



Split, 20 January, 2015

UNESCO World Heritage Centre
7, place de Fontenoy
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France

Dear Sirs,

The Marjan Association was founded in 1903 with the expressed statutory purpose of protection and promotion of the Marjan Forest Park. The Marjan Forest Park is an afforested hill and an integral part of the City of Split, located a mere 10-minute walk from the historical centre of Split which was inscribed in the UNESCO World Heritage List in 1979. The remains of the temple of the ancient goddess Diana, inscribed in the Tabula Peutingeriana dating back to the 1st B.C., i.e. before the construction of Diocletian's Palace, is located in the western part of the Marjan hill (**attachment 1**). Besides the remains of Diana's temple, the Marjan hill had a number of medieval churches most of which are preserved to this day, which is why Marjan is often called the Holy mountain.

In 2011, not having recognized the City of Split Historic Core Management Plan written by the SolArc company, the Split City Council established the *Commission designated to create a new draft of the City of Split Historic Core Management Plan, and the Management Plan for Diocletian's Palace cellars* (hereafter 'the Commission'). The Commission is composed of the representatives of the City of Split, the Ministry of Culture, the University of Split and the representatives of 12 civil society organizations, one of which is the Marjan Association. The work on the draft of the Management Plan has lasted more than 3 years, and although there is an impression of a successful cooperation between all interested parties in the process of creation of such an important document, we are witnesses of an exactly opposite situation. As a matter of example, the Commission reaches strategically important conclusions, which are, however, subsequently not implemented in practice.

One particular example is the situation with the planned parking and garage spaces, on which the Commission reached a unanimous conclusion on 24 October 2012 saying that the City of Split should, in the totality of its spatial planning documents, plan for the parking and garage spaces outside of the historic core protected as Zone A and that it should be a strategic goal of the City of Split (**attachment 2**). However, the City of Split and the Ministry of Culture disregarded this recommendation and approved the so-called Contarini Project which planned for two underground garages in Zone A, located only a few dozen meters from the north-east tower of the Diocletian's Palace. For the moment, the realization of this project is prevented due to the decision by the High Administrative Court of the Republic of Croatia, which annulled the Modifications and Amendments to the most important spatial planning document of the historic core of Split (i.e. the Urban development plan of the historic core of the City of Split), which were introduced for the purpose of planning the parking and garage spaces in Zone A. The court was deciding at the request of the Association of Friends of Cultural Heritage of Split, which is one of the civil associations participating in the drafting of the Management Plan.

The next example is the situation related to the area called 'Riva,' which denotes the sea promenade along the southern façade of Diocletian's Palace. The central part of this area was reconstructed in 2007 which provoked great opposition from some professionals as well as the public in general. On 19 February 2013, the Commission reached a unanimous conclusion on initiating the procedure of re-designing the entire length of 'Riva' (**Attachment 3**). Instead of implementing this conclusion, the City of Split decided to initiate the reconstruction of the so-called Tourist Palace, a building located several dozen meters away from the eastern part of the Diocletian's Palace façade in the following manner: they decided to reconstruct the dilapidated temporary building and apply the financial model which would prevent the respecting of the prescribed procedure of urban-architectural tender, as well as archaeological excavations, for the period of at least 20 years. We would like to point out that this building was erected in 1968 as a temporary solution and there are several different ideas about the future of this space, ranging from its complete removal to the reconstruction. It is our opinion that any type of procedure that does not include the invitation to urban-architectural tender for the whole area of 'Riva' in its totality, which would include the future of the space around the Tourist Palace and its building, is wrong especially if the extraordinary value of this area in the context of the world cultural heritage is considered. According to available information, it appears that UNESCO has never been informed about the intention to conduct this procedure in such a sensitive and valuable location, which is in direct contravention of Article 172 of the Operational Guidelines for the Implementation of the World Heritage Convention.

The third and most drastic example of non-respect or non-implementation of strategic conclusions reached by the Commission is the situation related to the Buffer Zone. On 11 February 2014, the Commission at its 8th session unanimously concluded that it was necessary to notify UNESCO and to register a Buffer Zone which would include the Marjan peninsula with the Marjan Park Forest (**attachment 4**). The need to establish the Buffer Zone and register it with UNESCO is also mentioned in the ICOMOS recommendation from July 2012 (**attachment 5**). The draft Management Plan written by SolArc also stated the importance of the establishment of the Buffer Zone and proposed that the entire area of the formerly protected Zone B be reported to UNESCO. However, on 13 October 2014, the Ministry of Culture stated in its Periodical Report to UNESCO that Split did not need a Buffer Zone and explained such attitude by claiming that the national legislation sufficiently protects the area surrounding the UNESCO World Heritage Site (**attachment 6**).

We strongly oppose this scandalous and unfounded claim by the Ministry of Culture, which is in direct contradiction to the conclusion of the Commission, and think that the situation on the ground is radically different than the one claimed by the Ministry of Culture. We would also like to point out that on 22 October 2010, the Ministry of Culture unilaterally altered the boundaries of the protected zone B in Split and excluded the entire region of the Marjan peninsula from the national protection regime. On this occasion, they even changed the coverage of Zone A, which was reported to UNESCO by the Initiative for Marjan in its letter dated 19 July 2012 (**attachment 7**). Moreover, the Ministry of Culture had no objections to the legalization of illegally constructed buildings in the zones under UNESCO protection, which was also stated in the above letter. Only following the UNESCO intervention were the boundaries of the strictest protection changed back so they again corresponded with the boundaries of the area inscribed in the UNESCO World Heritage List in 1979, and the possibility of legalization was removed in the area protected by UNESCO. However, the modified boundaries are still not registered with the urban planning documents of the City of Split (**attachment 8**), which was announced to take place in 2015.

Our repeated requests that the Marjan peninsula with the Marjan Forest Park (from 1964 protected as the nature park) receive the same protection it had until 22 October 2010 were partially met four years later, on 22 October 2014, when part of the Marjan peninsula with the Marjan Forest Park was granted a status of the permanently protected cultural landscape. However, not even this decision

prevents the possibility of construction of buildings in 5 locations. It is crucial to note here that part of the Marjan peninsula and some of its peripheral regions are protected by the local authorities, which creates a possibility for construction in several locations in that region, which is precisely what is currently taking place. We would like to repeat once again that the entire area of the Marjan peninsula used to be under protection as Zone B, and both ICOMOS and UNESCO expert Giora Solar (SolArc company) proposed that it be registered with UNESCO as the Buffer Zone to Zone A. In conclusion, we would like to point out that the Ministry of Culture unilaterally decided not to participate in the drafting process of the Management Plan, even though it is the body which is supposed to verify the text of the Management Plan once it is finalized. This action by the Ministry of Culture further complicates the work, almost completely preventing the representatives of the scientific team from writing certain segments of the Management Plan in which their participation was essential.

From all the above mentioned it follows that the drafting of the Management Plan in Split is constantly being obstructed by documents favouring realizations of projects which are in direct conflict with the strategic decisions on the protection of cultural heritage and landscape adjacent to the World Heritage Site. The institutions that are supposed to be the competent authorities in drafting the Management Plan, namely the Ministry of Culture and the City of Split, are the ones creating these obstructions. Because of these repeated disagreements regarding the drafting of the Management Plan, the Commission at its 8th session reached a unanimous conclusion that the City of Split should request, via Ministry of Culture, a free technical assistance from UNESCO with the drafting of the Management Plan. However, on 18 December 2014, the Commission was informed that it was not possible to receive the free technical assistance from UNESCO because such assistance is only available to 'the third world' countries.

We considered it our duty to inform UNESCO about the current events and ask for your advice and assistance in cases when national institutions authorised to protect the cultural heritage and direct relationship with UNESCO, act in the manner which may cause irreversible damage to the heritage of outstanding universal value, and potentially cause the Historical Complex of Split together with Diocletian's Palace to be inscribed in the List of World Heritage in Danger.

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