

PUBLIC SERVICE FOR THE PROTECTION OF CULTURAL HERITAGE IN SLOVENIA AND ITS MISSION

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Slovenia reformed its heritage protection system in 2008 when the latest Cultural Heritage Protection Act (CHPA) was adopted.¹ According to the law, there are three general categories of cultural heritage:

- *'Immovable heritage' are immovable properties or its parts with the value of heritage, entered in the heritage register*
- *'Movable heritage' are movable properties or a collection of such properties with the heritage value*
- *'Intangible heritage' are properties, such as practices, representations, expressions, knowledge, skills, and the movable properties and cultural spaces associated therewith (where such heritage is presented or expressed).*

CHPA does not define further division of general categories into subordinated types of cultural heritage. Among the variety of immovable heritage, the law mentions

1 In recent years, the law was amended four times and twice it was scrutinised by the Constitutional Court of RS, one of the rulings of the court led to the amendment adopted in 2012. Official Gazette of RS, No. 16/2008, 123/2008, 8/2011, 30/2011 - Odl. US, 90/2012, 111/2013. These all proves that the legal substance is vivid and open to changes deriving from the day-to-day implementation.

only the following (and not a definite) types: settlement areas, cultural landscape and archaeological sites. With respect to movable heritage, the law gives the definition of national treasure at one hand and archaeological finds at the other (whereas archaeological finds can fall in the category of national treasure as well).

The definitions of individual heritage types are given by the Rules on Lists of Heritage Categories and Protection Standards² According to the Rules, immovable heritage is divided in the following categories: archaeological sites, buildings, parks and gardens, buildings with parks and gardens, commemorative structures and places, facilities and installations, settlements and parts thereof, and cultural landscape. This typology is used when entering individual properties into the heritage register.

There are three protection grades prescribed by the law and also implemented in practice, namely: cultural heritage (as the widest category), monuments of local importance (statutory protected by designation adopted by local authorities) and monuments of national importance (designated by the government). At present, there

2 The Official Gazette of the RS 102/10. The content of the Rules also includes categories of movable and intangible, the so-called living heritage.

are 29.446 cultural heritage properties entered in the register, out of which there are 7.940 monuments of local importance and 308 monuments of national importance.³

	Cultural monuments	Cultural heritage*	Total
Registered Properties**	8248	21198	29446
Archaeological sites	1046	2249	3295

* not designated as monuments

** including archaeological sites

Table 1. Number of cultural heritage properties in the Cultural Heritage Register (December 2013)

Public service for monument protection in present day Slovenian territory was first organised by Austrian authorities in the form of Zentralkommission in Vienna (with different titles and scope of duties and responsibilities where the fieldwork was mainly executed by honorary conservators). Such organisation lasted in the period of 1850 – 1913 when the Provincial Office (Landesdenkmalamt) was established in Ljubljana. Between 1918 and 1945, the Monument Office covering the territory of Slovenia took care of monuments, while the National Institute for Monument protection of Slovenia was established in 1945. From 1959 on (when the first regional institute was established in Maribor), regional institutes were created (the last out of seven in Novo mesto). In 1999, the present Institute for the Cultural Herit-

age protection of Slovenia (IPCHS) was established and in 2002 the seven regional institutes and the Restoration centre merged with the IPCHS. That is why even today IPCHS has seven regional offices now forming one of the two main sectors of the IPCHS, namely the Cultural Heritage Public Service.

Mission of the Institute for the Protection of Cultural Heritage of Slovenia (IPCHS) is:

- Carrying out national public service of protection of immovable heritage and movable and intangible heritage associated therewith,
- Conservation of heritage as an important part of cultural diversity of Slovenia and a part of European and world heritage,
- Integration of heritage into contemporary life and heritage awareness rising.

Organisation chart of IPCHS is composed of two main entities. The first has the mandate for issuing administrative acts while the second implements research and conservation works on heritage. There are two basic ideas behind this type of organisation. The first idea is that the main emphasis of the organisation is given to the field work and to the contacts with citizens and other users of heritage service. Therefore, IPCHS is organised in such a way that the organisation backs-up basic tasks implemented by conservators and restorers on the ground and secures a good cooperation at local level in implementing conservation programme and projects.

The second idea departs from a strict division of concrete research projects and conservation and/or restoration

³ Monuments are a sub-set of registered heritage properties. The data for registered heritage was retrieved on 31. 12. 2013.

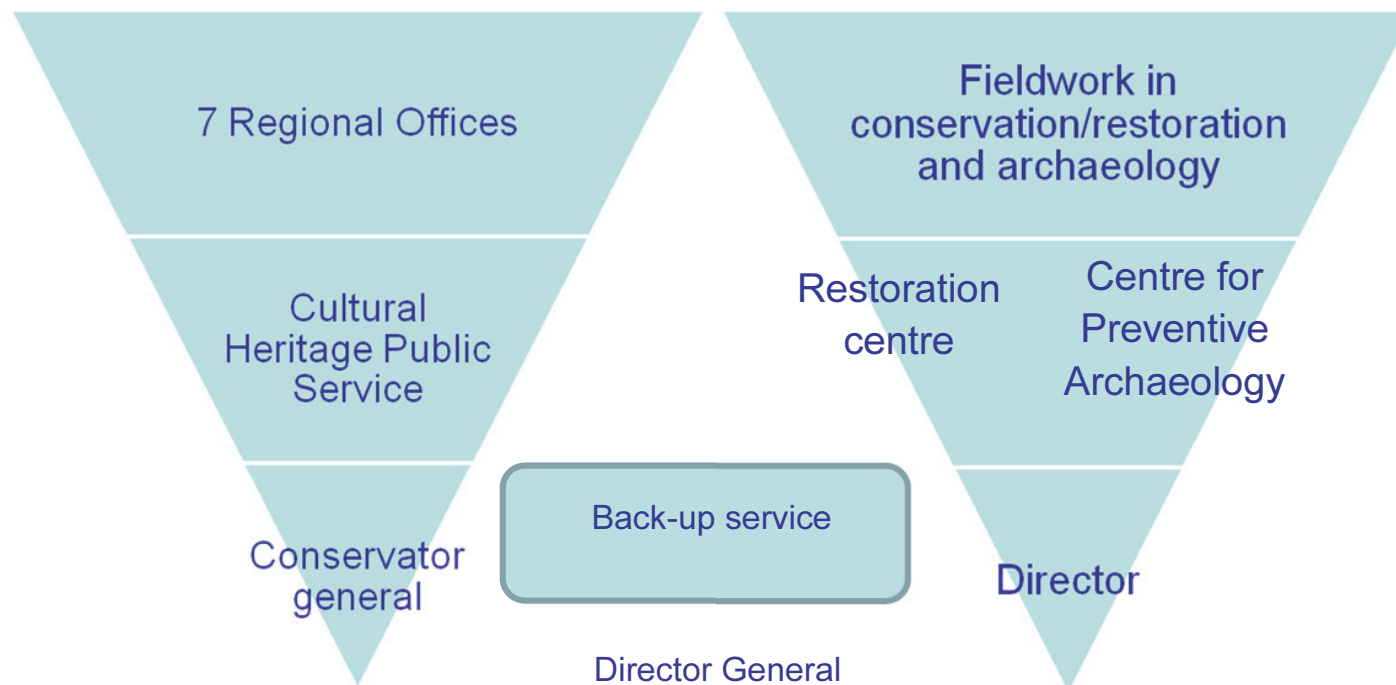


Table 2. Organisational chart of the Institute for the Protection of Cultural Heritage of Slovenia

works on heritage (the right side of the organisation chart above) including preventive archaeology in public works and development activities, from the administrative mandate given to IPCHS when it implements the tasks of state administration (in issuing building condition and consents for works on heritage properties, in supervising works on heritage and in issuing other administrative acts – see the left side of the organisation chart above). In order that the regional offices operating on ground could better perform their administrative tasks it is indispensable that they concentrate on:

- Heritage identification, registration, valorisation
- Protection of heritage through planning
- Designation of monuments

Heritage identification and valorisation are the responsibility of IPCHS alone. On the other hand, the responsibility of registration, protection through planning and designation of monuments is a responsibility shared between the Ministry of Culture and IPCHS. For example, IPCHS is, on the basis of heritage identification and valorisation, responsible to provide data on individual heritage property

to be included in the heritage register which is managed by the Ministry of culture. Slovenia has, from 1995 on, developed a central Register of immovable cultural heritage based on the GIS technology. The Register covers all types of immovable heritage (archaeological, architectural, cultural landscapes) and serves as persistent identifier of Slovenian cultural heritage; short and uniform descriptions from the register provide “identity card of heritage”. The register gives information support to administrative conservation procedures (including spatial planning) and is also used for presentations, research, education, and fostering public awareness of heritage. In this way, registration of heritage is a part of regular identification and documenting procedures of heritage public service and a starting point for heritage protection.

In short, Cultural Heritage Register is the official on-line database of all types of immovable heritage in Slovenia (<http://giskd.situla.org/>). The register enables the interpretation of heritage in environmental context (spatial relationships, relationships to natural environment, land use, ownership ...). It also provides expert support (protection guidelines) for decisions in conservation and planning process (<http://evrd.situla.org>). Through the register, the access to heritage data in other subsystems is user-friendly and is at the disposal not only for protection specialists and public administration but also for general public (in tourism, education, research ...).

Heritage can be statutory protected by integrating it into municipal spatial plans (as heritage areas or individual building or groups of buildings) or by designation that gives an area or an individual property the status of a monument (of local or national importance).

The role of ICHS in the designation procedures is to draft designation acts on the basis of valorisation and study of possible protective regimes, and to organise public consultations. The aim of public consultation is to enable owners of properties to be designated, local community and other interested public to give their opinion and to propose amendments. The role of the Ministry of culture is to coordinate the government procedure when designating of monuments of national importance. The act of designation is adopted by the government. Similarly, the act designating a monument of local importance is adopted by the municipal council concerned. Ministry of culture has the power to issue a temporary designation act in case when a property is under immediate threat.

The law provides for a designation by an agreement in cases of heritage areas with development issues and challenges. This type of designation is valid for a period of 5 years and can be extended if the protection aims are met by partners of the agreement. This instrument has not been put in practice yet.

In Slovenia, the spatial planning and building regulations on one hand and Cultural Heritage Protection Act on the other define the national framework for planning, rehabilitation and protection of heritage. At local levels, instruments are implemented through municipal spatial plans (general provisions for the territory of each municipality), detailed municipal spatial plans, and rehabilitation plans (the implementation provisions). In the latter case, a conservation plan for rehabilitation is to be integrated in the rehabilitation plan if a heritage area is concerned.

The role of CHPS in protection of heritage through planning is to prepare documents for planning while the role of the

Ministry of culture is to cooperate with national and local authorities and to issue administrative acts. In the starting phase of the planning procedure, the Ministry issues heritage protection guidelines and in final phase it validates draft plans if heritage guidelines are integrated into planning documents (in the form of administrative opinions).

Heritage impact assessment is regularly implemented in strategic planning and in the framework of public works and large construction plans. IPCHS is not carrying out heritage impact assessment studies – this is done by licensed bodies outside public sector. The responsibility of IPCHS is to provide for documentation and other data necessary for assessing impact of planned activities on cultural heritage.

Division of responsibilities between Ministry of culture and IPCHS takes place also in other parts of heritage protection system:

- The Ministry issues consents for archaeological research while IPCHS supervises research projects when they are carried out by free-lance archaeologists. IPCHS can also carry out archaeological field work in public development projects and excavations financed by the Ministry. The Ministry also gives subsidies for financing excavations for individuals building their homes, and for municipalities if archaeological research is needed in the framework of communal projects;
- IPCHS issues building conditions and consents for individual building projects affecting heritage while the Ministry decides if an appeal is submitted (the Ministry has the mandate to act as the second administrative level).
- The Ministry finances conservation projects directly (in case of restoration of state property) or gives subsidies for conservation and restoration on the base of public

tenders. It is also possible that the Ministry engages IPCHS to carry out special restoration works directly in major restoration project of important monuments regardless of the ownership. In other cases, IPCHS can also carry out other restoration projects on the basis of service contracts with investors.

As far as the preventive archaeology is concerned it is implemented in two general directions; the first is a part of spatial planning and the a part of public works and other development activities. In planning procedures, IPCHS Centre for Preventive Archaeology assesses the archaeological potential of areas where strategic environmental assessment is needed. In this way, reliable data necessary for such assessment to be prepared by licensed contractor is provided. In the implementation phase, archaeological prospection, evaluation and excavation on building sites on which individuals intend to build their homes or municipalities carry out communal works, are provided, archaeological research on monuments in state ownership is carried out including methodological and infrastructural development in the field of archaeological research and post-excavation processes etc.

An overview of the division of responsibilities in heritage protection system between the Ministry of culture, IPCHS and municipalities is given in the table below.

To conclude, there are some facts and figures that give addition insight into the financial part of the heritage protection system and its implementation. The figures illustrate how the financial crisis in Slovenia has caused the decrease in public funding of heritage activities and how it has affected the the number of public servants employed in IPCHS.

Group of tasks	Ministry, responsible for cultural heritage	municipalities	IPCHS
Heritage identification, registration, documentation and evaluation	Management of the Register of Cultural Heritage		Heritage identification and evaluation. Provision of information for the Register
Heritage protection in spatial planning	Cooperation with other governmental sectors and municipalities	Adoption of municipal planning acts	Analysis of heritage in spatial context Assessment of the archaeological potential. Drafting materials for Ministry guidelines and opinions concerning spatial plans
Statutory protection of monuments by designation	Coordinating designation procedure for monuments of national importance (designation acts for this class of monuments adopted by the government). Decrees on temporary designation	Adoption of designation acts for monuments of local importance	Preparation of recommendations for designation of monuments of national and local importance Conduct of public debates as part of designation procedure of monuments
Prevention of interventions into identified archaeological sites and preliminary archaeological research prior to development	Issuing consents for archaeological research. Funding research (mostly for individuals building their own family houses)		Execution of archaeological research funded by the Ministry, responsible for cultural heritage
Monitoring and directing interventions into heritage Execution of conservation projects	Second-level decisions (appeals) Subsidies for restoration and other projects	Subsidies for restoration and other projects	Issuing conditions and consents for interventions into heritage. Execution of some restoration projects and other projects
Acquisition of ownership of monuments	Pre-emption right in cases of sale of monuments of national importance	Pre-emption right in cases of sale of monuments of local importance	

Table 3. Division of responsibilities between Ministry of Culture, municipalities and IPCHS.