and supervisory institutions, organized in accordance with the principle of functional decentralization operate outside the state and local legal administrative entities for the production of special services requiring technical knowledge and expertise and have separate legal identities (Eryılmaz, 2013: 99, Günday, 2011: 531).

4.1.1.1.2 Site Management Unit in the Administrative Structure

The legislative instruments establishing the status of site management in the Turkish Administrative Organization are found in the additional articles 2 and 2.a of the Conservation of Cultural and Natural Properties, Law no. 2863 (Official Gazette dated 23.07.1983 and no. 18113), which entered into force by an arrangement made on 27.07.2004 as follows:

> - Additional Article 2, ‘a site management for management areas, a museum management for national museums and a Monument Council for monuments shall be established 2,
> - Additional Article 2.a, ‘A site manager shall be appointed by the relevant municipality in the urban conservation area, and by the Ministry in other areas, to coordinate works’,

Furthermore, Article 14 of The Regulation on Foundation and Duties of Site Management and Monument Councils and Condition and Principles related to Establishment of Management Areas (Official Gazette dated 27.11.2005 and number 26006) describes the appointment procedure for site managers and their duties, states that managers of urban conservation sites will be appointed by the relevant municipality, and for other sites by the Ministry.

The absence of any other statement about the establishment of site management, either by law or regulation indicates that the structuring of this entity in terms of administrative structure will be determined by the nature of the site. With this understanding of the law, managements of urban conservation sites are organized under the auspices of the relevant municipality, while managements of other sites and archaeological sites fall within the Ministry of Culture and Tourism. The site management units established for urban conservation areas between 2004 and 2016 were organized as a public unit affiliated to the municipality and the site management units outside urban sites were structured as a ministry unit within its central administration, even though they actually served in the provinces.

However, 'Law on Supporting Investments on a Project Basis and Amending Certain Laws and Decree Laws' no. 6745, published in Official Gazette no. 29284 on 07.09.2016, brought in an amendment for site management units. Article 26 of this law states the change in the amended additional article 2.a of Law no. 2863 (Official Gazette dated 23.07.1983 and number 18113) as follows,

- The ministry will prepare a draft management plan, or have it prepared, with the view of protecting, evaluating and developing all management sites and their junction points
- An Advisory Board will be formed by the ministry
- A site manager will be appointed by the ministry.

In this respect, the authority of municipalities regarding the establishment of a site management was abolished and this initiative was given to the ministry on behalf of the central administration. Hence, responsibility for establishing site managements, forming advisory board and appointing site managers to both urban conservation sites and archaeological sites were assumed by the ministry. On the other hand, the provisional clause 11 amended Law No. 2863, adds to the provision that the duties of the site managers, advisory board members and members of the coordination and supervision board, who are in post at the time the legislation enters into force, have been abolished and new appointments should be made within six months at the latest.

In accordance with the provisions of Decree No. 6745 on the drafting of the management plan by the Ministry and the appointment of the site manager by the ministry, all the site management units from 07.09.2016 are attached to the ministry regardless of the type of the site. In contrast, there is no change in Law No. 4848 on this new regulation. Therefore, in the present case, as before 07.09.2016, the place of the site management units in the administrative organization is uncertain Figure 3.116). In this respect, it is also impossible to define corporate identity and autonomy. Although there seems to be a lot of authority and autonomy in the site management units according to the regulation, it is impossible to say that this unit complies with the administrative law and managerial hierarchy as it lacks legal identity and its own budget and is not organized under any organizational law or its own law. On the other hand, during implementation, in the intergovernmental coordination negotiations, such as in the case of Bergama, the related personnel face various difficulties due to these uncertainties regarding bureaucratic matters.

Another issue that causes problems due to shortcomings in the legal regulations is that the provisions granting broad powers to the site management are not included in the organizational law or any other legislation of the administrations obliged to implement these provisions. Within the Turkish administrative system, each institution that functions within its organizational law and institutional priorities has its own institutional culture, business style and traditional approaches. For this reason, it is natural that a unit working on the basis of new circumstances, such as site management, as well as a strategic plan has difficulties in relation to other institutions. In this respect, the administrations that do not have provisions for the purpose of joint working with the site management within their own legislation, usually express against this research as is the usual approach within Turkish bureaucracy. One of the issues raised in the interviews with the focus group is that this resistance is solved from time to time by personal relationships and by introducing a higher agency into the situation.

However, it is clear that such person-dependent solutions cannot provide permanent and realistic approaches for the site management units to effectively fulfill their functions. On the other hand, methods have been developed in order to keep track of

every topic through applications and to request personnel to carry out the necessary coordination required by the site management work from the relevant institutions, as the issue of how and by which means of co-ordination has not been regulated in the legislation. This, however, prolongs the correspondence process and increases the bureaucracy, creating negative effects on efficiency and effectiveness. Since staff in coordination with the site management are usually not in the position of decision-makers, they are also devoting time to talking to their managers and getting approval for the necessary matters. This is essentially a separate factor that negatively impacts site management in distinguishing the priority issues of protection, managing time well and having a form of strategic management.

4.1.2. Staff of the Site Management Units

In terms of the Constitution

In Article 128 of the Constitution, there is the provision that 'the state, state economic enterprises and other public legal entities are deemed to be in the hands of the officers or other public servants required by the public services they are obliged to carry out on the basis of the general administration'. It is clear that constitutional jurisprudence can be used as the basis for the fulfillment of public services. In this context, in a 1998 Constitutional Court decision, it is mentioned that 'while Article 128 refers to the duties public services are obliged to carry out, it considers the services to be separate from the nature and considers the state, the state economic enterprises and other public entities separately, but accepts the services they are obliged to carry out according to the general administrative principles as public service and the related staff vices may only be civil servants and other public officials' (AM., E.1987/16, K.1988/8, k.t.19.4.1988, AMKD, sy.24, s.117).

Article 128 of the Karahanoğulları (2009: 11), draws attention to the fact that the head of the administration must employ a public officer in a structure that carries out a public service according to the principles of general administration. It also adds that the Constitutional Court can inquiries into the quality of service in public service

organizations, and if it finds out the existence of a service, the Court inquires for the employment of a public official as well. Where no such official exists, the Court decides to cancel the service.

As a matter of fact, in a 1993 Constitutional Court decision it is written that ‘Whether it is the centralized administration or the local administration, they all depend on the same principles, usually within the framework of administration and under the principle of 'integrity'. Because of importance and value, the main tasks of the State are carried out according to the principles of general administration. The staff is essential in the basic and continuous duties required by public services carried out according to the principles of general administration. The structural and functional characteristics of these services distinguish it from other services. The persons who are employed in these duties are under the protection of the law. In Article 128 of the Constitution, it is stated that the primary and continuous duties related to the public services carried out according to the principles of general administration shall be fulfilled only by civil servants and other public officials. Apart from the fact that these duties are connected to the staff rightsizing, there are statutory relations with the central administration and the characteristics of the use of public power’ (AM, E.1992 / 44, K.1993 / 7, KT.9.2.1993, AMKD, sy .29, p.275).

Therefore, the lack of clear regulations on the personnel to be employed in the site management according to the regulations, and the failure to disclose the status and positions of the personnel, constitute an important legal transgression in terms of the Constitution, the Civil Servants Law No. 657 and the Public Financial Management and Control Law No. 5018.

In terms of Law No. 657 on Civil Servants

It is seen that the related regulation is not sufficiently clear in terms of the personnel situation when it is evaluated both in terms of the site manager and the other personnel and board members in the administrative area of the site management. The only title

under this regulation is the ‘site manager’ assigned by the Ministry and the 14th section of the regulation states that

> ‘For the ones who actually carry out the site managing task designated by the ministry, a payment shall be made from the budget of the Ministry of Culture Revolving Fund Management Central Office at the beginning of each month following the work without any taxation except stamp tax. The amount is to be determined by the ministry, which cannot exceed the limit calculated monthly regarding the civil servants monthly coefficient (20000) multiplied by the determined indicator number.’

Despite this provision, the Ministry of Culture and Tourism does not have any officially announced staff members of ‘site manager’ or other titles to be included in site management.

With regard to the payment, a statement was made related to the site managers who were appointed by the Ministry. In the present case, an officer who is a staff member of the Ministry can become a site manager with an additional appointment. However, when considering the multidimensional field of application of the site managing, it is unlikely that such a task can be carried out as a second task or part-time. Prior to the Decree Law 6745, there were problems in making salary payments to the site manager and other personnel assigned within the municipality. In this respect, in the Edirne case, the salaries were paid from the sources created as ‘donations’, and the payments made in the Alanya case under the supervision of the Court of Accounts from the municipal budget were considered as inappropriate. At the appointments made outside the site, either the personnel of the Municipality's KUDEB was assigned or the personnel assigned as in the Istanbul example, were provided to work with the contractors of the municipalities and to receive their salaries.

In accordance with Article 4 of Law No. 657, ‘Public services shall be dealt with by officers, contracted personnel, temporary personnel and workers.’ On the other hand, there is no statement in the regulation about the status of the personnel to be assigned by the ministry or municipality. The 14th article of the regulation, which regulates the duties of the site manager says, ‘The secretariat services of the site management are

carried out by the competent authority. Competent authorities are allocated a suitable area to carry out the work of the site management units. Sufficient staff are assigned, and sufficient funds are allocated from the budget'. In this context, it is understood that the personnel to be appointed by the municipality will be assigned from the municipality and the salaries will be covered from the funds to be allocated.

In terms of Public Financial Management and Control Law No. 5018

Article 33 of the Law on the Public Financial Management and Control Law No. 5018 states that 'In order to be able to make an expenditure from the budget, the work, goods or service must be approved or commissioned in accordance with the determined procedures and principles'. Therefore, in the case of allocating the budget for the implementation of the site management, it is not possible to employ the staff without the staff rightsizing procedures in the management of the public funds for the expenditures to be made.

4.1.3 Duties, Authorities and Responsibilities of the Site Manager, Board Members And Other Staff

Site Manager

The site manager is one of the most influential members through their presence within all units responsible for the preparation and implementation of the management plan or by being the center of executive process i.e. arranging the membership elections. In this respect, it is observed that the diagram of the organization is constructed downwards under the site management, rather than spreading horizontally.

It is foreseen that the site manager is to participate in the advisory board meeting in the course of evaluating the management plan, but the subject of the authority and duty of the site manager in this participation is uncertain. On the other hand, giving opinions and suggestions about the plans and management plan applications independently and impartially is what is expected from the Advisory Board generally formed of

academicians, especially in terms of observing scientific principles and modern innovative practices. The participation of site manager in the Advisory Board meeting during the evaluation of the Management Plan draft is arranged in compliance with Article 11 of the Regulation. Thus, while the site manager is responsible for implementing his core tasks, he is indirectly involved in the consultation by attending the meetings of the Advisory Board. This poses a risk that the Advisory Board may have a potential risk of incurring independent consulting activities within the site management.

On the other hand, before Decree No. 6745, when the Advisory Board was elected, the site manager's role was similar to that of the Ministry or the Municipality, whichever was defined as the competent authority, which was also an unfavorable and controversial approach in terms of carrying out impartial and independent duties. As a matter of fact, Decree Law no. 6745 enabled the Ministry to select the advisory board in all management areas, and this drawback was eliminated.

However, an organizational structure is created in which execution, consultancy and supervision applications are intertwined due to the fact that, according to the 16th article, the site manager also has the duty of supervision, by being the president of the Coordination and Supervision Board. Apart from administrative principles, the joining of executive and monitoring functions in the same person is also contrary to the principle of 'segregation of duties' on Public Internal Control Standards issued pursuant to Law No. 5018. In order to reduce the risk of errors, omissions, irregularities and corruption in accordance with the Segregation of Duties, the tasks of approving, implementing, recording and controlling activities and financial decisions and transactions should be distributed among the staff. The lack of proper delegation of managerial functions and the domination of one person in all functions poses the risk of creating a managerial structure guided by a unidirectional perspective in an organizational structure that is essentially the most important pivotal body when carrying out significant administrative duties.

Advisory Board

The formation of the Advisory Board and the authorities are determined in accordance with Article 15 of the Regulation. According to this, the Advisory Board shall consist of at least five members including people who have the ownership rights to the property, professional chambers, non-governmental organizations and universities. In this context, the selection of those who are entitled to property rights in particular is of importance for the inhabitants of the suburbs to participate in decision-making mechanisms, in accordance with participatory management principles, for the exercise of urban and democratic rights. However, the selection criteria are important, since the possibility of everyone in possession of the property being involved is virtually impossible. Likewise, it is uncertain how to choose which NGOs and universities to include. In addition, in Article 5.f of the Regulation, there are no explanation of any other provision of the directive, although voluntary individuals and organizations are considered among the groups for which the site management targets are planned to cooperate with. When evaluated in terms of participation and governance concepts, the absence of a regulation that allows volunteers to take part in this board can be regarded as a deficiency. With the current arrangement, the Advisory Board has a structure closed to the participation of local people volunteers or institutions. In addition, the criteria, working methods and tools to be considered by the Advisory Board in evaluating the draft management plan are not defined. The fact that the working principles and boundaries are not determined causes the tendency of the Advisory Board to function in the direction of trying to make executive decisions rather than consulting functions, as seen in Istanbul case (Istanbul Site Management Advisory Board Meeting Minute, 2012).

Coordination and Supervision Board

In Article 16 of the Regulation, it is specified that the Coordination and Supervision Board shall have at least five members, including the site manager and two members to be elected from the members of the advisory board, as well as representatives of the

administrations requiring services within the scope of the administrative plan draft. The site manager is also the president of the Coordination and Supervision Board.

Although the term ‘competent and required authority’ in the regulation is not clear enough, it can be interpreted as the Ministry or the Municipality depending on the type of the conservation area that provides the administrative and technical support to the site management unit and assigns the site manager in the framework of the organizational structure, before Decree Law No. 6745. However, this expression is complicated when considering that the services of the stakeholder administrations that need to be cooperated within the site management activities are required. In practice, it is preferred that stakeholder administrations in key positions be members of the Coordination and Supervision Board so that they ensure they implement the management plan in common with the decisions, and together with the executive branch. In this point, it is inevitable that after Decree No. 6745, the Coordination and Supervision Board will include the representative of the Ministry.

On the other hand, the presence of members or director of the Conservation Council in the Coordination and Supervision Board is an inconvenient situation because they created the task of the conservation council to execute the site management plan. As explained above, this approach is contrary to the segregation of duties. Hence, it would be more appropriate for the members of the Conservation Council or its director to take part in the Advisory Board and thus to perform the task of examining the appropriateness of the management plan to the relevant legislation, the Superior Council of Conservation decisions, and the Conservation Councils decisions and approaches.

The Coordination and Supervision Board convenes twice a year when required by the ministry on the agenda framed by the Ministry and the audit unit. The board is responsible for reviewing and approving the design of the management plan discussed in the Advisory Board and amended if necessary by the Ministry in accordance with the views of the board, within six months. If necessary, the plan preparation team will receive the necessary corrections during the evaluation. The plan controls the

applications after they enter into force. However, it is unclear how, and by which means, the plan's approval criteria and the task of supervising the application will be carried out. The Coordination and Supervision Board evaluates and approves annual performance assessments, annual audit reports, work program and the draft budget for the following year prepared by another task audit unit. It reviews the five-year evaluations carried out in the audit unit and evaluates them in the renewal studies. In addition, the Advisory Board evaluates the minutes of the meeting, including interviews, opinions and recommendations.

The supervision task for the Coordination and Supervision Board is the control and guidance contained within the management function and is not related to the separate function defined as audit or inspection because there is also an audit unit. For this reason, the existence of a supervision term in the name of the board is essentially unnecessary as it is essentially the executive board of the site management unit, and there is a conceptual conflict. However, the collection of the executive and supervisory functions in the same unit, which is in accordance with the basic management principles explained above, prevents the supervisory function from taking place because it is not possible for the unit to assess its own actions objectively. For this reason, auditing should be a separate function that can be carried out independently by a specific person or unit, with guaranteed independence and neutrality.

Audit Unit

In Article 17 of the Regulation, an audit unit could be established to enable the Coordination and Supervision Board to fulfill its supervision duties. This means that the establishment of the audit unit has been left to the discretion of the site manager. However, in Article 1 titled ‘Purpose of Regulation’, auditing is defined as the targeted functions. On the other hand, the evaluation and performance of the management plan is defined as the activities to be carried out by the audit unit in the following year's work program and budget drafting. The contradiction in the regulation comes into play when it is considered that such activities are essentially obligatory activities to be carried out within the scope of the management function.

When these functions are evaluated, the evaluation of performance is an administrative activity that should be carried out by the administrative units as an internal control activity in accordance with Law No. 5018. However, there is a confusion in the regulation at this point, because a performance audit is an activity carried out in internal and external audit units as an audit format and is different from performance evaluation. Similarly, preparing the next year's work program and budget draft is also an executive activity and a management function. Therefore, the audit function the regulation attempts to define refers to a sequence of activities mixed with the execution, which is contrary to the national or international audit principles.

However, Public Financial Management and Control Law No. 5018, which is a law that all public institutions and organizations in Turkey are obliged to comply with (except for some subsidiaries), defines audits that can be carried out. Accordingly, auditing in Turkey is carried out in two forms, internal and external auditing. Internal audit is carried out by the Board of Inspectors or internal audit units, which are mandatory in institutions. External audit is a function provided by the Court of Auditors. It is against the law that the site management unit, although indefinite within the administrative organization, assumes a structure other than these forms of control defined in the law as a public entity. The 'preparation of the annual audit reports' given in Article 14e of the Audit Unit, which defines the duties of the site manager, is an audit activity that should be carried out by the internal audit units.

The task designated as 'supervising the implementation of management plans', which is determined for the audit unit, is basically an evaluation review of the achievement of the goals and objectives determined by the management and should not considered as 'audit' or 'inspection'. Therefore, the unit which is attempted to be defined under the name of the audit unit in the regulation has to be an administrative unit charged with independent executive functions separate from the audit. In this respect, internal audit should be carried out by Ministry of Culture and Tourism Inspection Board and / or Internal Audit Department, and external audit should be carried out by the Court of Accounts in the site management units that are currently connected to the Ministry.

4.1.4. Institutions and Units Not Related to Site management

The stakeholders defining the roles and responsibilities in the site management directive are the Governorate, Provincial Special Administration, Provincial Cultural and Tourism Directorate, Directorate of Surveying and Monuments and KUDEB. However, each of these institutions and units is a key stakeholder in the conservation, development, promotion, management and financing of the site, which has duties and authorities in accordance with its own legislation.

4.1.5 Conceptual inadequacies

Some aspects of the site management's conservation-related role, both in terms of implementation purpose and coverage, are not clearly defined by the administrative phrase expressed in the same terms, but are reached through the existing concepts in the regulation and the task descriptions of the relevant units of site management.

The concept of 'junction point' in Law No. 2863 was also evaluated in various forms in the beginning. Registered or unregistered cultural assets are the connection points, depending on their status in law. However, it may be a structure that is not included in the scope of cultural assets, a structure without historical characteristics, or a geographical location. For this reason, the concept of junction point does not cover the structures and areas except of cultural assets, and the evaluations about site management plans are lacking.

On the other hand, the absence of any explanation in the legislation of the concepts of excavation plan and operational project specified in the definition of the management plan in the legislation is also one of the issues which cause confusion. In addition, cultural landscape, rural site, rural heritage, and crime against the city, which are included in the international protection literature, are not yet included in national legislation. Despite the fact that site management can be established for the sites, the

absence of regulations to allow site management in the context of a single building scale or building ensemble, as observed in the UK example, is another shortcoming.

4.1.6 The Content of the Legislation on Site Management and the Lack of the Guiding Documents

The Regulation on site management contains explanations of the aims and objectives of archaeological site management in terms of their definitions. For this reason, in the existing legislation, there are no specific definitions and applications of the areas that should be included in terms of urban conservation areas, historical conservation areas and mixed conservation areas.

In addition, the fact that the preparation and implementation of the site management plan for the World Heritage Site is not regulated by separate legislation, mainly due to the procedures set out in the World Heritage Convention and the UNESCO Operational Guideline, is an important shortcoming in terms of maintaining the list of candidates. Incompatible and / or large-scale projects in historical circles, which are shaped by the lack of information arising from the process of world heritage not being an explanatory legislation, and the demands of central government under development and capital pressures, lead to the violation of international agreements as observed in the example of Istanbul.

In addition to the existence of terms that are not conceptually explained in the site management regulation, the absence of a specially prepared general technical specification has led to uncertainties about the duties and authorities of the persons and units and the contents of the plans, especially in the initial stages of the applications. In addition to the general technical specification, the lack of implementation guidelines has led to ineffective management because the process has had both to be defined and learnt in practice.

In particular, the success of cultural heritage management practices in the UK is due to the generation of a large resource of guidance documents to ensure that each step of

the application is well understood by the relevant institution, property owners and stakeholders. In addition to this, there are services that can be applied for and offer consultation within the related institutions. In Germany, ICOMOS Germany's Guidance on World Heritage Practices is a detailed description of the source.

4.1.7 General Tendencies and Priorities of Site Management

With the lack of consistent and effective conservation policies in Turkey and the lack of political support for this issue, it has become increasingly difficult to take rational and public interest oriented decisions, particularly in urban areas that have been developing a rent economy for many years. Social awareness of conservation and weakness in participation support are other factors aggravating these difficulties. In this context, it seems that the present atmosphere, which is increasingly insensitive to historical, environmental and cultural assets, orientated towards creating economic returns and marketing tourism without considering the aims and objectives of the site management legislation. In addition to the economic objectives geared towards profit making, the criteria for graduation from the economics and business departments are indicative of a risk in this area, while there is no mention of a conservation specialist in the criteria for appointing the site manager, who has the primary role in the site management. However, changing conservation approaches, especially in relation to bureaucrats in central government, are also an important impediment to the scientific, coherent and continuous implementation.

4.1.8. Relationship between Site Management Units and Regional Conservation Councils

In the legislation, no function of the Regional Conservation Councils provides for the activities of the site management unit. On the other hand, Article 13 of the Regulation states that 'it is compulsory to obtain the permission of the Conservation Council for all kinds of construction and physical interventions and function changes related to the works planned for the management plan and the plans and projects in immovable cultural and natural assets and conservation areas within the scope of the management

area. In this respect, it is not possible to implement site management practices without the cooperation of the Regional Conservation Council, which is the highest supervisory body within the region. In practice, attempts are made to circumvent this deficiency by seeking the opinions of the Regional Conservation Council about the management plan boundaries and the management plan, and members of the Council, or its director, are appointed as members of the Coordination and Supervision Boards.

The lack of a clear definition of the relationship between the Regional Conservation Council and the site management unit leads to the lack of jurisdiction of the council in areas where the management area boundary differs from the boundary of conservation plan. For example, in the case of Istanbul, information about the 16/9 project related problems and adverse effects on the world heritage site was provided to the Conservation Council, but the Conservation Council did not intervene because the area was not within the limits of the conservation plan.

4.1.9 Superior Council of Conservation and Regional Conservation Council

The fact that the members of the Superior Council for Conservation and Regional Conservation Councils are political appointments, removal of the obligation to appoint academic members in the Regional Conservation Councils by the Decree 648, and the fact that members of the Regional Conservation Councils are not required to be experts are the negative factors that compromising the work of councils in terms of scientific approach, impartiality, autonomy and expertise.

Factors such as removing members of the Regional Conservation Councils from office, trying to exert political influence on the council decisions, serious inconsistencies in the decisions of the council with regard to similar issues, slow and unsystematic methods of conducting the councils' work and erroneous decisions due to lack of necessary expertise vitiates the independence and efficiency of the councils' work. Besides, it is difficult to say that there is a uniformity of understanding and purpose in conservation decisions across the country. Controversies may occur about the decisions taken on the same issues in different regions. There are problems in the

conservation interventions of cultural assets at risk because the Regional Conservation Councils do not have a strategic approach involving the inclusion of urgent and priority problems on the agenda. Another major drawback is that Regional Conservation Councils do not have the know-how or equipment for planning and conservation procedures in the world heritage sites.

4.1.10 Sanctioning Power of the Management Plan

Article 13 of the site management regulation states that public institutions and organizations, municipalities, individuals and legal entities must comply with the management plan approved by the Coordination and Supervision Board. It is also stated that the competent authorities are obliged to prioritize services under the plan and to allocate the necessary funds to their budget for this purpose. However, if these obligations are not fulfilled, the regulation does not contain any statement as to possible sanctions. Therefore, in the site management, a new application for Turkey, there is no legal sanction in terms of bringing different duties and responsibilities to the co-operation between the institutions that carry out the specific legislation and priorities. On the other hand, in the case of Istanbul, the fact that the site manager carries out no activity other than giving a written warning about the unplanned buildings and the fact that nothing can prevent these structures being built, shows that the legal status and sanction of the site management plan should be questioned.

4.2. Administrative Problems

4.2.1. Planning

4.2.1.1 The Status of the Management Plan within the Planning Hierarchy

It is stated that the definition of the management plan included in paragraph 3.11 of Law No. 2863 is that the planning tools to be taken into consideration in the preparation of the management plan are the operational project, the excavation plan,

the environmental regulation project and the conservation plan. According to this article:

'Management plan' shall mean a plan revised on a five-yearly basis for the purpose of protecting the management area, ensuring its revitalization, evaluating, also indicating the annual and five-yearly implementation phases and budget for the conservation and development project prepared by taking into account the operational project, excavation plan and landscaping project or conservation plan. It is understood that the concepts of operational project and excavation plan in this context are related to the landscaping project and conservation plan, although they are not so defined in the legislation. It would not be wrong to state that, in this way, the landscaping project and the conservation plan are the forerunners of the management plan.

It would be useful to give an over view of Turkey's planning tools and legislative basis in general to determine the hierarchy within the management plan, which is the most basic implementation tool of the site management.

4.2.1.1.1 Planning Tools and Their Legal Basis In Turkey

National planning in Turkey is a task performed by the state in accordance with various provisions written into the constitution and includes a very broad scope of activities. When evaluating the history of planning from the 1930s to the present, it is worth mentioning that planning approaches have been cyclically directed by different national and international bodies and their contents have focused on different fields. Ekiz and Somel (2005: 6) define these approaches as industrial planning for the years 1934-1941, development planning for the years 1963-1996, and strategic planning for the period from 1996 to the present day.

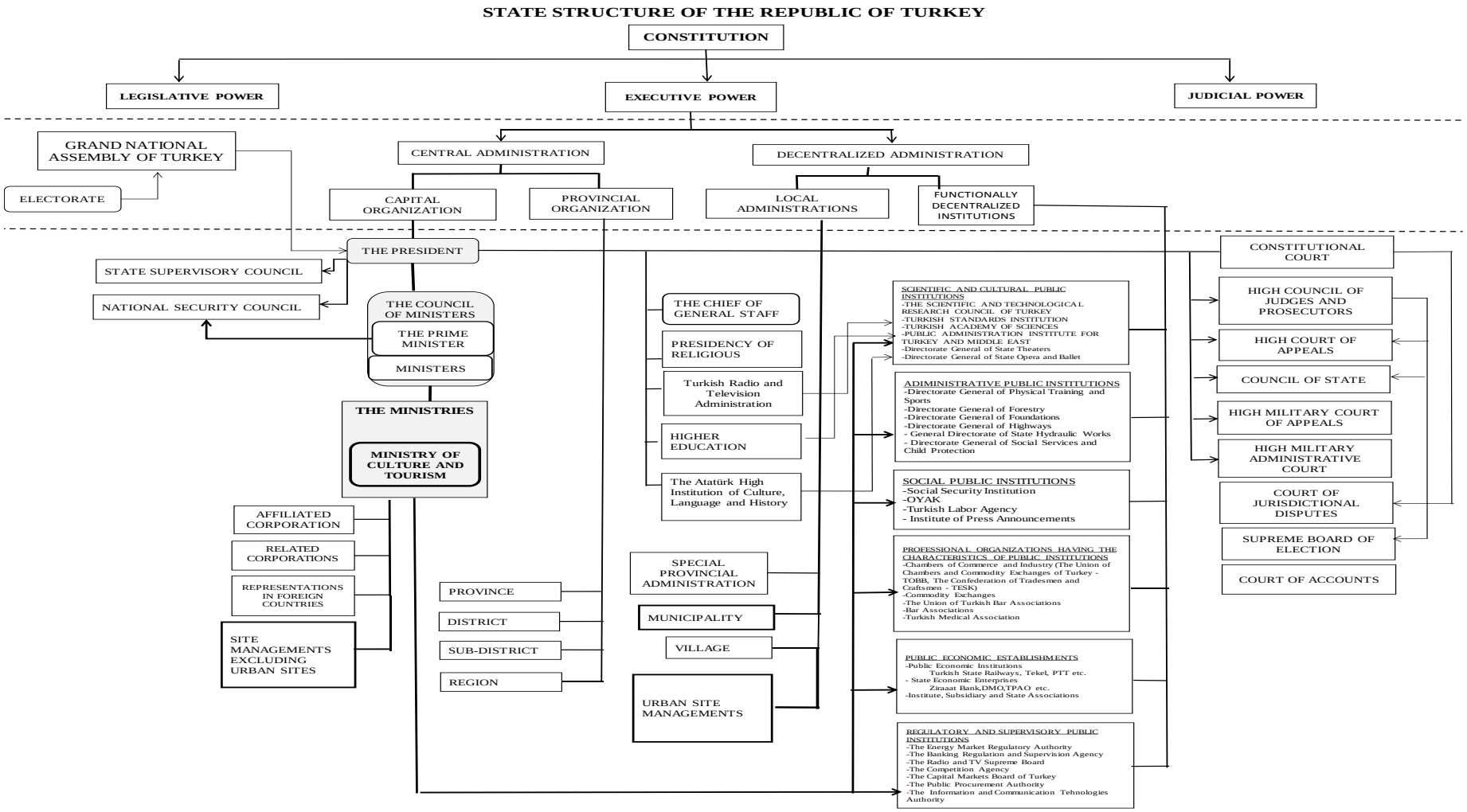

Figure 3.116 Place of Site Management Organization in Administrative Structure of the Republic of Turkey (Between 27.07.2004 and 07.09.2016)

The basic approaches to planning are determined in the article 166[84] of the 1982 Constitution, under the heading of 'Planning: Economic and Social Council', and it is mentioned that planning economic, social and cultural development is the responsibility of the state. In accordance with this article, the Turkish Grand National Assembly (TGNA),as legislative body, has a duty to approve development plans prepared by Ministry of Development (formerly, the State Planning Organization),in the early stages of planning.

It is possible to group planning activities, developed in line with article 166 of the constitution directly describing planning and various articles[85] including indirect descriptions, under two main headings as social-economic planning (countrywide development plans and regional plans), and physical planning in terms of their goals. The legal basis of the physical planning stages in planning activities, which is regulated by many special laws complementing the constitution, is Development Law no. 3194. Planning hierarchy and institutional authority and responsibilities of making plans and approval are identified in the aforementioned law and relevant regulations.

Ongoing planning practices in Turkey can be divided into socio-economic plans and physical plans. Neither the Code of Construction, nor the special laws that contain provisions on planning have systematically defined the stages of physical planning. On the other hand, in Article 6 titled 'Planning Hierarchy-Fundamentals for

[84]Planning economic, social and cultural development, in particular the rapid, balanced and harmonious development of industry and agriculture throughout the country and the efficient use of national resources by taking an inventory of and evaluating them, and the establishment of the necessary organizations for this purpose are the duties of the State.
Measures to increase national savings and production, ensure stability in prices and a balance in external payments, promote investment and employment shall be included in the plan; in investments, public interests and necessities shall be taken into account and the efficient use of resources shall be proposed. Development activities shall be realized according to this plan.
The procedure and principles governing the preparation of developmentplans, their approval by the Grand National Assembly of Turkey, their implementation and revision, and the prevention of changes disrupting the unity of the plan shall be regulated by law.
The Economic and Social Council shall be established to provide the government with consultative opinions in the formulation of economic and social policies. The establishment and functioning of the Economic and Social Council shall be laid down in law.

[85]Other articles of the constitution that contain indirect provisions are; article 23- freedom of residence and movement, article 35- right to property, article 41- protection of the family and children's rights, article 43- utilization of the coasts, article 45- protection of agriculture, article 46- expropriation, article 56- health services and protection of environment, article 57- right to housing, article 63- protection of historical, cultural and natural assets and finally article 131- superior bodies of higher education.

Development Plans' of the Development Law, 'Plans are prepared as Regional Plans and Urban Planning Plans in terms of their scope and objectives. Development plans are prepared as master plans and implementation development plans'. According to this, it is possible to divide the physical plans into two categories as Upper-Scale Plans-Regional Plans and Sub-Scale Plans-Development Plans. Another type of plan included in Article 5 of the Act titled 'Definitions' is the Environmental Plan. Ersoy (2006: 217) states that this plan will be seen as an upper scale type of plan because it is not included in the definition of the content and construction plans. In addition to the Development Law, Keleş and Mengi (2014:33) draw attention to the existence of some concepts such as a revision development plan, additional development plan and localized development plan in the Regulation Regarding Principles for Making and Modifying Development Plans; in addition to the specification of different types of plans such as rehabilitation development plan, tourism-oriented development plan, conservation plan and national park development plan in various pieces of legislation.

In addition to legislation, documents referred to as 'Basic Policy Documents', which include international and national strategy documents, sectoral and thematic documents, programs, action plans and management plans, which are data for planning at various scales are also planning tools that influence and guide planning.. Basic policy documents can be listed as top policy documents (Development Plans, Medium Term Programs, Medium Term Financial Plans, Annual Programs), Sectoral and Thematic Strategy Documents, Management Plans and Action Plans (Talu, 2010: 2013).

4.2.1.1.2 Site Management Plan and Planning Hierarchy

While researching the status of Site Management Planning among planning tools implemented in Turkey, in the classification of planning documents, ranked as national, regional and local scale in terms of their context, the plans were assessed to distinguished their purpose and characteristics.

Within this context, as a result of assessment of planning documents and relevant regulations, the objectives of plans are determined as;

Economic Development: Plans basically aim at increasing national income and production taking into account policies and regulations which provide financial stability, improvement of living standards, sustainable and balanced economic development.

Social Development: Plans for alleviating tensions and conflicts among social strata, for strengthening the creative and dynamic side of society to sustain democratic, social, cultural and political goals.

Budget Management: Plans that enable appropriate budgeting and budget control techniques and principles for the management of financial resources.

Resource Management: Plans that include principles of protection, utilization, distribution and management of water, land, the natural environment, underground resources and cultural assets.

Land Use: Plans to assess the relationship between the land and water potential taking into account sustainability principles in order to prevent the degradation of soil and other environmental resources in the context of ecological, social and economic conditions and to foster different forms of land use.

Thematic Priority: Plans that focus on resolutions and implementations about territory, forest, water, basin, coast or protected areas.

And characteristics of plans are determined as;

- **Administrative Plan:** Plans which are mandatory, and compulsorily implemented.
- **Directional Plan:** Plans which are advisory and voluntarily implemented.

- **Sector Based Plan:** Plans that generate regulations and decisions about agriculture, transportation, tourism, housing etc.
- **Spatial Plan:** Plans that contain physical planning resolutions.
- **Strategic Plan:** Plans that contain internal and external environmental analysis to implement long term goals, identify a series of steps and measures to be taken.
- **Operational Plan:** Implementation plans defining particular actions, time, resources and responsibilities.

Parallel to the reform of public administration and EU compliance studies, it can be seen that the documents determining the planning domain have mostly evolved from physical planning documents into programs, plans, strategy documents and operational plans. The planning tools, determined with the help of definitions and with the basic level policy documents are listed in Tables 5, 6 and 7 at national, regional and local scale. In this context, the site management plan can be defined as a strategic plan in terms of its purpose and qualities, for resource management purposes, thematic priority, guidance, orientation towards the culture / conservation sector, and also operational in terms of inclusion in action plans at a local level.

As the relationship of management plans with other plans is assessed, it is seen that a conservation plan is the closest plan to management plan in thematic and sector-related terms. This relationship is mentioned in definition of 'management plan' in article 3.11of law no. 2863, amended by Law on Amendment of Conservation of Cultural and National Property Law and in various laws, no.5226, dated 14.07.2004. In this context,

> 'Management plan shall mean a plan revised on a five yearly basis, drafted with the view of protecting the management area, ensuring its revitalization, evaluation, and also indicating the annual and five yearly implementation phases and budget for the conservation and development project prepared by taking into account the operational project, excavation plan and landscaping project or conservation plan'.

Despite this definition in law, any definition or principle has not been determined by regulation. As can be understood from this definition, the pre-requisites for a management plan depend on the existence of an operational project, excavation plan,

landscaping projects or conservation plan. However, when considering the richness and diversity of cultural heritage in Turkey, it should note that these plans can be produced simultaneously and in coordination (Madran and Bozkurt, 2008: 41-49). As a matter of fact, in the case of Ephesus, preparations for the Conservation Plan and the management plan were carried out in parallel. In the case of Istanbul, a management plan was prepared without the data from the Conservation Plan.

4.2.1.2 Preparation of Site Management Plan

There are two methods to prepare the site management plans: planning by the planning team within the site management unit, or procurement of the plan for construction work. The management plans of Istanbul, Bursa and Efes were prepared by procurement from the national cases examined and the Edirne plan was prepared by the planning team within the site management unit, while the Çatalhöyük Plan was made by the ministry. When evaluated in terms of the procurement schemes, the preparation of the plan outside the site management poses risks both from the point of view of internalizing the team's plan to use it at the implementation stage as well as potential difficulties in understanding it at times. The fact that the site management plans are different from the planning tools used up until now as a qualification, and the fact that they are not yet fully understood and adopted have an effect on this issue. As a matter of fact, it is known that these problems have been experienced in the example of Istanbul because of the scope and content of the plan. In the case of Bursa, efforts were made to ensure that the implementation team involved in the site management has mastered the plan at the preparation stage. Internationally, in the case of Florence, for example, the site manager worked as a coordinator within the team that prepared the plan itself, which is an advantage in the implementation of the plan. Therefore, it is necessary to decide on the preparation of plan by taking into account the size, the importance of the area, the qualifications and the personnel who have the ability to prepare plans for site management. In addition, especially in the planning of the world heritage sites, despite the fact that the planning phase is extremely important, the implementation of the projects are often rushed, causing setbacks. However, in every case it is important to work in close co-operation with the planning team.

4.2.1.3 Various Institutions and Plans in Management Areas

The fact that there are numerous institutions at the central and local level with the authority charged with making plans and seeking approval in Turkey, and the lack of coordination between these institutions have negative effects on conservation. The Ministry of Culture and Tourism, the Ministry of Environment and Urbanization and the Ministry of Forestry and Water Affairs, all have authority to make plans, which does not provide an effective organization to provide conservation and rehabilitation, nor do they have a mechanism to coordinate the planning efforts between the central institutions and the local government. Coordination does not occur between the Ministry of Culture and Tourism, the Regional Conservation Councils and the municipalities in the process of preparing and implementing the plans, as well. Different organizations in the field of conservation, environment and tourism regard the issues within their own terms of duty, disparately from any holistic approach, and do not cooperate or share power and resources. The main problems are the variations in terms of authority in different sectors, the uncertainty in general principles and approach about spatial planning among institutions, lack of coordination in legislation procedures related to gradual coexistence of plans and the fragmented format of planning and project quality works apart from a holistic planning concept.

Madran (2009) stated that, in a survey conducted in 2009, approximately 15 institutions in Turkey have authorization to approve plans and 35 different types of plans have been identified. In addition to this, the availability of a wide range of stakeholders, including central and local public institutions, private sector organizations, residents and NGOs in the site management, has created political problems in implementation. For this reason, site management practices are applications where political, scientific and ideological conflicts are rampant and maintaining any sensible degree of objectivity is difficult. The absence of scientific expertise and modern management practices, guidance and high level policy decisions regarding solutions to the problems makes it difficult to achieve effectiveness in practice.

4.2.1.4 Feasibility of management plans

The feasibility is generally defined as 'the state or degree of being easily or conveniently done'. It is of great importance that the management plan aiming to bring together a large number of institutions and participants in the fulfillment of common objectives and aims in the context of a multitude of objectives (protection, rehabilitation, tourism, promotion, research, education, etc.). However, in the present case, a large number of actions defined in the management plans do not appear in the investment programs of the relevant institutions, are not components of the job descriptions of the relevant institutions and cannot be realized in the estimated time. In this context, it is not rational to set targets for the activities of the current system without considering the capacity, competencies and resources, and to direct the plans to unrealistic targets. Nevertheless, it is important that the mission and vision statements included in the plans are clear, appropriate, feasible and acceptable for the purposes.

4.2.1.5 Large-scaled Projects

It is difficult for Turkey to protect cultural and natural values as required because the idea of growing is a more preferential approach than conservation (Keleş, 2015: 680). Since the beginning of the 2000s, the growing neoliberal urbanization approaches in Turkey have led to serious loss of historical environment and natural areas with imposing planning and conservation protection and public interest, which places responsibility for the exploitation of the land to the top level. In contrast, it can be said that the state has failed to take the regulatory and supervisory measures to weaken or prevent these approaches, in fact, it provides supportive policies with rent-oriented capitalist interventions. One of these policies is to give the Ministry of Environment and Urbanization the planning powers of local government with Decree Law No. 648. In addition, political will and pressure create negative effects by directly supporting large-scale projects, taking decisions without considering urban infrastructure, necessities and problems, applying participatory methods, making decisions without impact analysis, changing historical values and silhouette values in the whole city. As

can be seen in the example of Istanbul, Istanbul 3rd Bosphorus Bridge, Haliç Subway Transit Bridge, 16/9 project, Marmaray, Eurasia Tunnel and Yenikapı Meeting Area are the products of the approaches and policies mentioned. Because they are supported by political will, they are not given political responsibility and are not accountable for these projects, which are produced quickly and in an unplanned way.

4.2.1.6. Separate identification of plans for development and conservation

The development planning process and the conservation planning process in Turkey are considered at two different points. Despite the interventions of the central government, in the process of development under the legal authority of the local government, the principles and approaches to be provided in general for the protection of the historical urban space are being overlooked. Since conservation-related decisions are not taken into account in large-scaled projects, conservation plans and approaches to large-scaled projects and development plans are contradictory. Conservation plans are like an independent plan without functional connections to other plans in the planning hierarchy. Conservation planning is a feature of planning, but the lack of conservation principles and decisions of development targets are contrary to integrated planning approaches.

4.2.2 Organization

4.2.2.1 Organization and Relations in Site Management Units

The most fundamental organizational problem is the inability to use the assignment of personnel and the initiative of using the equipment by the site manager because of the lack of legal status. For this reason, it is extremely difficult to build a team in site management unit and hire specialized personnel. In addition to this, in the selection of both the site manager and the planning team, although various occupations are mentioned as criterion, it is an important shortcoming that there is no mention of conservation expertise. However, all activities to be carried out within the site management are activities requiring conservation expertise. Another difficulty in

providing staff with the required qualifications is the existing employee rights defined for the site manager. In addition, the lack of personal status for the members of the boards involved in the site management unit is a negative influence on the effective execution of these duties. Academic programs, M.Sc. and doctoral programs for cultural heritage management implementations and training and workshops organized by NGOs have not yet been sufficiently developed and supported to ensure that the site manager and those who meet the criteria defined for other team members take part in site management unit.

Another problem is that the duties of site manager are perceived as a part-time task. However, in realistic and rational management understanding, to carry out the objectives of the site manager and to carry out on-site monitoring, the execution of the coordination activities requires a full-time approach. In the national cases, it seems that due to this misperception, the Director of the Museum, the Director of the Conservation Council, individuals who perform freelance architectural activities on the market, or individuals in charge by the permission of their public institutions, were appointed as site managers. In addition, there is a risk that the concept of development will dominate the decisions taken when the majority of the members are assigned from municipalities in the Coordination and Supervision Boards.

Between 2004 and 2016, it is hardly possible to say that site management units could plan to produce innovative and specific conservation approaches beyond municipal cultural policies and conservation approaches, or to eliminate the deficiencies and drawbacks of existing municipal policies. The fact that the character of autonomy defined in the law has not been implemented in practice is also an important factor. At the point where all the site management units are connected to the Ministry of Culture and Tourism by Decree Law no. 6745, there are risks that the central government may not appropriate and effective approaches to local issues and potentials. As a matter of fact, the World Heritage Sites Department of the Ministry of Culture and Tourism have had problems due to lack of regional knowledge, lack of adequate numbers of qualified personnel, lack of awareness of problems and opportunities for local administrations and difficulties in carrying out necessary coordination and communication from the

center. For these reasons, it is extremely difficult to carry out operational responsibilities from a central point. Hence, there had been various problems in the management of archaeological sites, which were directly connected to the central administration between 2004 and 2016.

In archaeological site management, the role of the directors of excavation and their relationship with the site manager have not been defined. The excavations in the archaeological area in Turkey are mainly carried out by foreign teams using external resources. There is no consensus about how to carry out the process of making the strategic decisions about the area if there is already a director of excavation in the site where the site management unit is established, and how the process of the excavation program will be carried out where the site manager and the director of excavation need to work in collaboration. On the other hand, depending on developments in foreign relations, the political leverage of the excavation team may increase or decrease. Even the diplomatic relations carried out by the countries where the excavation teams are affiliated, can affect the ongoing status of excavations. This is one of the organizational influences that should be considered in archaeological sites.

4.2.2.2 Organization in Local Government and Public Institutions

In general, it is known that there is not enough technical staff in all public institutions, and that existing personnel lack knowledge and experience in conservation. In institutions that are stakeholders in the management of sites and have conservation duties, merit is ignored when making appointments and the lack of impartiality about human resources are the main roots of the problem. In particular, the concentration of development-focused targets and activities of local governments has caused the staffing and expertise in the area of conservation to remaining as a low priority, eventually leading to organizational problems. For this reason, local governments are inadequate to create modern and scientific conservation policies. However, in accordance with Law No. 5226, the arrangements made in Law No. 2863 the important responsibilities for the conservation of the local administrations includes site

management. The absence of capacity building programs in this context is another disadvantage.

4.2.3 IMPLEMENTATION

4.2.3.1. The Scope and Functions of the Site Management

In Item 3.10, which defines the management area of Law No. 2863, it is determined that the site management units will be established in sites, ruined areas and interaction areas. However, considering that the total number of sites in Turkey is 14,840, it is obvious that a set of criteria should be set to determine priority areas where site management will be established. On the other hand, the existing practices are being carried out in the World Heritage Sites, as well as preparations for the management plans in Sinop, Kütahya and Tokat.

In the current practice, there is a consensus that site management units possess a ‘coordination’ function. One of the main reasons underlying this situation is that the management plan has no sanction power and the other is the lack of facilities and effectiveness in providing a function beyond the coordination with the structure, the number of personnel, the quality and the available facilities of the site management units. However, items 5c and 5g that define the site management objectives of the regulation carry complex expressions. In 5c, the expression ‘creation of financial resources’ as well as ‘determination of financial resources’ means that an activity for ‘creation of financial resources’ is required, but there is no explanatory statement in the regulation.

On the other hand, it makes no sense that the 'maintenance, repair, restoration, restitution, exhibition, arrangement and environmental regulation' activities can be done directly in the site management unit due to the ambiguity in the 5g item. Another ambiguity is that in article 5.h of the regulation, there is the phrase 'to ensure the use of cultural assets, conservation areas, design and application, expertise and equipment'. Although the regulation does not define a function to make on-site physical monitoring

and determinations, it is not possible to carry out this task without conducting field work. These uncertainties in the regulation are obstacles to the institutionalization of the site management units, understanding of their real functions and making them capable of effective service.

4.2.3.2. Conservation Implementations

The lack of awareness among local governments of their work definitions within the site management, perception of the site management as a distinct power and the misconception that the activities held by the site management are obstacles to the development processes, and have caused conflicts, particularly at the beginning of the implementations. For example, in the Edirne case, the Edirne Municipality decided to withdraw the nomination of Edirne Selimiye Mosque and dissolved the planning team. Similar problems were experienced with the Governorate in Edirne. In order to overcome the problems with the Governor's Office, a representative of the Head of Department of Culture and Tourism from the ministry visited Edirne to convey the importance of Edirne being a world heritage. In Bergama, the Governor of Izmir was instructed directly by the minister to implement the site management practices. Perceiving conservation as a means of tourism and economic development rather than being a priority is also leading to misapplication.

The intensive problems of conservation include unauthorized practices because simple maintenance and repairs are not allowed, the distress of property owners who cannot afford conservation funding and loss of buildings due to deterioration, the increase of applications contrary to conservation principles and scientific approaches, and an increase in the reconstructions of destroyed works without documents. In addition, there are urban infrastructure, environment, cleanliness, security, traffic and parking problems.

Carrying out the bidding, planning and project management processes in the world heritage sites with disregard to the unique conditions, causes the applications which are contrary to international norms, their outstanding universal value, their authenticity

and the integrity. The construction of Haliç Subway Transit Bridge in Istanbul case is such an example. Increasingly, construction and conservation practices that are not in the public interest, which are of rent-focused and encourage the investors' priorities are also creating disadvantages in the conservation of historical environments. There is intense development pressure on historical environments. Again, the 16/9 project in Istanbul case is another development application of this nature made in the buffer zone of the management area. The site management units are not informed about the work carried out by the General Directorate of Pious Foundations in the World Heritage sites. For this reason, there are problems arising from the fact that the nature of world heritage is not taken into consideration. For example, erroneous practices carried out by the General Directorate of Pious Foundations in the area of the Alanya World Heritage, were forced to stop by an application to the Regional Conservation Council. In the management areas, there are problems in daily maintenance and operation even though the owner and the user are different. For example, in the Edirne Case, these problems are experienced intensely in the management of Selimiye Mosque.

The absence of a visitor management plan based on carrying-capacity studies in many archaeological sites leads to conservation-usage balance problems. For example, the Efes case requires extreme care in use of the theater for various activities during peak seasons. It is difficult to prevent illegal excavations due to security concerns, financial problems and lack of personnel. In addition, unauthorized agricultural activities carried out due to the failure of regular inspections, harm the archaeological sites.

4.2.3.3. Expertise

The fact that the conservation practices are carried out by persons and companies which lack the necessary expertise, or do not have the required knowledge and experience, seriously damage the historical environment and construction. One of the most fundamental reasons for this is that the administrative and technical requirements for procurement are not prepared as required, and expertise and previous similar work experience are not sought. There are no specific applications for conservation in the current bidding Law No. 5734. Nevertheless, there is a lack of master craftsmen and

intermediately staff skilled in the proper maintenance and repair of historical buildings, traditional production and labor practices. This causes the loss of authenticity during the restoration. In the France case, both the planning and the implementation of the conservation, the architects and the contractors carrying out the fieldwork are subject to accreditation. In this respect, this ensures that the quality of planning and implementation takes place at a high level of competence.

4.2.3.4. Risk management

Inventory studies in Turkey have not yet been completed and there is no database of cultural heritage under risk. For this reason, restoration programs with strategic priorities cannot be designed. The lack of work based on risk management and priority definition is the most important factor that causes the deterioration of cultural heritage due to time losses in preserving historical artifacts. In the UK case, strategic priorities are determined through the 'heritage at risk' program, interventions are identified, and the threatened heritage is implemented as soon as possible.

4.2.3.5. Accountability and Transparency

Since the early 2000s, changes in public administration based on the principles of democracy and participatory governance have foreseen the implementation of the services created by public resources in accordance with the principles of accountability, and sharing of these principles to public opinion. Pursuant to Article 8 of the Public Financial Management and Control Law No. 5018 aiming to give a strategic perspective to Turkish public administration, accountability is defined as follows:

> 'Those who are assigned duties and vested with authorities for the acquisition and utilization of public resources of all kind are accountable vis-à-vis the authorized bodies and responsible for the effective, economic and efficient acquisition, utilization, accounting and reporting of the resources on the basis of law, as well as for taking necessary measures to prevent the abuse of such resources.'

Transparency is defined in the 7th article of the Public Financial Management Law No. 5018, specifically regarding fiscal transparency.

> 'In order to ensure supervision in the acquisition and utilization of all types of public resources, the public shall be informed timely. Accordingly, the following are compulsory:
> a) To clearly define the duties, authorities and responsibilities
> b) To prepare government policies, development plans, annual programs, strategic plans and budgets; to negotiate them with the authorized bodies; to carry out their implementation and to make the implementation results and the relevant reports available and accessible to the public
> c) To publicize the incentives and subsidies provided by the public administrations within the scope of general government, in periods not exceeding one year
> d) To establish public accounts in line with a standard accounting system and an accounting order in accordance with generally accepted accounting principles.
> Public administrations are responsible for making the necessary arrangements and taking measures to ensure the fiscal transparency, which shall be monitored by the Ministry of Finance.'

Because it is a public service, all implementations related to site management must be carried out in accordance with an accountability and transparency principle. However, in the present case, the activity reports of the site management units, monitoring reports, progress reports to UNESCO, outputs and reports obtained during the renewal studies, are not yet accessible online through the websites of the management units. In Istanbul case, only the executive summaries of the progress reports are included in the site management website, but not all of the reports are published. In addition, the information about the property tax contribution, which is used in the initiative of the Special Provincial Administration, is not shared openly with the public. As a matter of fact, this matter was put on the agenda on 29.09.2009 at the 51st Parliamentary Assembly (Appendix D). On 02.04.2013, the Ministry of Culture and Tourism was submitted a questionnaire in order to learn the amount collected and the amount spent on the whole of Turkey and the province of Istanbul between 2005 and 2013, but the ministry did not respond to the questionnaire.

4.2.4. Coordination

Administrations, which are stakeholders in site management practices, have coordination and communication problem between each other and within themselves. The fact that institutions do not include the traditional customized working habits and the lack of methods and tools to ensure communication and coordination in legislation, make it difficult to solve these problems. Institutions are reluctant to share the information they need to share within the site management. Communication and coordination problems experienced between site management units and institutions are more intense due to the lack of personnel and equipment for archaeological site management. In addition, the dominance of the director of excavation in the archaeological site is an important factor in communication and coordination.

4.2.5. Audit / Inspection

4.2.5.1. Administrative, Financial and Legal Responsibilities

It is possible that some actions from the attitudes that are observed in the administrative activities may lead to some damage. The removal of this damage depends on the determination of responsibility of the administration. Determining responsibility requires the presence of clearly defined duties and authorities. In legal regulations, Article 125 and Article 129 of the Constitution and Article 13 of the Civil Servants Law No. 657 contain regulations on this issue. Article 125, according to the Constitution, says ‘the administration is liable to compensate for damage caused by their own acts or measures '. In Article 129 of the Constitution, 'Compensation cases arising from defects which are caused by the use of the authorities of civil servants and other public officials may only be filed against the administration in accordance with the form and conditions of the law, provided that they are subjected to repression’.

Article 12 of the Law No. 657 concerning personal liability and damages, says, ‘civil servants are obliged to take the necessary precautions to carry out their duties with due care and to safeguard the state goods delivered to them and to keep them ready for

service at any time. If the public official's intention, fault, negligence, or lack thereof is infringed, the damage shall be paid by the relevant officer over the fair value.'

It is clear that the damage that can be incurred during the service implementation is extremely important when the service performed by the site management units is of national and international significance and considered to be carried out on behalf of the public. However, lack of clear and comprehensive definitions in terms of duties, powers and responsibilities related to officials or boards in the site management makes it difficult to determine these responsibilities. In the present case, the issue of assessing these responsibilities within the framework of private law, not administrative law, is a matter of debate, regarding the individuals who are not qualified as officials or public servants. One of the complications created by these uncertainties is the responsibility of the site management unit against the construction of contradictory structures like 16/9 project, Haliç Subway Transit Bridge, Eurasia Tunnel and the annex of Sultanahmet Four Seasons Hotel, built contrary to international conventions and conservation principles and national legislations while options exist related to the management constraints, organization and management plan in Istanbul case.

4.2.5.2. Planning Level Audit

Conformity of the conservation plan with legislation and conservation principles is supervised by the Regional Conservation Council. However, in the legislation, the approval process is completed with the approval of the Municipal Assembly, since there is no procedure to approve the site management plan by the Regional Conservation Council or the Ministry of Culture and Tourism at the approval stage.

4.2.5.3 Implementation Level Audit

There is no control mechanism covering all existing conservation areas, or in areas covered by site management, for the conformity of implementations and for monitoring the overall physical condition of the site. This lack of control leads to multifaceted conservation problems. In this respect, sufficient and qualified personnel

able to carry out such a supervision on behalf of the Conservation Councils, the most authoritative institution of the central administration, are lacking. Likewise, there is no unit in the local governments dedicated to performing this function. A lack of on-site inspection in the site management legislation is also an important shortcoming. Due to lack of on-site inspection of physical controls in management areas and lack of communication and coordination among agencies, site management units are not aware of the projects assigned as their duties. As a matter of fact, the site manager in the Istanbul case stated that they do not have any information about the large-scaled projects. The additional building on the Four Season Hotel in Sultanahmet and 16/9 project are such examples, constructed without the knowledge of the site management units.

4.2.5.4 Post-implementation audit

The site management functions have institutional, administrative and technical aspects and require both aspects of supervision. Therefore, post-implementation supervisions can be evaluated within the scope of internal and external auditing in accordance with Law No. 5018. At present, internal or external audit activities related to the site management units in Turkey have not been conducted. However, in the general audit of the Alanya Municipality, made by the Court of Accounts, payment to the site manager was considered as inappropriate.

4.3 Financial Problems

4.3.1 Budget

The absence of a budget, one of the most basic needs for the functioning of the site management unit, is an important obstacle for accomplishing the activities and ensuring effective management. The entire financial resources required are provided by ministry or municipality. The fact that some of the municipalities are not willing to allocate resources to the site management and that some of them are in financial hardship cause this dependency to carry significant risks for the implementation

processes. The fact that the municipal priority is urban development, and that the resources allocated to development are far above those allocated to conservation, are other setbacks in this regard.

Principles underlying the use of the budget by the administrations in the national legislation are explained in the Public Financial Management and Control Law No. 5018. The Budget Law, which is held on a yearly basis, also allocates allowances for public institutions and organizations. Article 31 of the 4th Section entitled 'Expenditure Implementation' of Law No. 5018 states:

> 'The head of each spending unit to which appropriation is allocated with the budget is the authorizing officer. However, in administrations where there are difficulties in determining the authorizing officers because of reasons such as the organizational structure and personnel conditions and in administrations in whose budgets spending units are not classified, the spending authority may be carried out by the head of public administrations or persons to be determined by the head of public administrations; upon the positive opinion of the Ministry of Interior Affairs in local governments and the Ministry of Finance in the other administrations.'

In accordance with this article, at the ministry level, the authority over expenditure is the minister, and the mayor at the municipal level may transfer this authority for each sub-unit to which the appropriation is allocated. However, there is no explanation as to how this authority will be used in the site management, whether it will be carried out directly by the ministry or the municipality (before Decree No: 6745), or whether the site management unit will be defined as a spending unit. Within the current uncertainties, between 2004 and 2016, financial administration was undertaken by the competent authority appointing the site manager. It is unclear how the implementation will continue because the authority to designate the site manager after Decree No: 6745, is taken from the municipality and given to the Ministry of Culture and Tourism. In addition, the site manager expressed the financial problems in using the funds provided from different sources in the Alanya case.

The lack of a budget allocation in the regulation, as well as the lack of definition of different models of management that can be provided between public and private institutions, individual or corporate sponsors and NGOs in terms of financial resources and organization for sustainable conservation, causes constraints for the site management units in creating various collaborative opportunities. In terms of archaeological site managements, there is also a significant lack of regulation enabling the entrance revenues, parking revenues or store revenues run by the ministry through the private sector, to be spent for the heritage site.

4.3.2 Use of Property Tax Contribution Fees

The amount of 10% of the collected property tax within the province is used for the conservation and evaluation of immovable cultural assets remaining in the areas of responsibility of municipalities and special provincial administrations. However, in the allocation of funds, there is no allowance allocation relating to the tax rate collected by the municipality and funds are provided within certain priorities only. No priority was set for the use of the fund until 2012. Among the eight criteria determined in the priorities introduced by the regulation made in 2012, the management plans are in 6th place. The use of this fund causes has aroused considerable criticism as the governor is authorized to use it directly, and it cannot be used directly by municipalities. The central administration use of resources produced by local governments remains controversial as well. The bureaucratic issues in the use of the fund are one of the negative aspects expressed by the site management units. In addition, there are uncertainties about how the procedures related to funds will be carried out after the closure of Special Provincial Administrations in provincial centers with a Metropolitan Municipality.

4.4 Technical Problems

4.4.1 Cultural Heritage Management Tools

Sub-tools are used in a more specific way to achieve the goals set in the management plans for specific purposes. These tools can be listed as visitor management plan, tourism master plan, cultural route plan, traffic master plan, risk management plan, disaster management plan and emergency management plan. However, the vast majority of national cases have not yet developed such elaborations. In the Bursa case, disaster management plan preparations are ongoing, while, as a model of good practice, a visitor management plan could be in preparation in Çatalhöyük case also.
Heritage impact assessment is one of the tools of contemporary cultural heritage management. The effects of large-scaled investment projects (high buildings, roads, bridges, malls, inappropriate acontextual or insensitive developments, renewals, demolitions, wind farms and large-scaled urban projects) on the values of cultural heritage provides important data on governance. A comprehensive analysis of potential threats is possible as a result of heritage impact assessment. The data obtained as a result of these studies are also used to obtain 'limits of acceptable change' data, something yet to be discussed in the realm of conservation. However, these studies are not yet clearly differentiated from studies of environmental impact assessment (EIA) in Turkey. ICOMOS states that in EIA studies, outstanding universal values are not sufficiently evaluated, especially in world heritage sites. It also discusses the possibility that the evaluation of cumulative impacts and incremental adverse changes will not be taken into account. Implementation without analysis impact assessment is an extremely important question for large-scale projects, which had been heavily criticized by ICOMOS for almost taking Istanbul onto the list of endangered heritage.

4.4.2 Conservation Plan

The major problems are the long preparation and approval phases of the conservation plans, the outdated conservation plans, lack of language cohesion in terms of terminology between plans, differences in terms of basic principles and approaches,

the lack of a common approach, insufficient relationship between the conservation plan and the management plan in the regulation of site management. Efes and Istanbul, among the national cases, are two protected areas that have been exposed to significant risks due to the lack of a long-term conservation plan.

4.4.3 Inventory

There is no nation-wide inventory because there has been no opportunity to determine the full range of the very rich and extensive cultural heritage in Turkey. Inventory studies have been carried out from time to time for specific areas within various projects. However, since there is no specific set of principles and approaches unifying these studies, existing studies are far from being complete. Since there is no nationwide standard and accessible cultural heritage inventory, this constitutes a major drawback in the management of cultural heritage due to the lack of up-to-date information on the quality and quantity of the cultural resource to be managed.

4.4.4 Capacity Building

The concept of capacity is a term used to express the measure of the ability of institutions to produce, especially in the field of management. Each institution must have certain characteristics, or capacity, to meet its expected quality of goods or services in terms of time, quantity and quality in the pursuit of its strategic mission (Bulut, 2004). These features can be listed as legal infrastructure, individual and institutional competence, ethical values, risk assessment, information and communication infrastructure, control and audit for public institutions. Capacity building programs are activities for identifying and strengthening these qualifications for institutions. Essentially, these qualifications are strengthened through the processes of internal control activities which are obligatory in public institutions within the scope of Public Financial Management and Control Law No. 5018 ensuring minimum capacity is provided. However, due to the fact that site managers and board members are not public officials, there is not enough information about Public Financial Management and Control Law No. 5018.

However, there has been no systematic and multidisciplinary capacity building program developed by central or local governments in terms of site management concepts, management plan preparation, coordination methods and tools, implementation and updating processes, enabling site management activities be provided at the appropriate level and at the expected time. Work in this area is carried out by site management units independently of each other through meetings, workshops, seminars or symposiums organized by local governments and NGOs.

Another problem with capacity is that the 'theoretical capacity' of the site management units is not set in a realistic way and that action descriptions are made for purposes that cannot be fulfilled. For example, the objectives for the amendment of the site management legislation in both the Istanbul and Bursa management plans or the analysis of the legislation of all the agencies involved in the site are not the targets that can be carried out within the capacities of the site management units.

4.4.5 Strategic Planning and Strategic Management

Strategic planning and strategic management have been implemented in the field of management since the 1980s, were taken into effect by public institutions and organizations with Law No: 5018 after the reforms in the field of public administration within the scope of EU harmonization studies. Strategic planning can be defined as determining the objectives for coordinating activities and taking precautions against uncertain situations, developing alternative strategies and deciding on the strategies that will enable the organization to achieve its objectives.

The notions of 'strategic planning' and 'strategic management' do not mean the same thing despite their occasional substitution. Strategic planning is basically a step in strategic management. In this context, while strategies are being created for the purposes of the organization, these strategies are planned in the first stage, then these strategies are applied and in the final stage the results of the implementation are audited and supervised. This process is called strategic management (Aktan, 2008).

Today, strategic management is a process carried out by the public sector, private sector and NGOs using a variety of sub-tools such as information management, project management, process management, financial management and risk management. In the current situation, it is not possible to say that strategic planning and management concepts within the site management and the sub-tools for their use are appreciated to the extent they need to be for integration into cultural heritage management. For this reason, difficulties arise in understanding that the management plan is also a strategic plan, and the management plan is confused with the physical plans, especially the conservation plans. In this context, since Law No. 5018 and its applications are not well known, administrative, financial and legal processes to be followed in site management activities remains unspecified and internal control studies have not yet performed.

4.5 Interim Evaluation

Cultural heritage management practices, which have been implemented in Turkey since being legally instituted in 2004 have been discussed in this thesis using analyzes of national and international examples of world heritage, field work conducted in national cases, observations, reports, interviews with focus groups as well as ICOMOS reports and recommendations regarding site management practices. The conclusions of the discussion are addressed in terms of the concepts and aims detailed and discussed in the introductory part of the thesis. Within this scope, problems were evaluated based on legal, administrative, financial, technical and social factors. Regarding the administrative factors; these have been categorized under the headings of planning, organization, implementation, coordination and supervision, which are the five stages constituting the management function. Owing to the reassessments concerning site management organization within the Ministry of Culture and Tourism, the new practices have not been implemented yet, as prescribed in Decree Law no. 6745, so the problems discovered have been analyzed by focusing on the pre-Decree Law.

The process of identifying existing problems also revealed that the scopes of the issues of cultural heritage management are completely parallel, and largely congruent with those of conservation; that is; it was extremely difficult to operate effectively in the sphere of cultural heritage management without resolving the fundamental problems of conservation, and that the new problems specific to cultural heritage management, to a degree, carry the risk of exacerbating the problems regarding the existing conservation system. This risk, due to the existence of a management plan, which is the new planning tool for cultural heritage management, and the site management unit that is a newly defined organization, could lead to the emergence of a new plan form and a new jurisdiction scope in addition to the existing dispersed conservation system, if the site management units do not function effectively.

The main legal issues related to cultural heritage management practices are about organization, operation and supervision of the site management unit. The fact that the site management unit is not a legally constituted body in spite of the autonomous structure defined in the regulation, in conjunction with the total dependency of the site management organization on municipalities, in terms of both its administrative and financial aspects, are serious obstacles for the realization of the functions defined in the legislation. The status of staff working in the site management units is incompatible with the constitution and the relevant legislation. There are ambiguities in the duties, authority and responsibilities as well as the selection and election principles proposed for the site managers and the relevant boards. Moreover, no effective working relationship has been established between the site management units and the many public institutions in the existing conservation system, primarily the Regional Conservation Council and KUDEB. In addition to the shortcomings and contradictions in the legislation, no official guidelines have been produced to facilitate the practical operation of the new system. In Turkey, there has been no definition of what priority should be given to the establishment of new site management structures which have to be integrated into existing world heritage sites. The proposed aim of the site management units is the implementation of conservation via participatory management principles and thus ensuring that all stakeholders in the site work in cooperation and coordination towards conservation. However, the site management

plan, which is prepared to achieve these objectives is not backed by any effective legal authority or power of sanction in general. Likewise, since the legal basis of the authority of the site management unit in determining objectives and actions for other public agencies and in monitoring whether they have been achieved or not is extremely weak as they are defined solely by a regulation of a special law.

It seems clear that the most effective organizations for the identification and elimination of deficiencies in cultural heritage management is the Higher Council of Conservation and the Regional Conservation Council. However, since all of the members of the Higher Board for the Conservation are appointed by political power, and it consists of bureaucrats rather than people with expertise has led to the emergence of problems regarding the competence and independence in the Higher Council of Conservation. The lack of the supervisory authority of the Regional Conservation Council and a competent scientific input due to the amendment of the regulation regarding the presence of academic members, the fact that the Councils and Directorates lack sufficient number of specialized staff, have a heavy workload, and the lack of consistency in decision making and implementation across Turkey constitute critical weak points in terms of the effectiveness and supervision of conservation.

Administrative problems vary within the framework of the planning, organization, implementation, coordination and supervision stages. The lack of effective site management in the current plan hierarchy is the most basic planning problem. There are numerous institutions operating in management sites and the existence of several plans for development and conservation prepared by these institutions. Within this fragmented and multipartite system, realizing the objective of effectively and accurately coordinating conservation and development plans by a site management plan, which is not clearly and explicitly defined in the legislative planning system, is patently problematic. As a matter of fact, it is not possible to say whether progress is being made in this direction or not. In ongoing work, large-scale investment projects cannot be controlled or even prevented within the site management plan. Furthermore, the setting of objectives that exceed the capacity of the site management unit and the

lack of realistic and definite deadlines regarding the activities defined in the management plans are also shortcomings of the planning process. The uncoordinated preparation of plans and realization of activities related to development and conservation, which is one of the basic problems of conservation, are negative factors affecting planning and implementation in terms of cultural heritage management.

The site manager does not have authority or initiative in the organization of the site management unit. The Ministry or the municipality, assign site management staff as the competent authorities, have also previously appointed the site manager Decree Law No. 6745 has entered into force; that being the case, there are consequent difficulties in assigning sufficient number of personnel having the required qualifications. One of the main problems in organizing is that there is no requirement to be a 'conservation expert' among the selection criteria of those who will be assigned to management positions within cultural heritage management. In this respect, it is difficult to maintain the site management activities effectively in the absence of the necessary scientific and technical expertise, particularly where there is no such expertise and competence in the authorities responsible for architecture and urban planning. The lack of granting personal employment rights to those who work on site management boards is a shortcoming that creates difficulties in maintaining the work of these boards. In addition, the perception of site management as a part-time post constitutes a basic problem. This forms a major impediment to the fulfillment of all the functions that need to be done in the site, the supervision of full-time personnel and the continuous maintenance of relationships with other public institutions. Due to the fact that the World Heritage Site Management Unit established within the ministry does not have either a sufficient number of personnel or, consequently, a comprehensive knowledge about the local issues, something impossible with the existing personnel, created a slew of operational problems between 2004 and 2016. There is widespread uncertainty about how to organize after all the areas were attached to the Ministry following Decree Law no. 6745. If all these things were not enough, the relationship of, and coordination between the excavation leader and the site manager in archaeological sites is ambiguous.

Since the functions of the site management unit are not clearly defined in the legislation, it remains unclear as to how, and to what extent, it can assume the responsibility of implementation. Obviously, in the light of so much ongoing uncertainty regarding its budget, staff and working principles, it is not possible for the site management unit to take over the responsibility for effective implementation. The plethora of problems pervading conservation practices in Turkey are creating obstacles hindering implementation of cultural heritage management practices in a realistic and efficient manner. The operation of people and companies without any specialist knowledge in implementation is one of the most fundamental problems with regard to conservation. The lack of inventory studies, guiding planning and implementation throughout Turkey complicates designing comprehensive conservation policies preventing the destruction of cultural heritage and carrying out essential work based on scientific risk management. In general, as observed in the entire public sector, the approaches concerning the accountability and transparency in accordance with the Public Financial Management and Control Law No. 5018 are also deficient in the site management units.

The site management unit is responsible for the coordination of stakeholders within the borders of the administration and has some problems in providing coordination within the unit. This is primarily caused by the fact that the duties, authority and responsibilities are not clearly defined in the legislation and management functions as well as audit functions being intertwined rather than independent. Likewise, the stakeholder administrations have weakness in internal communication and coordination. Traditional bureaucratic attitudes, ambiguity concerning the status of the site management unit in administrative law and lack of power of sanction to enforce the management plan are the fundamental reasons behind the coordination and communication problems.

Taking decisions in favor of public interest in a system which is designed to meet either national or international legislative requirements, monitoring the effectiveness of implementation and monitoring on behalf of the public interest, how public funds used in conservation activities are audited on behalf of the public in the framework of the

accountability principle all depend on the presence of an audit team consisting of well-organized and qualified staff. Nevertheless, audit functions and audit unit are defined in the regulation regarding the site management in contradiction with the Public Financial Management and Control Law No. 5018, which is the basic legal regulation governing this subject. The uncertainties about the status, duties, authority and responsibilities of the staff make it difficult to identify the legal, administrative and financial liability limits.

The most important problem in terms of finance is the absence of a budget allocated to the site management function itself. Prior to Decree Law No. 6745, the reluctance of some municipalities to allocate resources for world heritage sites, and the financial problems of some other municipalities created problems for site management units in the realization of their administrative activities. On the other hand, the transfer of the authority to use public funds to the site managers, who are not public officers, conflicts with Public Financial Management and Control Law No. 5018. The lack of definitions of the different organizations and financial models in the legislation leads to confusion about applicable legal alternatives on this issue. In addition, one of the main problems in this subject is the crippling bureaucracy and lack of transparency in the use of the real estate tax contribution, which is among the basic financial resources for the conservation of cultural heritage.

The use of the information management, project management, process management, financial management, risk management and heritage impact assessment tools, the fundamental tools of modern cultural heritage management, has not become widespread. There are conceptual and practical shortcomings with regard to strategic planning and strategic management. As site management requires a ‘systems’ approach based on the understanding of strategic management, the shortcomings discussed above, has meant that site management plans, as a strategic planning tool, have become liabilities rather than key assets in planning and implementation. The lack of definition in the relationships between conservation plans and management plans also creates uncertainties on how these tools can benefit from each other. Due to shortcomings in the legislation, effective implementation requires new definitions and

tools throughout Turkey about which there is little awareness thus far. The necessary knowledge and expertise regarding cultural heritage management at the academic level have yet to be completely achieved and require a comprehensive, multidisciplinary and politically oriented capacity building program. Nonetheless, with the exception of the limited number of studies by some NGOs, no capacity building program has been planned or prepared by central or local administrations.

It is clear that participation in planning and conservation contributes not only to the practical appropriateness of physical plans with regard to the sites, but also to the establishment of historical consciousness, urban identity and an effective conservation culture, particularly in the operations to be realized in historical urban places. Participation in Turkey, as a developing country, can only be achieved so long as the principles of democracy and rule of law are absorbed and implemented. However, participation in conservation practices in Turkey is not a subject widely studied at academic level. Currently, although some opportunities for participation are laid down in the site management legislation, lower standards of education, awareness and consciousness about cultural heritage and conservation among participants currently impede the achievement of desired improvement in participation.

CHAPTER 5

CONCLUSIONS AND PROPOSALS

5. 1 Concluding Remarks

As a valuable, limited and non-renewable source of cultural values in today's environment, the pressures, population growth and negative effects of uncontrolled consumption on resources and unplanned tourism movements have increased environmental concerns and necessitated different and strategic approaches to conservation areas. It is important that cultural heritage, which is an important resource in the transmission of the values of civilization, is conserved in a systematic and planned way by the preparation of the action plans, accessibility, participation and continuity. Since the 1970s, threats emerged as a result of the industrialization process which have increased environmental concerns, and new approaches emerging in the use and protection of resources.

International organizations have expressed concerns about these pressures, concerns and proposals for measures about cultural resources by means of various meetings and documents such as the 1972 Stockholm Conference, 1976 Vancouver Habitat Conference, 1983 Brundtland Commission Resolution 38/161, 1987 Brundtland Report (Our Common Future), 1992 Rio Summit (Agenda 21) and the 1996 Habitat II Istanbul Conference. Thus, it has evolved into an international principle that economic growth and development of the environment could be maintained regarding the sustainability of resources and quality of life. The preservation of sustainability and the development of the conservation of the environment were reflected as objectives

in the conservation of cultural heritage with the signing of the World Cultural and Natural Heritage Conservation Convention in 1972. Articles no. 5d and 29 of the Convention oblige signatories to implement appropriate legal, scientific, administrative and financial measures for the territory of the signatory countries and to inform the World Heritage Committee about these measures.

A similar approach was adopted by the European Council in 1975, stating in Article no. 11b of the European Architectural Heritage Recommendation decisions, the necessity of taking legal, financial and managerial measures to encourage conservation (Recommendation on Conservation of Europe's Architectural Heritage, 1975). In the same year, the Amsterdam Declaration emphasized the need to support these policies in their legal, financial, technical and managerial aspects by introducing new statements regarding the concept of ‘integrated conservation’ and stated that the public is a stakeholder in making decisions that will affect the environment.

In today's conditions, problems related to conservation should be solved on the basis of social consensus and dialogue, with a wide participation by skilled experts in architecture, history or even economics. Property owners and users should be encouraged to participate as well. This necessity has put comprehensive studies called 'cultural heritage management' forward in order to ensure value-driven sustainability and participatory processes in the protection of cultural and natural resources. Cultural heritage management is basically involved in organizing these interdisciplinary and multi-stakeholder works in alignment with legal, managerial and financial aspects. In other words, cultural heritage management is the systematic, strategic and planned management of rapid developments and changes through the production and delivery of interdisciplinary knowledge enabling individuals to participate.

At the end of the 1970s, the Burra Charter created by ICOMOS Australia introduced several perspectives, including the concept of 'cultural significance', which was also emphasized in the Venice Charter. The Burra Charter, which was revised in 1981, 1988 and 1999, defines the conservation process in three main steps:

- Acknowledgment of significance: identification of the field, compiling written, verbal, physical information, evaluation of significance, preparation of statement of significance
- Developing policies: defining the priorities of the significance, identifying the beneficiary and administrative needs to influence the future of the field, identifying sources, external factors and physical conditions, identifying policy options, assessing potential impacts on the significance
- Management: development of strategies, implementation of strategies in line with management plan, recording of changes, monitoring and re-evaluation of implementations

The Burra Charter, which was originally a local declaration, is now considered an internationally acclaimed document on the management of cultural heritage. Similarly to the Burra Charter, The Management Guidelines for World Cultural Heritage Sites, prepared by Feilden and Jokilehto in 1993 and updated in 1998, defines the conservation in three steps as well:

- Field identification: general information, cultural information, environmental information, interests/beneficiaries
- Evaluation and objectives: the status of the field, its characteristics and potentials, the identification of important features / policy options
- Holistic management approach: projects, work plan, cost and timing.

All of the national and international cases covered in this thesis prepared a management plan by taking into consideration cultural heritage management as it would be in the three or four stages in the frame defined by the Burra Charter, Management Guidelines and UNESCO Operational Guidelines in general. It can be assumed that the Management Plan is an organizational product completed and institutionalized in legal, administrative and economic aspects as an extension of national conservation strategies and policies and accomplishes its technical objectives with qualified personnel in multi-disciplinary approaches while encouraging the participation and education of the public. On the basis of these data, it is possible to

say that the management plan builds the sequence of strategic actions that involve organized approaches, apart from being purely physical planning.

It appears that cultural heritage management practices entering the literature after the 1970s, gained momentum after the UNESCO Operational Guideline stipulated the existence of management approaches based on a management plan or an appropriate system from the candidate countries. In this context, the international scene contains a rich array of experience of world heritage sites. Cultural heritage practices are shaped in the form of sui-generis in the context of countries' public administration, socio-economic status, approaches to legal legislation, cultural consciousness, in conjunction with basic management approaches.

The international implementations of cultural heritage examined in the scope of the thesis, especially those of Britain, France, Italy and Greece respectively, are approaches that provide positive outcomes in respect to the conservation of strategic and cultural heritage, which can be considered as models of good practice. The Austrian and German cases provide some good practices, although an agenda for issues related to cultural heritage management remains to be implemented in both countries.

In England and France in particular, conservation is a priority in terms of social development and quality of life, and relies on the level of development of national consciousness on this issue, a strong organizational network supported by solid infrastructure and the existence of continuous financial support. In this context, the common qualities of successful examples can be summarized as follows:

- The existence of national conservation policies
- Conservation regarded as a priority
- Presence of qualified staff
- Presence of qualified and accredited contractors
- Institutionalized organizational structure both in public and private sectors

- Sustainable funding sources supported by central government resources and/or donations and country-specific sponsorships
- Consistency in development and conservation activities
- Continuous monitoring by central or local governments
- Continuous counseling by central or local governments
- Capacity building programs provided by the central government
- A high level of cultural awareness
- The effectiveness of NGOs and individual volunteers

Cultural heritage management practices in Turkey have been highlighted since the establishment of Law No. 5226 in 2004. However, when evaluated in general for 2004-2016, it would not be wrong to state that site management practices are hardly effective in proposing solutions within the scope of the legislative regulations considering inter-managerial communication and coordination issues in management sites, issues arising with new buildings incompatible with historical surroundings, and problems in planning and implementation studies in conservation areas. Currently, site management units function like NGOs do; in making reports based on information about the institutions that are currently active in site management and trying to coordinate between the relevant institutions. It can be said that the main achievement between 2004 and 2016, was to gain experience on the part of both central and local governments in preparing site management plans and the nomination file for the world heritage sites.

There are legal, managerial, financial, technical and social problems in carrying out the functions of the site management units. The most obvious of these problems is the lack of a legal identity and a budget for the site management unit, which is defined as an autonomous unit, despite, in reality, being a part of central government or local government. In addition, there are doubts about what the functions of the site management unit should be. There are ambiguities and contradictions in the duties, authorities and responsibilities of both the site manager and the relevant boards. On the other hand, multi-dimensional problems already present in the conservation realm, negatively affect the ability of site management to function properly. These problems

include the inconsistencies in development and conservation activities, the lack of political support for conservation, inadequate numbers of qualified personnel, the lack of secure and sustainable financial support, conflicting legal arrangements on decentralization, and the lack of cooperation among the institutions involved.

Although there have been some efforts concerning the revision of the legislation to overcome these difficulties arising from a decade of experience, nonconcrete results have been achieved. In addition, the absence of explanatory and advisory guideline documents prevented this approach, relatively new to Turkey, from progressing as aimed. Ultimately, in September 2016, legislation was enacted with Decree Law No. 6745 on making all site management units accountable to the Ministry. As a result, all site managers were dismissed, and the site managers of Istanbul, Bursa, Edirne, Bergama and Efes were re-appointed by the Ministry of Culture and Tourism. However, it remains uncertain how the working procedures will change under the authority of the Ministry in this new period. Besides, it is extremely difficult for the World Heritage Management Unit within the Ministry to manage all the world heritage sites in Turkey with its existing resources.

An effective concept of cultural heritage management needs to be based on national policies supported by the central government, with politically unbiased and sustainable approaches encouraging public participation, assisted by the help of qualified experts. There must be integrated means of implementation aimed at capacity building throughout the country. Independent administrative authorities constitute a route for achieving these objectives based on their legal status, authority and independence. In this context, it has been proposed that cultural heritage management should be organized at the highest level as a legal entity with the authority to practice, regulate and supervise, without political influence, and independent resources to recruit qualified personnel. The name of the administrative structure to be formed is defined as the Board of Cultural Heritage Management (Figure 3.117).

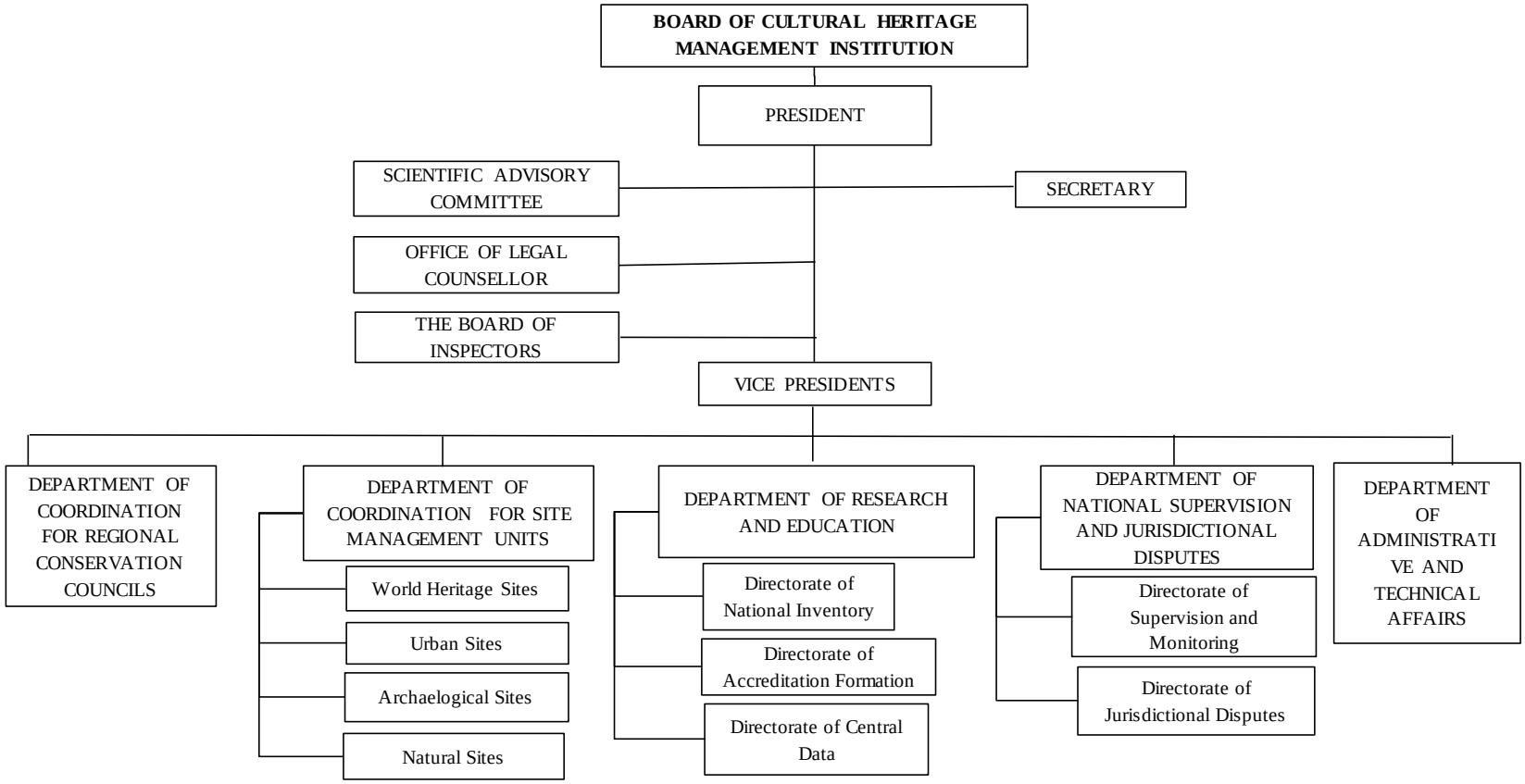

Figure 3.117 The Board of Cultural Heritage Management

It is anticipated that this new structure will coordinate closely with the Ministry of Culture and Tourism, as a unit reporting directly to the cabinet, instead of the ministry itself, so as to benefit from independence and autonomy. Thus, decisions taken by independent administrative authorities not subject to supervision or any intervention by the executive will enable the Board of Cultural Heritage Management based on scientific and technical expertise to operate within the framework of contemporary and international principles. The Board, which is the executive body of this structure, is proposed to consist of members of ICOMOS Turkey, which have the most qualified members, and central government institutions operating in conservation and development. However, the majority of the members of the board belong to ICOMOS Turkey. In addition, the membership of two NGO representatives is considered as continuing participation enabled within present legal regulations. According to Decree no. 648, decisions regarding natural sites under the responsibility of the Ministry of Culture and Tourism, are deemed to be undertaken by the Board of Cultural Heritage Management within the framework of the holistic practice of conservation. For this reason, it will be necessary to close the Central Commission for the Conservation of Natural Assets, Regional Councils for the Conservation of Natural Assets and Superior Council of Conservation.

It was decided that the Board of Cultural Heritage Management is basically to perform the tasks of the Superior Council of Conservation but to be authorized in terms of monitoring and supervision beyond its existing duties. This is aimed at eliminating the eliminate deficiencies and problems originating from the Superior Council of Conservation and the Regional Council for Conservation. The main tasks of the Board of Cultural Heritage Management in this framework are listed below:

- Addressing legal and regulatory issues related to conservation and cultural heritage management together with the Ministry of Culture and Tourism
- Managing national inventory studies with identification and registration studies
- Providing consultancy services to both public and private sector institutions within the scope of the tasks, organizing training and capacity building programs

- Appointing members of the Regional Conservation Council, to coordinate among the councils, to monitor and supervise the work of the councils
- Coordinating among all management sites including world heritage sites, determining work principles and procedures
- Determining the rules of accreditation and certification for private companies in order to provide expertise in planning and implementation, setting the formation rules governing individuals
- Providing education and skills at all levels for the conservation and enhancement of original traditional methods and workmanship and applying certification for competencies

Within the scope of this thesis, some changes are proposed for the Regional Conservation Councils. In this context, the Regional Conservation Councils, which did not have the authority to supervise conservation practices before, are given the authority to supervise. In this respect, the necessary number and quality of staff will be employed in the institutions and a 'monitoring team' will be established within the council. A decision should be made that an Advisory Board should be established to spread the intensive workload and to provide scientific support, since the council members cannot serve on a full-time basis. In addition to this, it is proposed to establish an 'inventory team' within the council in order to complete inventory studies which have not been completed in Turkey for many years, and to make assessments of measurable data, to identify the structures under risk and to initiate interventions for them. On the other hand, it is envisaged that the councils should make efforts to determine the limits of change to ensure that the development activities in the conservation area are carried out without harming the cultural heritage.

Other changes proposed within the scope of this thesis are related to local authorities. It is envisaged that among the site management units established between 2004 and 2016, the urban site management units would be supported by the municipality and the archaeological site management units would be supported by the ministry. Urban area administrations organized in this framework were generally supported by the municipality, however, archeological site management units had to cope with

organizational problems due to the central structure of the ministry, the geographical distance of the ministry to the relevant site, and the lack of knowledge of local issues within the ministry. For this reason, due to the fact that the central government cannot handle the locally organized site management units and the problems arising from the lack of legal identity and budget of the site management units, it is considered appropriate to carry out the operational activities of the site management units directly under the auspices of the municipality.

The 'Steering Committee', formed by the administrations operating in the management site, will replace the Coordination and Supervision Board and assume the role of an executive unit. The Advisory Board will continue to function. The site manager will be the Head of the Department responsible for the Cultural and Conservation Affairs of the relevant municipality.

The propositions included in this thesis are focused on sustainable, participatory, scientific approaches and principles, in the context of the conceptual framework, national and international case studies, focus group negotiations, regarding the process of cultural heritage management as experienced in Turkey between 2004-2016, which was led by the central government and handled by local authorities. Nevertheless, as a developing country in terms of its social structure, socio-economic status and public administration approaches, Turkey has specific and ever-changing dynamics differing from other case countries in which cultural heritage management examples has been examined. Therefore, one of the aims of this thesis is to open new discussion areas on the subject and to contribute to the formation of different research areas, without claiming the proposed administrative structures as being capable of solving all the problems related to cultural heritage management in Turkey.

5.2 A Proposal for an Administrative Structure for Cultural Heritage Management in Turkey

When the practices of cultural heritage management in Turkey in 2004-2016 were reviewed, the conclusions reached identified multidimensional and multi-faceted

problems in site management activities. The persistence of these problems creates significant obstacles to the effectiveness of the site management mechanism on the scale and function defined in the legislation. For this reason, there is a pressing need to address not only the problems in the site management but also the related problems concerning conservation in the context of the site management, so as to bring foreward rational and integrated solution proposals.

Conceptual evaluations made within the scope of this thesis of Turkey's legal, managerial, financial, technical and social facilities related to conservation, when compared with examples of good practices identified among international case studies showed that a 'site management unit' could not function in an effective, efficient and integrated way as originally conceived due to the lack of a legal identity and other problems identified in national case studies. The current operating remit of the site management units is, in practical terms, restricted to bringing together the public authorities functioning in the field of conservation and consolidating the activity reports related to their practices.

The approach to proposals has revealed that cultural heritage management should be tackled at two mutually supportive and developing levels: namely, at national and local levels. The need for a central organization that is structured to operate at a high level of government, with powers of execution, monitoring and control, and a local organization, that has the power to act in line with the limits defined by the central organization and carries out operational activities, determines these two level approach. When the existing level of problems in site management, in particular, and conservation related problems in general are considered in accordance with the administrative structure in Turkey, bureaucratic mechanism and economic, social and cultural levels are highlighted. These administrative structures are largely focused on improving and rejuvenating the structure of existing administrative mechanisms rather than defining new mechanisms to solve emerging problems. The evaluation of the conceptual development and case studies examined in this thesis revealed that ten basic concepts determine the general framework for cultural heritage management. These are:

- Policy and political impact
- Public interest, inspection and monitoring
- Corporate governance
- Ethics
- Sustainability
- Decentralization and cultural heritage management
- Strategic planning and management
- Participation and awareness
- Change management (limits of acceptable change)

Grouping the issues identified in this context with respect to the available implementation tools in all dimensions determined the probable outcomes regarding implementation.

Legal findings:

- Turkey does not have a comprehensive and consistent conservation policy for resolving nation-wide problems. Conservation is not a primary goal across the country.
- There are several institutions, and many plans prepared by these institutions regarding conservation-oriented organization, creating an area of action that is difficult to control, multi-headed and lacking in consistency.
- On the one hand, policies for decentralization are being discussed while on the other hand, legal regulations for centralization are being promulgated.
- Generally, the administrations responsible for providing services for conservation suffer from ill defined responsibilities and overlapping authority. In this context, the duties, authorities and responsibilities of the site management unit, its administrative status and its relation to other administrations are confused and ill defined.
- The form of the site management units has conflicts with Financial Management and Control Law no. 5018.

Administrative findings:

- The independent and uncoordinated pursuit of conservation and development activities conflicts with public interest and the conservation of cultural heritage. Development and conservation practices are shaped by political influences rather than contemporary and international planning principles.
- The hierarchy existing in the planning process is not complied with. Lower and upper scale plans are not compatible with each other. There are contradictions and inconsistent approaches between spatial plans and conservation plans. The relationship between the conservation plan and the site management plan is ambiguous.
- The structural formats of the Superior Council for Conservation and Regional Conservation Councils have created an organizational form that is not sufficiently focused on pursuing scientific approach reliant on expertise but is dependent on and subject to political influences. There are variations in the implementation of the principles of the Superior Council for Conservation. Some part of the Council's resolutions leads to contradictory practices not compatible with contemporary needs.
- Within the organization, career and merit principles are not followed. There is lack of qualified personnel in the bodies providing conservation related services. The duties of site manager are perceived as a part-time job within the organization.
- It is extremely difficult for the Ministry's World Heritage Unit to exert its authority in dealing with local issues. The staff structure is not strong enough.
- People without the necessary expertise and contracting firms engage in conservation practices. There are ethical problems in the practices employed.
- There is no communication and coordination between the central and local government agencies working on conservation and development.
- There are not administratively, financially and technically effective inspection and monitoring structures in place for cultural heritage management. The public funds allocated for conservation and the expenditures made from these funds cannot be effectively inspected. Therefore, accountability and transparency principles are not sufficiently taken into consideration.

Financial Findings:

- Directives for development and conservation are rent-focused and intended to provide economic benefits. Obtaining these benefits, which should not be overlooked in sustainable development, is defined as the primary goal while conservation is relegated to being tool to that end. This situation leads to practices detrimental to the cultural heritage.
- The central and local government resources allocated to conservation are inadequate. The site management unit does not have its own budget.
- The amount of available resources and how they are to be used are uncertain.
- Efforts to develop and test new financial and organizational structures in central and local administrations are insufficient.

Technical Findings:

- There is no inventory in Turkey that is comprehensive, up-to-date, and able to produce data on risk and financial evaluations that can be continuously monitored.
- There is lack of information about and implementation of strategic planning and strategic management in all public institutions in Turkey.
- Information management, project management, process management, risk management, disaster management and heritage impact assessment tools, which are the basic tools of cultural heritage management, are poorly understood and not yet implemented.
- There is not institutional capacity building program for the management of cultural heritage.

Social findings:

- Participatory processes for the management of cultural heritage are limited due to the traditional management perceptions that regard the state as the sole authority.
- The lack of knowledge and awareness regarding conservation complicates wider participation.

- There are no comprehensive and planned training and awareness-raising activities in Turkey regarding conservation.
- The administrative and financial resources of NGOs operating in conservation areas are limited.
- There are no effective and organized pressure groups to strengthen public participation in conservation.

It is envisaged that, as a result of questioning the current operation, identifying the problems and evaluating examples of good practice, the recommendation for the solution of the problems shall be developed in accordance with the basic principles set out below.

1. It is necessary to plan and manage the cultural heritage through sustainable, participatory, strategic approaches in order to conserve the national identity, raise awareness in society, transfer the cultural assets that has accumulated in the historical process to future generations, and fulfill international obligations.

2. The conservation of cultural heritage is one of the principal responsibilities of the state, and written into the Constitution. Cultural values are the common heritage of all mankind and needed conservation action exceed the basic capacities of local authorities; meaning that it is inappropriate to leave all conservation actions to local administrations. In this context, an administrative perspective should be adopted in the management of cultural heritage, in which the central government determines the policies, principles and rules and the local administrations operate within the determined framework, with all implementations being monitored with the central government's effective approval and within its control mechanisms.

3. The basic principles and rules of cultural heritage management should be determined by public interest oriented national policies. The basic understanding that shapes policies should be the identification of culture as the priority sector for development. Determination of policies requires the participation of scientific institutions, NGOs and the public.

4. Coordination of activities related to construction and conservation is necessary. For this, the hierarchical order of the plans must be followed. In the development activities carried out in the sites, achieving a controlled development that will not harm the cultural heritage should be aimed at. Work should be carried out for setting limits of acceptable change in terms of change management, taking into account the characteristics of the site.

5. All stakeholders involved in cultural heritage management should be organized and operate within the framework of good governance principles. The basic principles of good governance practices (participatory, consensus oriented, transparent, responsive, effective and efficient, equitable and inclusive, accountable and following rule of law) should be taken into consideration.

6. Cultural heritage management should be carried out by persons, institutions and private companies which are qualified, expert, equipped and selected by certain criteria. In practice, ethical and moral values should be prioritized.

7. Cultural heritage management should be provided with a holistic, up-to-date and accessible inventory system throughout the country that allows the assessment of the quantitative status and quality of the available resources. The inventory system data should be supported with 'heritage at risk' programs that enable the identification of structures requiring urgent and priority intervention.

8. Cultural heritage is not an economic commodity. Economic benefits arising through the conservation of cultural heritage are the indirect benefits of conservation. For this reason, a natural, rational and agreed balance between social needs and conservation requirements is needed.

Among all of these principles, policy is the most effective guidance tool. The policy can be defined in a general sense as a systematic sequence of principles that includes a set of justifications, preferences, approaches, values, suggestions and rules to guide current and future decisions. Especially in the case of activities governed in the public

interest, the existence of the policy is a guarantee that the activity will be carried out by the state in this interest using predetermined and widely known principles and methods. On the other hand, it is not possible to say that Turkey has a comprehensive, consistent and effective national policy on the conservation of cultural heritage. (Kuban, 1993: 55; Bademli, 1997: 6; Ekinci, 1998: 219; Tankut, 2003: 30; Kayın, 2004: 55; Tunçer and İşbilen, 2006).

Kuban (1993: 53) mentions the existence of two fundamental elements that give conservation policy a contemporary and international character. These are the cultural perspective and political will; these dominate the decision-making mechanisms. However, nowadays, in implementations, political will is often seen to be in the service of urban rent seeking which operates as an adjunct to capital sovereignty and is insensitive to conservation perspectives. The existence of laws alone is not necessarily an indicator of the existence of political will in Turkey at the moment; instead this can be seen as the efforts of a developing country to comply with modern requirements and the international community, and for gaining prestige.

As a broader framework, policies lead to the development of programs and projects, and then the formation of strategic plans, implementation plans and action plans. It is clear that the lack of policy, which is the basic link in the conceptual chain epitomizing this context, will cause the occurrence of unsubstantiated lower-level implementations without the support of substantial political will. Therefore, the main reason for the lack of efficiency in the implementations in site management is not the lack of legislation but the lack of political will. On the other hand, different attitudes and practices depending on the bureaucracy (Tunçer and İşbilen, 2006), centralization and an intense focus on the rent and construction oriented use of authority increase the vulnerability of cultural and natural heritage, and shrink the conservation means and potential.

The main guiding concept for the determination of national policy is to be in the public interest. Keleş (1992: 97, 101) defines the concept of public interest, which is closely linked to moral values, as a system of value judgments, that must guide each individual, whether they are aware or not, at a certain time and place. In this context,

the concept of public interest can be regarded as covering a spectrum of approaches that serve the benefit of society as a whole in the decisions about the society, rather than serving any particular person, group, opinion or ideology. However, the absence of a clear 'public interest' identified in the legal framework in Turkey can create controversy in the evaluation of decisions and implementations.

In terms of an administrative perspective, in addition to having the quality of protecting public interest, the recommendation should also be free from political influences given the intense nature of unplanned construction and conservation practices in Turkey. In this context, it is clear that an administrative structure aimed at independence and autonomy based on scientific principles, in which public control is prioritized in existing organizations, must be designed.

Culture and affiliated activities have recently been dealt with more extensively within the framework of the EU harmonization policies in Turkey. The central government's cultural activities act in cooperation with private institutions, NGOs and local authorities to support them in an institutional and financial sense, and with institutions and organizations abroad. On the other hand, so far, these policies have not developed any prioritized approach in terms of sectors. İlhan (2006: 61) emphasizes the necessity of considering the cultural sector as one of the priority sectors to be encouraged. In addition to determination of policies at the national level; when the culture is considered as a priority sector, the potential of cultural heritage management to create added value within the framework of sustainable development objectives can be addressed more effectively.

5.2.1 Proposal for National Level Organization

Agriculture, mining, manufacturing, energy, transportation, communication, tourism, housing, education and health are the areas defined as economic sectors in Turkey in the documents of the State Planning Organization (currently Ministry of Development); but culture is not defined as a sector. Studies on the cultural sector in Turkey are quite new and the statistics about this subject are still inadequate. However,

in the global economy, creative and cultural sectors based on human capital are the areas with high added value and competitiveness. In a survey conducted in 2011, the cultural economy in Turkey was calculated as $ 46.1 billion, and the national income ratio of this value was determined as 6%. The United Nations has declared Turkey as the second fastest growing country in terms of cultural industry with 18.3%, surpassed only by India (TAVAK, 2016: 10-29).

It is believed that the problems in the cultural heritage-related administrative organization envisaged as part of this thesis can be resolved by the legal and organizational improvements potentially accruing from the identification of culture as 'sensitive sector'. In this context, competent structures in sensitive sectors are named as independent administrative authorities per Turkish administrative law. Since the establishment of the Capital Markets Board in 1981 in public administration, independent administrative authorities have begun to function. Independent administrative authorities can be defined as 'autonomous and independent bodies' having substantial public powers enabling them to fulfill duties in terms of supervision and regulation in sensitive public sectors such as energy, communication, economy etc. and those are outside central government's hierarchical structure, but still operate under the supervision of the central government, or in a general way, under the control of the state; and these carry out organizational and inspection roles rather than providing a service (Uysal, 2007: 5). Such independent administrative authorities executing regulative and inspection duties in sensitive fields of public life have the authority to make effective decisions in the name of the state (Gözler, 2002: 185). Independent Administrative Authorities are also named as Regulatory and Supervisory Agencies. The characteristics of independent administrative authorities can be listed as follows:

- Representing a depoliticized perception of government
- Having legal identity
- Being shielded from political pressures
- Concentrating independent functions in one institution
- Employing specialized staff

- Being accountable institutions
- Outside the hierarchical structure of central government
- Restricted to a specific service field

The powers of independent administrative authorities can be listed as follows:

- Authority to make and enforce regulations
- Authority to implement decisions
- Authority to carry out supervision and inspection
- Authority to issue official reports
- Authority to enforce decisions
- Authority to resolve disputes
- Having a decision-making body independent from the general administration and consisting of a specific number of people

Together with their structural characteristics, their functional characteristics set them apart from the classical administrative structure, because these organizations foresee rules by using the authority to regulate their fields, while they are also able to observe and monitor adherence to the rules and apply important monetary and administrative sanctions if needed. Another authority possessed by such institutions is the power to resolve certain disputes. For this reason, independent administrative authorities are stated to be equipped with powers similar to the three main powers of the state (legislative, executive, judicial) and are of a mixed or hybrid nature rather than a solely administrative institution (Hubac and Pesier, 1988: 118; Teitgen-Colly, 1990: 220 [cited by Tan, 2002: 27]).

In this context, in order to benefit from the organization of an independent administrative authority for cultural heritage management, to have a legal identity, to have regulatory and supervisory authority, to focus on the public interest in decisions and practices, to minimize political influence in decision making, to ensure the independence and working security of the president and the members; establishing a Board of Cultural Heritage Management is proposed. The Board of Cultural Heritage

Management will assume all responsibilities and powers of the existing Superior Council for Conservation and the Central Commission for Natural Assets and will supersede these institutions. In this respect, the Directorate General for the Conservation of Natural Assets within the Ministry of Environment and Urbanization, which will remain dysfunctional, will also be closed. The duties, powers and responsibilities of the Board of Cultural Heritage Management will be determined by specific legislation. The Board of Cultural Heritage Management, which will have legal identity by regulation, will not be 'related to' or 'dependent on' any ministry. Since the Board of Cultural Heritage Management is subject to judicial review but not to hierarchical or tutelary administrative supervision, its decision-making is not subject to the supervision of the Ministry or any other institution.

Strategically, it is aimed that the number of bureaucratic members of the Board is fewer than the number of members who will provide scientific control. There will be 11 members of the governing council of the Board of Cultural Heritage Management. The appointment of the members shall be made by the Council of Ministers. The Undersecretary of Ministry of Culture and Tourism, Undersecretary of Ministry of Environment and Urbanization, Undersecretary of Ministry of Forestry and Water Affairs and General Director of Pious Foundations will be the representative members of the Institution. Within the framework of the criteria for expertise and experience to be defined by law, 5 of the members will be appointed by the Council of Ministers from 10 people nominated by ICOMOS Turkey. One of the members will be appointed by the Council of Ministers from 2 people nominated by Headquarters of TMMOB Chamber of Architects and 2 people nominated by Headquarters of TMMOB Chamber of City Planners. The President of the Board of Cultural Heritage Management will be elected from the members. A required number of vice-presidents will be selected by the president. For members, the term of office will be six-years. The members cannot be dismissed unless they act incompatible with the assignment, fall short of the requirements for the appointment or commit a crime. The budget of the institution will be transferred from the Treasury. The main duties of the Board of Cultural Heritage Management are:

- Establishing the principles and rules to be applied in the procedures related to conservation and cultural heritage management
- Carrying out the legislative procedures to be applied in the procedures related to conservation and cultural heritage management in coordination with the Ministry of Culture and Tourism
- Performing detection and registration in coordination with the Ministry of Culture and Tourism and directing the Regional Conservation Councils in terms of practice
- Developing solutions in coordination with the Ministry of Culture and Tourism after evaluating the problems arising from the legislation and practices of cultural heritage management
- Carrying out consultancy activities in line with the written requests of related ministries, public institutions and organizations, private institutions
- Ensuring the necessary coordination between the relevant ministries and public institutions in terms of legislation and practice in order to provide a common understanding and unity of language regarding development and conservation issues
- Assigning the relevant Regional Conservation Councils regarding the consultancy issues if needed
- Appointing members of the Regional Conservation Councils
- Coordinating the activities of the Regional Conservation Councils
- Resolving disputes about conservation and cultural heritage
- Coordination among the site management units working within the municipalities regarding world heritage sites in Turkey, setting up working procedures and principles, organizing training and capacity building programs, and coordinating with the Ministry of Culture and Tourism and the Ministry of Foreign Affairs if needed
- Coordination among site management units working within municipalities related to sites apart from world heritage sites in Turkey, setting up working procedures and principles, organizing training and capacity building programs
- Establishing professional criteria regarding qualifications for experts carrying out planning and practicing activities related to cultural heritage administration; organizing training programs on these issues and certifying competences

- Establishing accreditation rules for the private companies carrying out planning and practicing activities related to conservation, organizing training programs for firms in this respect, and certifying competences
- Organizing training and capacity building programs for the Regional Conservation Councils and the units responsible for conservation within the municipalities and monitoring the program results
- Organizing training programs for intermediates at all levels for the conservation and development of original traditional methods and workmanship and certifying competences
- Administrative and technical supervision of the Regional Conservation Councils through the Board of Inspectors regarding the administration of conservation and cultural heritage
- Executing field inspections, technical and scientific inspections, examinations and investigations through the Board of Inspectors in the areas authorized by the Regional Conservation Councils
- Carrying out monitoring activities through the Department of National Supervision and Jurisdictional Disputes from a scientific and technical perspective for site management units and world heritage site management units within the municipalities
- Carrying out administrative and technical supervision, examination and investigation when necessary for site management units and world heritage site management units within the municipalities

Within this administrative framework, changes are also proposed for the Regional Conservation Councils. It is aimed to take the authorities related to natural sites from under the Ministry of Environment and Urbanization and to take decisions about cultural and natural properties with a single unit initiative within the framework of integrated conservation approaches. In this regard, the Councils for Conservation of Natural Properties will be closed. The Regional Conservation Councils will be given supervisory authority. This supervisory authority will be implemented by a 'monitoring team' that will work directly on the site. In addition, it will carry out inventory works through an ‘inventory team’ to be established in accordance with the work program

and principles set by the Board of Cultural Heritage Management. The Regional Conservation Council will consist of 5 members, with 3 of them being appointed by the Board of Cultural Heritage Management and 2 of them by the Ministry of Culture and Tourism. The chairperson will be elected from the members. Depending on the agenda, the technical representatives of the municipality, the Governorate, the Ministry of Environment and Urbanization, the Ministry of Forestry and Water Affairs and the Regional Directorate of Foundations will attend the Regional Conservation Council meetings. An Advisory Board will be established within the Regional Conservation Council to assist and advice on its work. Regional Conservation Council meetings will be open to monitoring by NGOs and all parties involved. The Regional Conservation Council shall be supported by expert staff as necessary depending on the nature of the site, for monitoring activity.

Regional Conservation Councils shall be provided with the authority listed below in addition to the authority identified in Law No. 2863 (Figure 3.117).

- To make determination and registration through the 'inventory team' within the framework of the inventory development program and principles determined by the Board of Cultural Heritage Management
- Monitoring and supervising the implementations within the site through the 'monitoring teams' and, if necessary, providing information, documents and technical support in the activities of the members of the Board of Inspectors of the Board of Cultural Heritage Management
- To inform the relevant institutions and organizations in order to ensure immediate intervention for structures at risk, those that were determined in monitoring and inventory work, and to supervise the work done in this respect
- To conduct 'limit of acceptable change' works to prevent possible harm to cultural and natural properties arising from the changes in the sites, and to advise the relevant municipalities on this issue.

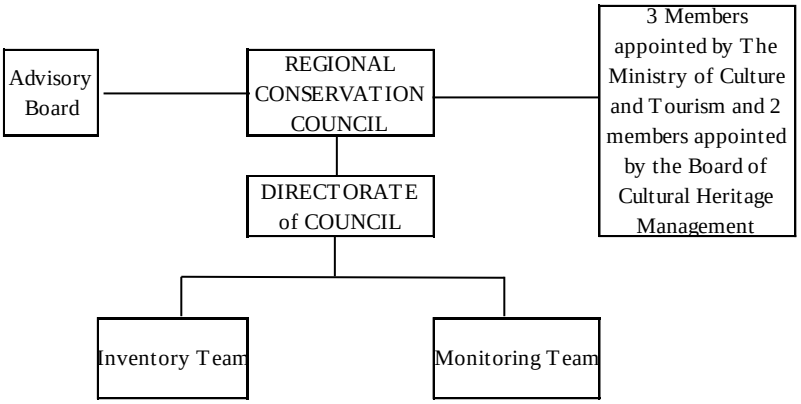

Figure 3.118 A proposal for Regional Conservation Councils

In order to carry out the administrative and technical services identified within the proposed Board of Cultural Heritage Management, the following units will be established.

- Department of Coordination for Regional Conservation Councils
- Department of Coordination for Site Management Units
- Department of Research and Training
- Department of National Supervision and Jurisdictional Disputes
- Department of Administrative and Technical Affairs
- Scientific Advisory Committee
- The Board of Inspectors
- Office of Legal Counselor
- Secretary

5.2.2 Proposal for Local Level Organization

In the current situation, the site management units do not have the necessary tools, personnel, public legal personality and authority to determine the needed priorities. For this reason, the site management units prepare the management plan and the annual action plan by bringing the related institutions into the management area and compiling the activities to be carried out by them. The activity reports of the site management

units are made up of the activities declared completed by the relevant administrations working in the management area. Currently, the site management unit functions as an NGO that brings together the relevant administrations and collects statistics and makes reports, rather than functioning as a competent public authority. With Decree Law No. 6745, it is not known how the restructuring of the site management units connected to the Ministry of Culture and Tourism will be done in the future, but it is obvious that the Ministry will be inadequate in terms of providing local organization and managing operations within the existing staff and facilities. For this reason, it is appropriate to organize the site management unit within the relevant municipality, as observed in the international cases, in order to solve the existing problems.

If the relevant management area of the site management units is within a single municipality, it is envisaged that the site management units shall be organized within that municipality. If the relevant management area of the site management units covers more than one area, it is envisaged that the site management units shall be organized within the municipality which has the largest area, and the other municipalities shall be responsible for implementation within the Steering Committee to be established. The Site Manager is the Head of the Department of Culture and Conservation of the municipality in charge of the administration or the deputy to be appointed by the municipality. Thus, the site management will operate directly under a legal administration with clear duties and responsibilities, and the problems arising from the site manager working part-time and the status of the related personnel will be eliminated.

In this context, with the amendment to be made in the existing regulation, the Coordination and Supervision Board will be made up of the administrations operating in the management area under the name of 'Steering Committee'. Members will be the representatives of the relevant ministry, municipalities, governorate, General Directorate of Pious Foundations and authorized representatives of relevant public institutions and organizations, and NGOs where they exist. The Steering Committee will take executive decisions on site management and will be responsible for approving the site management plan, monitoring its implementation and making necessary

updates. Such administrative proceedings will be carried out by the Head of Department of Culture and Conservation within the Municipality. The Advisory Board will retain its functions and its members will be appointed by the Ministry of Culture and Tourism. The Audit Unit will be closed as it is illegal in terms of Law Numbered 5018. The necessary administrative supervision will be carried out by the Municipal Inspection Board, the Municipal Internal Audit Unit, and the Court of Accounts. The Board of Inspectors of the Board of Cultural Heritage Management will also have the authority and responsibility to conduct administrative, scientific and technical supervision of the Head of Department of Culture and Conservation in the Municipality responsible for site management.

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ARCCHIP: Advanced Research Centre for Cultural Heritage Interdisciplinary Projects

ARIADNE: Advanced Research Initiation Assisting and Developing Networks in Europe

BİMTAŞ: Boğaziçi İnşaat Müşavirlik Anonim Şirketi

BÜMKO: Bütçe ve Mali Kontrol Genel Müdürlüğü

COE: Council of Europe

DCMS: Department for Culture, Media and Sport

DPT: Devlet Planlama Teşkilatı

IBBB: Istanbul Büyükşehir Belediye Başkanlığı

ICLAFI: International Scientific Committee on Legal, Administrative and Financial Issues

ICCROM: The International Centre for the Study of the Preservation and Restoration of Cultural Property

ICOMOS: International Council on Monuments and Sites

ICOMOS ABE: Advisory Body Evaluation

I.I.B.F.: İktisadi ve İdari Bilimler Fakültesi

IKSV: Istanbul Kültür ve Sanat Vakfı

IULA-EMME: The International Union of Local Authorities, Section for the Eastern Mediterranean and Middle East Region

MEB: Milli Eğitim Bakanlığı

METU: Middle East Technical University

METU JFA: METU Journal of the Faculty of Architecture

MSGSÜ: Mimar Sinan Güzel Sanatlar Üniversitesi

ODTÜ: Ortadoğu Teknik Üniversitesi

OG: Official Gazette

OWHC: Organization of World Heritage Cities

TAVAK: Türkiye Avrupa Eğitim ve Bilimsel Araştırmalar Vakfı

TBMM: Türkiye Büyük Millet Meclisi

TEPAV: Türkiye Ekonomi Politikaları Araştırma Vakfı

TMMOB: Türk Mimar ve Mühendis Odaları Birliği

TODAIE: Türkiye ve Orta Doğu Amme İdaresi Enstitüsü

TSE: Türk Standartları Enstitüsü

UNEP: United Nations Environment Programme

UNESCO: United Nations Educational, Scientific and Cultural Organization

YEM: Yapı Endüstri Merkezi

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APPENDIX A

ALAN	GÖRÜŞÜLEN KİŞİ		GÖREV / YETKİ	TARİH
KVTB	R1	Mehmet GÜRKAN	Daire Başkanı	22.05.2012
	R2	Neşe AKDOĞAN	Şube Müdürü	22.05.2012
	R3	S.Zafer ŞAHİN	Şube Müdürü	06.03.2009
ISTANBUL	R4	Prof.Dr.Zeynep AHUNBAY	Danışma Kurulu Üyesi	10.01.2012
	R5	Prof.Dr.İclal DİNÇER	Türkiye ICOMOS Temsilcisi (Danışma Kurulu)/Plan Yapımcısı	16.12.2011
	R6	Prof.Dr.Nuran Zeren GÜLERSOY	Plan Yapımcısı	15.12.2011
	R7	Doç.Dr.Pelin Pınar ÖZDEN	Eşgüdüm ve Denetleme Kurulu Üyesi	13.12.2011
	R8	Halil ONUR	Alan Başkanı	23.05.2013
ALANYA	R9	Hasan SİPAHİOĞLU	Alanya Belediye Başkanı	07.10.2010
	R10	Seher TÜRKMEN	Alan Başkanı	05.10.2010
BURSA	R11	Prof.Dr.Neslihan DOSTOĞLU	Alan Başkanı	10.09.2012
AFRODİSYAS	R12	Prof.Dr.Aykut KARAMAN	Plan Yapımcısı	31.01.2013
EDİRNE	R13	Prof.Dr.Nevzat İLHAN	Alan Başkanı	14.08.2013
	R14	Yaşagül EKİNCİ	Plan Hazırlama Ekibi Üyesi	20.12.2011
BERGAMA		Yaşagül EKİNCİ	Alan Koordinatörü	20.12.2011
EFES	R15	Cengiz TOPAL	Alan Başkanı	1- 10.06.2012
				2- 11.12.2012

GÖRÜŞÜLEN KİŞİ	**Mehmet GÜRKAN**
GÖREVİ	Kültür Varlıkları ve Müzeler Genel Müdürlüğü Daire Başkanı
TARİH	22.05.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Bu mevzuatla her alana alan yönetimi kurulamaz. Önceliklerin belirlenmesi bizim için esas. Bu öncelikler için;

1.Etapta : Nerelerde alan yönetimi kurulacak?

2.Etapta : Mevzuatta idarelerin görevleri ile belediyelerin görevleri çakışıyor, bunların ayrışması lazım.

Bu yönetmelik ilk gündeme geldiğinde kavramlar yeniydi. Bunu oluşturanlar daha sonraki çalışmalara katılmadı. Bu nedenle idari, mali ve yasal sorunlar var. En basit örnek alan sınırının belirlenmesi konusunda yasa ile yönetmelik arasındaki çelişki. Bu yönetmeliğin işleyebilmesi için anıt eser kurulu maddelerinden ayrılarak ayrı bir yönetmelik haline gelmesi gerek.

Bunun yanında alan başkanlığının kurumsal kimliği yok. İdari hukukta tanımı yok. Bir sıkıntıda idare hukukunda alan başkanının yeri yok. Alan başkanının kurumsallaşması için adım atılması gerek. Alan Başkanının ekibi, bütçesi, donatısı yok. Ancak bütçesi olursa da bu bütçe eylem yapmayacak ancak tanıtım, bilinçlendirme vb. faaliyetler yapar. Milli eğitim ile veya Belediye ile ortak eğitim programları düzenleyebilir, veya mesela Istanbul' da tanıtıma yönelik işler yapabilir. Ama koruma eylemi yapması yeni bir iktidar alanı yaratarak işleri karıştırır, biz bunu arzu etmiyoruz.

Diğer taraftan yatırım programlarının koordinasyonunun yapılması gerekiyor. Alan yönetimi planının proje paketlerinin uygulanması için etaplar halinde diğer idarelerle yatırım önceliklerinde uzlaşılması gerekiyor.

GÖRÜŞÜLEN KİŞİ	**Neşe AKDOĞAN**
GÖREVİ	Kültür Varlıkları ve Müzeler Genel Müdürlüğü Şube Müdürü
TARİH	22.05.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Alan Yönetimi çalışmaları ile ilgili dünya miras alanları yanında Tokat-Niksar, Sinop Belediyeleri AB ile ilgili fonların kullanımının işlevsel hale gelmesi için Alan yönetimi kurmak istiyorlar. Ancak genel anlamda alan yönetimlerinin kurulması yönünde bir talep yok. Miras alanları dışında uygulamaları yerel idarelere bırakmak daha doğru. Aslında sınır bile yerinden belirlenmeli. Belki Bakanlık dünya miras alanlarında etkili olacak ama diğer tüm sit alanlarında yerelin çalışması gerekiyor. Karar mekanizması yerelde.

Mali açıdan Alan başkanına yapılan ödeme mevcut durumda DÖSİM'den yapılıyor. Tüm alan başkanlarına bunları ödemek Bakanlık açısından sıkıntı olur. Danışma Kurulu üyelerinin yolluk, harcırah v.s. ödemelerini de bakanlık kaldıramaz.

Alan yönetimlerinin kendi bütçesi yok. Alan yönetiminin bütçesi olmadan belediyeler işleri organize ediyor. Uzman davet edebiliyor. Belediye güçlü ise alan yönetimi de güçlü oluyor. Istanbul örneği farklı bir örnek tabii. Yasaya göre belediye meclis kararı (ya da encümen kararı) ile alan başkanı görevlendirilebiliyor. Ani'de bakan oluru ile görevlendirme yapılmıştı, sözleşme olmadan da alan başkanlarına maaş ödemesi yapılabiliyor. Uygulamada alan yönetiminin icra içinde olması gerekmiyor. Çünkü zaten alan başkanlığında da da o kadar kaynak ve personel yok. Zaten yetkisi de yok. Alan başkanlığının daha çok koordinasyon ve eşgüdüm için yetkili olması düşünülüyor.

İdari açıdan yeniden düzenlemelere ihtiyaç var. Nasıl bir yapılanma olacağına dair toplantılar yapılıyor. Merkezde bir teşkilatlanma mı yoksa yerelde bir örgütlenme mi diye çok tartışıldı. Ama sonuçta yerel yönetim düzeyinde il özel idaresi bakımından bir örgütlenme olması düşünülüyor. Çünkü bakanlık elemanları alanlara ilişkin sorun ve potansiyele hakim olamıyor. Bakanlık olarak katkı; sürecin yönlendirilmesi ve rehberlik olabilir. Bu anlamda bakanlığın taşra teşkilatındaki örgütlerle birlikte yeniden yapılanması daha uygun görünüyor.

Mevcut çalışmalarda Kütahya'da sınır belirlendi. Ancak daha sonra çalışmalar devam etmedi. Sinop' ta alan yönetimi AB projesinin bir bileşeni olarak kurgulanıyor ancak henüz ihaleye çıkılmadı. Niksar'da da alan yönetimi AB projesinin bir bileşeni. AB ve Türkiye arasındaki sivil toplum diyaloğunun geliştirilmesi ile ilgili. İsveç ile Kars Belediyesi ortak çalışması. Kültürel miras kapasitesinin iyi stratejilerle korunarak gelecek nesillere bir yönetim planı çerçevesinde aktarılması amaçlı bir proje. 163.509 € toplam bedelli projenin %90'ını (CFCU) %10'unu belediye karşılayacak.

Yasal açıdan yönetmelikle kanun arasındaki sıkıntının ele alınması gerektiğini düşünüyorum. Sınırın yerel yönetim tarafından belirlenmesini önermek düşünülüyor. Uzakta olanın koordinasyonu sağlaması daha doğru. Zaten KAİP yapımı da ilgili daireye bırakılmış durumda olduğu için alan yönetimi de bunu üstlenmeli.

Bakanlık bu çalışmalarda Afrodisias' ta Yönetim Planı kontrollüğü yapıyor, Bakanlık temsilcisi danışma Kuruluna üye olarak katılacak. Geyre vakfı yönetim planı ihalesini yaptı. Mali açıdan destek verdi. MSGSÜ' den Aykut hoca planı yapıyor.

Bursa' da Bakanlık temsilcisi Danışma Kurulunda, ve Eşgüdüm Denetleme Kurulu üyesi. Efes' te Danışma Kurulu üyesi, Edirne' de Danışma Kurulu üyesi. Çatalhöyük ve Ani' de yönetim planını doğrudan Bakanlık hazırlıyor.

GÖRÜŞÜLEN KİŞİ	**S.Zafer ŞAHİN**
GÖREVİ	Kültür Varlıkları ve Müzeler Genel Müdürlüğü Planlama Şube Müdürü
TARİH	06.03.2009
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Alan Yönetim Planlarının hazırlanması için çalışmalar sürüyor. Şu anda hazırlanmış bir alan yok. Ancak Efes için bir yönetim planı hazırlanma şartnamesi hazırlandı.

Mevcut yönetmelik işlemediği için yeni bir yönetmelik hazırlanıyor. Genel Müdürlükte bir komisyon oluşturuldu.

Mevcut işleyişte belediye bir sınır (yönetim alanı sınırı) belirliyor. Bakanlıktan bir ekip gidip kontrol ediyor. Yerel halkla katılımcılığı sağlamak üzere toplantılar yaparak sınırın nihai haline karar veriyor.

En ilerlemiş plan Alanya'da. Ancak henüz tam olarak ortaya çıkmış bir yönetim planı yok.

İdari olarak da çok özerk tasarlanmış bir yapı alan yönetimi. Alan yöneticisinin tanımlandığı özellikte birini bulmak çok güç. Istanbul'da özellikle hocalar mevcut alan başkanı ile nitelikleri nedeniyle çalışmak istemiyor. Istanbul bir sınır oluşturdu. Ama en son yönetim planını bir ihaleyle yaptırma kararı aldı. Sağlam bir şartname hazırlanırsa bu yöntem olabilir.

Mevcut işleyişte koruma kurulu onayı ve Kültür Bakanlığı onayı görünmüyor, ama değişikliklerde bunlar da hedefleniyor.

Yönetim planı yapılması açısından öncelik dünya miras alanı olan 9 sit.

Hamamönü ve Ulus koruma imar planlarını önerdi. Şirince davalık oldu. Yönetim planında katılım çok önemli. Hatta UNESCO, ICOMOS gibi uluslararası örgütlerin katılımı da gerekli.

Bakanlık en çok sınır belirleme konusunda sıkıntı çekiyor. Sınırı çok geniş bir idari sınır olarak algılayanlar var, sit alanı sınırından daha küçük tutmak isteyenler de var.

Yönetmelikteki kavramlar (mesela bağlantı noktası v.b.) tam olarak anlaşılamamış durumda.

Avrupa'daki örnekler de sadece yönetim planıyla koruma sağlanabilirken biz de koruma amaçlı imar planı kavramı da var. Bu imar planı ile yönetim planı arasında da tam açıklık yok. Aslında yönetim planı eşgüdüm ve katılımcılık amaçlı bir yaklaşım, zamanla gelişecek.

GÖRÜŞÜLEN KİŞİ	**Prof. Dr. Zeynep AHUNBAY**
GÖREVİ	Istanbul Alan Yönetimi Danışma Kurulu Üyesi
TARİH	10.01.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Burada Alan Başkanının görevinin çok daha net olarak tanımlanması gerektiğini düşünüyorum ben. Yani projeksiyon yapılması gerekiyor. Bunu bir ihtiyaç olarak Kültür Bakanlığında belki gündeme getirip söylemek lazım. Yani Kültür Bakanlığının bu çerçevede yaptıkları da çok yeterli değil. 3-5 kişilik bir merkez bürosu var. İşte o insanlar iyi niyetli belki ama o kadar izleyebiliyorlar.

Mesela Alanya' da Müze Müdürü Alan Başkanı. O da bence uygun değil. Çünkü Nemrut'ta biz itiraz ettik. Nemrut'ta Müze Müdürü olmak istedi. Müzeci olmaz dedik. Yani Müze Müdürünün eğitimi alan yönetimi için yeterli değil bana göre. Sorunlar, bütün o alanın yönetimi, gerekli olan bakımı, her türlü ziyaretçi yönetimi, konservasyonu vs. bu konulara doğru bakabilecek ve onları yönetebilecek bir birikime sahip olması lazım. Müzeci tamam yani kendi konularıyla ilgili işleri yönetebilir ama Müze Müdürünün müzede durması lazım. Alan Başkanının alana çıkıp, mesaisini alanda harcaması gerekir. Yani part-time gibi bir iş olması değil. Istanbul gibi bir yerde her gün diyelim ki Sultanahmet, Ayasofya o bölgeyi dolaşacak, bir gün surlara gidecek. Böyle bir yönetim yok. Alan Yönetiminin bu konuda ne işlevi var? Alan Yönetimi ne yapıyor bunu sor. Surlar için ne yapıyor? Suru nasıl yönetiyor? Surların tamamı belediyenin sorumluluğunda. Diyelim ki Süleymaniye belediyenin mülkiyetinde değil ama surların kendisi tamamen belediye sorumluluğunda olan bir yer. Kentsel alan olduğu için belki bir yerde doğru, öyle bir eşgüdüm içinde olması doğru ama. Yani kendi özerkliği olması lazım ki belediye başkanı onu tutup atmasın. Yani bir ölçekte de böyle oldu. Önceki alan başkanı için. Yönetimi terk etmek zorunda kaldı. Bu aynı zamanda ahlaki bir sorumluluk bence. Çok yanlış. Yani alan başkanı Süleymaniye projesini yapıyor, aynı zamanda alan başkanı, alanla ilgili hiçbir faaliyeti yok, bürokrasi dışında yani kağıt üzerinde.

Tabii Istanbul yıllardır çalışılıyor. Ama işleyebilmesi için sen bunları düşün. Yani nasıl bu mekanizma daha iyi olabilir diye. Öneriler getirebilirsin. Çünkü kamu yönetimi aslında böyle, bu yönde olduğu için. Yani hangi yasalarla onları bağlayabilir, daha etkili olunabilir. Yani şimdi şu özel idarenin çok güçlü olduğu söyleniyor, özel idare

kamudan daha güçlü bir yapı deniyor ama ben onların bünyesine bakıyorum yani acemi insanları oraya koyuyor. Hiçbir vizyonu veya deneyimi yok. Bir sürü para onların kanalıyla harcanıyor. Yani orda bir etkinlik olması gerekiyor. Ama yani herşey için kendi beğendikleri uzmanları seçiyorlar. Yani bunun tarafsızlığı olması, gerçekten anlayan uzman bir ekip olmasının sağlanması gerekir. Bu şu anki geçerli olan politik sistemde bilemiyorum yani. Bazı donanımların olması da tek başına yeterli değil. Tamamen ahlaki, doğruları bilen ve onları uygulayan insanlar gerekiyor.

Edirne'de de bir şeyler hazırlamışlardı. Belediyede çalışan bir hanım vardı, bir sanat tarihçi vardı, kamu yönetiminde master yapmış biri vardı. Belediye Başkan Yardımcısı vardı. Bir Şehirci. Ama o da ayrılmış galiba. Daha sonra da o büroyu dağıtmışlar ama niye dağıtmışlar bilmiyorum. Bir yarışma yaptılar. Ama üç, üç buçuk ay yarışma süresi. Çok az, bu çok az dedim. İşte Kültür Bakanlığından destek alacağız şunu alacağız, şöyle yapacağız dediler. Üç, üç buçuk ay süre içinde hazırlanan şeyler çok yeterli olamadı. Giren ciddi insanlar çok az. Dolayısıyla sonuç, o kadar zaman, emek harcadık bir işe yaramadı. Sonra bizi kurula çağırdılar. Kurul toplandı. Ortaya çıkan projeyi biz tanımıyoruz, değişmiş tamamen. Biz bu projeyi bilmiyoruz, çağırdınız ama bizimle alakalı değil, projeyi yarışma bittikten sonra görelim dedik ama olmadığı için kurula kalan bir durum oldu. Kurul beğenirse o olur. Sonrasının ne olduğunu bilmiyoruz. Edirne'de orada Selimiye'ye bakan yamaçta bir takım hususlar var bir takım başka düzenlemeler yapılmış. Şu an alan başkanı yoktu. Edirne'de Nevzat Beyi gördüm belediyenin parası yoktu, bir takım sıkıntılar vardı. Dünya mirası ise Kültür Bakanlığı'nın para vermesi lazım. Yetki karmaşası da var. Yetkileri ve sorumluluğu yani orada gökdelenler yükselirken bundan alan başkanı sorumlu muydu? Bunların netleşmesi gerekir. Burada alan başkanı kuruldan bile gizliyor, başka işler peşinde. Orada adam gökdelen dikiyor, alan başkanı toplantı düzenlemekten başka bir şey yapmıyor. Çevre ve Şehircilik Bakanı da üstlenmedi. 9'a 10 tanımının planlara işlenmesi gerekmiyor mu? Uluslararası anlaşmaların ihlal edilmesi sorunu çıkıyor. Burada Zeytinburnu Belediyesinin de sorumluluğu var. Raportörler orada mezarlık tescilliymiş diyor. Tamamen menfaate dayalı iğrenç bir şey var.

Haliç Köprüsünde projenin onaylandığı haftanın ertesinde konunun soruşturma olarak kurula yazı yazdım. Bakın burası dünya mirası alanı burada miras alanında proje yapıldığı vakit bunun UNESCO'ya bildirilmesi lazımdı. Kurula gelmiş bilgi alındı diye sadece dosyaya konmuş. Onay anlamında bildirilmesi yapılmadı, sadece bilginiz olsun diye sunuldu. Sadece 2863'e bakıyorlar. Bu yapılan projenin evrakının bunun içine entegre edilmesi gerekirdi. Yani 2863'deki şeyle 42'deki şey aynı değil. Dolayısıyla onu entegre edeceksin sen. Ayrı bir yasal düzenleme mevzuat diye onu Kültür Bakanlığı'na bırakırsan kurul sadece 2863'e göre hareket eder. Bakanlığa mı ait alan yönetimi kurula mı? Paris'teki ICOMOS genel kuruluna gitmiştik. Oradaki büyükelçimiz söyledi, o da çok şaşırmış, o da fark etmiş. Önce kurulu suçluyordu, alan yönetimi belediyeyi baltalıyor gibi düşünüyordu. Geçen sene Haziran sonu Istanbul'da

UNESCO toplantısına geldi. Ne yapabiliriz diye konuştuk. Her şeyi yapabiliriz dedik. Bu ülkede bir şeylerin düzelmesi gerekiyor. Yaptığımız eleştiriler düzeltilirse biz de katkıda bulunuruz dedik. Ben yanlış olan şeyi eleştiricem adam bana hakaret edecek böyle bir şey olabilir mi? Toplantıya gittiğimizde bir sayfa bir yazı götürmüştük. Kültür Bakanlığı'nın dünya miras alan yerlerinin iyileştirilmesi, kurulların bu konuda eğitim görmesi gerekliliğini söyledik. Bize hak verdiler.

Haliç Köprüsünü tasarlayan Hakan Kıran'a söylediler, o da ben dünya mirası olduğunu bilmiyordum dedi. Belediye Başkanı daha çok mu biliyor sanki. Haliç Köprüsü yapılırken ayak koymuşlar oraya. Tam oraya böyle çelik ayaklar koymuşlar. Bir şekilde durdurulabilir mi? Burada bir yaptırım dünya miras alanından çıkarılmak olabilir mi? Çıkarmadan çok biz buna layık mıyız diye bakmak gerekiyor. Tabi yargıda da problemler var. Kurulları en son 17 Ağustos'tan sonra manipüle ettiler. YÖK üyesi yok. Kültür Bakanlığı'nın var. YÖK seçmiyor. YÖK ya da üniversite üye göndermiyor. Bakanlık beğendiği üniversite görevlisini atayabiliyor kurula. Alan yönetiminde de sanki kurulla bağlarını koparmış gibi oluyor. Yönetim planı üzerinde koruma planı bir onayı yok gibi sanki? Yani şöyle orada bir eşgüdümü kurula bırakıyor ya sistem kendi içinde bitiriyor. Ama o sistemin de iyi olması lazım. Eşgüdüm ve denetlemenin çoğu belediyenin üyelerinden olduğu için tabi bunun da sakıncası var. Onun oluşumunun bir parça değiştirilmesi lazım. Alan başkanının tasarruflarının kurula gitmesi lazım. Onu da yazsın, danışma kurulu olarak kurula gönderdik kurul da onayladı. O sırada da sergimiz var. Onun daha net olması mümkündü. Ona da Zekiye Hanım karşı çıktı. Mesela Galata tarafına doğru tarihi yarımada koruma alanının buffer zonunun uzatılması düşünüldü. Zekiye Hanım ona şey diyor, orada da sit alanları var diye. Buffer zone statüsü başka bir şey orada bir şey yapılacağı zaman alan kurulu bakabilir. 16'ya 9'larda buffer zonunun içinde. Zeytinburnu'nda bir bölge limanı projesi vardı. Deniz dolgusu üzerinde, Orada yüksek inşaatlar yapılacaktı. Kültür Bakanlığı'ndan bunun haberi bana geldi. Deniz dolduruluyor, izleyin tepki verin diye. Ayrıca politikacıların çok ciddi etkileri var.

GÖRÜŞÜLEN KİŞİ	**Prof.Dr.İclal DİNÇER**
GÖREVİ	Istanbul Alan Yönetimi Danışma Kurulu Üyesi ve Plan Hazırlama Ekibi Üyesi
TARİH	16.12.2011
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Istanbul Alan Başkanlığı Eşgüdüm ve Denetleme Kurulunda Kültür ve Turizm Bakanlığının yani merkezi yönetimin bir üyesi yok. Alan yönetiminin kendine ait bir bütçesi yok. Sistemin bütçe ayrılması konusunda bir netliği yok.

Yönetim Planını Eşgüdüm ve Denetleme Kurulu onaylıyor, 1 yıl izliyor ve 1 yıl sonunda gerekirse revizyon öneriyor. Yani onay ve denetim merci aynı. Eşgüdüm ve Denetleme Kurulunda Belediyeler, Valilik ve Vakıflar Genel Müdürlüğü var. Denetim biriminin kurulması ise bir zorunluluk değil. Sonuçta bu yapı Belediyeye çok bağlı, güdümlü bir yapı. Esasen Sermaye Piyasası Kurulu gibi bağımsız, özerk bir tüzel kişilik olmalı. Özerk olmaması halinde işlemesi çok zor. Tek kurumun bütçeyi idare etmesi daha doğru bir yapı.

5226 Sayılı Kanunda Koruma Amaçlı İmar Planı tarifinde aslından Yönetim Planından bahsediliyor. Koruma Amaçlı İmar Planı ile Yönetim Planı bağlantısı 5226' da var. Ancak açık bir şekilde ifade edilmemesi sorun yaratıyor. Net olmasa da Koruma Kurulu ile de bağlantısı var. Yasal anlamda niyet aslında ikisini birbirine bağlamak, ancak sonrası gelmiyor. Burada imar planları da aynı durumda kaldı. Kiminle, ne zaman, hangi bütçeyle yapılacağı bir stratejik planda tarif edilmeli. Bu anlamda Koruma Amaçlı İmar Planının stratejik planı Alan Yönetim Planı ve öncül durumda olmasına karşın işlemiyor. Yönetim Planı başındaki kişi yani Alan Başkanı ile Koruma Amaçlı İmar Planı başındaki kişi yani Belediye Başkanı aynı paralelde ise sistem gidiyor, değilse kurumsal dayanağı zayıf.

Yönetim Planının algılanmasında;

- Planın bir stratejik plan olarak algılanması,
- Katılımcı süreçler içermesi,
- Şeffaflık
- İşbirliği

önemli kriterler. Operasyonel Rehberin 111.paragrafında da tüm paydaşların planı aynı şekilde algılamasının önemine değinilmektedir.

Tarihi Yarımadanın bütününün ele alınarak tek bir Yönetim Planı yapılması nedeniyle belediyeler açısından paydaşlar artmıştır. Bunun yanısıra Danışma Kurulu üyelerinin seçimindeki belirsizlik önemli bir noktadır. Danışma Kurulunda Sivil örgütlerden 7 üye, Uzman üye olarak da 11 üye vardır. Bu kişilerin neden ve hangi kurumlardan seçileceğine ilişkin kriter yoktur.

Yönetim Planının hazırlığında şartnameyi Danışma Kurulu ve Tarihi Çevre Koruma Müdürlüğü ortaklaşa hazırladı. Şartnamede kısmen UNESCO normlarını yakalamak istense de Istanbul örneğinde öyle ayrıntılara girildiğinde işin içinden çıkılamıyor. Şubat Raporuna girebilsin diye Yönetim Planı 31 Ocak 2011' de tamamlandı. Ancak UNESCO' ya tamamı gönderilmedi. Nedeni sorulduğunda henüz kimsenin son halini görmemiş olması gerekçe gösterildi. 21.02.2011' de I.Taslak Plan Danışma Kurulu' na sunuldu. Danışma Kurulu üyeleri planla ilgili kritiklerini yazılı olarak yaptılar. Planın analitik bölümüne ilişkin tarih, mevcut eserler vb. bazı bölümler revizyon gördü.

Stratejik Plan için önce sorun tanımlanmalı, varlığı tehdit eden soruna yönelik çözümlerle birlikte alanın yönetimi ve süreklilik sağlanmalı. Ancak bazı kişilerin 5366 Sayılı Yasayı sorun olarak tanımlamak istememeleri sonucu Yönetim Planının son halinde 5366 hem tehdit hem fırsat olarak tanımlanmış. II.Taslak Plan 08.04.2011 tarihinde Danışma Kuruluna sunuldu. 27.07.2011 tarihinde Eşgüdüm ve Denetleme Kurulunda görüşüldü. 28.08.2011' de Eşgüdüm ve Denetleme Kurulu görüşlerini iletti ve III.Taslak hazırlandı .III.Taslak Eşgüdüm ve Denetleme Kuruluna sunulduktan sonra 29.09.2011' de nihai görüş oluşturuldu ve taslak plan Danışma Kuruluna sunuldu. 29.09.2011 tarihli Eşgüdüm ve Denetleme Kurulu kararları doğrultusunda Yönetim Planı revize edilerek 24.10.2011 tarihinde son şeklini aldı.

Yönetim Planı ilçe belediye meclislerinde onaylandı. Zeytinburnu Belediyesinin tampon bölge sınırının değiştirilmesine yönelik dava açtığı için Yönetim Planı Büyükşehir Belediye Meclisinde henüz onaylanmadı.

Mevcut durumda belediye Yönetim Planıyla ilgili 30 kadar proje paketinin ihale edilmesini düşündüğü için Yönetim Planında yer alan proje paketleri ile ilgili bölümlerde ilgili kurum/ilgili birim bilgilerine detay olarak yer verilmesini istemiyor. Çünkü bu nokta önceden kendini sınırlamak yerine ihaleleri verecek birimlere ve yaptırılacak firmalara kendi inisiyatifinde müdahale edecek. Siyasi irade Yönetim Planının uygulanmasında çok hakim.

GÖRÜŞÜLEN KİŞİ	**Prof.Dr.Nuran Zeren GÜLERSOY**
GÖREVİ	Istanbul Alan Yönetimi Danışma Kurulu Üyesi ve Plan Hazırlama Ekibi Üyesi
TARİH	15.12.2011
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Tüm koşullar hazır olsa Yönetim Planının çalışması sorun olmaz. Yönetim Planı tamamen bir stratejik plandır. En temel sorun stratejik plan kavramının özellikle fiziki plancılar tarafından tam anlaşılamamış olmasıdır. Öncelikle vizyon konusunda tüm tarafların aynı fikirde olması gerekiyor. Yönetim planının tanımladığı tek bir çerçevede tüm paydaşların birleşmesi en önemli şey. Planın gereği ve fonksiyonuna inanılması gerekiyor.

Istanbul Alan Yönetiminde Yönetim Planının hazırlanmasıyla ilgili taraflar;

- Alanda söz hakkı bulunan birden fazla belediye,
- ICOMOS ve UNESCO
- 2010 Kültür Ajansı
- Istanbul Büyükşehir Belediye Başkanlığı Tarihi Çevre Koruma Müdürlüğü
- Alan Başkanlığı

Yönetim Planı çalışması bir Kültür Ajansı projesi olarak başlatıldı. Planın hazırlatılmasında uzmanlığı olmadığı ve esasen tek yapı ölçeğinde uzman olan Tarihi Çevre Koruma Müdürlüğü oldukça etkin oldu. Alan Başkanlığı ise yetkileri tam olarak belli olmayan, kime bağlı olduğu belli olmayan, planlama sistemi içinde yeri olmayan, hiyerarşide yeri olmayan bir yapı. Alan Yönetimi ve Yönetim Planı içinde bu saydığım yerel otoriteler arasında hiç kimse kendi görev sınırlarını bilmiyor ve bilmek istemiyor.

Yönetim Planı aslında;

- Rolleri tanımlamak,
- Yapılacakları tanımlamak,
- Çalışmaları tanımlamak ve
- Yönetmek

için hazırlanan bir belge. Ama biz bunu taraflara anlatamadık.

Bu nedenle bir tarihi alanın yönetilebilmesi için ilk etapta yönetim planının ne olduğu, niçin yapıldığı, roller ve nasıl uygulanacağı çok iyi anlaşılmalı. Aslında zaman zaman çok söyledim önce Yönetim Planının Yönetim Planını yapmak gerekli diye. En önemli problem insanların bunu anlaması. Bunu anlatmakta çok sıkıntı çektik.

Istanbul' da UNESCO' nun baskısı uluslararası ilkelerin uygulanması açısından fazlasıyla hissedildi. Belediye bu konudaki baskıyı hissediyor. Ancak sorunların çözümünde sorunların hiç ifade edilmemesi gibi bir yöntemin izlenmesine çalışılıyor. Mesela plan içindeki SWOT analizi sonuçlarından ve alandaki restorasyon yöntemlerinin eleştirilmesinden Tarihi Çevre Koruma Müdürlüğü rahatsız oldu.

Vizyona müdahale edildi ve son planda vizyon değiştirildi. Bunun bir stratejik plan olduğu, sorunların da ortaya konarak çözüm üretilmesi gerektiği açıklandığı halde gereken objektifliği ve katılımı sağlamakta çok zorlandık. İlgili tarafların plana inanması ve ne işe yarayacağını bilmesi çok önemli.

Yönetim Planının hazırlanması esnasında gördük ki, Belediyenin farklı birimleri birbirlerinin yaptığı projelerden habersiz. Tarihi Çevre Koruma Müdürlüğü, Etüd ve Projeler Daire Başkanlığı, BİMTAŞ, Turizm ile ilgili birimler, Planlama Müdürlüğü birbirlerinin projelerini bilmiyor ve alan yönetimi toplantılarında projelerden haberdar oluyor.

Uluslararası örneklerde Yönetim Planı bizim Koruma Amaçlı İmar Planı dediğimiz 'Conservation Plan' üzerine inşa edilir. Ama dünyanın hiçbir yerinde Koruma Amaçlı İmar Planı bir yerde Yönetim Planı ayrı yerde eş zamanlı olarak yapılmaz. Yönetim Planı için çok çalıştık, ancak bu plan siyasi irade ve niyet olarak uygulanabilir bir plan değil.

Koruma Amaçlı İmar Planının bir vizyonu olması ve Yönetim Planının da bu vizyonu takip eden bir vizyonu olması çok önemli. Ancak Koruma Amaçlı İmar Planının vizyonu Yönetim Planı çalışmaları sırasında plan ekibine iletilmedi. Koruma Planı ile ilgili sorularımıza cevap alamadık. Koruma Amaçlı İmar Planının adeta saklanmasındaki amaç plana dava açılması korkusu ve Avrasya Tüneli' nin plan üzerine işlenip işlenmediği yönündeki bilginin paylaşılmak istenmemesi.

Istanbul' da plan dışında gelişen güçlerce ortaya konan yapılaşmalar var. Zeytinburnu' ndaki OnaltıDokuz projesi gibi. Bu nedenle Koruma Amaçlı İmar Planı bir kulvarda Yönetim Planı bir kulvarda yürütüldü. Oysa bunların stratejik ve birbiriyle uyumlu iki belge olması çok önemlidir.

Yönetim Planında ilgili tüm tarafların entegrasyon, zaman ve bütçe konusunda ortak bir hedef, ki bu ortak hedef çevresel kalitenin iyileştirilmesidir, etrafından birleşmesi gerekir.

Alan Yönetimi Başkanlığının kendine ait bütçesi yok. Tanımlanan işlerin yapılabilmesi için ilgili belediye meclislerinden onay alınması yoluna gidiliyor. Mevcut durumda belediye meclislerinde planın tamamı onaylanmış. Bu planın esnekliğini ve uyarlanabilirliğini ortadan kaldırıyor. Oysa meclislerde sadece 1 yıllık uygulama programları onaylanabilirdi. Çünkü plan her yıl gözden geçirilen ve beş yılda bir ihtiyaçlar doğrultusundan yenilenen bir belge.

Alan Başkanının aynı zamanda özel olarak yenileme alanlarında proje yapması nedeniyle alan başkanlığı ile belediyeler arasından bir 'conflict of interest' durumu var. Alan Başkanı bir yandan yenileme alanları ile ilgili proje sunumu yapıyor bir yandan yönetim planını uygulamaya hazırlanıyor. Yani hem icraci hem de denetleyen durumunda. Bu planın yürütülmesini etkileyecek önemli bir faktör.

Ocak 2011' de hazırlanan Yönetim Planı Taslağı Dünya Miras Komitesine SWOT analizi yani sorunları, tehdit ve zayıflıkları içerdiği için gönderilmedi. Bunun yerine 7 sayfalık bir özet gönderildi. Ancak planı hazırlayan ekip olarak bizler esasen hazırladığımız belge o 7 sayfada ifade edilemeyeceği için UNESCO' nun Türk temsilcisine orijinal Yönetim Planını göndererek UNESCO' nun doğru bilgilendirilmesi için çaba gösterdik. SWOT analizleri bir yana ideolojik olarak Bizans sözcüğünün bile planda geçmesi rahatsızlık yaratıyor. Planın değerlendirilmesinde Pantakrator sözcüğünün 12 kez planda geçmesinden duyulan rahatsızlık dile getirildi. Bu planın yürütülmesindeki temel sorunlardan biri Belediyelerin kendi parasal kaynaklarını vermek istememeleri, bu nedenle Yönetim Planı çalışmaları yadırganıyor.

GÖRÜŞÜLEN KİŞİ	**Doç.Dr. Pelin Pınar ÖZDEN**
GÖREVİ	Istanbul Alan Yönetimi Eşgüdüm ve Denetleme Kurulu Üyesi
TARİH	13.12.2011
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Planın uygulamaya geçmesiyle ilgili sıkıntılarla karşılaşılması mümkün. Istanbul' da 5366 sayılı yasa uyarınca yapılan yenilemelere ilişkin uygulamalar hızla hayata geçerken, alan yönetiminin etkileri ve gelişmesi oldukça yavaş. Alan Yönetimine konu alanda pek çok yenileme alanı var. Süleymaniye, Fener-Balat, Kapalıçarşı çevresi ve Topkapı Sarayı çevresindeki yenilemeler alanı en çok etkileyecek olanlar. Bir yanda Alan Yönetimi Başkanlığı varken bir yanda bu yenileme çalışmaları yapıp bitirilmiş olacak. Yenileme çalışmalarında da Belediyeye bağlı BİMTAŞ ve KİPTAŞ firmaları uygulama yapıyor.

Aslında sit alanlarında olduğu gibi, bir yerde alan yönetimi ilan edildikten sonra tüm uygulamaların durdurulması gereklidir. 5366 Sayılı Kanun Koruma Kanununa referans vermeyen bir kanun. Dolayısıyla Koruma Planlarını umursamıyor. Benzer şekilde Beyoğlu' nda gerçekleşen 7 yenileme alanında da süreç tersine işliyor, en altta yenileme işlemleri bittikten sonra koruma planı ya da alan yönetimi gündeme geliyor. Çok uzun süre alan yönetimi toplantılarına belediyelerin ilgisi son derece az olurken, yine aynı belediyeler yenileme kurulu toplantılarına eksiksiz katılıyorlardı. Bu düşündürücü bir durum.

Öte yandan Istanbul Alan Yönetimi alanı, Tarihi Yarımadanın bağlı olduğu Koruma Kurulu ile Yenileme Alanları Kurulunun kararlarına da tabi. Ancak YÖK' ün koruma kurullarına atama yetkisinin kaldırılması nedeniyle koruma kurulu üyeleri tamamen siyasi nedenlerle değişebiliyor. Bu da önemli bir olumsuzluk.

Planı uygulayacak olan ve anlayacak olan ekiplerin bilgisi de son derece önemli. Belediyeler koruma konusunda politika üretmek ve yetkin personel konusunda çok zayıf durumda.

Istanbul Alan Yönetimi Planında yenileme projeleri ve ulaşım projelerine pek değinilmemiş. Bu projelerin detaylı etki analizi yapılmadan yönetim planının yapılmaması gerekirdi. Bu önemli bir eksiklik.

Koruma açısından Istanbul' un topografyası nedeniyle bufferzone belirlenmesi yerine kısıtlılık yaratmamak adına bufferzone tanımlanmasını doğru bulmuyorum. Olması kısıtlılık yaratıyor.

Alan yönetiminin kendine özgü bütçesi yok. Yönetim Planının doğru tarifleri yapması halinde kurumlar doğru yönlendirilirse bütçe olmaması bir problem yaratmaz. Avrupa Birliği fonları dahil pek çok yerden alan yönetimi için maddi kaynak bulmak mümkün.

GÖRÜŞÜLEN KİŞİ	**Halil ONUR**
GÖREVİ	Istanbul Alan Yönetimi Başkanı
TARİH	12.12.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Bakanlık mevzuat ile ilgili bir çalışma içinde. Alan yönetimi ile ilgili kısmın taslağı bize ulaştı. Ama bizim görüşlerimiz daha netleşmedi, onu paylaşmamız doğru olmaz. Çünkü kendi içinde de bir konsensüs daha sağlam olur. Kültür Bakanlığı, enteresan bir yasal düzenleme çalışmasına girdi. Yerel çerçevede söylersem merkezileştirme, merkeze bazı yetkileri alma gibi bir yaklaşım içine girdi. Ama Bakanlıklarda politikalar, biliyorsunuz biraz da kişilere göre değişebiliyor. Bir önceki bakan dönemindeydi bu. Ama değişiklik oldu. Biz de sözlü olarak ifade ettik bazı sakıncaları. Anlayışla karşılandı talebimiz, biraz bekletildi diye düşünüyoruz.

Tabii biz konulara kendi perspektifimizden bakabiliyoruz, Türkiye geneli gibi geniş açıdan bakmıyoruz. Her kurum kendi tarafından bakarak görüşlerini iletecek bakanlığa, onlar da bunu bir süzgeçten geçirip değerlendirme yapacaklar diye düşünüyoruz. Görüşünü ileten kurumlar olmuş galiba.

Sıcağı sıcağına bir çalışma ortamındayız. Aramızda bir toplantı yaptık. Bazı hukukçuların da katıldığı, ama tabii ki yasal açıdan bir takım sıkıntılarımız olduğunda birçok platformda dile getiriyoruz, getirdik. Bakanlığın taslağını incelemekte fayda var. O önemli bir sıkıntı. Yasal açıdan ifade etmek istediğim bu.

Sorunlar derseniz, yani, kitap yazılacak kadar olur çünkü kurumlar bağımsız çalışmaya alıştığı için yeni bir sisteme alışmanın sıkıntısı yaşanıyor. UNESCO da zaten taslak kararında bunu ifade ediyor, hala bazı projelerde bizi haberdar etmiyorsunuz diyor, bizim haberimiz olmuyor ki çoğu projeden. Kurumlar bilgi paylaşımından kaçınıyor uzun yılların verdiği bir bürokratik refleks gereğince. Ancak şu da tabii ki burada geri dönüşün olmayacağını zaten kabul etmiş durumdayız, ama birçok kurum şimdi daha projenin plan safhasında görüş sormaya başladı. Çok enteresan bir noktaya gelmiş hatta bu konu. Geçen bir toplantıda bir şey duydum, kurumlar mesela buffer zone'da yönetim planı alanında olmasını enteresan değerlendirmeye başlamış, bir tabiat parkı komisyonu üyesinden duydum, ilk müracaatı, 'orası buffer zone'lu, inşaat yasağı var'

diye kişilerin önünü kesmiş, belediyeler farklı düşünceleri de kabul ettirtmek için bizi bahane ediyor.

Bayrampaşa, Eyüp bufferzoneları. Bayrampaşa belediyesinde bir bölgede, bir talep. 'Orası bufferzone, orada bir şey yapılamaz' diyor. Halbuki çok yanlış bir ifade, bufferzone'da bir şey yapılamaz diye bir şey yok, sadece şartlarına göre yapılır. Bir öcü gibi ifade edilmeye de başlanmış. Tabii bu biraz ifrat-tefrit gidecek, bir dengeye kavuşacak. Ama mesela şu da var ki, Bayrampaşa'da olsun, Zeytinburnu'nda olsun, birçok yerde şöyle bir plan düzenlememiz olacak, bu konuda görüşünüz nedir, yönetim planı için ne öneriyorsunuz gibi sorular da sorulmaya başlandı, en azından bir geçiş sürecindeyiz. Yoksa diğer anlamda sonu gelmeyen bir soru o. Ama yasal ve bürokratik olarak da ciddi bir sorun. Alan başkanlığının büyükşehirdeki statüsü belli değil, bürokratik hiyerarşideki yeri hala belli değil, bütçesi yok.

Mesela bağımsız kimliğini koruması zor alan başkanlığının. Bütçesi olmadığı gibi, kadro problemleri gibi bir çok şeyi kesin ilişkilerle çözmeye çalışıyoruz. Bunda sistem oturmuş değil. Bu yeni yasa taslağı birtakım artılar getiriyor. Ancak öyle bir şeydi ki, işin zorluklarını bilmeniz için bunu söylüyorum, bize sunuldu bu, 10 gün içinde görüş bildirin dendi. Böyle bir şey mümkün değil. Bu şu anlamdaydı: Siz bize görüşünüzü bildirin.

Bu endişeleri taşıdığımız için zaten, biz de kişisel ilişkilerimizi kullanıp, irtibata geçip yeni yönetimle, bunu bir süre daha düşünmeye, çalışmaya ihtiyacı olan bir taslak olduğunu ifade ettik. Apar topar çıkarsa dönüşü zor olabilecek, yeni sıkıntılar ekleyebilir bu sürece diye ifade ettik, anlayışla karşılandı, şu anda bu çalışma safhasındayız.

Alan yönetimi çok bağımsız, özerk bir kurum . Öyle ama bunun altı doldurulmuş değil.

Yönetmelik olayında bu söylenmiş durumda. Sekreterya hizmeti, büyükşehire bağlı. Bostonlu bir profesör çok net ifade etmişti, bütçeniz nedir demişti, bütçe yok. Parayı veren düdüğü çalar. Bütün masrafımızı Büyükşehir belediyesi karşılar. Başkanımızın mimar olması, aramızdaki güven ilişkisi nedeniyle herhangi bir müdahale çok şükür sözkonusu değil, ama olmaz da demek değil. Bu her zaman açık. Binamızı büyükşehir verir, arkadaşlarımız büyükşehir kadrosundaki elemanlardır. Başka bir kurumdaymış gibi değil. Büyükşehirin bir hizmet binası, yanyana iki bina düşünün.

Özellikle bunu da vurgulamak adına, bağımsız bir bina, büyükşehirin herhangi birimi içinde değil. Bu tür talepler de oldu ama biz müstakil, bağımsız bir bina, kendimize özgü bir mekan istedik. Müstakil binamız, şeklen de bağımlı olmak istemiyoruz. Yasal sistemdeki özerkliği de oluşturmaya çalışıyoruz. Çabalarımız o yönde. Öyle bir havuz olmalı ki kurumların eşgüdümle nasıl ki farklı birimlerin tercihleri yer alıyor geniş bir yelpazede, Kültür Bakanlığına varana kadar, tüm bu kurumların katkısıyla oluşan bir bütçe, bir havuz olabilmeli. Oluşturmaya çalışıyoruz bu özerk yapıyı.

Uygulama açısından başladığımız proje paketleri var, öncelik verdiğimiz büyük ölçekli projeler var. Istanbul'u direkt etkileyecek proje paketleri olduğu için öncelikle ulaşım öncelikli olmak üzere, Marmaray Avrasya tüneli gibi.Burada proje paketlerine biz başlamıyoruz. Onaylanmış plan herkesi bağlayıcı. İmar planını düşünün, proje paketleri de öyle. Bizim buradaki görevimiz onu hatırlatmak.

Ana işlevimiz koordinasyonu sağlamak, bunun için toplantılar yaptık ilgili tüm birimleri davet ederek. Özellikle iki projedeki kültür varlığı, ÇED raporu var ya, ICOMOS'un öngördüğü çerçevede, bunun yapılması. Biri Avrasya tüneli, biri Yenikapı dolgu alanı. Büyük ölçekli projelerden başladık bu koordinasyon toplantılarına. Mümkün olduğunca UNESCO kriterleri çerçevesinde yürünmesini sağlama yönünden, proje paketlerinin uygulamasının koordinasyonu yönünden diyelim. Tabii uygulamayı bizim yapmamız diye bir şey sözkonusu değil. Tüm birimleri bir araya getirmeye çalıştık. Tabii bu arada çalışma sürecinde şunu da gördük ki proje paketinden sorumlu ilgili kurumlar, uygulama sürecine geçince bazı revizyonlar ihtiyacı görüldü, onun ihale sürecini hazırlıyoruz. UNESCO taslak kararında bu ifade ediliyor. Özellikle biz yönetim planında bunu belirtmiştik, yıllık revizyonlar olacağını. O revizyon çalışmasını da başlatmış durumdayız.

Bunlara öncelik vererek başladık ama tüm proje paketlerini serdik, birimlerin hangi uygulamalarını yaptığını, hangi eksiklerin olduğunu. Biraz denetleme işlevini yavaş yavaş oluşturmaya çalışıyoruz. Denetleme birimleri ile ilgili yapılan enteresan ifadeler var. Alan başkanlığı personelini artırdık. Birkaç kişi daha almaya çalışıyoruz. Eleman alımı çok zor. Belediye üzerinden. Tüzel kişiliğimiz yok. Deve mi kuş mu belli değil. Yedi tane personelimiz var, teknik, üç de idari kadro. Toplam 17 kişiyiz.

Özellikle alan yönetiminin koordinasyon kadar bir de sunum, tanıtım faaliyetleri sözkonusu, onun için uzman personel alma çabamız var. Web sayfası tasarımı, uluslararası çalışmaların anında aktarımı yönünden. Arkeolog ve grafik web tasarımcısı çalışanlar olacak.

Uygulamada her proje paketinde ilgili kurum, bütçenin nereden sağlanacağı belirtilmiş durumda, bizim o anlamda bütçeye karışmamız sözkonusu değil. Bütçeden kastımız, mesela Haziran'da UNESCO toplantısı var. Bunun seyahatini organize edeceğiz. Davet edeceğiz, gideceğiz. Uzmanların gelmesi gerekecek, toplantıları burada yapmak durumundayız, okullarla, kurumlarla. Eğitim faaliyetleri de bunun parçası. Bu sistemin yürümesi için ciddi bir bütçeye ihtiyaç var.

Alan başkanlığının idari fonksiyonları için bütçeye ihtiyaç var. Yoksa bütçemiz olsun derken proje paketleri yürütülmesi için olan bütçe değil. O da doğru değil zaten, çünkü alan başkanlığının ana fonksiyonu eşgüdüm. Para alıp da projelere harcamak anlamında hiç değil. Yanlış da olur zaten. Bunun için zaten sistemler, mekanizmalar var, belediyelerce harcamaların yapılmasının çok ciddi bir bürokratk mekanizması var, o bütçeye bizim müdahalemiz sözkonusu değil. Onun yönetiminde biz hassaslık

gösteriyoruz. Yeni yasa taslağı diyor ki proje paketine eşgüdüm kararlarına uymayan kurumların özel idare bütçesinden yararlanması önlenir diyor.

Yani kendisi de bütçe alamayacak artık uyumsuz olursa. Ama taslakta hatalardan bahsettim ya, özel idare gibi bir yapıdan bahsediliyor. Kapanıyor halbuki. Taslak kararın ne kadar acemice kaleme alındığının somut örneği. Eski bir hazırlığı pişirip de gündeme getirmiş olabilirler.

il özel idaresi yerine belki Valilikte bir birim olabilir veya büyükşehirde bir birim olabilir, karşılıklı irtibatta olabilirler. Bizden ziyade belediyenin düşünmesi lazım özel idarenin kapanmasını. O fonlar nasıl kullanılacak, bundan sonra o önemli.

Şu anda birçok idare proje paketleri görüşmelerini rutin toplantılardan biri olarak algılamış durumda. Hatta öyle ki idareler direkt muhatap aldığımız kişilerden oluşmuyor. İlişkiler o kurumsal yapının içerisinde yazışmalar, kaynayıp gidiyor. O nedenle biz şöyle bir süreç başlattık. Kurum nezdinde direkt muhata oluşması için tüm kurumlarla yazışma yaptık. 90 kurumla yazışma yaptık ve bu kurumların üniversiteler dahil resmi kurumlar dahil bu kurumlarda alan yönetimi ile irtibatın direkt olacağı ve yazışmalarda muhatap olacağımız kişilerin belirlenmesini istedik. Bazı kurumlarda yüzlerce, binlerce kişi var. Biz yazı gönderiyoruz, o içeri gitmiyor biliyor musunuz? Bir de sıfırdan anlatmak zorunda kalıyoruz. Şunu yapmaya başladık biz: Yaşarken bu sıkıntıyı gördüğümüz için tüm kurumlarla yazışmaya başladık. Hemen hemen hepsi dönüş yaptı. İsimleri, yedek ve asil üyeleri belirttik.

Her kurum iki kişi belirtti. Telefonla da bilgi veriliyor. Tamamını toplantıya davet ettik. Proje paketleri çerçevesinde kurumsal görüşünüzü değerlendirip toplantıya gelin diye. Yönetim planının hassasiyetini, beklentilerini daha somut kendileriyle paylaştık. Bunun tabii iki yönü var: Birincisi proje paketlerinin hayata geçmesinin zorunlu olduğunu asıl muhataplara ifade ettik. Çünkü kurum onu yetkili kıldığı için bizim için muhataptır artık. Mesela bir üniversite, Istanbul Üniversitesi, kimi muhatap alacaksınız? Kişiyi somutlaştırdık bu sayede, pratik bir çözüm oldu, grup grup toplantıya çağırdık. Proje paketlerini çalışmak üzere. Kendileri de kendi konuları ile ilgili konuları proje paketine yönelik kurumsal görüşünü ifade etsin diye. Bunun iki yönü var: Hem proje paketlerinin hayata geçmesini hızlandırmak, hem de Kurum olarak bunları değerlendirdiği zaman, muhtemel eksileri artıları, revizyonu değerlendirebilmek. Yıllık, 5 yıllık. Çok genel bir çalışma yöntemi biliyorsunuz yönetim planı. Uygulamaya geçince birebir sorunları görüyorsunuz. Mesela geçen bir toplantı yaptık büyükşehir konuları için genel sekreterle. Şimdi daha net bir toplantı daha yapacağız bu hafta veya gelecek hafta. Büyükşehir genel sekreteri, yahu ne kadar çok sorunumuz varmış diye bir kez daha net bulguladı. Kurumlar daha net, daha somut görmeye başladı sorumluluklarını. Dediğim gibi bu kişilerin muhatap alınması bizi noktasal olarak ileriye götürecek diye umuyoruz. Geri dönüşler açısından umduğumuz geribildirimi henüz alamadık. Hepsinden yazılı istiyoruz. Kurumların muhafazakar

yapısı vardır, o yapıyı kırmak çok kolay değil. Biz de çok hayalperest de değiliz bu konuda. O yüzden bir adımdır, önemlidir diyoruz. Ama bunun da yavaş yavaş yeşermeye başladığını şundan görüyoruz. Artık bazı kurumlar ilk başta ifade ettiğim gibi birçok plan kararlarını, planlama safhasında dahi görüş sormaya başladı. Mesela 16-9 gibi iş bittikten sonra istişarenin bir anlamı yok. Yaşanan sıkıntıları, izlenecek yolları ifade ediyoruz. Hem kişileri, hem kurumları.

Öyle bir planlı süreç yoktu, eşgüdümlü süreç yoktu. Bunun şu faydasını gördük toplantılarda, kurumların kendi içinde de eşgüdümü yok. Bu sayede birbirlerinden haberdar oldular. Çok bilimsel değil, çok gerçekçiyiz. İyimser gerçekçiyiz, pozitif bakmaya çalışıyoruz.

Yasada hiç yaptırım gücü yoktu ama bu taslak o eksikliği giderme çabasında. Fakat bunu denetlemesi, uygulaması zor bir şey, zorunlu olsa bile uygulaması zor. Ne kadar proje planına uyup uymadığı nasıl tespit edilecek?

Koruma kurullarının nasıl yetkisi var, bu yetki adam başlarında olursa eğer, bir krallık oluşur. Çok abartılı bir güç olur, o da doğru değil. Alan yönetiminin asli fonksiyonu eşgüdüm. Eşgüdüm, uzlaşma olmazsa zorla yürümez. Hele hele daha yeni bir konu bu, daha ilk yönetim planında, emekleme safhasında ayakları tam yere basmadan böyle büyük yetki ile donatılırsa alan başkanlarının elinde kullanabilecek bir güç olur, o da doğru değil. Belki de yasa koyucu, oluştururken yasayı o endişeyi taşıyarak bu büyük gücü vermedi. Alan başkanının gücü, 90 küsur kurumun tepesinde Demokles'in kılıcı gibi ekstrem bir güç.

Uygulama açısından zamanla ilgili somut bir şey olmadı ama zaman çok izafi bir şey. Niye? Uzun vadeli projeler için. Ama uzun vadeli proje paketinde birçok çalışmalar başlamış. Uzun vadeli demek başlamayacak anlamına gelmiyor. O yüzden bu zamanlama bu revizyon sürecindeki eşgüdüm toplantılarında ele alınabilecek bir konu. Kurumlarımızın yapabilirliğine göre revizyonu açık bir şey. Keskin bir yaptırım olmaz kanaatindeyim.Hatırlatma babında. Bu ne kadar yeter? Yetmez. Mutlaka bir kontrol mekanizması olacak.

Tüm kurumların inanması lazım. Şu eseri koruyamıyoruz. Basit bakım onarımlara Bakanlık izin vermiyor. Niye? Üç sene önce müdahale edilseydi. Amacımız eseri korumak. Kamulaştırmaya kalkıyorsunuz, 100 yıl olmuş. Aslında bizim onu yapmamız lazım. Bakanla toplantı yapmamız lazım. Ya da 12'sindeki toplantıya onun da çağrılması lazım. İpek Hanım'a şunu söyledim: Basit bakımlar için bir madde konulamadı. Böyle serzenişte bulundum. Bir daha yazar mısınız dedi. 10 milyon bir kavşak. Bir kavşak yapılmasın, 100 tane eser ayağa kaldırılır.

Alan yönetimi, bunun önceliğini vurgulayacak. Kurul da ikaz edecek. Tüm proje paketi çerçevesinde bunun yapılması gerekli diyecek. İlgili kurumun kaynağı zaten var. O kaynağı kullanabilecek. Ama mevzuat müsait değil. O bize güç katar, o nedenle

bu tür eleştiriler bazen olumlu. UNESCO'ya kızıyoruz bazen. Neyse ki iyi bir diyalogumuz var.

GÖRÜŞÜLEN KİŞİ	**Hasan SİPAHİOĞLU**
GÖREVİ	Alanya Belediye Başkanı
TARİH	07.10.2010
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Alanya Belediyesinin yönetim anlayışı; tarih ve kültürün hakim olduğu yerel yönetim anlayışıdır. Halkı katmak, gelenekleri korumak, kültürel dokuyu bozmadan yaşatarak yarına aktarmak, 5393 sayılı belediye kanunu ile de Belediyelere yüklenen bir koruma sorumluluğudur.

Alan yönetimini vatandaşın içselleştirmesi belediyenin işini kolaylaştırıcı bir unsurdur. Halk işin içinde yoksa alan yönetimi olmaz. Alanya belediyesinin anlayışı müzecilik, bakanlık, yerel yönetim ve mülki idarenin birlikte çalıştığı bir alan yönetimini sağlamak.

Alan yönetiminde bütçe çok önemli. Ancak mevzuatta hangi kaynakların nasıl kullanılacağına ilişkin bilgi yok.

Kaynak kullanımı açısından %10 emlak vergilerinden gelen katkı önemli. Bu payın herhangi bir bürokrasi gerektirmeden doğrudan alan yönetimi hesaplarına aktarılması gerekiyor. Benzer şekilde milli piyango ve spor totodan da bu konuda pay aktarılabilir. Ya da mesela ören yerlerine ait gelirlerin %40-50 si bu alana aktarılabilir.

Alanya Belediyesi KUDEB' i alan yönetimi emrine vermiştir.

Alan yönetimi Stratejik plana dahil edilmiştir. Aksi takdirde nasıl bütçe verilir? Mesela Istanbul da stratejik planda alan yönetimi yoksa nasıl bütçe aktarılacak?

GÖRÜŞÜLEN KİŞİ	**Seher TÜRKMEN**
GÖREVİ	Alanya Kalesi ve Tersanesi Alan Başkanı
TARİH	06.10.2010
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Önce Alanya' nın durumundan bahsetmekte fayda var. Kale yaşayan bir mekan. 500 kişilik nüfusu var. Sadece Kültür Varlığı kategorisinde 68 yapı var. Toplam yaklaşık 120-130 tescilli varlık var. Helenistik dönem, Roma, Bizans, Selçuklu ve Osmanlı dönemi izleri var. Evliya Çelebi tarafından 'sarnıçlar kenti' olarak tanımlanmış. Sur içinde 400 kadar sarnıç var. Sarnıç halen konut içlerinde kullanımda çünkü bu alanda 'su' önemli bir ihtiyaç.

Selçuklu dönemi imar açısından önemli bir alan. Toplam 6 km sur, 140 burç ve 400 üzerinde sarnıç var. Yönetim Planının adı bu nedenle 'Alanya eski kent dokusu ve surları ile Selçuklu tersanesi yönetim planı'. Surların henüz tamamının rölövesi yok, yapılması için çalışmalar başladı, ihale edilerek yaptırılacak.

Alan yönetimi kapsamında proje üretimi de yapılıyor.

Burada önemli nokta yönetim planının eylem planı bölümü mutlaka yerel halk ile paylaşılarak ve yerel yönetimce çözümlenmeli.

Tarihi Kentler Birliği-Tarihi ve Kültürel mirası koruma proje ve uygulamalarını özendirme yarışmasında Danışma Kurulu özel ödülü Alanya Alan yönetimine verildi.

Bana göre alanda sorun tespiti, paydaşlarla görüşme, uzmanlara danışma, önerilerin oluşumu, halkla paylaşımı, onay, ödenek sağlanması = Alan yönetimi süreci

Alan başkanlığından önce ben KUDEB kurulmasını istedim, bu yönde Belediyeden talepte bulundum. Belediye İmar Müdürlüğü içinde 2007 yılında KUDEB kuruldu. KUDEB personeli 3 ay Antalya Koruma Kurulunda staj gördü, dokümanlar tarandı ve fotokopi alınarak Kurulun elindeki bilgilerin Alan Yönetimi arşivinde de olması sağlandı.

Alanyanın geçici listeye başvuru tarihi 2000. İlk başvuru Şubat 2009 da yapıldı. Eksiklikler tamamlanarak Şubat 2010 da yeniden başvuru yapıldı daimi listeye katılmak için.

Ancak Türkiye' de UNESCO nedir?, adaylık dosyası nasıl hazırlanır bilen yok, bu başlangıçta bu işin nasıl yapılacağı yönünde rehberlik edecek kimsenin olmamasına yol açıyor.

KAİP' lerde eylem planı yok, süre yok. Bu eksikliği alan yönetim planı tamamlayacak. Bu konuda hiyerarşi KAİP, Alan yönetimi Planı ve Alan yönetimi eylem planı olarak sıralanmalı.

2007 sonunda KUDEB kurulmasından sonra alan yönetimi çalışmaları başladı. Yönetim alanı sınırları 1.derece arkeolojik sit alanı sınırları + etkileşim sahası = alan yönetim planı sınırları olarak belirlendi.

Alan sınırı önerisinden sonra tüm paydaşlarla iki koordinasyon toplantısı yapıldı. Sonra yönetim planı ekibi içinde kimler olacağı belirlendi, ekibe gerek gönüllüler gerekse Belediye çalışanları görevlendirme yoluyla katıldı.

Her yönetim planı kendine özgüdür düşüncesiyle sadece yöntemi öğrenmek düşüncesiyle bir danışmana ihtiyaç duyuldu. Alanya'da Giora Solar seçildi. Alan yönetimi planı tek başına ne danışman ne de alan yönetimi tarafından değil, ekip çalışması sonucu ortaya çıktı. Yani danışman planı yazmıyor, daha çok rehberlik ediyor.

Alan yönetim planı;

- Sorun nedir?
- Neler, hangi yöntemlerle yapılmalı?

Sorularına cevap arıyor.

Mevcut durum tespiti (KAİP' le bağlantılı) alan yönetiminin birinci amacıdır. Bu nedenle alan yönetim planından önce KAİP olmalıdır.

Çin, Split, Kudüs te hazırlanan alan yönetim planı örnekleri Giora Solar tarafından anlatıldı.

2 Mahalle muhtarı (Tophane ve suriçi mahalleleri) temsilci olarak hep bizim yanımızdalardı.

Yönetim Planının parçaları olacak alt eylemler de, otların temizliği, elektrik direklerinin kaldırılması, tur güzergahlarının belirlenmesi, bilgi panoları gibi alan yönetim planı hazırlık çalışmaları esnasında eşgüdümlü olarak gerçekleştirildi. KAİP' in öngördüğü Kızılkule-Tersane arasının denizcilik-gemi müzesi olarak düzenlenmesi yani eksen projesi işine Alan Yönetimi çerçevesinde başlandı. Ve bu alan Bakanlık-Müze Müdürlüğünden Belediye' ye devredilerek/tahsis edilerek, proje protokolü ile Belediye tarafından projelendirildi. Bunun ödenekleri farklı farklı yerlerden geldi. Bu

kaynağın idaresi de alan yönetimine ait. Ancak farklı kaynaklardan gelen ödeneğin kullanılmasında güçlükler olabiliyor.

Bu çerçevede finansal aynak arayışı başladı. Istanbul Kültür Ajansından UNESCO Miras Listesi için ayrılmış bir kaynak olduğu tespit edildi. Ajansın yönetmeliğinde böyle bir madde varmış. 800.000 TL. bu kaynaktan alındı. Ancak bu para seçim dönemi ile çakışması nedeniyle ajans tarafından ayrıldıktan 2 sene sonra kullanılmaya başlanabildi.

Diğer alan yönetimleri Istanbul, Edirne, Afrodisyas, Kütahya, Kars-Ani- Başkanı istifa etti, Bursa, Çatalhöyük, Efes ve Ahlat-yeni kuruluyor.

Bakanlığın atadığı alan başkanları DÖSİM den maaş alıyor. Alanya için maaş ödemesinin nasıl yapılacağı Bakanlığa sorulduğunda Bakanlık Belediyece konunun değerlendirilmesi yönünde bir cevap verdi. Bunun üzerine böyle bir ödeme ilk birkaç ay için Belediye tarafından yapıldı. Ancak Sayıştay denetiminde bu ödemenin mevcut yönetmelik çerçevesinde yapılamayacağı yönünde bir cevap alınınca ödeme kesildi.

Diğer personel açısından ot temizliği için Belediye tarafından 8 personel alan yönetimine tahsis edildi. Bazı elemanlar müteahhit üzerinden görevlendiriliyorlar.

Uygulamada KAİP alt projeleri ile Yönetim Planı alt eylemleri birlikte planlanmaya başlandı.

Kızılkule yanındaki Hamamlı ev Belediye Kültür Müdürlüğü ve Alan Yönetimi Başkanlığına tahsis edildi ve Alan yönetimi merkezi oldu. Şu anda burada arşiv çalışmaları da yapılıyor. Yine Kızılkule çevresinde bir başka ev daha restore edilerek alan başkanlığına tahsis edilecek.

Sekreterya, bütçe ve büyük projelerin yapımında Belediye desteği önemli.

Alanya Belediyesi stratejik planında Alan yönetimi var. Stratejik planda alan yönetimine yer verilmesi önemli. Stratejik planda Belediye yetkili idare olarak alan yönetimine bir başlık açarak bu noktada yapacağı eylemleri sıralamalı, yıllık ve 5 yıllık planlardan söz etmeli. Böylece stratejik planın belediye meclisince onaylanması yoluyla da bir taahhüt yaratılmış oluyor. Bu yolla bütçeleme ve ileriye yönelik taahhüt ortaya konmuş oluyor. Aynı şey yetkili idare olarak Belediye yerine Bakanlık olduğunda da geçerli. Bu kez de Bakanlık Stratejik Planında ilgili alan yönetimine yer verilmeli. Dolayısıyla alan yönetimi stratejik plandaki öngörüler doğrultusunda taleplerini iletebilecek. Yani alan yönetimi kendi stratejik planını kendi içinde yapıp, daha sonra gerekli konularda öncelikleri Danışma Kurulu ile belirleyerek yetkili idarenin stratejik planına aktarılmasını sağlamalıdır. Böylece yetkili idare meclisinde onaylanacak Stratejik planda alan yönetimi ihtiyaçlarını giderecek taahhütler olacak. Stratejik planda alan yönetimi planı, eylem aralıkları, gerekli ödenek ve süre belirtilmeli.

Alan yönetimi başkanlığı kendi ihalesini kendisi yapmamalı, ancak teknik şartnameyi hazırlaması doğru olur. Alan Başkanı aynı zamanda harcama yetkilisi olmamalı. Zaten stratejik plan yapılacak eylemleri taahhüt altına alırsa bunları gerçekleştirmek açısından sorun olmaz. Bana göre alan yönetimi yerine göre belediye ya da bakanlık içinde bir yapılanma.

Yönetmelikte bulunmamasına karşın Alanya Alan yönetimi sınırlarında Koruma Kurulunun onayı alındı. Yönetim planı tamamlandıktan sonra son halinde de alınacak.

Mali konular açısından il özel idare katkı payında ; eğer bir alanda alan yönetimi varsa bu fonun alan yönetimine aktarılması gerektiği yönünde bir madde olmalı. Ancak bu fonun adil bir şekilde dağıtımı da önemli. Çünkü aslında o fon her yerel birimin kendi paylarına yani emlak vergilerine orantılı biçimde dağıtılmalı.

Kızılkule yanındaki hamam müzeye tahsisli bir alan. Restorasyonu da kendisine tahsis yapılan kurumun yapması gerekiyor. Bakanlık yetki alıp projesini yapacak, uygulama yapmak için belediye kendisine tahsis edilmesini istemeli. Yeni Belediye kanunundaki maddeye dayanarak belediyenin kendisi yerel yönetim olarak korumadan sorumlu. Esasen bu maddeye dayanarak tahsis vb. bürokratik işlemlere başvurulmadan uygulama yapılabilmeli. Mesela benzer şekilde Vakıflar alanda herhangi bir işlem yapacaksa alan yönetimine görüş sormalı. Oysa mevcutta böyle bir uygulama yok. Hatta alan içindeki mescitte Vakıfların yaptığı yanlış restorasyonlar müze tarafından Koruma Kurulunu bilgilendirmek suretiyle durdurulması sağlandı.

Bakanlık her müzeden stratejik plan istedi. 80 müzeden sadece 2 si yanıt vermiş. Ancak Bakanlıktada stratejik plan yapımı konusunda her birim farklı şeyler düşünüyor. Müze stratejik planı 2009 başında yapıldı.

Alanya alan yönetiminde ayrı bir bütçe yok. Belediyeye ayrı bir yazı yazmıyoruz, sözlü olarak talebimizi iletiyoruz ve belediye tarafından alan yönetimi ihtiyaçları karşılanıyor.

Alan yönetimi çalışanları yaklaşık 10 kişi. Bunlar Belediyede görevli, bazıları ise müteahhit üzerinden görevlendiriliyor. KUDEB de çalışan kişiler aynı zamanda alan yönetiminde de görevli.

Ben alan yönetimiyle ilgili bu konularda hazırlık çalışması olması için Japonya-Hiroşima da Birleşmiş Milletler' in (UNİTAR) bir çalıştayına katıldım. Orada bir örnek alan yönetim çalışması hazırladım ve , sunum yaptım.

Alanyada mevcut durumda alan yönetim planını bir firma yapmış görünüyor, firmanın danışmanı Giora Solar. Aslında planı ne Giora Solar ne de alan yönetimi tek başına hazırladı, plan ortak bir çalışma sonucu ortaya çıktı.

Esasen alan yönetiminde alan başkanlığına geniş yetkiler tanıyan maddelerin ilgili bölümleri ilgili kurumların mevzuatında da yer almalı. Yoksa bu mevzuat eksik kalıyor.

Alan yönetimi kaynağı olarak il özel idarelerindeki emlak vergisi %10 payları Valilikten onay yazısı alınarak kullanılıyor. Ancak bu para ilçelere göre belli bir dağılımla alan yönetimi olan yerlere dağıtılmıyor, ortak bir havuz niteliğinde. Vali izni olmadan kullanılamayan bir fon.

GÖRÜŞÜLEN KİŞİ	**Prof.Dr.Neslihan DOSTOĞLU**
GÖREVİ	Bursa Alan Yönetimi Başkanı
TARİH	10.09.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Alan Yönetimlerinin maddi olarak sorunları var, çünkü kendi bütçeleri yok ancak belediyelerin destek olması gerekiyor. Dolayısıyla bu bir sorun ama biz Bursa'da bu sorunu aşıyoruz. Bursa Belediyesi çok istediği ve desteklediği için bu sorunu aşıyoruz.

Açıkçası ben ve Fadime BOZTAŞ (Bursa Alan Başkanlığı Koordinatörü) aynı zamanda başladık. Fadime Istanbul'da, Istanbul'un kültür başkenti olma sürecinde çalışmış, bir süre orada görev yapmış ve bu konularda epey deneyimi var. Ben Bursa'yı çok iyi bilen bir kişiyim. Aslında iyi bir kombinasyon oldu. Çünkü Bursa'yı ben Nur Akın hocayla konuştum. Hocam kabul edeyim mi, etmeyeyim mi? Bu iş çok önemli, yapamayacağım bir şey ise hiç altına girmeyeyim diye konuştum. Hoca da dedi ki senden daha iyi birini bulamazlar yani sen ideal bir kişisin dedi. Çünkü hakikaten kurul başkanlığı yaptım, 10 yıl da kurulda çalıştım, Bursa'da bölüm başkanlığı yaptım uzun süre kuruluşunda yer aldım. Mimarlar Odasının yönetiminde yer aldım. Valiliğin, belediyelerin çeşitli danışmanlıklarında yer aldım. Sayısız workshop, yarışma ve kitaplarım var. Dolayısıyla benim büyük bir bilgi birikimim var. Belediye de bundan açıkçası yararlanmış oldu. Bana teklifte bulunurken, benim Bursa ile ilgili yapmış olduğum bütün bu çalışmaları değerlendirerek bana bu teklifi yapmış oldular. Ancak sana açıkça söyleyeyim bazı şeyleri de tam bilmiyordum mesela yönetim planını çok iyi bilmiyordum, işin içine girdikten sonra nasıl hazırlanır, detaylarını bilmiyorum. Genel olarak, kavramsal olarak biliyordum ama belediyede çok iyi bir ekibimiz vardı. Sanat tarihçileri, mimarlar var. Fadime Boztaş siyaset bilimcisidir. Alan yönetiminde koordinatör olarak görev yapıyor.

Belediye de böyle bir ekibin olması iyi bir şey. Çünkü biz mesela dışardan ihaleyle hizmet satın alıyoruz. Diyelim ki arama toplantısında Adnan Ardamar Unicom şirketi yapıyor. Yönetim Planının genel çatkısını Akan Mimarlık yapıyor. Ama belediye bu ihaleleri parçalayarak yapıyor. Tek bir ihalede rakamlar çok büyük olur ödeyemeyiz diye onları parçalayarak ele aldılar. Dolayısıyla ben göreve başlamadan zaten adaylık başvuru dosyasını hazırlamak üzere Giora Solar'ı Belediyeye Kültür Bakanlığı önermiş. Belediye de Giora Solar'la anlaşma yapmışlar. Bakanlık yapmamış bu

anlaşmayı, Bursa Büyükşehir Belediyesi yapmış. Öneren bakanlık anlaşmayı yapan belediye. Bursa Büyükşehir Belediyesi 2000 yılında bir başvuru yapmış fakat tek sayfalık uyduruk bir dilekçe hazırlamışlar. 9 yıl 10 yıl hiçbir şey yapılmamış. 2009-2010 yıllarında bu iş biraz hareketlenmiş, ivme kazanmış. 2011 yılında Giora SOLAR ile anlaşmayı imzalamışlar. Ama bu arada hep bana soruyorlar, ben de Bursa'da sevilen, sayılan bir insan olduğumdan Giora Solar şunları önerdi ne dersiniz diye. Ben de Nur Hocaya soruyorum, Büyükşehir Belediyesinden geldiler diye. O zaman ICOMOS Başkanıydı Nur Hanım. Onunla tanıştırdım. Hocanın da görüşlerini aldık, ondan sonra Nur Hoca da Giora Solar'ı çok methetti. Alanya'da iyi bir çalışma yaptığını söyledi. Onun üzerine Büyükşehir Belediyesi, ben o zaman işin içinde yoktum anlaşma yapıldığında sonradan bana da bu Alan Başkanı olması gerektiği ortaya çıkınca bir takım sempozyumlar, seminerler yapıldı.

Ancak Bursa Büyükşehir Belediyesi UNESCO Dünya Miras Listesi'ne başvuracağım diye bu seminerleri falan yapmıyor. Yani biz çoktan yol almış durumdayız. Mesela ben şimdi diğerlerini izlediğim zaman Diyarbakır'la ya da Bergama ile biz aynı zamanlarda başlamışız ama onlardan ilerdeyiz. Onlar mesela bu işe başladıkları zaman biz onlarla ilgili sempozyum yapalım diye düşünmüşler. Oysa ben onların içinde oldum yani biz birkaç tane kitap yaptık, editörlüğünü ben yaptım. Mahalleler kitabı, çarşı kitabı, kaleyle ilgili sempozyumlar yaptık. Bunları zaten süreç içinde yaptık, hatta daha başlamadan bile yaptık diyebiliriz. Son 3-4 sene içinde hem kitaplar yazıldı, hem de sempozyumlar yapıldı. Zaten biz yola çıkmıştık, yol almıştık. Sonra paydaşlarımızla başka şeyler de yapıyoruz mesela her hafta mutlaka düzenli olarak toplanıyoruz. Her hafta mesela gerekirse alana gidiyoruz, Vali'yle konuşuyoruz, Büyükşehir'le konuşuyoruz, Cumalıkızığa gidiyoruz. Alanların sınırlarının belirlenmesinde sürekli olarak ve adım adım bütün ekip çalışıyor, soruyoruz, soruşturuyoruz yani güzel bir birliktelik var, hiçbir sorunumuz yok diyemeyiz. Bazen grup içinde anlaşmazlık olabiliyor, farklı şeyler düşünülüyor olabiliyor ama orta yolu bulabiliyoruz. Bunda belediyenin azimli olması, iyi niyetli olması, maddi harcamalardan kaçınmaması önemli bir etmen yani bunun da bir yolu yöntemi bulunuyor. Baştan biz diyelim ki herşeyi AKAN'a verseydik çok büyük bir meblağ olacaktı. O nedenle parçaladık. Mesela arama toplantısı için 3 firmadan teklif alındı. Mesela en pahalı vereni seçmedik te ikinci vereni seçtik. Üçüncüye de güvenemedik.

Alan Yönetimi kendi harcamalarını kendisi yapsın, özerk bütçesi olsun diye bir çalışma yok. Büyükşehir Belediyesiyle birlikte çalıştığımız için zaten problem olmuyor. İyi bir ekibin mutlaka olması gerekiyor. Özellikle bizim Yönetim Planı Akan Mimarlık tarafından hazırlanıyor. İş bittiği zaman Akan Mimarlık Bursa'ya ne kadar gelir ne olur o belli değil. Ama şimdi bir ekiple her hafta toplantı yapıyoruz, dolayısıyla ekip her zaman işin içinde ve neyin nasıl yapıldığını biliyorlar, öğreniyorlar, dolayısıyla bu işi sürdürecek bir personel durumu olmuş oluyor. Bu da çok önemli bir faktördür. Biliyorsun o gün konuşulmuştu. Biz Danışma Kurulu toplantıları, Eşgüdüm

Toplantıları yaptık. Bu toplantılarda paydaşlardan bir tanesi bir gazeteci web sayfası kurulmasını önermişti. Biz de kabul ettik. Başka bir şey mesela logomuzu da kendi ekibimiz hazırladı.

Tek bir Yönetim Planında seri adaylık dosyası hazırlıyoruz. Bursa Alan Başkanlığı belediyenin elemanlarıyla oluştu. Hepsi belediyede çalışıyor. Bunlardan 3 tanesi; Fadime Hanım, teknik eleman Ahmet Bey ve sanat tarihçisi Eser Çalıkuşu sürekli Alan Başkanlığı'nın işleriyle uğraşıyor. Diğer 3 kişi mimar restoratör Birben Durmaçalış, Yüksek Mimar Ayten Başpınar ve sanat tarihçisi Esra Çobanoğlu ise belediyede yaptıkları başka işleri de olduğu için yarı zamanlı olarak Alan Başkanlığında çalışıyorlar. Yarı zamanlı çalışıyor olsalar da bütün toplantılarımıza katılıyorlar, bire bir onlara görevler veriliyor ama onların yükleri çok oluyor. Aynı zamanda belediyenin görevlerini de yapıyorlar, ama hepsi belediyenin tam zamanlı elemanlarıdır.

Bursa'daki bu alan yönetimi yapısı Belediye' de Etüt Projeye bağlıdır.Ben dışardan görevlendirmeyle atandım. Üniversiteye yazı yazdılar, Bölüm Başkanı, Dekanlık ve Rektörlük onayından sonra kurumumdan izin aldım ve yazılı olarak görevlendirildim.

Yasal anlamda mevzuat açısından bazı şeylerin net olmadığını düşünüyorum. Mesela Danışma Kurulundan 2 kişi seçiliyor, Eşgüdüm'e aktarılıyor. Vali Yardımcısı Mustafa Karslıoğlu arama toplantısına katılamıyor. Çünkü gerekçesi de eşgüdüm olarak biz denetleyeniz diyor. Çünkü kendisi Eşgüdüm Kurulundaymış. Hem eşgüdümde hem de arama toplantısında olamam diyor. Oysa Istanbul'da herkes bütün toplantılara katılıyor. Aynı şekilde Kültür Bakanlığındaki bir daire başkanı ve bir genel müdür yardımcısı (Serhat Akcan) da arama toplantısına katılan eşgüdüme katılamaz diye böyle bir düzenleme olmadığını söylüyor. Katılması iyi olur. Sonuçta yapılan işleri yerinde görürse eşgüdümü yapacak kişi olarak daha farklı görür, sahiplenir, haberdar olur. Eşgüdüme seçilecek üyelerle ilgili olarak Fadime Hanım dedi ki; Danışma Kurulundan 2 kişi seçilecek, onlar eşgüdüme gidecek ve Danışma Kurulu üyelikleri düşecekmiş. Oysa böyle bir şeyin olmaması gerekiyor. İclal Hanım böyle bir şey yok diyor. Danışma Kurulundan Eşgüdüm Kuruluna seçilen üyelerin her iki kurulda da üyelikleri devam ediyor. Istanbul'da böyleymiş. İşte bu gibi hususların yönetmelikte açıkça belirtilmesi gerekiyor. Bursa'da kurulların üyelikleri oluştu.

GÖRÜŞÜLEN KİŞİ	**Prof.Dr.Aykut KARAMAN**
GÖREVİ	Afrodisyas Yönetim Planı Yapımcısı
TARİH	31.01.2013
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Bir danışma kurulu var, onun üyelerini bakanlık seçiyor. Kentsel alanın dışındaki alan başkanlarını doğrudan bakanlık atıyor. Danışma Kurulu ve Eşgüdüm ve Denetleme Kurulu şeklinde iki yapı var. Danışma Kurulu üyelerini Ankara seçiyor. Bu Danışma Kurulu 3 kişilik üye seçiyor Eşgüdüm ve Denetleme Kuruluna. Bünyesinden çıkarıyor. Bu üç kişi bir rapor yazacak: Değerlendirme Raporu. Raporda ya kabul edilecek ya da düzeltilecek yerleri belirleyecek. İş bitiyor. O raporu Ankara'ya Danışma Kuruluna, vakfa (Geyre Vakfı, aynı zamanda sponsor) ve bize araştırma merkezine gönderecek. Ankara da UNESCO sürecini başlatacak. Adaylık süreci başlamıştır. Şu anda aday. Dünya mirasına kabul edilebilmesi için yönetim planının olması lazım. Ondan sonra Ankara, UNESCO nezdinde girişimlerde bulunacak. UNESCO' da onu gündemine alacak. Her sene Şubat ayında toplanıyor. Sadece Türkiye değil tabi, bir çok ülkeden seçiyorlar. Gündeme alıyorlar, orada konuşuluyor, tamam deniyor ve tescil ediliyor. Dünya mirasıdır diye bir sertifika gönderiyorlar.

Alan Başkanı atandı. Eski müze müdürü alan başkanı oldu. Mehmet Yılmaz Kültür varlıklarını koruma kurulunda Aydın bölgesi başkanı. Mehmet beyin alan başkanı olması iyi oldu. Aydın'da uzun süre kalmış müze müdürlüğü yapmış hala orada yaşayan birisi. Raporların bir özelliği var: yönetim planının 2 yılda bir 5 yılda bir revize ediliyor olması lazım. Birisinin de bunu koordine etmesi gerekiyor.

Alan yönetiminin bürokratik yapılanmayla ilgili sıkıntıları var. Bunları proje paketleri olarak yazdık. Bunlardan birisi mevzuat. Konu ile ilgili mevzuatın olgunlaştırılması. Alan başkanını kim atayacak, bütçesi ne olacak yetkisi ne olacak bu konular açık değil. Bu konuyla ilgili yasal düzenlemelerin yapılması lazım. Her ne kadar operational guideline var ise de sonuçta alan başkanını bakanlık mı atayacak belediye mi atayacak. Burada büyükşehirde belediye atadı. Kentsel sit alanını belediyeye, arkeolojik sit alanını bakanlığa bağlamış.

Alan başkanı olgusunu, yetkisini, bütçesini, görevlerini çok iyi tanımlaması gerekir. Mevzuata girmesi lazım. Bu konuda boşluk var. Bağımsız bütçesinin olması lazım.

Sonuçta bütün alan yönetimi planları diyor ki: sorunlar şunlar, bu sorunların çözümüne yönelik proje paketleri şunlar, çözecek kurumlar birimler STK'lar bunlar diyor. Tamam da bu işin koordinasyonunu alan başkanı yapacak. Alan başkanı şimdi proje paketlerini nasıl harekete geçirecek ? Proje yürüyor mu yürümüyor mu bakacak. Bütçeye ihtiyacı var. Hatta sekretarya ya bile ihtiyacı var.

Alan yönetim planı sonuçta bir rehber. Stratejik konuları içeriyor. Bunu birisinin takip etmesi lazım. Ankara da Kültür Bakanlığı diyor ki, benim işim başka. Alan yönetimi başkanlığı var o yapsın diyor. O zaman sen bunun yetkilerini, sınırlarını tanımla, bütçesini tanımla, personelini belirle ki takip edebilsin. Buradaki (Istanbul'daki) şanslı. Büyükşehrin yanında, mekanı var. Belediye başkanı Kadir beyden bir şey talep ediyorlar o hemen yapıyor. Arkeolojik alanda ise bakanlıkla ilişkiler kopuk ve sorunlar kolay çözülemiyor.

Afrodisias'da alan başkanı sen ol dediler. Ben nasıl olurum? Burada işim var, gidemem. Profesyonel bir iş olması lazım. Etik olarak alan başkanının yürütücü olarak benimle temas halinde olması gerekir. Kritik durumlarda toplantıya çağırması veya sorması gerekir. Revizyonlarda devreye girmemiz gerekir. Bakanlıkla Geyre Vakfı (Vakıf Afrodisiasa yıllardır hizmet eden Koç grubunun bir aile vakfı) bir protokol imzalıyor. Bakanlık bu işleri yani yönetim planını yaptırma yetkisini vakfa veriyor. Vakıfta kendi olanaklarıyla bunu yaptırıyor. Geyre vakfını Sevgi Koç kurmuş. Yıllardır oraya sahip çıkıyorlar. Yardım ediyorlar. Müze binasını yaptılar. Sergi salonu yapıldı, çıkan heykelleri sergiliyorlar. Alan yönetimi planının sponsorluğunu vakıf yaptırıyor. Tüm masrafları vakıf karşılıyor. Ödemeleri, gidiş geliş konaklama v.b. giderleri karşılıyor. Senede 4 tane workshop yaptık. Plan hakkında görüşler aldık. Paydaşlardan swot analizi yaptık. Çalışan işçiden müdüre kadar herkesin görüşünü aldık. Proje paketleri listelemesi yaptık. Istanbul'daki gibi proje paketi kodlamasını yaptık. Faydası; karar vericinin ya da süreci takip eden alan başkanı veya başka unsurların en azından somut bir belge üzerinden durum tespiti yapabilecek, somut referans alabilecek olmasıdır. Bakanlık planı onayladı. Halkla paylaşıldı. Yönetmelik gereği danışma kurulu toplanacak, onlar değerlendirme raporu yazacaklar. Bakanlığa, bize, vakfa gönderecekler. Vakıf bunu İngilizceye de çeviriyor, UNESCO'ya da gidecek.

Koç üniversitesinde okuyan bir Amerikalı bir kadın öğrenci alan yönetimi üzerine bir master tezi yaptı. Konunun siyasetten arındırılması lazım. Bizim plan 3 safhadan oluşuyor. Her safhanın 10 gün içinde cevaplanması gerekiyordu. 10 gün geçtiği halde cevaplar gelmedi. Biz bu proje paketlerinde Turizm Bakanlığı, Çevre Bakanlığı v.b. gibi taraflar koyuyoruz. Bizim taraflar bunlardır diyoruz. Kaynağı sağlasınlar diyoruz. Bakanlık onlara da gönderiyor. Onların cevapları gecikiyor. 10 gün oluyor size 2 ay. İşler uzuyor. Haklı olarak her kurum bakıyor, olabilir, olmaz veya bizi ilgilendirmiyor gibi cevaplar yazabiliyor. Gelen cevapların çoğu olumlu. Bizde fiziksel anlamda zaman uzuyor, yoksa olumsuz cevap veren yok. İlgilenmem diye az sayıda kurum

cevap verdi. Olumsuz cevaplarda (Proje Paketlerinde) şu kadar para veririm diye bir şey yok. Paketin adı konuyor, iş tarifleniyor ama ne kadar para tutacağı belirlenmiyor. Paranın tutarının ne olacağı uygulama süreciyle ilgili. Parasal konularla ilgili olarak daha sonra da çatışmalar olabiliyor. Alan başkanının bu konuda tam bir yetkisi yok. Ayrılacak ödeneklerin neler olacağıyla ilgili bir belirleme yok. Bunun faydası kilitlenmeyi önlemesidir. Plan yol gösterir. Buranın korunması için sen kurum olarak şunları şunları yap diyor. Yol gösteriyor. Alan başkanı proje paketlerini denetliyor, uygulamaya bakıyor, zaman (vade) koyuyor. Orta, uzun vadede gerçekleşecek gibi. Diyelim kısa vade de gidip bakıyor. Mesela DSİ barajın yeri değiştirecek mi ne oldu diye. Planın esnek olmasının o faydası var. 2 yılda 5 yılda bir revize edilmesinin o faydası var. Bütün bu süreç içinde ortaya çıkan sorunlar bir paket haline gelip yeniden; neler işlemedi, hangi kurum ne diyor, neden para bulunamadı meseleleri o zaman tartışılıyor. Ondan sonra revize ediliyor. Bu sorunlara göre yeni durum belirleniyor. Plan, stratejik bir plan. Toplantıya herkes katılıyor. Plancılar, plancı mantığıyla yaklaşıyor. Bu plan değil diyoruz, rehber niteliğinde, tematik. Belli temalar var. Çoğu zaman bu planlar emredici zannediliyor. Emredici değil tavsiye edici, ama kurulları harekete geçirici bir stratejik yapısı var diyoruz. Uluslararası camiada da (UNESCO'da) buna operational guideline (uygulama rehberi) deniyor.

Proje konusu olarak yönetim planı açısından 1 sene burayı çalıştık, dünyadaki tüm örnekleri çalıştık. Mesela Istanbul Kültür Başkenti meselesini daha onaylanmadan, ortaya çıkmadan 5 yıl önce çalıştık. Biz çalıştıktan 5 yıl sonra çıktı. Aynı şey burada da oldu. Alan yönetimi çalışalım dedik 4. Sınıf öğrencileriyle. 25 tane Avrupa ağırlıklı case çalıştık. Ondan sonra bir gün beni aradılar. Ama sadece o çalışmalardan dolayı değil tabi. 2005 yılında biz Afrodisiasla ilgili çalışmalara başlamıştık. Gene bu alan yönetimi (vakıf adına) oluşturulmasına yönelikti. O zaman yönetmelik yoktu. Alan yönetimi planı dememiştik adına, uygulama rehberi dedik. Daha doğrusu koruma planı için ilkeler diye isim verdik. Yönetmelik ortaya çıktıktan sonra döndü dolaştı iş yine bize geldi. Aslında bu alan yönetimiydi. Politikalar bu işi yönlendirir, yönünden kaydırır, destekler veya vazgeçer ama bunlar nasıl aşılır, kim yetkili, uygulama nasıl olacak tartışılıyor. Alan başkanlığının yasal çerçevesi otururs belki biraz daha işler kolaylaşır.

GÖRÜŞÜLEN KİŞİ	**Prof. Dr. Nevzat İLHAN**
GÖREVİ	Edirne Selimiye Alan Yönetimi Başkanı
TARİH	14.08.2013
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Alan yönetimi yerel yönetimlerle çok ilgili bir konu. Bu bağlamda Türkiye' de bir yerel yöneticinin neler yapabileceğine en iyi örnek Safranbolu' dur. Türkiye' de alan yönetimi konusuyla bağlantısı kurulmayan kurumlardan biri de KUDEB' dir. Bir diğeri de Dünya Mirası Yönetimi. World Heritage Site. Benim Edirne' de yaptığım. Ben 6-8 ay o işi yaptım. Ona uluslararası koruma literatüründe Area Coordinator denir. Bizde Koruma Alan Başkanı deniyor. Bu isimler şöyle önemli çünkü görevi tanımlıyor. Ya yetki verecekler, sana bütçe verecekler yapacaksın. Ya da koordinatörlüğünü yapacaksın. Başkalarının işi ama sen işi koordine ediyorsun. Bu işi birinin yapması lazım. İşte o management planda onlar oluyor. Şimdi bütün mesele verilecek görev değil de projelerin tanımlanmasında ve bunların öncelikle ele alınması ve takvimlenmesi etaplama denilen mekanizmada. Bu senin tam uzmanlık alanın içindedir aslında. Yönetim ve izleme mesela. Çünkü hiçbir kurum yetkiyi paylaşmıyor. Sorun ortaya çıkıyor. Dünya Mirası öncelikli olmalı. Bu alanın işi önceliklidir. En frapan en dokunulabilir örnek bizimkisi. Türkiyede sık dişini 5 tane Area Manager sayamazsın. Bildiğim kadarıyla biz de Edirne' de 3 tane toplantı yaptık. Bergama, Bursa, Alanya' da kabul olmadı dosyalar. Ben yaptım oldu demekle olmuyor bu iş. Yani plan raporu 450 sayfa olursa. Çok büyük çok dallanmış, budaklanmış raporlarla management yapılmaz. Bu belirli projelere bağlanmakla olur.

Yani yönetim biriminde bir şey var. Ne derler, yürümeyen takılan bir şeyler var. Ama bu sorunun karşılığı mıdır o? O ekibin içinde kamu yöneticisi, hukukçu olmalı ama yöneticisi olmamalı. Tercihan mimar olması gerekir. Temel, basic konseptler mimarlıktır. Mimar olacak daha sonra plancı, peyzaj mimarı, iç mimar olsun. Bunlar mimarlık üzerine uzmanlıklardır. Yunanistan' daki İtalya' daki arkadaşlar da meslektaşlar da aynı şeyi söylüyor. Tabii herkes belirli bir titr peşinde. Meslek yaratmak, bütün dünya öyle. Polonya'nın hem araştırma, planlama hem de uygulama konularında çok iyi iş yapanları vardı sonra kalktı. Biz her şeyi yasalarda görmek isteriz. İngiliz- Anglosakson uygulamalarda bu yoktur. Yönetim olgusunda paydaşlar vardır.

Türkiye'de korumanın geleneği arkeologlardan geliyor. Sanat tarihini bile devreye sokmazlardı. Türkiye'deki sistem vakıflaşmaya benziyor. Belki de Amerikan modeline benzetilmeye çalışılıyor, trustlar gibi. Günümüzde bu hükümetçe yoğun bir şekilde bir vakıflaşma görülüyor. Vakıflar aracılığıyla yönetiliyor gibi. O istediği yerden kaynak buluyor, istediği elemanları alıyor. Türkiye'de böyle bir yapı var. Çözüm buradan çıkacak. Bu acaba kendisine ait olmayan ören yerlerinde nasıl çalışacak? Burada kendisine ait ören yerleri olmayacak ki. Mesela kazı başkanına müsaade vermeyecek. Zaten pek fazla da umurunda değil. Dünya mirasına Efes'in dosyası niye gitmedi biliyorsun. Belediye başkanı Efes'e girmeye çalışmış, gece misafirleri gelmiş, girişte para vereceksin demişler belediye başkanına. Niye? Çünkü TÜRSAB'a ihale etmişler girişleri. Parasız sokmayacaksın demişler. Mağazalar da bu şekilde ihale edilmiş. Bunun üzerine belediye başkanı dosyayı göndermemiş. Burada çok çeşitli conflictler var. Politik, ilmi, ideolojik gibi. Pek çok üniversitede cultural management olarak bizim alan (Edirne) okutuluyor. Transpose bir alan. Sonuçta fiziki uygulama denetleme mekanizması var. Bunun adı da koruma disiplini. Koruyarak yaşatma disiplini. Uygulamaya dönük planlama, etaplama olan bir konu. Bir çok yönetmelik v.s.var, ama beceremedi. Mesela belediyenin afiş ve cephelere yazılacak yazılar v.s. var, ama belediye bir türlü uygulamıyor. Belediyenin işi gücü para toplamak. Belirli dengeleri gözeterek yapmak gerekir. Eskiden bir tek denge vardı o da devlet. Demirperde ülkelerinde böyleydi. Demirperde ülkeleri bu konuları başarmışlar. Çekoslovakya'da Prag Management Enstitüsü şeklinde örgütlenmiş. Eğitim de var. Tarihi kentlerin korunması enstitüsü, merkez enstitüdür ve insanlar oradan yetişiyor korumacı olarak. Mühendisler, mimarlar v.s. mezunları yapıyor. Mesela Fransa'da L'*é*cole de Chaillot kursu da böyle. Bu kurstan mezun olmayan restorasyon yapamaz. Ayrıca bunun okulları var. Bu okullardan bir tane kurmak istedim beceremedim. Bu okullardan bir tanesi Strasbourg okulu. Korumacı yetiştiren. Avrupa Konseyine yetiştiriyor. Strasbourg Management okulu. İkincisi Venedik' te ve Avrupa Topluluğu'nun okulu. Üçüncüsü de Fransızların bir okulu, L'école d'Avignon, Avignon kentinde. Bunların hepsi koruma uzmanı yetiştiriyor. Yöneticileri yetiştiriyor. Eğitilmiş insan management de yapar practice de yapar. Vakıflara bu şekilde yapalım dedim biz zaten yapıyoruz dediler. Istanbul KUDEB iyi bir uygulama. Başka taraflardaki KUDEB' lerden hem strüktür olarak farklı. Bir de Halil Onur'un bürosundan yayınlanmış Istanbul adlı broşür var. Büyün bunların sonunda basic question diye bir şeyler çıkarabilirsin. Sorun analizi çıkarmak lazım. Niye olmadı gibi. Olursa nasıl olacak. Faruk Pekin'in yayını sana faydalı olacak. Metodolojik bir şekilde ele almış. Türkiye'deki sorunlardan biri de, devlet mülkiyetinde olmayanlara restorasyon izni vermiyorlar. Kurul kararlarının yeniden düzenlenmesi lazım. Kurulların yapısı da değişmeli. Dünyadaki gelişmeler ve Türkiye'deki durum şeklinde kronolojik olarak yaklaşmak gerekir. 1964 Venedik Tüzüğü, bize yansımaları (1715 Sayılı yasa nasıl gelişti) 1983'deki gelişmeler, 1975 Avrupa Mimarisi Mirası nasıl yansıdı gibi. Emre Hoca ile Mimarlar Odasının yayınında, mevzuatla ilgili gelişmeler var. Mesela Venedik kararları bizde hala hukuki metin haline gelmedi. Biz onu resmen

tanımıyoruz. Tanınması için afişe edilmesi lazım. Cumhurbaşkanı'nın onayı lazım. Her uluslararası hukuki metnin recommendation aşamasında bunların ilgili bakanın imzalaması, Bakanlar Kurulu'nca onaylanması, meclisten geçmesi kabul edilmesi, Cumhurbaşkanınca imzalanması ve Resmi Gazetede yayımlanması gerekir. Bakanlar Kurulu kararı var mı? Başbakanlık tezkeresi var mı? Meclise sunulmuş mu? Meclisce kabul edilmiş mi? Cumhurbaşkanı onayı ve Resmi Gazetede yayımı var mı? Uluslararası yasalar da o zaman ulusal hale geliyor. Uluslararası kuruluşlar bunu recommendation yaptıysa bize de bunu yaparsanız iyi olur demektedirler.

Canadian Charter var ona bak. Japonların da var. Çinlilerin Xian Decleration var. Japonya'da bir tapınak var. Her 25 senede bir arkadaki ormandan yetişmiş ağaçları kesiyorlar ve ahşap tapınakları 100 metre ileriye yeniden aynısını inşa ediyorlar. Hem malzeme aynı hem de inşaat tekniğini kuşaktan kuşağa aktarıyorlar. Management ve authenticity diye çok önemli hususlar var. Authenticity, gibisini yapmak, reconstruction değildir. Orijinal bilgi ve malzeme ile aynısını yeniden yapmak. Design material, craftsman integrity vs. Nasıl management edilecek? Ülke deneyleri de önemli. Ülkelerin *sui generis* kanunları var. Biz Fransa'dan esas alıyoruz. Fransa'da şimdi Benjamin Mouton var. Fransa'da bir merkez var bütün arşiv ordadır. Centre des Monuments Nationaux . Hotel de Sully onun merkezi.

Burada yetkisi olan, parası olan bir başka kurum var, devlet benim diyen bir kurum vali var. İl Özel İdaresi var. Bu şemada hiç ilişkisi yok. Belediyenin yetkisi yok, parası yok. Türkiye Restoratör Valiler dönemi yaşıyor dedim. Ben yaparım diyen valiler var. Yetki vali'de ve valiye bağlı kurumlar var. Mülkiyet esasına göre baktığımızda yapılar çoğunlukla vakıflara ait ya da vakıflara tabi kuruluşlara (7044 Sayılı Yasa) ait olan yapılar. Mesela bir hanın 2-3 odası satılmış, han vakfa ait. Vakıf sonra isterse sattığı bu yerleri geri alıyor. Kamulaştırma yetkisi var. Yönetim ve alan başkanları ilişkileri sistemi diye bir şema yapmıştım, onu sekreterimden iste. Valiliklerde hiç işe yaramayan, etkin olmayan kurumlarda var, mesela kültür müdürlükleri gibi. Rölöve Anıtlar Müdürlükleri de aynı. Her şey kurula pass edilmiş ama kuruldakilerin de sorumlulukları yok. Bilgi birikimi yok. Yapılması gereken eskiden alınmış kararların yeniden objektif bir şekilde ele alınıp silkelenmesi gerekiyor. İlke kararları vs. hepsinin update edilmesi gerekiyor. Koruma adına artık laçkalaşmış, problematik olmuş, mahkemelere gitmiş, ortada kalmış bir sürü şeyin korumama olduğu ortada. Türkiye'de artık bu konularda deneyimli kişilerden bir nevi ombudsman gibi yararlanılması gerekiyor. Kültürel ombudsman, koruma ombudsmanı gibi. Bunun bakanlıkla alakası olmayacak, bakanlık dışında olacak. Bakanlığa öneri yapabilsin. Ören yerleri bakanlığa bağlı diyorsun. Çünkü ören yerlerinde bakanlık yetkili değil. Yetki yabancı memleketten gelen kazı başkanına verilmiş. Problem orda çıkıyor. Efes'de öyledir. Mesela kazıları her sene yenilemiyorlar. Çok fazla yer kazmak meseleyi çözmüyor. Bilimsel kazılar yapmak için Türklerin 4-5 sene yabancı kazılarda çalışması gerekir. Mesela Prof. Wilkens' ın kazıları önemlidir. Uygulamacılarla

akademisyenleri kompanse eden bir şey icad edildi. Bu da Bilim Kurullarıdır. Bilim Kurulu görüşü uygulanabilir ise, onaylanıyor geri geliyor ve görüşün önü açılmış oluyor. Bilim Kurullarında restoratör var ben de onlardan bir tanesiyim. Sanat tarihçi var, malzemeci var, hukukçu var. Şantiyenin yani restorasyon işinin bilim kuruludur. Bilim Kurulunun mevzuatta yeri yok. Oluşturulma mekanizması kurumlara bırakılmıştır. Vakıflar öneriyor kişileri. Uygulamanın bilimsel denetimini bu kurullar yapıyor. Projenin bilimsel danışmanı oluyor. Bir kişi de olabilir birden fazla kişi de kurulda olabilir. Bu kurullar ilgili yerlerden de görüş, rapor alabiliyor. Mesela Teknik Üniversiteden rapor isteyebiliyor. Proje boyunca bilim kurulu çalışıyor. Proje bitince iş bitiyor. Ondan sonra uygulama bilimsel danışmanlığı çıkıyor. Mimari-malzeme-hukuki danışmanlar bu sefer uygulama danışmanı oluyorlar. İşin durumuna göre mesela bezemeler vs., harç analizleri vs. vardır. Ben genel mimari restorasyon danışmanıyım. Sorunlar çıkınca getirin çözelim, alternatifler üretelim. Mesela Küçük Mecidiye Camii 12-13 metre çapında kubbesi olan 1850'lerde yapılmış ancak yapıldıktan sonra üstüne künklerden bir ikinci kubbe daha yapılmış. Tabanı yok, yükseklikleri 35 cm olan künklerin üstü ahşap ve çinkoyla kapatılmış. Bu sanırım kubbenin gösterişini artırıyor. Ayasofya da iç kubbe ve dış kubbe vardır. Kubbenin üstü düzdür. Dış kubbe ise koniktir ve 2,5 metre daha yüksektir. İki kubbe arasında insan dolaşabiliyor.

Kazı başkanları politik ağırlıklarını koyuyor ve bazı şeyleri yaptırmıyorlar. Mesela Bergama'da Dionysos'da öyle oldu. Her dünya mirasının sorunları ve soruları vardır. Istanbul Plan Koruma Müdürlüğü (İPKM) belediyenin içinde bir kurum. Deprem güçlendirmeleri yapıyor. Kentsel sit alanına yönetici atanmıyor sadece dünya sit alanına yönetici atanıyor. Türkiye'de Dünya Mirası Sit alanı olmayan kentsel sit alanı yok. Bunun altının çizilmesi lazım. World Heritage Sites Coordinator. Ne kadar kentsel sit var ne kadar dünya sit alanı var bunların Kültür Bakanlığı'ndan alınması gerekiyor. Bunların tekrar derecelendirilmesi lazım, sınıflandırılması gerekir ki ona göre bütçe ayrımı yapılmalı. Ama bizde öyle olmuyor. Mesela Erzurum milletvekili ağırlığını koyunca Erzurum öne geçiyor.

World Heritage Sites Management ayırmamız lazım. World Heritage Sites' de sorumlu yalnız sen değilsin, dünyanın herhangi bir yerinden gelen bir adam sana soru sorabilir. Şunu nasıl yapıyorsun diye. Dünya koruma alanı olarak kabul edilmiş 13-14 tane yeri, Türkiye'deki geri kalan koruma altına alınmış 1200-1300 yerle bir tutamazsın. Mevzuatta da ayrı bir düzenleme lazım. Dünya mirası için ayrı bir mekanizma oluşturmak lazım. Yetki, sorumluluk, yabancı dil bilen personel niteliği belli olan bir kurumsal yapısının olması lazım. Benim maaşımı dışardan bir şirket bağış adı altında ödüyordu. Pek çok çalışan personel belediyeye iş yapan şirketler üzerinden maaşları ödeniyor. Hükmi şahsiyeti olmayınca böyle oluyor. Alanya'da alan o kadar büyük tutuldu ki managementını yapamıyorlar. Istanbul da da etaplama olması gerekiyor. 450 sayfalık planın yürümesi mümkün değildir. Rant baskısı var. Taksim,

Haydarpaşa, Galataport, Yenikapı hep bu şekildedir. Urban Landscape kavramı yok. Bizde approve edilmedi. Human Rights içinde kültürel korumayla ilgili zorlamalar var. Istanbul'un değişen silüetini de irdelemek lazım. Bütün kurumlar mülkiyet esasına göre yetki kullanırlar. Kamu mülkiyetindeki, bakanlık mülkiyetindeki, belediye mülkiyetindeki yerlerde paraları yine onlar kullanıyorlar. Sorun kendi mülkiyetinde olmayan yerlerle ilgili olarak paraları nasıl kullanacaklar. Dünya mirası sorunlarından birisi de budur. Kimse yetkisini paylaşmak istemiyor. Parasını da paylaşmak istemiyor. Koordinasyon dışına çıkmaması gerekir. Sultanahmet Camii İşletme Vakfı incele. Cemaat vakfı vs. Edirne'de mesela bir yerin sahibi farklı kullanıcısı farklı. Oraya kim nasıl müdahale edecek? Mesela ampul lazım bunu alacak para yok. World Heritage Area içinde ona gönül vermiş olan insanlardan oluşan vakıf kurulabilir. Hem mali destek hem personel ihtiyacı bu insanlardan karşılanabilir. Ancak Edirne'de valilik bunu kurdurmadı. Edirneli olan kurum, kişi, şirket, vakıf v.b. kim varsa gelsin World heritage area içinde yer alsın istedim. Bunun takibini o vakıf yapsın diye düşündüm. Bütçe yapılırken de 3 bütçe yapılır. Previous, incoming, vb. Ne olmuş? Gerçekleşme durumu, bir evvelki sene neymiş, gelecek senenin bütçesi ne olacak gibi. Burada önemli olan husus hesap sormak değil. Mülkiyet sahibi ile kullanıcının hakları nelerdir? Yapıyla ilgili, dünya mirasına girmiş yapıyla ilgili olarak mesela bir ampulün alınması işini kim yapacak? Kullanıcı mı yoksa mülkiyet sahibi mi? Bu çok önemli. Yönetim harcamalarını kim yapacak? Kimin sorumluluğunda olacak? Müftülük mü, vakıflar müdürlüğü mü, belediye mi, devlet mi v.s.? Dünya miras alanı olan yerde kamunun baskısının olması gerekir. İnsanlar sahip çıkmalı. Sadece üniversiteden, barodan, mimarlar odasından beklememek lazım, onlar koruyamıyorlar. Mesela Selimiye miras alanı içinde yıkılması gereken cemaat evine kimse dokunamıyor. Plan ne derse desin o bina orada fiilen duruyor.

Sit alanları yönetimi (Cultural heritage) Kültür Bakanlığı'nın var, bir de World heritage sites management var. İkisi ayrı ayrı ele alınmalıdır. Dünya miras alanı daha pratiktir, sahibi yoktur (müze müdürü mü, kazı başkanı mı, belediye başkanı mı?) bunların yöneticilerinin eğitimi, ilgi alanının konuyla alakalı olması gerekir. Meksika tipi management var. Dünya miras alanı uluslararası belgesinin iyi çalışılması gerekiyor. Operational guidelines var.

GÖRÜŞÜLEN KİŞİ	**Yaşagül EKİNCİ**
GÖREVİ	Bergama Alan Yönetimi Koordinatörü
TARİH	20.12.2011
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Bu konuda çalışmalarında bulunduğum Edirne ve Bergama alan yönetimleri ile ilgili bilgi aktarabilirim. Edirne' de yalnızca Selimiye Camii değil Edirne' nin tarihi alan merkezinin tümü Yönetim Planı sınırlarına girdi. UNESCO' dan Dünya Miras Alanı ilanı gelmeden Yönetim Planı uygulanmaya başlandı. Yaklaşık 8,9 Eylem UNESCO kararı gelmeden tamamlandı.

Yönetim Planı hazırlığı ve UNESCO sürecinde en çok Belediye Başkanı ile sorun yaşandı. UNESCO onayından 2 hafta önce Plan hazırlama ekibi dağıtıldı. UNESCO' nun Dünya Miras Alanı kararının Edirne' deki imar faaliyetlerini etkileyeceğini anladığı anda Belediye Başkanı Edirne' yi adaylıktan çekme kararı aldı. Kurumlararası problem yaşanmadı. Şu anda Alan Başkanı yok.

Edirne' de Danışma Kurulunda 3 akademisyen, Eşgüdüm ve Denetleme Kurulunda 4 akademisyen var. Danışma Kurulu üyelerinin seçiminde pek çok faktör dikkate alındı. Örneğin Edirne bir sınır kenti olduğu için Gümrük Müdürlüğü taşıdığı önem nedeniyle Danışma Kuruluna alındı. Benzer şekilde Jandarma da Bergama' da Danışma Kuruluna alındı.

Edirne' de çalışmaların başlangıcı esnasında görevde olan ilk Vali ile de çok sorun yaşandı. Bunu aşmak için Bakanlık Kültür Varlıklarını Koruma Genel Müdürlüğünden bir Daire Başkanı gelerek Edirne' nin Dünya Mirası olması konusunun Başbakanlık tarafından da desteklenen önemli bir prestij konusu olduğunu ve desteklenmesi gerektiğini anlattı. Benzer şekilde Bergama' da da Kültür ve Turizm Bakanı Bergama Valisine bizzat talimat verdiği için çalışmalar baştan kolay yürütülüyor.

Ancak kurumlar arası ilişkilerde örneğin toplantılarda kurumlar unvan denkliği olmaksızın karşılarına gelen personelle paylaşımda bulunmuyorlar. Mesela Müdür düzeyinde bir personel Alan Başkanlığından herhangi bir eleman kendisine ulaştığında gelen personel eşdeğer ünvanlı olmadığı için görüşme yapmak istemeyerek, toplantıyı konuyu hiç bilmeyen ast düzeydeki insanlara yönlendirebiliyor. Bu nedenle Edirne' de toplantılar için Alan Başkanlığı mekanını seçerek kişilerin gelmesini sağladık.

Aslında alan yönetimi konusunda yerel makamların yetkili olması önem taşımaktayken, koruma ve yönetimin tamamen yerele bırakılması durumunda konunun tam olarak anlaşılamaması nedeniyle çok büyük zorluklar yaşanabiliyor.

GÖRÜŞÜLEN KİŞİ	**Cengiz TOPAL**
GÖREVİ	Efes Alan Yönetimi Başkanı
TARİH	10.06.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

UNESCO Dünya Kültürel ve Doğal Mirasının Korunmasına Dair Sözleşme kapsamında Efes'in Dünya Miras Listesi'ne kaydedilmesi için Eski Eserler ve Müzeler Genel Müdürlüğü tarafından çalışmalar 1990 yılında başlatılmış ve 1994 yılında geçici listeye alınması sağlanmıştır. Efes, mevcut antik kent yerleşimi Artemision, St. John Bazilikası ve Ayasuluk Kalesi ile birlikte geçici listeye önerilmiştir. Halen 38 varlığın bulunduğu geçici listede yer almaktadır.

1994 yılından bu zamana kadar geçen süre içerisinde asıl listeye girme başvurusu için bazı hazırlıklar ve çalışmalar yapılmış ancak sonuç alınamamıştır. 2004 yılında Alan Yönetimi ve Yönetim Planı yapılmasının mevzuata eklenmesinden sonra yeni bir süreç başlamıştır.

2010 yılında Efes Yönetim Alanı yeniden belirlenmiş, mevcut Efes Antik Kenti, Selçuk Kalesi, İsa Bey Cami, St Jean Bazilikası, Artemis Tapınağı ve Meryem Ana Evi çevresini kapsayan Yönetim Alanı Kültür ve Turizm Bakanlığınca 08 Eylül 2010 tarihinde onaylanmıştır.

Belirlenen Yönetim Alanında kentsel sit de bulunması nedeniyle Selçuk Belediyesi ile Kültür ve Turizm Bakanlığı arasında 26 Mayıs 2010 tarihinde bir protokol imzalanmış ve Efes Yönetim Alanı Yönetim Planının oluşturulması için gerekli çalışmalar başlatılmıştır.

İmzalanan bu protokol ile alan başkanı belirlenmiş, katılımcı bir yaklaşımla ve ilgili idarelerin eşgüdümüyle Efes Yönetim Planının hazırlanması amaçlanmıştır.

Efes Yönetim Alanı Yönetim Planının hizmet alımı yoluyla gerçekleştirilmesi için protokol uyarınca Selçuk Belediyesi tarafından bir ihale açılmış, ihale sonucunda yüklenici belirlenmiş ve işin yapımına başlanmıştır. Yüklenici gurup konusunda uzman şehir plancısı, ekonomist, yönetim bilimleri uzmanı, arkeolog ve mimardan oluşmaktadır.

Yüklenici gurup, protokol uyarınca Kültür ve Turizm Bakanlığı tarafından Selçuk Belediyesine iletilen iş planı ve teknik şartname doğrultusunda çalışmalarına 2011 yılı sonbaharında başlamıştır.

Belirlenen strateji doğrultusunda Selçuk'ta tüm paydaşların katılımı ile iki büyük çalıştay düzenlenmiş, ayrıca çeşitli sektör temsilcileri ile bir dizi odak gurup çalışması yapılarak katılımcı yöntemle yönetim planına ilişkin temel veriler ve eğilimler tespit edilmiştir.

Ayrıca yüklenici gurup tarafından Efes Yönetim Alanı Yönetim Planının temel bilimsel veriler etrafında şekillendirilebilmesi için çeşitli konularda analitik etütler gerçekleştirilmiştir.

Katılımcı süreç ve temel analitik etütler gerçekleştirildikten sonra Efes Alan Yönetiminde görev alacak paydaşların tespiti için katılımcı süreçte verilen katkı düzeyleri yüklenici tarafından ayrıca analiz edilmiştir.

Elde edilen analiz sonuçları ve katılımcı süreçte gerçekleştirilen gözlemler alana ilişkin uzmanlık bilgisi ölçütü ile birlikte değerlendirilerek Efes Alan Yönetimi Danışma Kurulu'nda yer alabilecek bir taslak isim listesi oluşturulmuştur.

Selçuk Belediyesi ile Kültür Varlıkları ve Müzeler Genel Müdürlüğü Danışma Kurulunu belirlemiştir. Danışma Kurulunun atanma işlemleri devam etmektedir. Ayrıca Efes Alan Yönetimi Eşgüdüm ve Denetleme Kurulu oluşumu için gerekli girişimlerde bulunulmuş, kurulda temsilcisi yer alması düşünülen kurum ve kuruluşlar belirlenmiştir.

Yüklenici tarafından yönetim planı taslağı tamamlanma aşamasında olup, 2012 başında yönetim planı taslağı danışma kuruluna sunularak planın alt bölümlerine ilişkin mutabakat sağlanmıştır.

Planın alt bölümlerinde yenilikçi işletme, tanıtım, koruma, ziyaretçi yönetimi yaklaşımlarına yer verilmiştir. Plan taslağının tamamlanarak 2012 yazı içerisinde Selçuk Belediyesine teslim edilmesi öngörülmektedir.

Yönetim planı hazırlığında temel ilke, Efes Yönetim Alanı Yönetim Planının bilimsel ve katılımcı, öğrenen ve esnek bir süreçle hazırlanmasını sağlamak olmuştur. Bunun için yerel yönetim, merkezi hükümet, sivil toplum örgütleri ve araştırma kuruluşlarının katıldığı, mekânsal planlama ile eşzamanlı yürütülen, alana ilişkin kararlar konusunda müzakereler içeren bir süreç yürütülmüştür.

Alanda yüklenici tarafından çalışmaları devam eden Efes Koruma Amaçlı Nazım İmar Planı hazırlık araştırma ve notlarından da yararlanılarak iki planın uyumlu olması hedeflenmiştir.

Belirlenen alan yaklaşık 8000 yıllık tarih sürecinin izleri, özellikle Hellenistik, Roma, Bizans ve Beylikler dönemlerinin tarihi, mimari ve estetik özellikleri yüksek kalıntıları ile inançlar bakımından Pagan döneminin Artemis, Hadrian, Serapis Tapınakları, Hristiyanlık döneminin Meryem Ana Evi, Meryem (Konsül) Kilisesi, St. Jean Kilisesi ve İslami dönemin İsa Bey Cami gibi yapılarıyla 'evrensel değer' ve 'özgünlük' açısından büyük avantaja sahiptir.

Ancak yıllık ziyaretçi sayısı toplamda 3 milyonu aşan alanın geçmişten süregelen koruma ve kullanma dengesi sorunları bulunmaktadır.

Koruma Amaçlı İmar Planı ve Yönetim Planı ile bu sorunlara çözüm aranmış ve önerilerde bulunulmuştur.

Efes Alan Yönetimi olarak Alan Yönetiminin bir koordinasyon ve planlama faaliyeti olduğunu bilmekle birlikte, yeni bir yasal düzenleme yapılarak özellikle arkeolojik alanlarda;

1- İlgili idarelerin aktaracağı mali kaynakların esasları belirlenmeli, ayrıca gişe, otopark, satış üniteleri (müze mağazaları) gelirlerinden ve Valiliklerde toplanan Emlak Vergileri Katkı Paylarından belli oranlarda kaynak aktarılarak bütçe oluşturma ve bu bütçeyi kullanabilme imkanı sağlanmalıdır.

2- İlgili merkezi ve yerel otorite alana ilişkin bazı idari yetkilerini alan yönetimine devretmeli, yani kısmen özerk bir yönetim oluşturulmalıdır. Bakanlık daima denetleyici olmalıdır.

3- Alana ilişkin koruma, kullanma, planlama ve uygulama kararları alandaki paydaşlarla birlikte oluşturulmalıdır.

GÖRÜŞÜLEN KİŞİ	**Cengiz TOPAL**
GÖREVİ	Efes Alan Yönetimi Başkanı
TARİH	11.12.2012
GÖRÜŞME SORUSU	Alan Yönetimi ile ilgili süreçlerde karşılaştığınız idari, mali, yasal sorunlar nelerdir?

Bunu bir yönetime çevireceksek, işlevsel bir hale getireceksek kendisine ait bir bütçenin bir ofisin bir kullanım şeklinin, bir erkin olması gerekiyor. Alan başkanı olarak bu eleştirileri yapıyorum. Bakanlıktaki yetkililerden şunu talep etmiştim: Mevcut alan başkanlarını, mevcut bu işe başlayan akademisyen arkadaşları toplayın, bir çalışma toplantısı yapalım, öneri olarak da geliştirelim, bakanlığa model olarak sunalım, işte bir şey oluştu.Serhat Bey, bunu çok olumlu buldu.

Hakikaten mevcut alan yönetimlerinin proje plan hazırlarken, bizzat yönetimlerde bulunan akademisyen arkadaşlarla oluşacak 2-3 günlük bir çalışma toplantısıyla çok iyi bir yere varılacağını düşünüyorum. Çünkü bunun hepimiz farkındayız. Tıkanıklığın nerede olduğunun farkındayız. Şunu istemiyoruz, yani ille belediye başkanının yanına bir belediye başkanı koyalım falan gibi iddia yok. Maalesef öyle algılanıyor.

Ben buranın müze müdürüyüm, Benim 1 kuruş harcama yetkim yok, dünyada böyle bir model yok zaten, müze müdürü de olarak aynı sıkıntıları yaşıyorum ben. Burası nüfus dairesi ile aynı kanunla yönetilebilecek bir yer değil. Müze olarak kendimize tahsisli bütçemiz yok.

Bir şey alacaksak merkez bütçesinden alabiliriz. Bizim bir kenarda paramız olur da, biz alabiliriz diye bir şey yok. Ben 2009 yılında uğraşarak şöyle bir şey geliştirdim; döner sermayeden küçük ihtiyaçların karşılanması için Özel İdare üzerinden gönderilen bir ödenek var, bu tamamen benim eserim. İzmir'e ayda 30.000-50.000 TL arasında geliyor, bunun da 15.000-20.000 TL'sini biz çekiyoruz.

Yetkimiz yok. En büyük problemimiz bu. Mesela ben niye ziyaretçilerimizi Urartu sergisi ile karşılamayayım? Bırakın müze eserlerini transfer yapmayı, görüşme yapmamızı bile yasakladılar.Şu anki idari yapı böyle.

Mevcut durumda Efes Yönetim planı bitti, bildiğim kadarıyla meclisten geçip bakanlığa gidecek. Şu anda planı yaparken birkaç kaynağa yönelmeye çalıştık. Bunlardan birisi belediye bütçesinden aktarılabilecek, onda bir sorun yok, belediye

aktarabiliyor. Bakanlıktan aktarılabilecek kaynaklar var. Doğrudan alan yönetimi bütçesinden aktarılabileceğini zannetmiyorum. Tel örgülerin değişikliğini bakanlık üzerinden yapabilirsiniz, şu anda da yapıyoruz bir kısmını. Planın gerçekçi olabilmesi için kaynakları o şekilde tanımlamak. İzmir Kalkınma Ajansından verebileceğimiz bir iki projemiz. Onun % 25'ini belediye karşılamak üzere, böyle detaylandırmaya çalıştık. Yasal olarak zaten alan yönetiminin bütçe kullanabileceğiniz bir sayıştayı yok, kendisi bir harcama birimi değil. Çözülmesi gereken sorunlardan biri bu, alan yönetiminin harcamaya yetkisi olmak zorunda. Özel idareden gelen parayı alanda harcasan bile, il özel idaresinin genel sekreter yetkililiğinde harcamak gerekiyor. Bu işin içinden çıkamazsınız. Müze müdürü olarak Maliye Bakanlığından gelen ödemede sorun yaşıyorum.

Şu anda yapılabilecek tek şey belediyenin mali sistemi içinde bunu çözebilmek. Bunların tanımlanması gerekiyor.

2009 yılında valilikle bakanlık bir protokol yapıyor, yönetim planını oluşturuyor.Bu yapılan anlaşmaya belediye itiraz ediyor. İtiraz şuradan kaynaklanıyor. Alan yönetimini belediye o tarihte bir yönetim biçimi olarak algılıyor. İşin içine girdiğinde bakıyor ki yönetilen bir iş yok, bu iş bir koordinasyon, planlama sağlama işi. Ondan sonra aksaklıklar başlıyor.

Özel anlaşmaydı. İzmir Valiliği ile bakanlık arasında Efes'in alan yönetimi planı ile ilgiliydi. Valilik alan yönetimini hazırlayacaktı. Ama yürümedi. Ondan sonra ben devreye girdim, mevcut genel müdürle konuştuk, belediye başkanıyla konuştuk, bunun bir koordinasyon olması gerektiğini, yerel yönetimin bu işin içerisinde olması gerektiğini. Ancak belediye ve bakanlık arasında özel bir protokol olabileceği gibi bir anlaşmaya vardık. Alan başkanını belediye atayacak, bakanlık koordine edecek, danışma kurulunda bakanlık 2 üye bulunduracak. Bu yapıldı. Bu noktada protokol dışındakiler yazılı belgeler değil.

Mevcut yasa, bunu tam tanımlayamadığı için protokole ihtiyaç duyuldu. Bakanlığın da şu hassasiyeti oluşuyor. Kentsel SİT ve arkeolojik SİT olunca yetki belediyeye geçiyor. Ama burada sözkonusu olan Efes. Bir tarafta 1,5 milyon m2'lik bir alandan bahsediyoruz. Diğer tarafta da kentsel SİT alanı içinde 300.000 m2 bir alandan bahsediyoruz. Artı bir kentsel doku bakışıyla bir arkeolojik alana yaklaşabilmek problemli, bu ikisi arasında koordinasyonu sağlamayı düşünmüştüm, bu doğru bir bakış açısı bana göre. Kaygı şu değildi, belediyenin yetkilerini bakanlıktan almak değildi, belediyenin yetkisini tırpanlamak değildi.

Bu nedir, gişe gelirlerinin % 10'u dersiniz. Artı belediye bütçesinin emlak vergilerinin % 1'i dersiniz. Alan ölçeğinde bu kadar dersiniz, alan işletme olarak işletilebilir dersiniz. Akşam tahsislerimi oraya yatırırım, olur biter. Gece programları var. Gece bazı kokteyller, küçük konserler oluyor ören yerinde.

Hali hazırda bu gelirler DÖSİM'e gider. Çalışma toplantısı yapılması gereken konular bunlar ve çözümü çok kolay. Sadece birilerinin kendi uhdesinde olan yetkilerinden bazılarını devretmesi gerekecek.

Ben Selçuk'a gelene kadar Efes'in bu kadar vahim olduğunu bilmiyordum. Koruma imar planı yoktu. Geçici ören yapılaşma koşulumuz bile yoktu. Karaman'dan geldim, Binbir Kilise için kabul ederim de Efes için olmaması normal değil. Yerel yönetime mi bağlarsınız, bakanlığa mı bağlarsınız, nereye bağlarsanız bağlayın, sorunlarımız vardı ve var, ama iyi yoldayız, özellikle Ertuğrul Günay'ın gelmesiyle çok aşama kaydettik, iki sene elektrik borcuyla uğraştım.

Zaten onun için çarşı rezaleti karşımızda, büfe yapılmaya kalkıldı. Bilintur. Yaklaşım doğruydu. Ben bu işin başından beri, iyi kötü döner sermayeden toplantılara çağırdım, bu işin üzerinde olmaya çalıştım. Yazdırdığımız bir madde vardı, bu gelirlerin daha sonra belirlenecek oranı o yerin ihtiyaçların karşılanmasında kullanılacaktı. İki turda vardı bu madde, üçüncü turda yok oldu. Bütün dünyada müzeler ve ören yerleri kendi çapında gelir getirir, bazı ülkelerde ABD gibi, müzelerden ücret alınmaz, yan faaliyetlerden, bağışlardan gelir elde edilir. Ama İtalya, Yunanistan, Almanya'nın bazı yerlerinde bizim gibi müze gelirleri alınır, bazılarında da müzenin kendi yönetimi, bizim alan yönetimi gibi, bazıları vakfa bağlıdır, bazıları merkezi hükümete bağlıdır. Mesela Almanya'da bölgelere göre değişiyor. Devletin de müzesi, çoğu özel veya vakıfların. Smithsonian Vakfı'nın 37 tane müzesi var bildiğim kadarıyla.

Bizim müzelerimiz 2004 yılına kadar dernek ve vakıflar adı altında, daha çok dernekler adı altında küçük küçük mağazalar, hediyelik eşya işi ile uğraşmışlar. Bu çok amatör bir örgütlenme olmuş, şaibeler, problemler ortaya çıkmış, müze personeli birbirine girmiş, buradaki kastım Efes Müzesi değil, en az sorunlu olan yer Efes Müzesi, en çok kıyamet kopan yer de Ayasofya, Antalya. İnsanlar mahkemelik oldu falan. Bu örgütlenme, Milli Eğitim'in otopark kullanımı sıkıntıları da başlayınca, 2004'te derneklerin bağını hükümet kopardı. Aynı yıl dernekler, müzelerde faaliyeti durdurdu.

Istanbul'da DÖSİM'in bir mağazası vardı, müzenin bahçe alanında. Ama o küçük noktalarda gördüklerimiz Müze dernekleri. Gelirini o dernekler yönetiyor. Şimdi şu müzeyi sıcak bir para kullanmadan yönetmenin mümkünü yok. Kars'ı yönetebilirsiniz ama burası olmaz. Her bölgede çalışarak geldim. Şimdi 2004'teki bu düzenlemelerden sonra müze mağazaları ortadan kalkıyor. Antalya kapattı, ben yaşatıyorum, Ankara yaşatıyor, Bodrum yaşatıyor, Topkapı galiba kapattı, Ayasofya'nın alakası kalmadı. Efes ölçeğinde müze mağazaları kapatılınca kaymakam, köylere hizmet götürme iddiaları adı altında aynı mağazaları açıyor. Bu bir ihtiyaç ama aynı zaman da çok büyük bir rant. Efes ölçeğinde, Ayasofya, Topkapı'da, Nevşehir'de, Antalya'da büyük bir rant. Çeşme'de, Denizli'de ekonomisini zor döndürür. (Efes'te) Kaymakamlık bu mağazaları açınca, müze ören yerlerinde ticaret yapılamaz diye karar

var biliyorsunuz, belediye dava açıyor. Kaymakamlığın mağazalarını kapattırıyor, 1,5 -2 yıllık faaliyetten sonra. Kaymakamlığın mağaza işletmeciliği yapması bana göre doğru değil, bir şey olmalı, bir boşluk var ve doldurulmalı ama adres kaymakamlık değil. Burada bir boşluk başlıyor, ben o aşamada geldim, 2006'da mağazalar kapandı, 2007'de ben geldim. Burada çok büyük bir problem. Baktım, Türkiye'nin değişik yerlerinde de bu böyle. Sonra bu DÖSİM'le paralar görüşülürken bu mağazalar gündeme geldi. DÖSİM bir çalışma yaptı. Daha çok İspanya, İtalya, ABD örneklerini inceleyerek bir mağaza zinciri oluşturmayı ama DÖSİM üzerinden değil, bir özel anlaşmayla özel şirket üzerinden yapmayı.

DÖSİM bu işi yapamadı. Mevcutta söylediğimiz mağazalar da hep zarar etti. Şöyle bir şey var: Gişelerimiz de özel şu anda, mağazalarımız da özel. Aynı işi ben yaptığım zaman o personelin yerine personel koyamıyorum. Adamın şöyle bir şansı var. Yarın gemi var, personel takviyesi yapacak, getiriyor bir kişi daha çalıştırıyor.

Bu adamın 3 kişi ile yaptığı işi, ben 6 kişiyle yapıyorum, yine beceriksiz oluyorum. Bunun çözümü bana risk alabilme yetkisi vermektir. Ben ertesi gün o adamı filanca şirketten alıp getirip çalıştırabilmeliyim. Zaten sigortasını o adam yapmayacak mı? Bu size o yetkiyi vermiyor mu? Devlet memurunu mağazanın başına koydunuz. Ben Özel İdarenin İzmir'de işletme müdürlüğü varken tuvalet malzemesi aldıramıyordum. Ankara'dan çekiyordum parayı. Gittim derdimi oraya anlattım. Oturan hanım arkadaşımız, işletme kapandıktan sonra, şimdi resim heykel müzesinde çalışıyor, ödemeye imza atmaktan imtina ediyor. Tuvalet kâğıdını o gün alırsanız bir anlamı var, 1 hafta bekletirse rezil oluyorsunuz. Şunu söylerse de bir şey diyemiyorsunuz: Arkadaş, senin getirdiğin teklifleri ben inceleyeceğim, tekrar bakacağım, tekrar komisyon bulacağım. Bu bir zincir, bunlar yönetsel problemlerimiz. Böyle olduğu için de DÖSİM farklı bir yönteme gitti. Bana göre yöntem doğru, karşı çıktığım tarafı şu: Merkezi olması, zincir olması. En azından bölgesel olabilirdi. Onlar da karşı tez olarak şunu getirdi: Biz Erzurum'u pazarlayamazdık, Kayseri'yi pazarlayamazdık.

Yerelde Erzurum'dan alıcısı çıkmaz mıydı? Çapı küçüktür ama orada da ona göre istekli olur. % 40 istemezsiniz, çok az bir katkı koyarsınız, üstüne para bile verebilirsiniz, elektrik su parasını karşılarsınız.

DÖSİM burada karlı bir anlaşma yaptı. Her yerden cironun % 40'ını alıyor. Hiçbir şeye karışmıyor. Ayrıca bir kira almıyor. Tahsis ediyor. Elektrik suyu bölemiyorsunuz ama her mağaza için belirlenmiş, kullanımına göre bir miktar var, onu ayrıca yatırtıyor. Yaklaşık değerde. Bizim süzme sayaç vardı, onun biraz üstünde yatırıyorduk. Ben iki noktasına takıldım. Bir, merkezi olmasına, iki bir oranda müzenin ihtiyaçlarının karşılanmasında kullanılabilirdi, devletin harcama mevzuatına uyulur. Alan yönetimindeki mesele de bu.

Kültür Bakanlığı'nın döner sermayesi kanunla kurulmuş. 1970 civarında çıkan bir kanunla kurulmuş. İşlettirme yetkisi DÖSİM'de. Şu ana kadar bunu böyle kullanıyor.

Doğru tarafları var, yanlış tarafları var. Ama Ertuğrul Günay bakan olduktan sonra bu gelirler müzelere ve kazılara aktarılmaya başlandı. Bu paraların tamamı müzelere dönüyor.

Böyle bir para var. Küçük ihtiyaçların karşılanması, 2009 yılında uğraşılarımızın sonunda aldığımız. İzmir'e 30 ila 50 bin arasında geliyor. İl Kültür ve Turizm Müdürlüğü. Müdürlük bu parayı harcayamıyor, bu parayı müze müdürlerine aktarmak zorunda. Yasal olarak, döner sermayenin harcama yetkilisi Valilik olduğun için oraya geliyor. Standardı var, o paranın her ay 15000'i bizim. Her yerde aynı para değil. Çeşme'de, Tire'de değişiyor. Benim gelecek ay şu şu ihtiyaçlarım var diyorum, 30000'e çıkarıyorum. Bu ay kullanamayacağım tutar var ise öbür müzelere dağıtıyor veya bütçede kalıyor. Gün geçtikçe bu gelişiyor. Bunun varyasyonları yönetimde değişikliklere neden olabilir. Ama şu anda şöyle bir algı var: Paralar toplanıyor, oraya gidiyor, mesela belediyeler ve yerel yönetimler bunu böyle algılar, bu böyle değil. DÖSİM Gelirlerinin % 5'i belediyeye aktarılır. Bu döner sermayenin kanununda yazıyor.

Bunu bir ara % 40'a çıkardılar bakanlar kurulu kararıyla. Sonra Selçuk Eski Belediye Başkanı'yla eski bakan arasında olan bir sürtüşme nedeniyle tekrar % 5'e döndü. Selçuk ölçeğinde baktığımızda ören yeri girişlerindeki otoparkları da belediye işletir. Belediye için çok ciddi bir kaynaktır. Belediyeciler, bunu siyaseten kullanırlar, başka şeyler söylerler ama Selçuk ölçeğindeki bir belediyenin, toplam geliri kadar kültür varlıklarından geliri vardır.

Ben diyorum ki belediye başkanına, o zaman otopark gelirlerinin % 10'unu alan yönetimine aktaracaksın, ben de gişe gelirlerinin % 1'ini aktaracağım. Bu anlaşmalar yapılabilir şeyler, ama öbür tarafın bütçe kullanma şansı yok yasal olarak, onun harcama birimine dönüşmesi lazım. Belediyenin maliyesi üzerinden yürüyecek. Bu sefer belediyenin gelirler müdürü sizin götürdüğünüz işe imza atmayabilir.

Biz 12 milyon TL kadar para kullanıyoruz, oranın kaynağı. Uygun projelerle giderseniz geri döndürmeyi başarıyorsunuz. Ben döndürmeyi başardım. İyileştirmeler anlamında kullandım. Vinç almaya uğraşıyorum, bir yapının restorasyonuyla uğraşıyorum, bunlar da önümüzdeki yılın projeleri. 10-15 milyon civarında bakanlık bütçesinde çekmeye çalıştığımız paralarımız var, çekeriz.

Burada rant biraz büyük, Efes'in rakamlarını tam bilemeyiz, sanıyorum 45 milyon TL civarında yıllık gişe geliri vardır. Bunun Kars müzesindeki elektriğinde, boya badananın da, Van müzesindeki depo ihtiyaçlarının da, Kayseri müzesindeki ilaçlama giderlerin de, kazısının tel örgüsünün de buradan karşılanmasında bana göre hiçbir sakınca yok. Son 4 yıldır kuruş kuruş böyle kullanıldı. Bir kuruş bile bir başka kaynağa gitmedi. Ben il müdürlüğü yaptım, kiraz festivali, bal festival, üzüm, erik, paraları çektik, o da doğruydu. Bakanlığın bütçesinden alınması yanlıştı. Anadolu festivallerinin desteklenmesi doğruydu. Bu para olmamalıydı. Bakanlık, Başbakanlık

bir bütçe koyar, sosyal dayanışma diye, olur. Bal festivali yapan belediyeye 10.000 lira gitmesin, bence hiç mahsuru yok. Çünkü o beldede 10.000 TL büyük para. Sorun da bu paranın gitmesi değil, paranın kaynağı. 4 yıldır böyle.

İzmir kazılarının bu sene kullanamayıp gelecek yıla artan paraları var. Hep kaynak yok diye ağlarlardı. Kaynak sorunu çok azaldı. Alan yönetimi için de bunu düşünelim istiyorum. Alan yönetimini harcama birimine çevirdiğiniz anda bu kaynakları alan yönetimi üretebilir. Ben döner sermayeyle anlaşabilirim. Döner sermaye bana para aktarabilir. Odalar, vakıflar örneğindeki gibi olabilir. Eksiklikler bunlar, uygulamada görülenler bizim müzede birebir aynı. Ben özellikle Efes, Bergama, Alanya ölçeğindeki yerlerde kaynak sorunu yaşanmayacağını düşünüyorum.

Arkeolojik alan diye düşününce işler değişiyor, kentsel sit özelinde düşünüldüğü zaman erk çatışması yaşanır.Belediyenin yetkilerini oraya devretmek gerekiyor ya da alan yönetimi olmayacak. Sadece koruma planı yapılacak, belediye koruma planını uygulamak zorunda kalacak. Alan yönetimi yapısı arkeolojik alan için de öbürü için de doğru bir yapılanma.

Döner sermayede, gelen paramı imzaladıktan, ben onayladıktan sonra Kaymakamın onayına gidiyor. Böyle bir şey olamaz. Kaynağı belli, geliş amacı belli, kullanılacağı yer belli ama kaymakama onaya gidiyor. Döner sermayeyi hep bu şekilde mi kullandık? İl Özel İdaresi Genel Sekreterinden kullanabilirsiniz ya da kaymakam vasıtasıyla. Maliye Bakanlığının ödeneğinin harcama yetkilisi benim, kendi paramızın, döner sermayenin harcama yetkilisi kaymakam. Maliyenin ödeneğinde muhasebe müdürüydü eskiden, şimdi sorumlu sizsiniz, mal müdürü usulen bakıyor artık evraklara.

Maliyenin ödeneğinde harcama yetkimiz var. Harcama yetkilisiyiz, döner sermayede harcama yetkisi kaymakamda. Özel idare banka görevi görüyor, başka bir işlevi yok, parayı kullanma, değiştirme, tasarruf etme yetkisi yok. Kaymakam bey yeni geldi, o ay da bizim bir sürü ödeneğimiz var, 70.000 TL, gitti evraklar gelmiyor. Aralık ayındayız, yıl sonu, kapatmazsanız, ödemeyi bir daha yapamazsınız. Çok zor bir işlem aradım. Kaymakam bey, tamam tamam dedi. İki gün daha geçti. Sekreterini aradım, atladım gittim, dedim Kaymakam bey, ödeme biçiminden kaynaklanan bir endişeniz varsa size anlatayım. Bekletiyorsanız, bugün son günü, bu işleri yaptırdık, bu adamlarla ben karşı karşıya gelirim, daireye dönünce de kaymakam bey imzalamadı derim. Tamam filan dedi, ben yazı işleri müdürünün yanına geçtim, o arada imzaladılar. Konu şuydu: Kaymakamlığın da paraya ihtiyacı var, ben özel idareden müzeye niye bu kadar harcıyorum. Zannediyor ki biz özel idareden 80.000 TL kullanıyoruz. Hayır, kendi paramız oraya geliyor, biz kendi paramızı kullanıyoruz. O gün bugündür sorun yaşamıyoruz, gitmemesi gerekiyor, gerek yok.

Kentsel SİT'lerde de şöyle düşünüyorum. Yönetim oluşmalı, planı yapmalı, bu planı belediye imarı ödünsüz uygulamalı. Kentlerde, ülkelerde bir tane plan olur. İmar planı

ayrı, koruma planı ayrı, TOKİ'ninki ayrı, müzeninki ayrı, belediyeninki ayrı, turizm bakanlığının ayrı olmaz. Son günlere kadar zaten koruma bir problem olarak algılandı, imarı engelleyen, kentlerin ortasında engel oluşturan bir konu olarak algılandı. Daha yeni yeni belediyelerdeki kültürel yapı değişiyor, eğitim seviyesi değişiyor. Hükümetin bence merkezileştirmesi doğruydu ama planları bütünleştirmesi lazım. Efes ölçeğinde de kentsel SİT'e dayanıp da belediyeye yetkiyi devretmek çok gerçekçi gelmedi.

Bu süreçte hem bilgileniyoruz, paylaşıyoruz ama bu sorunlara kalıcı ve erken çözüm üretmek zorundayız, bakanlığa çok görev düşüyor çünkü şu andaki bütün yetkiler onda. Bazılarını paylaşmak istemezse, bazılarını devretmezse, buna ilişkin düzenlemeler yapmazsa benim hala Efes alan başkanı olmam bir şey ifade etmiyor ki oradaki şube müdüründen görüş almak zorundayım. Ben açık söyleyeyim, UNESCO'ya gidecek dosyalardan bir klasör oluşturmak üzere yapılmış bir yasa gibi geliyor.

APPENDIX B

ISTANBUL SITE MANAGEMENT UNIT MEETING MINUTE
FEBRUARY 24, 2012

Dr. HALİL ONUR – Alan Başkanı

- 12 Ekim 2011 tarihinde yapılan son Danışma Kurulu toplantısından bu yana geçen sürede yapılan çalışmalar ve Yönetim Planı onay süreci hakkında bilgi verdi. 1 Ekim 2011 tarihinde UNESCO'ya Yönetim Planının iletilmesinden sonra; esas olarak onaylanan plan; 28 Ekim 2011 tarihli Eşgüdüm ve Denetleme Kurulu toplantısında revizyonları ile onaylanarak, planın uygulanabilirliğinin arttırılması amacıyla yerel idarelerin meclislerine iletilmiştir. Fatih, Z.Burnu, Eyüp ve Bayrampaşa Belediyelerinin kasım, İBB'nin Aralık ayı meclislerinde kabul edilmiştir. İBB, Z.Burnu ve Bayrampaşa Belediyeleri'nin yönetim planı sınırı ile ilgili çekincelerinin olduğu ve sınırın plan revizyonlarında yeniden değerlendirilebileceği notu eklenmiştir. Aralık ayı sonunda, onaylanmış olan yönetim planı, daha önce Paris'te yapılan görüşmelerde söz verildiği üzere, UNESCO'ya iletilmiştir. Daha sonra 1 Şubat İlerleme Raporu ile birlikte Yönetim Planı İngilizce proofreading yapılmış olarak UNESCO'ya iletilmiştir.
- 1 Şubat ilerleme raporu öncesi, Büyükelçinin de katılımıyla bir bilgi paylaşımı toplantısı yapılmıştır.
- Bugün gelinen nokta; Yönetim Planının şartnamesi gereği 4.safha çalışmaları devam etmektedir. Ayrıca yönetim planının uygulanması ve denetlenmesi sürecine dair hazırlık çalışmaları yapılmaktadır.
- 4.safha çalışmaları; kamuoyu bilincinin arttırılmasına yönelik çalışmalar ve yönetim planının kamuoyu, tüm kamu kurum ve kuruluşları, sivil toplum kuruluşları ile paylaşımı ve çalışmaların dağıtımı kısımlarından oluşmaktadır. Bu safha içinde

yönetim planı, yönetici özeti, proje paketleri, broşürler, okullar için tanıtım levhaları basılıp, çoğaltılacak olup, nisan ayı içerisinde planın, lansman – paylaşım toplantısı düzenlenecektir. Ayrıca, kültürel mirasımız ve dünya miras alanlarımız konulu kısa film yapılmaktadır. Film; ana hatlarıyla, UNESCO ve Dünya Miras Kavramı, İstanbul'un tarihi alanları, 4 bölge, yönetim planı ve alan başkanlığı konularını içerecektir. Filmde verilmek istenen mesaj: koruma ve kültürel mirasımıza sahip çıkma olacaktır. Bu hususta çalışmalar Kültür A.Ş. tarafından yapılacak olup Alan Başkanlığımız sürecin içindedir.

Prof. Dr. GÜL İREPOĞLU – UNESCO Milli Komisyonu

- Film konusunda Danışma Kurulu'nun da fikrinin alınması önemli; filme tamam budur denilmeden Danışma Kurulu'nun mutlaka görüşü alınmalı ve birlikte hareket edilmelidir.

MÜCELLA YAPICI – Mimarlar Odası

- Yönetim planı henüz kimse tarafından bilinmemekte
- Alan Yönetimi Danışma Kurulu olarak askıda olan Tarihi Yarımada Koruma Amaçlı İmar planı için bir şey söylenmeyecek mi? Bu plandaki bazı kararlara itiraz edilmeyecek mi?
- Plan incelendiğinde Avrasya Tüneli ile bunun bağlantı yollarının plana işlenmiş olduğu görülmekte

Prof. Dr. ZEYNEP AHUNBAY – Uzman Üye

- Tampon Bölge ve bu alanda yükselen gökdelenler konusunda Alan Başkanlığı ne yaptı?
- Eğer Alan başkanlığı Danışma kurulu olarak kent için bu şekilde tehlike arz eden konularda hiçbir şey yapamıyorsak, burada bulunmanın bir anlamı yok.
- Alan Yönetimi ne iş yapıyor?

MÜCELLA YAPICI – Mimarlar Odası

- Yenikapı'da yapılması planlanan miting alanı çok büyük bir tehlike arz ediyor; 1 milyon metrekarelik bir alan ve tamamı dolgu alanı; denizin doldurulmasıyla elde edilecek hiçbir şehircilik kriterine uymayan bir proje söz konusu.

Prof. Dr. ARA ALTUN – İstanbul Üniversitesi

- Alan yönetiminde hukuki boşluk var; tüm projeler sadece duyumla alan başkanlığına geliyor ve alan başkanlığı sadece yazı ile uyarı yapabiliyor

- Alan yönetiminin uygulama olarak ne yapabileceği, yetkisinin ne kadar olduğu bilinemiyor
- Alan yönetimi konusunda yasada ve yönetmelikte boşluk var
- UNESCO'nun uzmanlarına aslında sıcak bakmak gerekiyor(danışman konusu) çünkü biz zaten UNESCO'yu tanımışız ve onlarla işbirliği yapmayı taahüt etmişiz.
- Yönetim planına uymayan kurumlar için herhangi bir yaptırım yok; sadece uymak zorundadırlar diye bir ifade var. Peki uymazlarsa ne olacak, burası tamamen açık.

Dr. HALİL ONUR – Alan Başkanı

- Alan içerisindeki tüm projelerin başlanmadan önce alan yönetimiyle paylaşılması gerekiyor
- Yönetim Planı koruma planının hayata geçmesine rehberlik eden bir plan

Prof. Dr. İCLAL DİNÇER – ICOMOS Türkiye

- Bu tür projelerin ICOMOS rehberi çerçevesinde ele alınması gerekiyor; tüm üst ölçekli ve alt yapı projeleri için ICOMOS rehberi dikkate alınmalı
- Danışma Kurulu ve Alan Başkanlığı birlikte hareket etmeli
- Tarihi Yarımada'yı tehdit eden üç önemli proje var: 16.9, Haliç Metro Geçiş köprüsü ve Avrasya Tüneli; şimdi Yenikapı'daki miting alanı projesi de bunlara eklenecek

Doç. Dr. PELİN PINAR ÖZDEN – Şehir Plancıları Odası

- Alan Başkanlığı ve Danışma Kurulu olarak birincil yetkililer ile konuşulamıyorsa; ciddi sıkıntıların ortaya çıkması kaçınılmazdır.
- Florya'da yapılan toplantıda bu hususlar sorulunca vakit darlığından bahsediliyor ve bu konuşmalar öteleniyor

Prof. Dr. DEMET BİNAN – Danışma Kurulu Başkanı

- Bu noktada Yönetim Planın onaylanmış olması çok önem taşımaktadır. Yönetmelikte yeralan Yönetim planının uygulanması ve denetlenmesi madde 13'e göre; "Kamu kurum ve kuruluşları , belediyeler ile gerçek ve tüzel kişiler, eşgüdüm ve denetleme kurulunca onaylanan yönetim planına uymak zorundadır" şeklinde ibare var. Önümüzdeki süreçte Alan Başkanlığı yönetim planı doğrultusunda gereken uyumun gerçekleşmesi için birçok kuruma yazılar gönderecektir

- Alan Başkanlığının oluşumu ve hazırlanan yönetim planı ilgili yazı yazılması ve bunun kamuoyuyla paylaşılması planlanmıştı ancak hayata geçirilemedi artık bu süreç işleyecektir.

Dr. HALİL ONUR – Alan Başkanı

- Tüm birimlere yönetici özeti ve proje paketleri kitapçığı iletilecektir ayrıca Alan Başkanlığı olarak yazı ile planın onaylandığını da duyuracağız; tüm bu süreçlerin nasıl işleyeceğine dair sizlerle görüşüp ortak karar doğrultusunda hareket etmek istedik.
- Alan yönetimi eşgüdüm sağlamakla yükümlüdür, yasal sınırlar içinde görevini yerine getirecektir; herhangi başka bir kurumun yasada tanımlanan görevine müdahale edemez ve etmemelidir.

Prof. Dr. ARA ALTUN – İstanbul Üniversitesi

- Alan yönetiminin yetkisi daha çok tartışılacaktır; yetki meselesi olacaktır, çünkü diğer birimler sanki kendi yetkileri ellerinden alınıyormuş gibi algılayabilirler. Bu alanda söz sahibi ve yetkisi olan koruma kurulları, belediyeler, İBB, bakanlık var ve hepsinin ayrı ayrı sorumluluğu var. Şimdi bir de alan yönetimi çıkıyor, yetkisi nedir, yaptırımı nedir, tam bilinmemesinden dolayı endişe duyuluyor.
- Yasal çerçeveyi zorlamamak gerekiyor.

CEM ERİŞ – İBB Tarihi Çevre Koruma Müdürü

- Alanda merkezi yönetim tarafından hazırlanan ve yürütülen projeler ciddi sıkıntı yaratıyor; bunlarla yönetim planı nasıl baş edecek asıl sorun burada. Çünkü bunlar plan iradesinin dışında gelişiyor.
- Alan başkanlığı görev ve yetkilerinin yasada ve yönetmelikte ifade edilişinde birtakım eksiklikler var; daha önce bunlar gündeme getirildi ve tartışıldı ancak henüz tam sonuç alınamadı.

Prof. Dr. ZEKİYE YENEN – Uzman Üye

- Danışma Kurulu genelde hep eksikliklerle toplanıyor, üyeler arasında devamsızlık var bu da çalışmada sürekliliği engelliyor
- Bir araya gelindiğinde eski konulara dönülmeden, tekrar tekrar aynı şeyler tartışılmadan daha ileriye gidilmesin, bunun için toplantı tutanakları tüm danışma

kurulu üyelerine dağıtılsın ve süreçten konuşulanlardan herkesin haberi olsun. Bu şekilde belki daha az devamsızlık da olabilir.

- Süreçten, çalışmalardan haberdar olamıyoruz; mesela yönetim planını hiçbir danışma kurulu üyesi alıp inceleyemedi. Sadece eşgüdüm üyeleri sondan bir önceki halini biliyor; oysa şimdi bununla ilgili görüş bildirilmesi isteniyor.
- Bu tür evraklar son ana bırakılmamalı, çünkü üyeler gerçekten çalışıyor
- Belediye hiçbir şekilde açık çalışmıyor; projeler tamamlandıktan sonra ortaya çıkıyor.
- Koruma Planı sunumu Eşgüdüm üyelerine yapıldı, o zaman Avrasya Tüneli plana işlenmemişti ve sunumu yapan plancı ekip bu projeyi plana işlemeye ellerinin varmadığını ve bunun bağlantı yolları ve kavşaklarının plana işlendiğini ancak geçişin planda olmadığını ifade etmişlerdi. Ancak geçen sürede görüyoruz ki, Avrasya tüneli plana işlenmiş, kurul tarafından da onaylanmış. Ancak yönetim planında bu proje yok, çünkü o zaman daha yasal hale gelmemişti ve yönetim planını yapan ekip tamamen yasal belge ile çalıştı. Eşgüdüm de koruma planının son halini görmedi.

Prof. Dr. DEMET BİNAN – Danışma Kurulu Başkanı

- Avrasya Tüneli projesi ilk gündeme geldiğinde danışma kurulu olarak bu projeye karşı olduğumuzu ifade eden bir yazı kaleme almayı düşünmüştük; ancak, o zaman ki alan başkanımız planımızın henüz onaylanmadığını ve bu yazının yönetim planı onaylandıktan sonra ilgili kurumlara gönderilmesinin daha doğru olacağını ifade etmişti. Bu nedenle bu yazımız yazılamadı, artık yönetim planımız onaylandığına göre bu yazının yazılmasında bir engel bulunmamaktadır.
- Ocak ayında ilerleme raporu öncesi yapılan toplantıda, siluet master planından bahsedildi ve etki değerlendirme ile ilgili bir plan hazırlanacağı ifade edildi. Daha sonra bir meclis kararı alındı ve bu kararla yüksekliklerle ilgili bir sınırlamanın yapıldığı görülüyor. Ancak bu konuyla ve yüksekliklerle ilgili bir araştırma yapılıp; ilgili kuruma alan başkanlığı olarak bir yazı gönderilerek, bu kararın mevcut durum üzerindeki etkilerinin ne olduğunun bize anlatılmasını talep etmeliyiz.
- 2008 Mart'tan bu yana buradayız ve bu sürece inanmış durumdayız; ülkemizde bu ölçekte yapılan ilk yönetim planı bu ve daha yolun başındayız bu süreçte yönetmelikteki açık ve eksik noktalar ve kurumların iletişim içinde nasıl çalışması

gerektiğine dair sorunları görüyoruz. İlgili kurumlara bu tür bilgilendirmenin bir an önce yapılması gerekiyor.

- Alanla ilgili yeni önerilen büyük ölçekli projelerin Alan Başkanlığına da gönderilmesi gerekiyor.
- Bazı hususlara biz dikkat çekeceğiz, biz öğreteceğiz; inandığımız hususları sonuna kadar savunmalıyız.
- Yönetim planına uyulmadığında yaptırımın ne olacağı hususu yasa ve yönetmelikte yok, bu yaptırımın ne ve nasıl olacağı önümüzdeki dönemde oluşacaktır.

Dr. HALİL ONUR – Alan Başkanı

- Burada gerçekten yaptırımla ilgili bir madde yok; koruma yasasında uymayanlarla ilgili hüküm bulunuyor; Alan Yönetiminde bilinç, inanma önemli belki de bu hususlardan dolayı özellikle yaptırımla ilgili bir hüküm bulunmuyor.

Doç. Dr. PELİN PINAR ÖZDEN – Şehir Plancıları Odası

- Bazı hususlar çok inandırıcı değil; Belediye Alan Başkanlığını, yönetim planını bilmiyor mu ki, 16.9'a onay veriyor. Bir yandan ona onay verip, diğer yandan bu kurumu desteklemek, çok inandırıcı değil ve bu kurumun inandırıcılığını yok ediyor.
- Bu konular alan başkanlığı ilk kurulduğu zaman konuşulan konular ve tekrar aynı konuları konuşuyoruz. Hiçbir yol alınmamış durumda. Bugün örnekler karşımıza birer birer çıkıyor.

MEHMET GÜRKAN – Kültür ve Turizm Bakanlığı

- 2004 yılındaki yasaya kadar gerçekten Alan Yönetimi kavramı bilinmiyordu. Aynı şekilde yasada yer verildi ancak, neye uyulmazsa, kim uymazsa, ne olur, ne yapılması gerekir o günlerde kimse bilmiyordu.
- Aradan geçen 8 yılda çok mesafe alındı; artık yönetim planları biliniyor ve bu konuda birçok iş yapıldı ve yapılıyor. Efes ve Alanya yönetim planları yapıldı; Edirne'nin bir kısmı tamamlandı, Çatalhöyük yeniden yapılıyor.
- Ancak sadece yapılıyor henüz uygulama yok. Şimdi İstanbul bu aşamada, uygulamaya gelindi, fakat buradaki idareler neyi, nasıl uygulayacaklar bunu tam olarak bilemiyorlar.
- Bu bir imar planı değil, fiziki kararlar içermiyor. Yönetim planında İstanbul'un silueti korunacak diye bir hüküm var; peki Belediye bu karara uymayarak neyi korumuyor ve şimdi ne getiriyor, ne gibi kısıtlamalar geliyor.

- İdareler bundan sonraki süreçte bazı imkanlardan artık faydalanmayacak.
- Bizim danışma kurulu olarak görevimiz planla ilgili tavsiye ve önerilerde bulunmak.
- Bu arada mevzuat geliştirmede çok hızlı bir süreç yaşanıyor; yasa ve yönetmelikteki revizyonlar için önerilerinizin hemen ortaya konması gerekiyor.
- Bu toplantıda mevzuatla ilgili önerileri notlarım alıyorum, ilgili mercilere iletmek üzere.
- UNESCO DMM' nin ICOMOS uzmanlarına yönetim planını incelettiği ve uzmanların hazırladığı rapor bugün elimize geçti. Bir yandan o rapora bakıyorum; raporda, 2011 yılının başında iletilen plandan bugüne çok büyük gelişme kaydedildiği, yönetim planının sadece 4 bölge için değil tüm yarımada için yapılmasının da olumlu karşılandığı, ayrıca plana olan katılımın da son derece memnuniyet verici olduğu ifade edilmekte. Eksik olan taraflardan da bahsediyor. Örneğin dört alandan bahsediliyor, bu dört alanın birbiriyle olan ilişkisinin net olarak tanımlanmadığını söylüyor; bu dört alan İstanbul'un eşi ve benzeri olmama özelliğini, üstün evrensel değerini nasıl desteklemektedir? Bu üstün evrensel değerin alana nasıl bir etkisi vardır? Bu tür hususlara değinmişler.
- Bu konular toplantının gündeminde olmalı; bir sonraki toplantıda bu konular da tartışılmalıdır; bugün bu belge elimize çok geç ulaştığı için bugün tartışamıyoruz.
- Yönetim planında tanımlanan projeler ilgili kamu kurumunun öngörülen yıllık programına konulmadığı takdirde ne olacak?(İSKİ örneği) Yatırım programlarına alınmayan projeler için ne gibi yaptırımlar olacak. Yatırımlar hariç 16.9 gibi projeler için ne olacak? 16.9 meselesi somut bir uyumsuz durum. Net olarak bu gibi hususlar için Alan yönetimi ne yapacak, ne yapabilir?

Dr. HALİL ONUR – Alan Başkanı

- Geçen ay, Müsteşar Bay ile KUDEB'te bir görüşmemiz olmuştu ve alan yönetimiyle ilgili bu tür sıkıntıları kendilerine ilettik. Mevzuat değişikliği sırasında kendilerine ilettiğimiz görüşlerimizin dikkate alınacağını ve tüm alan yönetimlerinin ortak sıkıntılarının bir bütünlük içerisinde masaya yatırılacağını ifade ettiler.
- Koruma planına yönetim planıyla ilgili bir not ekletirsek, koruma planının yaptırımını yönetim planı için de sağlamış oluruz diye düşünerek, 1/5000 plana bir plan notu eklendi.

Prof. Dr. GÜL İREPOĞLU – UNESCO Milli Komisyonu

- Aynı konulara tekrar tekrar dönmemek için mutlaka toplantı notlarının elimize ulaştırılması gerekmektedir.
- Ekim ayındaki toplantımızda, yani UNESCO Genel Kurulu öncesi yapılan danışma kurulu toplantısında İBB temsilcimiz Sayın Cem Beye, Zeytinburnu'nda yapımı süren gökdelenlerle ilgili Paris'te gelebilecek olan soruya nasıl bir yanıt vermem gerektiğini sormuştum. Kendisi de bana, Kadir Başkan ile projenin sahibi arasında görüşmelerin sürdüğünü ve belli katların kesilmesi hususunda anlaşma sağlandığı ifade etmişlerdi. Paris'te gelen sorulara aynen bu yanıtı verdim.
- Toplantı notlarının elimizde olması ne söylendi, ne söylenmedi kayıt altına alınmış olmasını sağlayacaktır.
- Bu konuda kesin bir söz verildiği değil de bu konu üzerinde çalışıldığının, bu konunun öneminin bilindiği mesajının verilmiş olması ve bir sonuç elde edilmiş olması asıl önemli olan.

Prof. Dr. DEMET BİNAN – Danışma Kurulu Başkanı

- Benim hatırladığım kadarıyla bu cevabı Cem Bey değil Fatih Belediyesi Başkan Yardımcısı Erhan Bey vermişti.

MÜCELLA YAPICI – Mimarlar Odası

- Gökdelenler ancak yükselince kamuoyu bunları fark etti; biz proje bize geldiğinde, anayasal yetkimiz olduğu için bunların ÇED raporuyla birlikte Belediyeye, kurula, ilgili bakanlığa, içişleri bakanlığına uyarı yazısı ve bunların siluet üzerinde yaratacağı etkileri içeren birer yazı yollayarak üzerimize düşen görevi yerine getirdik. Bize gelen cevaplarda bunun tamamen yasal olduğu, hiçbir sakınca içermediği belirtildi. Bu aşamada burada herhangi bir iyi niyetin olmadığı anlaşılıyor.
- Yönetim planında bir takım aksaklıkların olduğunu yazılı olarak Alan başkanlığına ve daha sonra da elden Eşgüdüm Kuruluna iletmiştik. Alan yönetim planı ile koruma planının birbirinden bağımsız olamayacağı bunlardan biriydi.
- Yönetim planı tüm planların üzerinde yapılmıştır.
- Planlar sırasında Alan Başkanlığı danışma kurulundan da görüş alınmalıydı; buradan görüş alınmadan bu planların askıya çıkması doğru değil. Planı hazırlayan birimlerle, alan başkanlığı birbirinden bağımsız bir şekilde hareket etmemelidir.

- İstanbul Büyükşehir Belediyesi ve Alan Başkanlığı aynı alan için çalışmakta, bu yüzden birbirinden bağımsız karar üretmemelidir. Alınan kararlar kendi içinde kabul edilebilir olmalıdır. Aksi takdirde Alan Başkanlığı sadece UNESCO'ya karşı göstermelik bir birim olacaktır. Buradaki tüm değerli uzmanlarda bu durumun bir parçası olacaktır. Oysa burada Türkiye'nin sayılı uzmanları yer almaktadır.

Dr. HALİL ONUR – Alan Başkanı

- Mücella Hanım çok karamsar konuştunuz; burada sadece UNESCO için yasak savma niteliğinde bir yönetim planı yapılmadı. Biz mevzuatımız gereği sadece dünya miras alanları için de değil tüm yarımada için yönetim planı yaptık ve önümüzdeki süreçte tüm sit alanları için benzer çalışmaları sürdüreceğiz.
- Gönderdiğimiz belge bizim iyi niyetimizin bir göstergesi; gelen olumlu eleştirilerde bunun UNESCO tarafından anlaşılmış olduğunun göstergesidir.

Prof. Dr. İCLAL DİNÇER – ICOMOS Türkiye

- Danışma Kurulu'nun artık karar alması, ilkeler belirlemesi gerekiyor. Buraya sadece konuşmak için kimse gelmiyor. Nasıl eşgüdüm denetleme kurulu bir çalışma yöntemi belirledi, karar alıyor ve bunun uygulanması öngörülüyorsa; danışma kurulunun da kendisine bir çalışma yöntemi belirlemesi ve almış olduğu kararların uygulanması için bu kararların bir şekilde duyurulması gerekiyor.

Doktora Öğrencisi – ODTÜ

- Alan yönetiminin tüzel kişiliğinin olmaması, tanımlanmamış olması asıl en büyük sıkıntı; Alan başkanlığının hiyerarşide yeri yok
- Bu yapının aslında Belediye Başkanlığının ya da Kültür Bakanlığının bünyesinde olmaması gerekiyor.
- Yaptırımı uygulayacak merci neresi olacak? İdari hiyerarşi içinde denetim olmalı; ancak bunun nasıl olacağı net değil. İç denetim birimi mi olacak ya da Sayıştay denetimi mi olacak?
- Alan Başkanlığının bütçesi yok; alan başkanlığı yönetim planının hayata geçmesi için eşgüdümü sağlayacak birim. Ancak Alan Başkanlığı nerede duruyor? Yaptırımı nasıl hayata geçirecek, ciddi belirsizlikler var.
- Alan Başkanlığının statüsünün yönetmelikte yeniden değerlendirilmesi gerekiyor.

MEHMET GÜRKAN – Kültür ve Turizm Bakanlığı

- Alan Başkanlığının bir kimliği yok; idari olarak kanunu yok; Kültür Bakanlığının 4848 sayılı teşkilat kanununda belli bir yapılanma ve hiyerarşi var, burada alan başkanlığının yeri yok, sadece 2863 sayılı yasanın ek 2a maddesinde alan başkanlığı var. Aynı şekilde belediyenin teşkilat şemasında da yeri yoktur. Bu durum beraberinde kimliksizliği getirmiş oluyor.
- Ancak, eğer 4848 sayılı teşkilatlanma kanununda, ya da yerel yönetimlerin teşkilatlarını belirleyen kanunlarda yer alırsa, bu sefer alan başkanının sadece devlet memuru kadrosundan olması zorunluluğu ortaya çıkacak. Bunun da birtakım riskleri var.
- Alan Başkanlığı yönetmeliği hazırlanırken, o zaman ki müsteşar Mustafa İsen idi ve kendileri; Alan Başkanının o alana faydası olacak, alan için önem taşıyan birinin de alan başkanı olmasının mümkün kılınması düşüncesindeydi.
- Bir yerde firma sahibi, ya da mimar, ya da yönetici olabilirsiniz; devlet memuru olmamanız, eğer o alana fayda taşıyacak biri iseniz alan başkanı olmanız için engel teşkil etmemeli. Bugün neden biz Rahmi Koç'u bir yerde alan başkanı olarak atamayalım, bize katkısı olur mu, finansal olarak katkısı olabilir.
- Bu tamamen bir örnek, ancak doğu ya da güneydoğu bölgeleri için finansal kaynak sağlayabilecek kişilerin seçilmesi gibi bir alternatif de olabilir elimizde. Yani neden olmasın sorusu asıl olan.

Prof. Dr. ZEYNEP AHUNBAY – Uzman Üye

- Benim söylemek istediğim husus alan başkanının kimliği ile ilgili. Alan Başkanı tüm zamanını alanda geçiren, alanda olup biteni yakinen takip eden, alan için gerekli ve faydalı olacak uzmanlarla işbirliği içinde çalışan profesyonel bir kişidir.
- Türkiye'de bu tanım tam anlaşılamamış, bahsedilen kişiler ancak alan için sponsor olabilir. Anladığımız kadarıyla sayın müsteşarın da kafasında başka bir alan başkanı kimliği varmış. Alan Başkanının ne iş yapacağı tam anlaşılamamış. Batıda böyle bir model var ve orada alan başkanları ful time çalışıyor.
- Mesela şimdi Bursa için İstanbul'da görevli bir öğretim üyesi alan başkanı olarak atanmış, haftada bir gün alan gidecekmiş. Alan Başkanlarına verilen ücret 800 lira, Nemrut'a gidecek alan başkanı bulunamadığından, oradaki müze müdürü alan

başkanı olarak atanıyor. Ancak ne olup bitiyor doğal olarak haberi olmuyor. Aynı durum İstanbul için de geçerli.

- Alan başkanı alanda dolaşmalı, olan bitenden haberdar olmalı. Örneğin Arkeolojik Park içinde 5 katlı bir bina çıktı, kimsenin haberi olmadı, 5 kat olana kadar kimse görmediğine göre kimse dolaşmıyor demektir.
- Alan başkanının görevi budur; dünyada ve benim bildiğim bu şekildedir.
- Mesela gökdelenler yükselirken alan başkanının gümbür gümbür UNESCO'ya yazması, meclise yazması ve ayaklanması gerekiyordu. Böyle olmalıydı.

Prof. Dr. İCLAL DİNÇER – ICOMOS Türkiye

- Bugünkü toplantıda tartışılan, konuşulan konuların bir neticeye bağlanması gerekiyor. Öncelikle bugün burada yapılan konuşmalardan alınan birinci ortak karar: mevzuatın ivedilikle revize edilmesi yönünde ilgili birimlere İstanbul Alan Başkanlığı Danışma Kurulu'nun bu yönde almış olduğu kararın iletilmesi ki Kültür Bakanlığının temsilcisi aramızda olduğuna göre bu hususun kolaylıkla hayata geçirilebileceğini düşünüyorum.
- İkinci konu ise; toplantının başında konuştuğumuz, büyük ölçekli projeler ve bunların tarihi yarımada üzerinde yarattığı tahribatlar konusunda alan başkanlığı olarak tavrımızın ne olacağının ortaya konması. Bu konuda alan başkanlığındaki arkadaşlar taslak bir metin hazırlayıp, bizler de katkılarımızı koyarsak; kısa sürede nihai hale getirmiş oluruz.
- Toplantı karar metni

MÜCELLA YAPICI – Mimarlar Odası

- Bu plana itiraz metni de olabilir; tüm Alan Başkanlığı olarak askıdaki plana olan itirazlarımızı sıralayarak, böyle bir metni İBB'ye yollayabiliriz. Plana itiraz süresi çok az kaldı.
- İBB Şehir Planlama Müdürlüğü'nden Danışma Kurulu'na koruma planının bir sunumunu yapmalarını talep etsek, çünkü neyi yöneteceğimizin bilinmesi gerekiyor.

Prof. Dr. DEMET BİNAN – Danışma Kurulu Başkanı

- Şimdi planın uygulama süreci için bir izleme biriminin oluşturulması gündemde. Bu izleme biriminde kimler olmalı, kimler olacak? Sivil toplum kuruluşları, ICOMOS mutlaka bu izleme biriminde olmalı. Bu konuda da görüşleriniz büyük önem taşıyor.

- İl Özel İdaresi de bu denetim birimi içinde yer alabilir. Biliyorsunuz İl Özel İdaresinin elinde büyük bir maddi kaynak bulunuyor, bu kaynağın kullanımında belli bir stratejileri de bulunmuyor. Eğer denetim biriminde yer alırlarsa, yönetim planındaki projelerin hayata geçmesi için kaynaklarında öncelik verebilirler. Böylece verdiği paranın nasıl kullanıldığını da denetlemiş olurlar.
- Böylelikle il özel idaresinin harcamaları da planlanmış olabilir.

MÜCELLA YAPICI – Mimarlar Odası

- Şimdi elimizdeki yönetim planı onaylanmış bir plan. Elimize yeni geçtiği için yeni inceleyeceğiz; bir takım eklemelerimiz ya da itirazlarımız olursa ne olacak? Dikkate alınacak mı? Yoksa artık yapacak bir şey kalmadı mı? Bu haliyle biz de mi kabul etmek zorundayız.
- Planlar onaylandığında biz itirazlarımızı belirtiyoruz, olmadı yargıya gidiyoruz. Şimdi burada ne yapacağız?

Dr. HALİL ONUR – Alan Başkanı

- Odanın yönetim planının her aşamasında katkı ve görüşleri alındı. Süreci kurum olarak en başından beri takip etmekteler. Bu konuda hiçbir sıkıntı yok. Ayrıca, tabii ki yönetim planına her zaman katkı, öneri ya da eleştiri yapılabilir. Yönetim planının doğası zaten bu gerekli, yasada da bunun tanımı var. Yıllık revizyonlar ve beş yılda bir de vizyon, amaç, hedef gibi ana hatların ele alındığı genel bir değerlendirme yapılacaktır. Bunun dışında yıllık revizyonlar olacaktır.

Prof. Dr. ZEKİYE YENEN – Uzman Üye

- Yönetim planı koruma planına girmiş konularla nasıl baş edileceğine dair bilgiler içermeli
- Revizyon için hızla olanak yaratılıyor

CEM ERİŞ – İBB Tarihi Çevre Koruma Müdürü

- Karar metninin oluşturulması kısa bir süreç olmamalı, ilk defa olacak bu, süreç uzayacaktır ki çok doğal, herkes imza atacak sonuçta.

GENEL

- Toplantı tutanağının tüm danışma kuruluna iletilmesi, burada konuşulanların hatırlanması için ve daha sonra karar metninin oluşturulması; bu hususta tüm üyelerden gelen görüşler doğrultusunda alan başkanlığının metni oluşturması ve üyelerle paylaşarak nihai metnin oluşturulması

CEM ERİŞ - İBB Tarihi Çevre Koruma Müdürü

- Kültür Bakanlığı mevzuatta değişiklikler yapmadan, bu değişiklikler kabul edilmeden önce İBB ve diğer kurumlarla paylaşmalı, onlardan katkı almalı ve son halini bu süreçlerden sonra vermeli
- İlgili kurumlarla paylaşmak ürünün sahiplenilmesi adına büyük önem taşımaktadır.

Prof. Dr. GÜL İREPOĞLU – UNESCO Milli Komisyonu

- Avrasya Tüneli süreci içerisinde Kültür Bakanlığının talebi doğrultusunda UNESCO Somut Kültürel Miras Başkanı olarak hazırladığım bir rapor var. Bu yeni bir rapor değil; sonbaharda hazırlamıştım. Ulaştırma Bakanlığında bu proje ile ilgilenen kişilerle, yetkililerle ve müsteşarla görüşüp detaylı bilgi aldıktan sonra bu rapor yazıldı.
- Bu rapor sadece bir görüş, yaptırımlar söz konusu değil.
- Ulaştırma Bakanlığı'ndan Ahmet Beyle görüştükten sonra, özellikle baca konusunda defalarca kendilerine danışarak, özellikle baca meselesi, tamamen görüş niteliğinde bir rapor. Alan Başkanlığı tarafından bu rapor bakanlıktan talep edilebilir. Sizin içinde bir görüş teşkil edecektir.

Prof. Dr. ZEKİYE YENEN – Uzman Üye

- 5226 sayılı yasa hazırlanırken, kurul üyeleriyle o zaman görevdeki bakan bizzat toplantılara katılmış ve her bir madde tek tek görüşülmüştü. Ancak zaman yetersizliğinden dolayı alan yönetimi kısmı bu şekilde görüşülemedi ve son anda yabancı literatürdeki haliyle bizim yasamıza aplike edildi.
- 5226 sayılı yasanın birçok düşünülerek hazırlandığı konusunda bir fikir birlikteliği mevcut, çünkü bu yasa gerçekten iyi bir katılımla ve üzerinde detaylı çalışılarak hazırlanmıştır.
- Bu kısım eksik kalmıştı, biz şimdi o eksiklikleri konuşuyoruz ve buradaki eksikler giderilmeli.
- Aslında baktığımızda yasa ile bu kuruma birtakım statüler ve yaptırımlar verilmiş gibi duruyor ancak bu batılı ülkeler ve Avustralya için geçerli. Çünkü oralarda koruma bilinci mevcut, bu konuda çalışan ve destek veren çok geniş bir kamuoyu oluşmuş durumda. Yasada ne yazılıyorsa aynen işliyor; tamamen ahlaki bir bakış açısı

mevcut; farklı düşünemiyor insanlar. Bizde ise bunu sağlamak çok kolay olmadığı için yurtdışı örneklerden mevzuat uygulaması bize uymuyor.

- Burada danışma kurulu, onlarca kendi alanında uzman kişilerden oluşuyor; danışma kurulu öyle bazı tavırlar ortaya koyabilir ki; bu süreçte ülkemiz için yeni bir geleneği geliştirebilir, yeni bir başlangıca vesile olabilir.
- Üniversite olarak kıyı düzeni planı, turizm planını hazırlamaktayız, ilgili kurumlarla sürekli beraber ve işbirliği içinde çalışıyoruz ; bazı konuları bu vesileyle duyduk ancak Yenikapı'daki dolgu alanını ilk defa duyuyoruz.
- Siluet planı için yapılan çalışmada silueti alış şekilleri de hatalı; çünkü Tarihi Yarımada'nın fotogrametrik silueti çalışmasının şartnamesi hazırlanırken, İBB Harita Müdürlüğü ile yaptığımız çalışmalarda ve sonra ortaya konan çalışmadaki durumlar bu çalışmada hiç dikkate alınmamış.
- İBB çok ciddi işler yaptırıyor ve çok iyi doküman hazırlattırıyor; aynı tarihi yarımada koruma amaçlı planı için yapılan envanter çalışmasında olduğu gibi İBB tüm kaynaklarını kullandırıyor.
- Bu çalışmaların özellikle alanla ilgili olanlarının Alan Başkanlığına ve Danışma Kuruluna anlatılması, onların görüşlerinin alınması çok faydalı olacaktır. Bunun sağlanması için bir adım atılmalı ve bunun sürekliliği sağlanmalıdır.

Dr. HALİL ONUR – Alan Başkanı

- Önümüzdeki süreçte, Danışma Kurulu toplantılarını daha sık düzenleyerek; Belediyelerin ilgili birimlerinden toplantılarımıza katılarak, ilgili projeler hakkında danışma kurulunu bilgilendirmelerini ve danışma kurulundan görüş alınmasını sağlayabiliriz.

MÜCELLA YAPICI – Mimarlar Odası

- Koruma Kurullarında Alan Başkanlığının da temsilcisi olmalı; proje teklif aşamasında iken Alan Başkanlığının da bilme imkanı olur ve iş işten geçmeden gerekli müdahaleler yapılabilir.
- Bu husus mutlaka mevzuat değişikliği sırasında dikkate alınmalı ve Alan Başkanlığının 4 ve yenileme kurullarında asil birer temsilcisi olmalı
- Tarihi yarımadayı ilgilendiren konularda alan başkanlığının kurulda bir üyesinin olması büyük önem taşımakta, çünkü bugün çok önemli mimari projeler, önemli kentsel projeler uzman olmayan üyelerin gözetiminde.

- Yönetim planı sınırı içerisindeki projelerde mutlaka kurula gelmeli.

GENEL

- Sadece Tarihi Yarımada'ya bakan kurullarda değil, yönetim planı alan sınırı içindeki tüm sit alanlarına bakan kurullarda alan yönetiminin bir kurul üyesinin bulunması için mevzuatta düzenleme yoluna gidilmesi.

MEHMET GÜRKAN – Kültür ve Turizm Bakanlığı

- 16-9 sit alanında değil ancak yönetim planı sınırları içerisinde; bu koruma kuruluna gelmeyecek bir konu.
- Proje, Alan yönetimini ilgilendiren planları ilgilendiren nazım plan, uygulama planı, sit sınırı değişikliği, yönetim planı ile ilgili olduğu vakit sistem bu şekilde işleyecek ve bunda herhangi bir sıkıntı yaşanmayacak.
- Ancak 16-9 Tarihi Yarımada dışında, sit sınırı dışında, buffer zone dışında ve kurula gelecek herhangi bir durumu yok.
- 16.9 alan yönetimi planı buffer zonu içerisindedir. Surların buffer zonu, yani sur koruma bandı içerisinde değildir.

CEM ERİŞ – İBB Tarihi Çevre Koruma Müdürü

- Bakanlık 16.9 ile ilgili olarak ilgili koruma kuruluna, yani 4 nolu kurula, bu projeyi sordu; kurulda bu proje benim yetki alanımda değil, ilgili belediyesince değerlendirilmesi diye bir yazı yolladı.
- Alan Başkanlığından bir temsilci olsa, kurul o zaman böyle bir karar alamazdı; mutlaka değerlendirmeye almak zorunda kalırdı.
- Yönetim Planı sınırını onaylanırken; sınır onayı bakanlığa gönderildi. Bakanlık tek başına bu sınırı onaylamadı, ilgili koruma kurullarına görüş sordu ve sınır onayıyla ilgili görüş veren ve bu sınırı uygun bulan kurullar aslında bu konuda taraf oldular. Ancak daha sonra,4 no'lu kurul bu proje benim sorumluluk alanımda değil diyor, ancak yönetim planı sınırı için olumlu görüş veren kurullardan bir tanesi yine kendisi.
- Bu 2 yıl öncenin konusu; bu sınır bakanlık tarafından kabul edildi.
- Bu konu binalar daha tam yükselmeden kurula gelmişti; o zaman kurul evet bu binalar benim olumlu görüş verdiğim yönetim planı sınırı dahilinde diyerek, bunların durdurulması yönünde bir görüş verebilirdi; ancak kurul bunu yapmadı.

Prof. Dr. ZEYNEP AHUNBAY – Uzman Üye

- UNESCO Daimi Büyükelçisinin de bu alanda yapılan uygulamalardan bir takım rahatsızlıkları var. Bu alanlarda koruma prensiplerinin uygulanmadığını ve önümüzdeki süreçte nelerin yapılması, ne gibi hususların UNESCO nezdinde dikkate alınmasına dair bir mektup kaleme aldı. Bu mektup herhalde ilgili yerlere; Bakanlığa, Belediyeye, Alan Başkanlığına da ulaşmıştır.
- 16.9 meselesinde ve benzer konularda esas karar veren mercilerin iyi niyetli olmaması önemli
- Sur koruma bandının içinde olmaması önemli değil; biz burada uluslararası normları konuşuyoruz

Prof. Dr. ZEKİYE YENEN – Uzman Üye

- Bu alan sur koruma bandı içinde değil ancak yönetim planı sınırı içinde yani sur koruma bandının komşuluğunda
- Koruma kurulunun üyelerinin bu bakış açısıyla konuyu ele almaları gerekirdi ancak zaman içinde değişen kurul üyelerinin bakış açıları da farklı olabiliyor

Prof. Dr. İCLAL DİNÇER – ICOMOS Türkiye

- 1985 yılında belirlenmiş olan sur koruma bandı sınırı, 2008 yılında danışma kurulu tarafından revize edilerek genişletilmiş. Artık eski sınırdan konuşmanın bir anlamı yok, önümüzde bakanlıkça onaylanmış yeni sınır var ki bu yönetim planı alan sınırı.
- Bu sınırın kurullarımıza da anlatılması ve hangi sınırı dikkate almalarının gerektiği hatırlatılmalıdır.
- Uluslararası arenadaki statüsü gereği UNESCO'ya bu sınır yazılmalıydı.

MEHMET GÜRKAN – Kültür ve Turizm Bakanlığı

- 2008 de revize edilen sınır sur koruma bandının sınırı değil; buffer zone olarak tanımlanan tarihi yarımada yönetim planına ait bir bölge.
- Mevzuata göre hareket edilmeli; koruma kuruluna kendi yetkisi dışında, 2863 de tanımlanan alanlar var; sit alanı var, koruma alanı var, şimdi ağustos ayında çıkan yeni bir kavram etkileşim geçiş sahası geldi, şimdi yeni bir kavram daha gelme olasılığı var ki o da tampon bölge, sadece yönetim planları için olan bir kavram, bunun da yasallaştırılması gerekiyor, buffer zone uluslar arası mevzuatta olmasına rağmen biz de yok; bu alan tanımının da yasallaştırılması gerekiyor. Koruma Kurullarının

henüz tanımı yasal olarak yapılmamış bir alanda söz sahibi olması mümkün değil. Yönetim planı alanının tanımı var ancak eğer bu sınır dahilinde sit alanı yok ise koruma kurullarının bu alanlara yönelik karar alma yetkisi bulunmuyor. Bu durumda kurul karar alamıyor, 16.9 hakkında kurul sadece tavsiye niteliğinde karar alabilir.

- İstanbul'un siluetine olumsuz etkisinin olduğu kanaatiyle ilgili belediyesince değerlendirilmesi diye tavsiye niteliğinde bir karar alınmış.
- Bugünkü mevcut mevzuata göre 4 no'lu kurulun bunun ötesinde bir şey söylemeye yetkisi yok.
- Alan yönetim sınırı bakanlıkça belirlenir ve bakan tarafından onaylanır; kurulların bu sınırın onayında herhangi tanımlanmış bir rolü yok. Sınır kurullarca onaylanmaz; benzer şekilde yönetim planı o zaman neden kurullarca onaylanmadı?

CEM ERİŞ – İBB Tarihi Çevre Koruma Müdürü

- Koruma kurulları onay mercii değildir, sadece görüş verme merciidir.
- Ancak karar verici diyoruz çünkü aldığı kararlara uyulmadı takdirde ağır cezalık olma durumu söz konusu olduğu için o görüş aslında bir onay oluyor.
- Bu konuların bu şekilde tartışılıyor olması mevzuatta bu konuyla ilgili birçok boşluk olduğunu gösteriyor.

MEHMET GÜRKAN – Kültür ve Turizm Bakanlığı

- Dünya Miras Kavramı da spesifik olarak revize edilen mevzuat içerisinde yer alacaktır. Bu konularda arkadaşlar çalışma yapmaktadır.
- Hem dünya miras alanı nedir; hem dünya miras alanı geçici liste nedir; hem tampon bölge nedir, tanımları yeni düzenlemede yer alacaktır.

APPENDIX C

LIST OF PROBLEMS

PROBLEMS		**Respondents / Results of Thesis (RoT)**
LEGAL PROBLEMS		
1	The absence of an institutional identity for the Site Management Unit, the status of the site manager in administrative law and hierarchy	R1, R6
2	Some of the concepts in the regulations are not clear (Junction point, etc.)	R3
3	Duties, authorities and responsibilities of site manager and other officials are unclear	R4, R6, R12, R13
4	The relationship between Site Management and Regional Conservation Council is not defined	R4, R8
5	Some implementations by site managements in violation of international agreements.	R4
6	The absence of legal status and autonomy of site management unit contrary to the autonomous definitions in the regulation, in practice the site management unit is dependent on the municipality	R5, R8
7	There are ambiguities in the selection procedure and qualifications of the members of the Advisory Board	R5, R11
8	The financial resources required to be transferred to site management is unclear in the regulations	R9
9	The provisions of the regulation granting broad authority to site management units are not included in regulations or organizational laws of other institutions	R10
10	Special Provincial Administrations, KUDEBs, Provincial Cultural and Tourism Directorates, as well as Directorate of Surveying and Monuments do not have any role in site management	R13
11	The regulation regarding the management of world heritage sites and other management areas are the same. The regulation is more oriented towards archaeological sites, and, in addition, the principles of the management of urban sites, archaeological sites, historical sites as well as World Heritage Site are not differentiated	R13, RoT
12	The Superior Council for Conservation is open to political influence in terms of its centralist structure and its members, therefore it suffers from both credibility and practical problems in terms of autonomy	RoT
13	The appointment of the members of the Regional Conservation Council is in the gift of politicians, this creates problems in making decisions on the basis of scientific and consistent approaches	RoT
14	Some definitions used in international literature are not included in national legislation (such as rural heritage, rural site, and cultural landscape)	RoT

15	There is a bias towards business and tourism management as well as expectations of economic benefit rather than conservation in the regulations regarding site management	RoT
16	The absence of a comprehensive, consistent, continuous and effective national conservation policy and associated strategies at the national level	RoT
17	Some definitions in the regulations are not explained (operational project, excavation plan etc.)	RoT
18	The concept of urban crime is not defined in the regulation	RoT
19	The definition of site management is not explained in the law or regulation	RoT
20	The site management unit is not defined within the organizations of the Ministry of Culture and Tourism nor within local administrations	RoT
21	The organization and functioning of site management is not in accordance with the Public Financial Management and Control Law no. 5018	RoT
22	Uncertainty regarding the selection and qualifications of the members of the Coordination and Supervision Board	RoT
23	The role and functioning of the Advisory Board are unclear	RoT
24	Uncertainty about the selection and roles of the members of the Audit Unit, aggravated by the lack of detailed description of a protocol regarding the supervision of the activities of the site management unit	RoT
25	The role of the excavation directors in archaeological site management and their relationship with the site management unit are not defined	RoT
26	No protocol to ensure coordination among administrative institutions is specified in regulation	RoT
27	The regulation does not contain an approach allowing for making a management plan for single buildings or building ensembles	RoT
28	The fact that the governorships, which are the main stakeholder in provinces, are not included in the legal processes for site management	RoT
29	The absence of binding legal agreements and powers of sanction regarding adherence to the management plan	RoT
30	The regulation does not include scope for volunteers to conduct studies on site management	RoT
ADMINISTRATIVE PROBLEMS		
	A. PLANNING	
1	Problems in internalization of management plans made by the tender procedure by the site management units	R2
2	Existence of a large number of plans, made by different institutions, regarding development and conservation in the management area	R5
3	The management plan has no legal status in the planning system	R6
4	Ideological approaches to the words or themes in management plans	R6
5	The lack of guidance on the UNESCO nomination process	R10
6	Plans are not drawn up within a team work process	R10
7	The prioritization of issues, or their urgency in the Regional Conservation Councils is not determined strategically	RoT
8	The concept of site management has not yet been fully understood and adopted	RoT
9	Irrelevancy of the Conservation Plan and the Management Plan to other wider-scale plans	RoT
10	Definition of objectives, goals, actions and the responsible organization in management plans are not realistic	RoT
11	Some management plans are not feasible	RoT
12	Definitions of future visions in management plans are not explicit and clear	RoT

13	Large-scale projects, which pose a threat to management areas, prepared by the imposition of central administration	RoT
14	Implementation of development planning and conservation planning as two separate processes	RoT
15	The lack of urban design guides	RoT
	B. ORGANIZATION	
1	The lack of staff and equipment within the site management units	R1, R8, R12, R15
2	The fact that the World Heritage unit in the ministry lacks of detailed information and a realistic perspective about practical site problems	R2, R4
3	Difficulty in finding and assigning qualified persons appropriate for the site manager	R3, R4
4	Assignment of site manager positions to museum directors	R4
5	Part-time working by site managers	R4
6	Some site managers also carry out self-employment roles in the management areas	R4
7	Appointments not made on the basis of career and merit rules in stakeholder organizations that have conservation duties in the site. Human resources operations are not impartial	R4
8	Removal of assignments made by Council of Higher Education (YÖK) in the organization of the Conservation Council, manipulation of the Conservation Councils by the Decree Law no. 648, to change members for political reasons	R4, R7
9	Where the majority of the members of the Coordination and Supervision Board are assigned from municipalities, development pressures become dominant in site management	R4
10	In some sites, there is no representative from the ministry on the Coordination and Supervision Board	R5
11	Weakness of local authorities in employing competent staff	R4, R7
12	Generating a team within the site management unit and the employment of expert and qualified staff is extremely difficult	R8, R13
13	In a site where a Conservation Council director also occupies the position of site manager, s/he is both in the executive and supervisory positions	R12
14	Being a conservation specialist is not among the criteria for being a site manager and a member of planning team	RoT
15	The ethical problems created by assignment of some self-employed professionals working in conservation to Regional Conservation Councils	RoT
16	Regional Conservation Council administrations have insufficient and under qualified personnel	RoT
17	The scarcity of successful managerial models in which NGOs, public and private sector entities collaborate together	RoT
18	Decentralization tendency observed in site management implementations due to the appointment of site manager by the ministry with the Decree Law no. 6745	RoT
19	Hierarchical dependency of site management units on conservation and development directorates of municipalities in urban conservation areas, until the Decree Law no. 6745.	RoT
	C. IMPLEMENTATION	
1	It is unclear where the site management units will be established	R1
2	Political pressure in practice	R4, R5, R13
3	Implementing projects, which were prepared in a short time, in world heritage areas	R4
4	The Regional Conservation Councils do not take measures on settlement that are in conflict with the UNESCO Operational Guidelines in the management area	R4

5	The establishment of settlements contrary to the plan for management area	R4, R6
6	Failure to assume political responsibility where settlements contrary to the UNESCO Operational Guidelines in management area occur	R4
7	The negative effects of rent pressure and interest relations in local administrations to implementations in the management area	R4, R7
8	Regional Conservation Councils have neither knowledge nor equipment of world heritage sites and practices in these sites	R4
9	Difficulties in ensuring objectivity in implementation	R6
10	The problems about policy, political will and intention in implementation	R6, R12
11	Local administrations lack knowledge of their terms of reference in implementation	R6
12	In the event of approval of the entire site management plan by the Municipal Council, the plan loses its flexibility	R6
13	Inadequacy of municipalities in developing conservation policy	R7
14	Change of policies with changes of personnel in ministries	R8
15	Trying to solve the problems by relying on personal relationships	R8, R15
16	Priority is given to large-scale transportation projects that directly affect the conservation areas in implementation	R8
17	Problems occurred in conservation due to not allowing simple maintenance and repairs	R8
18	Lack of implementation of expropriation practices	R8
19	The fact that the General Directorate of Pious Foundations does not inform the site management unit about the implementations it has made in the management areas	R10
20	Political, scientific, ideological conflicts in site management	R13
21	Although many of the management subjects are in the responsibility of the Regional Conservation Council, the council members do not have the necessary experience or knowledge	R13
22	Excavation directors have political agendas	R13
23	Silhouettes of the cities are degraded and changed with the development implementations	R13
24	Problems occurred in day-to-day maintenance and facility management when the owner and user are different	R13
25	The site managers cannot make strategic decisions about excavations in archaeological sites	R13
26	Local governments perceive site management practice as a new field of power	R14, R15
27	Local governments regard site management practice as an impediment to development activities	R14, R15
28	Conservation-use balance problems in archaeological sites	R15
29	Conservation plans and development plans are separate documents	R15
30	The decision-making process is too long in the Regional Conservation Council, reports cannot be prepared in a short time	RoT
31	Inconsistencies in the decisions of the Regional Conservation Council taken nationwide, there is no coherence and standard in practice	RoT
32	Projecting understanding prevails instead of systematic and hierarchical planning	RoT
33	An increasing number of restoration practices contrary to conservation principles and scientific approaches	RoT
34	Increasing number of construction and conservation practices that are not in line with public interest, rent-focused and take investors' priorities into account over conservation or the public interest	RoT
35	Intensive development pressure on management areas	RoT
36	Illegal excavations in archaeological sites	RoT
37	Continuation of forbidden agricultural activities in archaeological areas	RoT

38	Inadequate consideration of accountability and transparency in site management implementations	RoT
39	Conservation is perceived as a means to enhancing tourism and economic development rather than as a primary objective	RoT
40	The implementations of the General Directorate of Pious Foundations in the management areas do not conform to the world heritage conservation norms	RoT
41	The tender, planning and project management processes in World Heritage Sites are carried out in a way no different from other development areas and without taking into consideration the unique conditions of world heritage	RoT
42	The implementation of restoration works by individuals and companies without expertise in conservation, lack of knowledge and experience	RoT
43	Increased number of low quality implementations in terms of design, materials and workmanship	RoT
44	Some historic structures in the management sites are still unregistered	RoT
45	Traffic, parking, urban infrastructure and environmental problems in management sites	RoT
46	Inadequate activity related to the promotion of sites	RoT
47	Non-existence of a conservation program with strategic priorities	RoT
48	The absence of a database of historic buildings and monuments at risk	RoT
49	The lack of skilled and intermediate level staff who have mastered traditional construction and labor practices and are able to provide proper maintenance and repairs in historical buildings	RoT
50	Increasing number of reconstructions for destroyed cultural assets without documentation	RoT
51	Swapping land holdings is not preferred in conservation areas	RoT
	D. COORDINATION	
1	There is no effective relationship between the Conservation Councils and site management units	R4, R5
2	Site management units are not informed about projects carried out in the management area	R8
3	Due to the independent working habits of the public institutions, some difficulties arise regarding cooperation and coordination among them	R8
4	Reluctance of the institutions to share information	R8
5	Communication problems within public institutions	R8
6	Fragmentary relations between the site management units in archaeological sites and the ministry	R12
7	Difficulties in building relations with the stakeholder institutions in archaeological sites	R12
8	Unwillingness of the institutions to share their authority and resources	R13
9	Dominance of excavation directors in archaeological site management instead of the ministry	R13
10	Resistance to cooperation	R14
11	Communication and cooperation problems among the relevant institutions regarding the site management practices	RoT
12	Conflict of interest among the stakeholders	RoT
13	Security problems in the management areas	RoT
	E. SUPERVISION	
1	The problems in judicial control over conservation	R4
2	The inability of site management units to carry out monitoring and physical control on sites	R4
3	The Coordination and Supervision Board have both the approval and supervisory authority on management of the plan	R5
4	The establishment of an audit unit is not a legal obligation, instead it is left to the discretion of the relevant administration	R5

5	The municipalities are uncomfortable with any mention of deficiencies in the site management plan	R6
6	Difficulties in supervision regarding whether the implementations envisaged in the site management plan are being carried out properly	R8, R12
7	The ambiguity in the approval phase of the site management plan, Approval by the ministry and the Conservation Council is not foreseen	R3
8	Absence of a mechanism that would ensure that the decisions on site management are in accordance with the resolutions of the Regional Conservation Councils	RoT
9	The competent authorities for conservation do not have sufficient expertise and autonomy	RoT
10	Absence of systematic, measurement based and regular monitoring activities	RoT
11	Carrying capacity studies are not taken into consideration in archeological sites	RoT
12	There is not any long-term political support for the implementations	RoT
13	Administrative, financial and legal responsibilities of site management personnel, particularly the site manager, are ambiguous as they are not generally public officials	RoT
14	Performance management, based on measurable data and indicators, are not carried out for the site management implementations	RoT
15	Annual monitoring and evaluation reports are not accessible to the public	RoT
16	The actions in site management plans are defined in short, medium and long term, and there are no realistic and controllable time limits for projects	RoT
17	Due to the lack of effective and regular control activities for conservation, there is a growing threat of high, illegal and unauthorized buildings in site management area incompatible with its historical environment	RoT
	FINANCIAL PROBLEMS	
1	Site management units do not have their own budgets	R1, R5, R6, R7, R10, R11, R12, R15
2	The budget of site management units entirely provided by municipalities	R8
3	Members on the site management boards do not have personnel rights	R2
4	Financial problems of the municipalities	R4
5	Some municipalities are unwilling to allocate their resources to site management implementations	R6
6	Uncertainty about the use of funds, which were under the authority of the closed Special Provincial Administrations, in the provinces where Metropolitan Municipalities exist	R8
7	Resources allocated for construction are much more than the resources allocated for conservation	R8
8	The use of the contribution of the real estate tax is subject to the bureaucratic procedures and requires approval of the governor	R9, R10, R15
9	Problems in the use of funds received from different resources	R10
10	Salaries of the staff working in the site management are paid by the contracting companies of the municipalities	R13
11	There is no share of ticket office revenues allocated to site managements in archaeological sites	R15
12	There is no transfer of authority in financial issues	R15
13	There is no transparency in the amount and use of the dividend deducted from real estate tax, which is provided by the Special Provincial Administrations	RoT

14	There is no share of parking lot operation revenues allocated for site managements in archaeological sites	RoT
15	There is no description of a financial and organizational model towards the sustainable conservation of the site in the legislation	RoT
	TECHNICAL PROBLEMS	
1	There is no visitor management plan in many sites	R2
2	Uncertainty of the relationship between the conservation and management plans	R3, R5, R6
3	The management plan is not perceived as a strategic plan	R5
4	Large-scale projects, renovation projects and transportation projects that will affect the site are put into effect without any impact studies	R7
5	Conservation plans have not been prepared for a long time	R15
6	Lack of a tourism master plan in many sites	RoT
7	Lack of Risk Management Plans	RoT
8	Lack of Disaster Management Plans	RoT
9	The principles of making a strategic plan and strategic management are not widely known	RoT
10	The use of knowledge management, process management, financial management practices within cultural heritage management are neither known nor utilized	RoT
11	There is no capacity building study	RoT
12	There is no nationwide standard, updatable and accessible inventory	RoT
13	In general, conservation plans are outdated and do not reflect the current state of the site	RoT
14	The administrative, financial and legal processes to be followed in site management practice are not clearly defined in regulations	RoT
	SOCIAL PROBLEMS	
1	The importance of participation is not emphasized as much as required in management plans	R3
2	Lack of consciousness in institutions about awareness of projects to be implemented in world heritage sites	R4
3	Difficulties in achieving participation	R6
4	Lack of pressure groups on conservation	R13
5	Lack of knowledge among local public authorities about conservation and cultural heritage management	R14
6	It is unclear how property owners will participate in management	RoT
7	It is unclear how, and how many, university representatives will be selected for site management	RoT
8	Perception of cultural heritage as a commodity indexed only to economic return	RoT
9	Gentrification tendency in the renovation works carried out in historical sites and the pushing of main existing users out of the site	RoT
10	Low income level of people living in historical places	RoT
11	Inhabitants of the sites do not know concept of urban rights	RoT
12	Inadequacy of NGOs working on conservation	RoT
13	How the information will be collected at the stage of participation, the criteria for determining how and by which criteria and parties are not specified	RoT

APPENDIX D

QUESTIONING

T.B.M.M.
CUMHURİYET HALK PARTİSİ
Grup Başkanlığı
4 Nisan 2013
1562

21434

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞI'NA

Aşağıdaki sorularımın Kültür ve Turizm Bakanı Sayın Ömer Çelik tarafından yazılı olarak yanıtlanmasını arz ederim. Saygılarımla.02.04.2013

Sedef Küçük
İstanbul Milletvekili

13.04.2005 tarih ve 25785 sayılı Resmi Gazete'de yayımlanarak yürürlüğe giren Taşınmaz Kültür Varlıklarının Korunmasına Ait Katkı Payına Dair Yönetmeliğin 6'ıncı maddesi 1'inci fıkrasında "Belediyelerce tahsil edilen katkı payları özel bir hesapta izlenir ve en geç tahsilatı takip eden ay sonuna kadar doğrudan il özel idarelerince bu amaçla açılan Taşınmaz Kültür Varlıklarının Korunmasına Katkı Payı hesabına yatırılır" denilmektedir.

Bu itibarla;

1. 2005-2013 yılları arasında ve yıllar itibariyle ülkemiz geneli ve İstanbul ili ayrı ayrı belirtilmek suretiyle emlak vergileri ile beraber tahsil edilerek Taşınmaz Kültür Varlıklarının Korunmasına Katkı Payı hesabına yatırılmış olan para miktarı ne kadardır? Söz konusu hesabın faiz geliri ne kadar olmuştur?

2. Anılan yıllar itibariyle taşınmaz kültür varlıklarının korunmasına katkı payı hesabından taşınmaz kültür varlıklarının restorasyonu için harcanan miktar ne kadardır? Söz konusu hesaptan hangi restorasyon projesine ne kadar katkı sağlanmıştır?

3. Ülke genelinde ve İstanbul ilinde koruma kurullarınca restorasyon projeleri onaylanan taşınmaz kültür varlığı sayısı kaçtır? Söz konusu taşınmaz kültür varlıklarının kaç adedinin restorasyon çalışmaları tamamlanmıştır? Restorasyon projeleri onaylandığı halde restorasyonlarına başlanmayan taşınmaz kültür varlığı sayısı kaçtır?

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PUBLICATIONS

1. Madran, E. and Bozkurt, E. (Eds). (2008). *Korumada Yeni Tanımlar Yeni Kavramlar: Alan Yönetimi.* Ankara: TMMOB Mimarlar Odası Ankara Şubesi Yayını
2. Bozkurt, E. (1996). *Hadım Hasan Paşa Medresesi Restorasyon Projesi.* Prof.Dr. Z. Ahunbay Yönetiminde Basılmamış Yüksek Lisans Tezi. İTÜ Mimarlık Fakültesi

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