

ASSESSMENT OF HBA GOVERNANCE SYSTEM IN CROATIA

A - POLICY APPROACH TO HBA

BASIC INFORMATION

A.1. Cultural Heritage vision and policy approach

The concept of Cultural Heritage

The Register of Cultural Goods of the Republic of Croatia is a public book of cultural documents kept by the Ministry of Culture. It contains three lists:

- the List of Protected Cultural Goods;
- the List of Cultural Goods of National Importance and;
- the List of Preventively Protected Goods¹.

The form, contents and means of keeping the Register are prescribed by the Ordinance on the form, contents, and means of keeping the Register of Cultural Goods of the Republic of Croatia². In addition, but separate from the Register, there are lists relating to endangered cultural goods. The Register's contents are active and are updated daily, and it is published on the internet pages of the Ministry of Culture (official title: Web Register). Another protection mechanism for cultural heritage, especially for cultural landscapes, is spatial and urban planning. The List of the Protected Cultural Goods contains all classifications of cultural property: immovable cultural heritage, movable cultural heritage, architectural heritage, archaeological heritage, landscape heritage and other.

This inventory is required by Law on the Protection and Preservation of Cultural Heritage³ (in text: the Law). Organisation responsible for the maintenance of this inventory is Ministry of Culture.

Overall responsibility for heritage lays in the Ministry of Culture, Directorate for the Protection of Cultural Heritage. It is centralized yet the conservation departments (21) are located regionally, in each county and Zagreb has City Institute for the Protection of Cultural Monuments and Nature of the City of Zagreb. Other ministries and sectors closely collaborate with the Ministry of Culture on the heritage and collaborations are possible to monitor via

¹ Ministry of Culture: Cultural heritage, Immovable cultural heritage, Web Registrar [online]. Available on: <http://www.min-kulture.hr/default.aspx?id=31> [25.09.2017.]

² Official Gazette (2011): *Ordinance on the form, contents, and means of keeping the Register of Cultural Goods of the Republic of Croatia*. Zagreb: Official Gazette, 89/11.

³ Official Gazette (1999, 2003,): *Law on the Protection and Preservation of Cultural Heritage*. Zagreb: Official Gazette, 69/99, 151/03, 157/03. Correction: 87/09, 88/10, 61/11, 25/12, 136/12, 157/13, 152/14, 44/17.

relationships between policies and legal texts. Government institutions for the protection and preservation of heritage are restoration institutes or museums, galleries, archives, libraries and other public institutions in the field of culture, which in the framework of their activities, carry out tasks related to preservation, renovation, and protection of cultural heritage.⁴

The civil sector traditionally plays significant, diverse role in the area of cultural heritage, whether as proprietors, clients, preservationists or caretakers, as those who are engaged in renovation, promotion or representation, or as the bearers/businesses involved in the exploitation of cultural heritage. Recently civil society participated more actively in sensitizing public and heritage professionals, such as the contribution of the NGO 4 Grada Dragodid on listing of drystone technique as an intangible heritage.⁵

Due to the present economic situation the contribution of private sector funding to cultural heritage management is still negligible and the main burden in that field is borne by the government. With the exception of a few NGOs and a number of professional organisations no other private sector organisations have been established as yet. Co-operation between private and public sectors is most evident in citizens' participation in the process of protection of cultural goods.⁶

Mission statements

Cultural heritage within the meaning of the *Law* are:

- movable and immovable property of artistic, historical, palaeontological, archaeological, anthropological and scientific significance;
- archaeological sites and archaeological zones, landscapes and parts thereof that testify to human presence in space and have an artistic, historical and anthropological value;
- intangible forms and phenomena of human spiritual creativity in the past as well as documentation and bibliographic heritage;
- building or premises in which are permanently stored or exhibited cultural goods and documents on them.

Cultural heritage, regardless of ownership, preventive protection or registration, enjoys protection according to the provisions of the *Law*. Owners and holders of rights in cultural heritage, and other holders of cultural property are responsible for the protection and preservation of cultural heritage according to the provisions of the *Law*. For protection and preservation of cultural heritage, for determination of protection measures and supervision of their implementation, within its scope of care and are responsible state administration bodies, local self-government bodies and bodies of local self-government in the field of culture, spatial planning and planning of space, construction, housing and communal economy, tourism, finance, internal affairs and justice according to the *Law*.⁷

For cultural heritage competent authority establishes a system of protective measures according the *Law* and a special regulation issued by the Minister of Culture.

Municipalities, towns and counties may act independently in decision-making in the framework of their self-governmental scope of work (some municipalities and towns employ staff to deal

⁴ HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [25.09.2017.]

⁵ HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [25.09.2017.]

⁶ HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [25.09.2017.]

⁷ Official Gazette (1999, 2003,): Law on the Protection and Preservation of Cultural Heritage. Zagreb: Official Gazette, 69/99, 151/03, 157/03. Correction: 87/09, 88/10, 61/11, 25/12, 136/12, 157/13, 152/14, 44/17.

with cultural issues including projects concerning cultural heritage such as the launching of rehabilitation projects - some are more active than others in this respect). Among other things, these include tasks relating to spatial and urban planning carried out by their Administrative Departments. They perform expert tasks relating to spatial planning and construction. Town and County Administrative Departments for Culture monitor and coordinate activities in the framework of implementation of projects of immovable and movable cultural heritage protection and preservation.

The Ministry of Culture is the only body competent to implement conservation supervision of work linked to the protection of cultural heritage, which it carries out through its Conservation Departments and Inspection Department for the Protection of Cultural Heritage.

All the work regarding protection of cultural heritage (research, study, protection, restoration, conservation, maintenance, renovation, exploitation and traffic in cultural goods), regardless of ownership, may only be carried out by specialist natural persons and legal entities with the appropriate authorisation - licence (architects, archaeologists, other professionals, construction companies which specialise in conservation, restoration and rehabilitation work). The Ministry issues this licence for a fixed period of five years.

The Conservation Service of the Ministry of Culture is in direct collaboration with several partners regarding the implementation of activities linked to the preservation of cultural heritage: the Croatian Restoration Institute (for all types of work); other institutes such as the Institute of History of Art, Archaeological Institute, Institute for Ethnology and Folklore; university faculties; Institute for Restoration of Dubrovnik; agencies (Agency for the Renovation of the Osijek Fortress); other public cultural institutions (museums, galleries, archives, libraries, etc.); NGOs (Society of Friends of Dubrovnik Antiquities) which preserve, study and expertly maintain cultural heritage as part of their scope of activities.

A.2. Relevant terms provided by legal/strategic framework

Immovable cultural heritage can be:

- city, village, settlement or part thereof;
- buildings or parts of it, and buildings with the environment;
- elements of historical equipment of settlements;
- an area, place, monument and characteristic of historical events and people;
- archaeological site and an archaeological zone, including underwater sites and zones;
- an area and place with ethnological and toponymic contents;
- a landscape or part of it that contains a historically characteristic structure that testifies to man's presence;
- gardens and parks;
- technical objects with devices and other similar objects.

Movable cultural heritage can be:

- a collection of objects in museums, galleries, libraries and other institutions, as well as in other legal entities and state and administrative bodies, including by natural persons;
- church inventory and items;
- archive material and other.

Intangible cultural goods can be:

- language, dialects, speeches and toponyms, and oral literature of all kinds;
- folklore creativity in the field of music, dance, teaching, rituals and customs;

- traditional arts and crafts.

For goods that are presumed to have the property of a cultural heritage, it is possible to temporarily make a decision on preventive protection. On a cultural good that is preventively protected applies the Law and all regulations relating to cultural heritage. Status of cultural heritage, based on expert evaluation, designated by the Ministry of Culture which can be made without prior announcement of the party. Cultural heritage for which it is established that they are of the highest national significance for the Republic of Croatia are entered in a special part of the Registry - the List of Cultural Goods of National Importance.

In practice, the Service for Inspection Affairs of the Directorate for the Protection of Cultural Heritage supervises the application of legal regulations. This Service monitors the status of cultural property and the implementation of measures for the protection and conservation thereof, the use and trade of cultural items and in particular the performance of conservation, restoration and other similar works related to cultural heritage items and their environment, archaeological excavations and research projects, including underwater excavations and shipwreck recovery.

When the conservation department determines that the owner is not treating the cultural good in accordance with the Act, that he/she is not protecting or regularly maintaining it and is making it susceptible to damage or destruction, the local administration is bound by the competent authority to award the cultural good a temporary custodian. The temporary custodian is obliged to protect and preserve the cultural good as instructed by the conservation department, at the expense of the owner.

The same procedure is provided in the case of the owner temporarily abandoning the cultural good, thereby bringing it into immediate danger of damage or destruction, and if the owner permanently abandons the cultural good, it becomes the property of the Republic of Croatia. In practice, this procedure gives good results.⁸

QUALITATIVE INFORMATION AND COMMENTS

A.3. Policy "Character"

All obligations from the Convention for the Protection of the Architectural Heritage of Europe in Granada are fully incorporated into the heritage legislation and practice in Croatia.⁹

Obligations stipulated in the European Convention for the Protection of the Archaeological Heritage in Croatia have a legal framework through the Rulebook on archaeological excavations (Official Gazette 102/10) and the Law on the Protection and Preservation of Cultural Heritage (Official Gazette 69/99, 151/03, 157/03, 87/09, 88/10, 61/11, 25/12 and 136/12). The Rulebook prescribes in detail obligations of researchers during and after the investigation, the obligation of the research results, as well as the obligations of conservation of materials and sites. The Law regulates the legal protection of archaeological sites and zones, as well as the obligation to adopt measures of protection for each building or any other project in the area of the site and/or zone. Furthermore, this law regulates the sale of cultural property (right of first refusal), as well as all other issues concerning actions that may adversely affect

⁸ HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [25.09.2017.]

⁹ HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [25.09.2017.]

archaeological sites and artefacts. Most of the research and protection of the archaeological heritage is funded through a one-year and three-year programs approved by the Ministry of Culture. Archaeological excavations carried out at the construction sites of various facilities are obligations of investors.

Convention on the Value of Cultural Heritage for Society is implemented through the "Strategy of Protection, Preservation and Sustainable Use of Cultural Heritage of Croatia 2011-2015".¹⁰

The "Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011.-2015"¹¹ is the basic document that sets long-term goals and guidelines for the conservation, protection and use of cultural heritage and ways of their implementation in accordance with the sustainable development of Croatia. The aim of Strategy, which is the normal planning and programming process/tool, is to effectively and efficiently manage the protection and preservation of cultural heritage, and, at the same time, to encourage and strengthen the economic use of development resources and heritage. The Strategy was developed in accordance with the procedures and standards that apply in the European Union. The goals of the Strategy are as follows:

- create a comprehensive basis for the use of cultural heritage as a development resource in accordance with the guidelines for the development of culture, protection of cultural heritage, regional development and economic development in general, as well as with the standards of the EU and international institutions,
- provide a reliable institutional and programming foundation that guarantees the conditions for identifying, preparing and running projects for funding by state institutions of the Republic of Croatia, EU and international institutions funds and other funding sources,
- develop and strengthen the skills and competencies of the Ministry of Culture and other government bodies and organizations, experts and key developers in local and territorial (regional) self-government for the successful preparation and project management for sustainable use of cultural heritage,
- strengthen partnerships (public participation) and inform the professional and general public about the importance of cultural heritage as a development resource and capabilities of its commercial use in accordance with the principles and practices of sustainable development.¹²

Rights of the owner of cultural property, in addition to the rights established by a special law and subject to the limitations of this Law are:

the right to compensation for restriction of the right of ownership to cultural heritage under the conditions prescribed by this Law,

the right to tax and customs privileges under a special law,

the right to professional assistance of the competent authority for the proper protection and preservation of cultural heritage as prescribed by this Law.

¹⁰ HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [25.09.2017.]

¹¹ Ministry of Culture (2011): Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011-2015. Zagreb: Ministry of Culture. Available on: <http://www.min-kulture.hr/default.aspx?id=4> [26.09.2017.]

¹² HEREIN System:European heritage policies: National Reports, Croatia [online]. Available on: http://www.herein-system.eu/national-reports?field_country1_1_tid=130&type=All&language_1=en [26.09.2017.]

A.4. Policy trends and evolutions

The general opinion is that it is necessary to improve and supplement the legal system for the protection of cultural heritage, to improve the system of making conservation studies, to adopt architectural heritage management plans, to regulate the property law system and to develop strategic guidelines and action plans for the purpose of restoration and sustainable use of certain cultural heritage. Also, for now there is no any recent evolution in the policy approach in Croatia.

B - GOVERNANCE ANALYSIS - LEGAL FRAMEWORK, SUBJECTS AND PROCEDURES IN 3 AREAS

B.1. Built heritage protection (and/or preservation/conservation)

B.1.1. Heritage protection grades foreseen by legislation

Legal status distinguishes three categories:

- the List of Protected Cultural Goods;
- the List of Cultural Goods of National Importance and;
- the List of Preventively Protected Goods.

Cultural heritage is also divided by species:

- immovable cultural heritage which can be:
 - individually,
 - cultural-historical complex,
 - cultural landscape;
- movable cultural heritage which can be:
 - museum material and others;
 - intangible cultural goods.

Degree of protection depends on the category and type of cultural heritage. The measures of protection of individually protected buildings are fundamentally different from the protection of the cultural-historical complex or the landscape and are defined by the Decision to protect cultural heritage.¹³

¹³ Ministry of Culture [online]. Available on: <http://www.min-kulture.hr/default.aspx?id=27> [26.09.2017.]

B.1.2. Governance level or Institution that has the main responsibility of heritage protection

Ministry of Culture develops mechanisms and establishes measures to protect cultural heritage in order to ensure its sustainability, which implies identifying, documenting, researching, maintaining, protecting, using and promoting its values.

Ministry of Culture performs also administrative and other tasks related to: research, study, monitoring, recording, documenting and promoting cultural heritage; central information and documentation service; Determining the properties of protected cultural goods; prescribing benchmarks for determining the program of public needs in the culture of the Republic of Croatia; care, harmonization and supervision of funding for the program of cultural heritage protection; establishment and supervision of institutions for carrying out cultural heritage activities; assessing the conditions for the work of legal and natural persons in restoration, conservation and other cultural heritage conservation activities; providing conditions for the education and training of skilled workers in cultural heritage affairs; implementation of traffic control, import and export of protected cultural goods; determining conditions for use and use of cultural goods, and managing cultural assets in accordance with regulations; Determining special construction conditions for the protection of cultural heritage sites; carrying out inspection activities for the protection of cultural heritage.

B.1.3. National/main governance level

<p>LEGAL FRAMEWORK Main legislation, including adoption of international Conventions</p>	<ul style="list-style-type: none"> • Official Gazette (1999, 2003,): Law on the Protection and Preservation of Cultural Heritage. Zagreb: Official Gazette, 69/99, 151/03, 157/03. Correction: 87/09, 88/10, 61/11, 25/12, 136/12, 157/13, 152/14, 44/17; • Official Gazette (2011): Ordinance on the form, contents, and means of keeping the Register of Cultural Goods of the Republic of Croatia. Zagreb: Official Gazette, 89/11. • Ministry of Culture (2011): Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011-2015. Zagreb: Ministry of Culture. Available on: http://www.min-kulture.hr/default.aspx?id=4 [26.09.2017]
<p>SUBJECTS list main involved organisations and describe</p>	<ul style="list-style-type: none"> • Ministry of Culture - Directorate for the Protection of Cultural Heritage Role & competences are provided by the law Main activities (eg. policy framework / coordination / authorisation, monitoring, data monitoring, inspection, funding etc...) • Croatian Conservation Institute The Croatian Conservation Institute was founded in 1997 by the Decree of the Government of the Republic of Croatia on a Merger of Public Institutions in the Field of Conservation and Restoration owned by the Republic of Croatia: the Institute for Restoration of Works of Art (founded in 1948) and the Conservation Institute of Croatia (founded in 1966).

	<p>The main activity of the Croatian Conservation Institute is conservation and restoration of immovable cultural goods (architectural heritage, wall paintings and mosaics, stone sculptures and stucco), movable cultural goods (easel paintings, wooden polychrome sculptures, furniture, art on paper, artworks of leather, and items of textile or metal), archaeological heritage, and other objects of cultural, historical or technical significance.</p> <ul style="list-style-type: none"> International Centre for Underwater Archaeology in Zadar (ICUA) The International Centre for Underwater Archaeology in Zadar was founded in 2007 in the frame of the Croatian Conservation Institute and soon - pursuant to an international agreement signed between UNESCO and the Republic of Croatia in 2009 - became an independent public institution and gained the status of a UNESCO category II centre. Management is conducted and primary funding provided by the Republic of Croatia and UNESCO. The International Centre for Underwater Archaeology in Zadar aims to preserve and promote underwater cultural heritage in Croatia, the Mediterranean and Europe. The International Centre for Underwater Archaeology in Zadar works to protect, study and preserve underwater cultural heritage in Croatia; to develop international professional and research collaboration and education in the field of underwater archaeology; to present and popularise underwater heritage among the public at large and to promote the UNESCO Convention on the Protection of the Underwater Cultural Heritage.
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B.1.4. Local governance level

<p>LEGAL FRAMEWORK Main legislation, including adoption of international Conventions</p>	<ul style="list-style-type: none"> “Urban plan ZVIJEZDA” - Karlovac City (2017.) Official Gazette Karlovac (29.03.2017.): “Urban plan ZVIJEZDA” - Karlovac city http://www.karlovac.hr/UserDocsImages/2016/Glasnik/GGK7-17.pdf
<p>SUBJECTS list main involved organisations and describe</p>	<ul style="list-style-type: none"> Department for Physical Planning, Construction and Environmental Protection - Karlovac City 344 One of the main roles of department is to protect and preserve natural, historical, cultural and building heritage from the aspect of urbanism. Beside that, they are working on energy efficiency and sustainable development. In their authority are issues related to environment protection and good waste management. Scope of their competences by the law is that they can make decisions, authorizations, plans, coordination and supervision actions which are in their power gain by national law. Conservation Department in Karlovac, for Karlovac County, in jurisdiction the Ministry of Culture Main role and activities of Conservation department in Karlovac City is to adjust and implement regulations and procedure gained by national law with local level. Beside of the implementation of national law, their interest of work is to recommend and introduce owners of heritage buildings with best practice on how to protect their heritage and preserve in the most economical, energy and culturally best way. Their scope

	of work is under the Ministry of culture and they conduct law and regulations, giving local governance and local community support in HBA preservation.
PROCESSES	<p><u>Hierarchical and functional relations at local level</u></p> <ul style="list-style-type: none"> • Department for Physical Planning, Construction and Environmental Protection - Karlovac City is under the jurisdiction of Karlovac City. It is one of the ten different departments in Karlovac City. All decisions that are taken are adopted at the city council by votes and published in the public gazette Karlovac City. • Conservation Department in Karlovac, for Karlovac County, in jurisdiction the Ministry of Culture. Conservation department is involved in all part of decisions made by local government by giving official approval to all documents.

B.2. Urban planning and HBA

B.2.1. Territorial and Urban planning main framework and principles and levels

The Physical Planning Act¹⁴ (Official Gazette 153/13) regulates the physical planning system: aims, principles and subjects of physical planning, spatial monitoring and monitoring in the field of physical planning, spatial planning requirements, adoption of the Spatial Development Strategy of the Republic of Croatia, spatial plans including their development and adoption procedure, implementation of spatial plans, building land development, property postulates of building land, development and supervision.

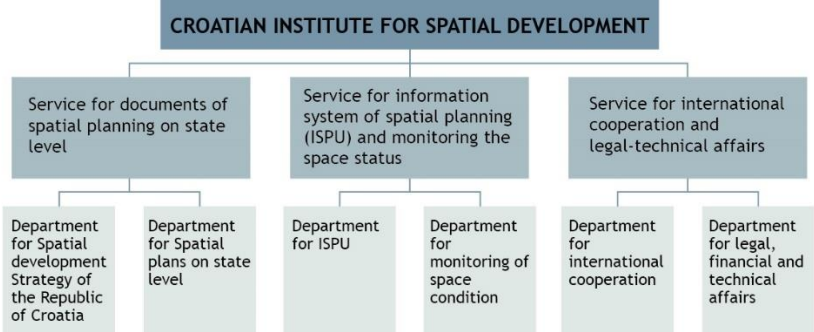
Spatial planning shall be a permanent process which includes knowing, verifying, and assessing the possibilities for the use, protection and development of space, development and adoption of spatial plans and monitoring implementation of spatial plans and the situation in space.¹⁵

¹⁴ Official Gazette (2013,): Physical Planning Act. Zagreb: Official Gazette: 153/13, correction: 65/17.

¹⁵ Ministry of Construction and Physical Planning [online]. Available on: <http://www.mgipu.hr/default.aspx?id=9445> [29.09.2017.]

B.2.2. National/main governance level

<p>LEGAL FRAMEWORK Main legislation, including adoption of international Conventions</p>	<p><u>Cultural Built Heritage reference within the territorial/urban planning legal framework</u></p> <ul style="list-style-type: none"> • Physical Planning Act Entered into force on 1 January 2014 Official Gazette 153/13 • Act on Physical Planning and Building Tasks and Activities Official Gazette 78/15 • Act on the Chamber of Architects and Chambers of Engineers in Construction and Physical Planning Official Gazette 78/15 • Real Estate Appraisal Act Official Gazette 78/15 • Administrative Fees Act Official Gazette 115/16 • Act on State Survey and Real Estate Cadastre Official Gazette 16/07, 152/08, 124/10, 56/13, 121/16, 9/17
<p>SUBJECTS list main involved organisations and describe</p>	<p><u>Competences, functions and activities relate to Cultural Built Heritage among the organisations involved in for territorial/urban planning</u></p> <ul style="list-style-type: none"> • Ministry of construction and physical planning - Directorate For Physical Planning, Legal Affairs and European Union Programmes Professional activities of physical planning for the county, or the City of Zagreb performs Department for Physical Planning of county or the City of Zagreb. The founder of the Department for Spatial Planning of county is a county, and the founder's rights are realized by the prefect in accordance with a special law. The founder of the Department for Physical Planning of the City of Zagreb is the City of Zagreb, and the founder's rights are realized by the Mayor in accordance with a special law. • Croatian Institute for Spatial Development Work goals: <ul style="list-style-type: none"> - designing and coordinating the preparation and monitoring of the implementation of the State Spatial Development Plan and other spatial plans adopted by the Croatian Parliament or the Government; - making and co-ordination of work and cooperation in the development of other documents of importance for the spatial planning and space protection of the State; - management, development and management of information system of spatial planning; - preparing a list of status indicators; - making or conducting a State Status Report; - perform technical tasks to determine the content and methodology of spatial planning in the development of spatial plans and monitoring the situation in the area; - cooperation with persons, international bodies, institutions and associations on the development and implementation of projects and programs in the field of spatial planning; - participation in the development of sectoral strategies, plans, studies and other state level documents prescribed by special laws.

<p>PROCESSES</p>	<p><u>Hierarchical and functional relations; main mechanisms for decision making/ implementation of territorial planning with relevance for HBA</u></p> 
<p>PROCESSES/ INTEGRATION</p>	<p><u>Hierarchical and functional relations at national level between the territorial planning process/the heritage protection process/other relevant policies and practices</u></p> <p>For the purpose of prescribing the conditions for the implementation of the project in the area, the spatial plans, depending on the level and scope, contain or prescribe spatial indicators, spatial standards, mapping the purpose of space, surface or land, infrastructure corridors, conditions important for spatial plan implementation, level of settlements , environmental protection measures, nature protection requirements, cultural heritage and other protected values, and other necessary textual and graphical parts that prescribe the conditions for the implementation of the site, the conditions and the rules in accordance with which the location conditions determine the location of the project.</p> <p>Corroborate the content of spatial plans, interventions in the space for which spatial plans of the local level mandate the conditions for the implementation of the interventions in the space, the manner of prescribing the conditions for the implementation of the interventions in the space, the purpose of the particular zones and corridors planned in the spatial plans and the purpose of the buildings in them can be constructed, compulsory spatial indicators, spatial standards, spatial planning terms, mapping plans of spatial plans, spatial plans elaboration standard and electronic spatial plans, as prescribed by the Minister.</p> <p>The spatial plan of areas of special features is made mandatory for the area of the national park and nature park determined by a special law and for the areas defined by the State Spatial Development Plan.</p> <p>The spatial plan of the area of special features is created and made depending on the particularities of natural, cultural-historical, economic and / or other characteristics, ie the requirement of a specific space.</p> <p>The spatial plan of the area of special features defines the obligation to adopt the urban planning of state-owned planning and its coverage.</p> <p>The spatial plan of special features areas prescribes:</p> <ol style="list-style-type: none"> 1. measures for the improvement and protection of nature, environment, cultural goods and other areas of value; 2. the conditions for the implementation of all the interventions in the area planned in the area for which the urban planning plan is not adopted; 3. guidelines for the development of urban planning plans <p>The spatial plan of the special features area includes:</p> <ol style="list-style-type: none"> 1. the basic organization and delimitation of the area by purpose, including the construction area of the settlement and a separate part of the construction area of the settlement if such exists; 2. Deployment of functions of importance for the management of the area;

	3. Infrastructure and construction system for public and social purposes; 4. measures of use, arrangement and protection of this area with priority activities. ¹⁶
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B.2.3. Local governance level

<p>LEGAL / POLICY/ STRATEGIC FRAMEWORK</p>	<p><u>Cultural Built Heritage reference within the regional/local legal framework for urban planning</u></p> <ul style="list-style-type: none"> • Urban plan ZVIJEZDA - Karlovac City This specific document is a starting point in determination of current state of heritage building area Zvijezda. It includes several different studies in which are collected all important parts that are crucial for the valorization and revitalization of HBA Zvijezda. All parts are described in studies of architectural and conservation features, in demographic - sociological study and in economy, cultural, environmental and traffic study. Each and every study was developed by the experts in specific field and was exclusively related to HBA Zvijezda. This document is base for Management plan Zvijezda, which will give us strict directions on how to use and manage historic buildings. • Study of architectural and conservation features - for the needs of Urban plan ZVIJEZDA (2014.-2017.) - URBANISTIC OFFICE CITY OF ZAGREB d.o.o. • Demographic - Sociological Study - for the needs of Urban plan Zvijezda (2014.-2017.) - Urbanistic Office City of Zagreb d.o.o. • Study Of Traffic Characteristics - for the needs of Urban plan Zvijezda (2014.-2017.) - Urbanistic Office City of Zagreb d.o.o. <p><u>Main thematic /sector plans concerned with HBA</u> In Karlovac, the main thematic plans concerning HBA city are related to architectural and conservation features, also very important demographic, sociological, environmental, economy and traffic features. These fields are included in Urban plan for HBA Zvijezda and they make strategic points for the process of valorisation and revitalization of Karlovac building heritage Zvijezda. Above mentioned strategies and studies will serve as a base for design of the Management plan ZVIJEZDA, which will be new management tool for local governance level at the HBA field.</p>
<p>SUBJECTS list main involved organisations and describe</p>	<p><u>Competences, functions and activities relate to Cultural Built Heritage among the organisations/departments/stakeholders involved in urban planning processes</u></p> <p>Department for Physical Planning, Construction and Environmental Protection - Karlovac City Main department activities:</p> <ul style="list-style-type: none"> -spatial planning and construction of construction land -protection and preservation of natural heritage, historical, cultural and architectural heritage from the aspect of urbanism -construction of buildings under the jurisdiction and ownership of the City -energy efficiency and energy-sustainable development

¹⁶ Official Gazette (2013,): Physical Planning Act. Zagreb: Official Gazette: 153/13, correction: 65/17.

	<p>-environmental protection and waste management -coordination and oversight of capital investments in which the City participates as a co-investor</p> <p>One of the main roles of department is to protect and preserve natural, historical, cultural and building heritage from the aspect of urbanism. Beside that they are working on energy efficiency and sustainable development. In their authority are issues related to environment protection and good waste management. Scope of their competences by the law is that they can make decisions, authorizations, plans, coordination and supervision actions which are in their power gain by national law.</p> <p>Other related organizations are association of owners of historic houses in Zvijezda, who are active and included in discussion and decision making at local level. Also, there are other architectural and construction association who are very interested in HBA issues in Zvijezda.</p>
<p>PROCESSES AND TOOLS</p>	<p><u>Hierarchical and functional relations; main mechanisms for decision making/implementation of territorial planning with relevance for HBA; urban land instruments for preservation and maintenance of cultural heritage</u></p> <p>Department for Physical Planning, Construction and Environmental Protection - Karlovac City is under the jurisdiction of Karlovac City. It is one of the ten different departments in Karlovac City. All decisions that were taken were adopted by Mayor or at the city council voted and published in the public gazette Karlovac City.</p>

B.3. Environmental policies and HBA

B.3.1. Integrated approach or integration policies

National level/local level approach on:

- Sustainability-Conservation-Use of HBA integrated approach, strategies and action planning:

The "Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011.-2015¹⁷" is the basic document that sets long-term goals and guidelines for the conservation, protection and use of cultural heritage and ways of their implementation in accordance with the sustainable development of Croatia. The aim of Strategy, which is the normal planning and programming process/tool, is to effectively and efficiently manage the protection and preservation of cultural heritage, and, at the same time, to

¹⁷ Ministry of Culture (2011): Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011-2015. Zagreb: Ministry of Culture. Available on: <http://www.min-kulture.hr/default.aspx?id=4> [26.09.2017.]

encourage and strengthen the economic use of development resources and heritage. The Strategy was developed in accordance with the procedures and standards that apply in the European Union.

- Environmental issues connected and included in cultural heritage preservation, valorisation, management policies;
 Environmental issues are very strictly mentioned in the Strategy.
- The dimension of HBA in environmental and sustainability policies (Agenda 21, SEAP, energy plans, mobility plans...).
 Protected cultural heritage are not mentioned at all in the SEAPs, also not in the programs of energy reconstruction of buildings at the state level.

B.3.2. Governance mechanism including institutional and stakeholders levels

In addition to the already described legal and policy framework, nothing significant is happening on linking national and local level.

B.3.3. Thematic policies and strategic plans

In addition to the already described legal and political framework there are no other thematic policies and strategic plans.

B.3.4. National/main governance level

LEGAL FRAMEWORK Main legislation, including adoption of international Conventions	<u>Reference to Cultural Built Heritage within the legal framework for environmental protection, efficient use of resources or sustainability</u> Described earlier in the text
SUBJECTS list main involved organisations and describe	<u>Competences, functions and activities relate to Cultural Built Heritage among the organisations involved in environmental protection, efficient use of resources or sustainability</u> Described earlier in the text
PROCESSES / INTEGRATION	<u>Hierarchical and functional relations; main mechanisms for decision making, risk evaluation, environmental assessment, implementation of environmental policies with relevance for HBA</u> Described earlier in the text

B.3.5. Local governance level

<p>LEGAL FRAMEWORK Main legislation, including adoption of international Conventions</p>	<p><u>Reference to Cultural Built Heritage within the regional/local legal framework environmental protection, efficient use of resources or sustainability</u></p> <ul style="list-style-type: none"> • Urban plan ZVIJEZDA- Karlovac City (2017.) - strategic plan for determination of current state of HBA In this plan are included all the measures that are related to environmental protection, energy efficiency and waste management for HBA Zvijezda. • Landscape studies- for the needs of Urban plan ZVIJEZDA - Karlovac City (2017.)
<p>SUBJECTS list main involved organisations and describe</p>	<p><u>Competences, functions and activities relate to Cultural Built Heritage among the organisations, departments, stakeholders involved in environmental protection, efficient use of resources or sustainability</u></p> <p>Department for Physical Planning, Construction and Environmental Protection - Karlovac City Main department activities:</p> <ul style="list-style-type: none"> • spatial planning and construction of construction land • protection and preservation of natural heritage, historical, cultural and architectural heritage from the aspect of urbanism • construction of buildings under the jurisdiction and ownership of the City • energy efficiency and energy-sustainable development • environmental protection and waste management • coordination and oversight of capital investments in which the City participates as a co-investor <p>One of the main roles of department is to protect and preserve natural, historical, cultural and building heritage from the aspect of urbanism. Beside that they are working on energy efficiency and sustainable development. In their authority are issues related to environment protection and good waste management. Scope of their competences by the law is that they can make decisions, authorizations, plans, coordination and supervision actions which are in their power gain by national law.</p>
<p>PROCESSES / INTEGRATION</p>	<p><u>Hierarchical and functional relations; main mechanisms for decision making, risk evaluation, environmental assessment, implementation of environmental policies with relevance for HBA; hierarchical and functional relations at local level between Sustainable development policies, the heritage protection planning and process, regeneration and/or valorisation processes or projects / other relevant policies and practices relating to HBA use and development (economy promotion, quality of life, waste management, public lighting...)</u></p> <p>Described earlier in the text</p>

C - STAKEHOLDERS

BASIC INFORMATION

C.1. Horizontal governance mechanisms at national level

The owner of a cultural asset is obliged to:

- handle the cultural good with due diligence, and in particular keep it and maintain it regularly;
- implement protection measures set forth in this Act and other regulations,
- on any changes in cultural property, damage or destruction, and on the disappearance or theft of a cultural asset, the competent authority shall notify the competent authority immediately and no later than the following day,
- allow professional and scientific research, technical and other surveys, as well as the implementation of technical protection measures,
- to make available the cultural good of the public,
- to preserve the integrity of the protected collections of movable cultural goods,
- perform all other obligations prescribed by this Law and other regulations.

Costs related to the preservation and maintenance of cultural goods and the implementation of technical protection measures are borne by the owner of the cultural property.

If the maintenance of a cultural asset or works on its repair, conservation or implementation of technical protection measures require extraordinary costs that exceed regular maintenance costs and income or other benefits the owner owns from cultural property, the owner has the right to apply for compensation for extraordinary expenses.

The extraordinary expenses referred to in paragraph 2 of this Article shall be determined by a decision of the Ministry of Culture, and the funds shall be provided in the state budget.

The rights of the owner of a cultural asset apart from the rights established by a special law and subject to the limitations of this *Law* are:

- the right to compensation for the restriction of the right of ownership of a cultural property under the conditions prescribed by this *Law*,
- the right to tax and customs benefits under a special law,
- the right to professional assistance of the competent authority for the proper protection and preservation of cultural goods in the manner prescribed by this *Law*.

The owner who intends to sell the cultural good is obliged to offer it at the same time to the Republic of Croatia, the County, the City of Zagreb, the city or municipality on whose territory this cultural property is located, at the same time as the price and other conditions of sale. This provision shall not apply to immovable property within a protected cultural and historical complex which is not protected as a cultural property by a special decision.

The owner, the holder of cultural property rights and the other cultural property holder shall compensate for the damage to the cultural property caused by acts contrary to the provisions of this *Law*.

A concession is needed for the economic use of immovable cultural property or the right to conduct economic activities in respect of immovable cultural property owned by the Republic of Croatia, County, City of Zagreb, city or municipality.
The concessionaire is obliged to take measures of protection and preservation of cultural property in the manner and under conditions determined by the Law and special regulations.

C.2. Horizontal governance mechanisms and practices at local level

The city of Karlovac provides full assistance to potential investors through the lack of spatial planning documentation, quick issuance of building permits and assistance in solving property rights. Also, with larger investments, the City exempts private investors from paying communal fees for a certain period, and participates in arranging public areas (roads, sidewalks).

C.3. Specific procedures involving public and private sectors on HBA

The public private partnership is defined by the legislative framework in the Republic of Croatia, but it has not lived as in the Western European countries, and so far in Karlovac we have not had any public private initiative. For smaller renovations of the facades of residential buildings Karlovac announces a public tender for co-financing the layout of the facades and roofs of residential buildings in accordance with the conditions of the Karlovac conservation department.

QUALITATIVE INFORMATION AND COMMENTS

C.4. The PP approach and relations: partnership or conflict?

An interesting example can be an example of the Society of Friends of the Dubrovnik Old Town, which for 40 years, based on the City of Dubrovnik Agreement, manages city walls, collects revenue from tickets, and collects all funds collected in the monument restoration, which is surely one of the most successful and most innovative examples of sustainable use of cultural heritage in the Republic of Croatia.¹⁸

This example shows how cultural heritage can be used sustainably, while protecting, conserving and reconstructing. The model that operates the Dubrovnik Friendship Society contributes to the enhancement of the protection and preservation of cultural heritage, but it also provides significant financial resources directed at almost all forms of protection of the material and immaterial heritage of the Dubrovnik area. Of course, without the support and cooperation of the local population and administration, the work of this Society and similar associations would

¹⁸ Ministry of Culture (2011): Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011-2015. Zagreb: Ministry of Culture. Available on: <http://www.min-kulture.hr/default.aspx?id=4> [26.09.2017.]

be very difficult. The Dubrovnik example can serve as a model for good practice and for other associations in the Republic of Croatia.

Although today there are numerous and varied programs for entrepreneurship development (financial schemes, counselling, promotion, etc.), from those at central level, local and regional self-government, entrepreneurial associations (chambers, associations, societies, etc.) to special financial institutions (venture fund capital), there are virtually no programs to stimulate and assist cultural management related to the use of cultural heritage.¹⁹

Additionally, there is no adequate education and training for management in the use of cultural heritage. Interestingly, there are a number of quality educational institutions for the acquisition of competences for research, protection and preservation of cultural heritage, there are good business schools, but there is no institution or multidisciplinary programs that will enable a good acquisition of knowledge, skills and behaviour for management in sustainable use of cultural heritage.

The general assessment of the state of development of cultural-based entrepreneurship is that, despite it

launched programs and incentive measures, initial good results, support from a variety of organizations at different levels, from state to local and civil society, successful examples of entrepreneurial ventures that have been confirmed in the global market, far below the opportunities that national cultural heritage provides as a development potential for sustainable use.

¹⁹ Ministry of Culture (2011): Strategy of Conservation, Protection and Sustainable Economic Use of Croatian cultural heritage 2011-2015. Zagreb: Ministry of Culture. Available on: <http://www.min-kulture.hr/default.aspx?id=4> [26.09.2017.]

D - SWOT ANALYSIS

Strengths	Weakness
<ul style="list-style-type: none"> • to develop strategic guidelines and action plans for the purpose of restoration and sustainable use of certain types of cultural heritage; • to adopt architectural heritage management plans; • to regulate the property and legal status of cultural heritage and / or to use the temporary custody institution more often for the purpose of necessary protective works; • a very good legal system for the protection of cultural heritage. 	<ul style="list-style-type: none"> • a considerable number of unresolved property, legal and property relations; • unsatisfactory building state of architectural cultural heritage, neglect, lack of maintenance, ruin; • insufficient professional capacities for the preparation of conservation studies for reconstruction; • insufficient systematic computerization and updated monitoring of data on architectural heritage; • the lack of a model of cultural heritage management, which is why there is no systematic maintenance and use; • insufficient sensibility for cultural heritage in local communities affects inadequate use of cultural heritage as an economic resource; • lack of incentive measures for investing in the restoration of architectural heritage (tax policy, subsidies, reliefs)
Opportunities	Threats
<ul style="list-style-type: none"> • to foster an integral approach and continuous collaboration of experts within the sustainable use and conservation program with spatial planners, architects, economists, tourism experts, etc; • to involve energy efficiency in strategic guideline to improve performance of the buildings. • to stimulate the revitalization of cultural heritage by introducing historical uses or acceptable new contents how to cultural heritage actively participate in the life of the local community; • to encourage the educational, ecological and tourist activities of the local population in order to raise awareness of the need to preserve the cultural heritage and its economic use; • establish criteria for valorising cultural assets of national, regional and local importance for all types of cultural heritage. 	<ul style="list-style-type: none"> • strive to establish a balanced relationship between original forms of architectural heritage and contemporary architectural phenomena (with strict control and selective application of new materials and constructions) in order to preserve the autonomy of the landscape needed to attract the so-called cultural tourists; • to educate professionals for work on preservation of architectural heritage, to organize professional training of conservation staff members for the purpose of achieving the program of protection and preservation of cultural heritage and its sustainable use