

# CULTURAL HERITAGE ADMINISTRATION ISSUES

DECENTRALIZATION AND THE  
ROLE OF CITIZENS IN HERITAGE  
PROTECTION



**Author:** Tamara Amashukeli  
**Editor:** Michael Ryan Decker  
**Design:** Nata Kipiani, Natalia Glonti

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## CONTENT

04	INTRODUCTION
05	CULTURAL HERITAGE MANAGEMENT SYSTEM
09	REGIONAL/MUNICIPAL MANAGEMENT
13	RECOMMENDATIONS
15	LOCAL AND INTERNATIONAL PRACTICES OF CITIZEN PARTICIPATION IN THE PROCESS OF CULTURAL HERITAGE PROTECTION
23	BIBLIOGRAPHY

## INTRODUCTION

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**Imbued with a message from the past, the historic monuments of generations of people remain to the present day as living witnesses of their age-old traditions. People are becoming more and more conscious of the unity of human values and regard ancient monuments as a common heritage. The common responsibility to safeguard them for future generations is recognized. It is our duty to hand them on in the full richness of their authenticity.<sup>1</sup>**

The aim of the Venice Charter is to preserve and pass on cultural heritage to future generations. This not only means protecting cultural heritage but also fully integrating cultural heritage into modern life, with active rather than passive community participation, and creating a sustainable quality of life for humanity. Cultural heritage is no longer seen as an isolated relic that is only of historical or aesthetic significance. If cultural-heritage management was focused on protecting isolated objects at the beginning of the previous century, today it includes not only isolated objects, but also preserving and protecting the entire cultural landscape. Cultural heritage is a complex combination of tangible and intangible elements. It can have any combination of different values - social, spiritual, religious, ethical, aesthetic, archaeological, anthropological, or economic. With the expanding concept of cultural heritage and its protection in the modern world, areas that both impact and are impacted by cultural heritage have changed substantially. New challenges and goals require innovative and complex approaches to fully integrate heritage potential into national and regional development programs. Government strategies need to incorporate the issue of heritage protection and development into action plans at the central and local levels. The circle of stakeholders is also expanding. It is unjustifiable and ineffective to transfer the center of gravity to any individual management agency. An integrated model in which all structures (public agencies, the education system, and professional or civil society) are equally involved in strategy design, implementation, and monitoring is widely recognized as the most effective model for achieving these aims.

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<sup>1</sup> "The Venice Charter: International Charter for the Conservation and Restoration of Monuments and Sites" (Second International Congress of Architects and Technicians of Historic Monuments, Venice, 1964).



# CULTURAL HERITAGE MANAGEMENT SYSTEM

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The legislation of Georgia specifies the following agencies as being responsible for the state protection of cultural heritage:

- » Ministry of Culture and Monument Protection (hereafter, “the Ministry”) – Responsible for implementing the state policy of heritage protection.
- » National Agency for Cultural Heritage Preservation (hereafter, “the Agency”) – Established in 2008 to preserve monuments of national and global importance.
- » The Ministry of Education, Culture and Sports of the Autonomous Republic of Adjara – Responsible for culture and heritage policy in Adjara.
- » Adjara National Agency for Cultural Heritage Preservation – Responsible for heritage management in Adjara.
- » Education, Science and Culture Committee of the Parliament of Georgia.
- » National Museum of Georgia – A powerful network of museums and museum-reserves. In addition to the rich movable heritage preserved in these museums, they are also responsible for managing important monuments.
- » Georgian National Commission for UNESCO of the Ministry of Foreign Affairs of Georgia - Oversees the implementation of the World Heritage Convention and other international conventions in Georgia.
- » Autocephalous Orthodox Church of Georgia – Owns a significant part of the country’s heritage, historic churches, and monasteries and protects and takes care of them in partnership with the government based on a constitutional agreement signed between the Georgian state and the Georgian Orthodox Church.
- » Tbilisi Mayor’s Office – Responsible for managing the historical part of Tbilisi as delegated to it by the Ministry.
- » Local government bodies and municipalities – Responsible for protecting and developing local identity, creative activities, and cultural heritage within their jurisdictions, promoting municipal cultural activities, and maintaining, reconstructing, and restoring cultural monuments of local importance.



Formally, the governing system implies redistribution of powers and decentralization in the field of cultural heritage protection. However, at present, the main Georgian agency responsible for heritage protection is the National Agency for Cultural Heritage Preservation (“the Agency”).

**In addition to other rights and responsibilities, the Agency is responsible for:**

- » Popularizing cultural heritage and developing and implementing relevant cultural, educational, and tourism programs for the state program of cultural heritage protection
- » Protecting, maintaining, and promoting immovable and movable monuments and tangible and intangible objects of Georgian cultural heritage
- » Identifying, studying, researching, recording, and taking inventory of cultural heritage monuments and objects in Georgia
- » Developing a unified information system and database
- » Maintaining the state register of cultural heritage monuments
- » Granting and removing the statuses of cultural heritage monuments within its jurisdiction or submitting proposals to authorized state bodies for this purpose
- » Agreeing on construction documentation in cultural heritage protection zones
- » Preparing research and rehabilitation projects for Georgian cultural heritage monuments and objects and conducting and archeological work around monuments
- » Signing monument maintenance agreements with the owners or users of cultural heritage monuments
- » Developing relevant proposals for the identification of cultural heritage protection zones
- » Conducting systematic inspections of Georgian cultural heritage monuments within its jurisdiction, identifying legal violations, and ensuring appropriate responses to them
- » Drafting laws and regulations in the field of cultural heritage and submitting them to the authorized state bodies for approval



- » Participating in and facilitating the training and retraining of specialists and new scientific staff in the field of cultural heritage
- » Raising cultural heritage awareness
- » Helping update museum and museum-reserve exhibitions
- » Preparing and implementing development plans for museums and museum-reserve areas and setting up appropriate infrastructure such as museum shops and cafes to attract visitors and create suitable conditions for them
- » Determining ticket and service fees
- » Announcing competitions to promote and finance projects in the field of cultural heritage to fulfill the goals and objectives of the Agency

In addition to a wide range of rights and responsibilities, the Agency also promotes cultural heritage and the state program for the protection of cultural heritage and manages most of Georgia's cultural heritage through issuing permits, supervising, and monitoring (except for Tbilisi and the Autonomous Republic of Adjara). Since the Agency does not yet have regional bureaus, management in the regions is conducted through museum-reserves. The inefficiencies of the existing system are described in the National Policy of the Cultural Heritage Sector of Georgia document developed by ICOMOS Georgia in 2014:

This system is less effective because, firstly, the museum-reserves have limited resources and, secondly, the existing administrative procedures do not allow the museum-reserves to use those limited resources independently. For example, a comparatively strong unit of the agency - Uplistsikhe Historical Architectural Museum-Reserve carries out management of the complex site of included in the Tentative List of the World Heritage and, at the same time undertakes management of other 617 monuments of Shida Kartli region. The data regarding staffing and annual salary and administration rates (figure 1) clearly shows that it is nearly impossible to fulfil such complicated duties with given limited resources.<sup>2</sup>

2 "Towards the Future: National Policy of Cultural Heritage Sector of Georgia" (ICOMOS Georgia, 2014) 18, [http://www.rcchd.icomos.org.ge/img/multimedia/pub\\_1416997719504295.pdf](http://www.rcchd.icomos.org.ge/img/multimedia/pub_1416997719504295.pdf).



*Figure 1. Budget of the year 2012 of Uplistsikhe Historical-Architectural Museum-Reserve*

Number of staff (including vacancies)	<b>16</b>
Number of monitoring specialists on staff	<b>1</b>
Monthly salary expenditures	<b>4,700</b>
Annual salary expenditures	<b>56,400</b>
Monthly monitoring specialist salary	<b>300</b>
Annual monitoring specialist salary	<b>3,600</b>
Cars	<b>1</b>
2012 fuel expenditures (liters)	<b>1650</b>
2012 fuel expenditures (GEL)	<b>3,548</b>
2012 car maintenance expenditures (GEL)	<b>175</b>

Unfortunately, the situation has not improved since then, and this has had a negative impact on the condition of cultural heritage and historic sites. Without an extensive network of cultural heritage protection, its management is inefficient and impossible. The creation of such a network is described in the ICOMOS Regional Cooperation for the Development of Cultural Heritage project's Georgian mission report:

The effective protection of cultural heritage can be achieved only through network (capillary) technical services that are able to control cultural heritage, landscape use, conservation, adaptation, and alteration while providing appropriate advice. These services should be guided by clearly defined criteria and directives that will reduce the likelihood of subjective decisions. At the same time, well-trained staff should work in these services and be provided adequate remuneration. The idea of establishing joint municipal and regional services may also be considered to increase effectiveness at regional and municipal levels.<sup>3</sup>

<sup>3</sup> "Report of the mission that took place in Tbilisi, Georgia, from January 28 to February 1" (ICOMOS Regional Cooperation for the Development of Cultural Heritage, 2014).



Neither the Ministry nor the Agency is ready to change the cultural heritage management model and move from a vertical to a horizontal management system. In fact, the draft Code on Natural and Cultural Heritage of Georgia envisages expanding the functions of the Agency and further centralizing management. At this point, decentralized heritage administration with enhanced regional and local institutions is not the main direction of national cultural heritage policy.

## REGIONAL/MUNICIPAL MANAGEMENT

Local government should play a key role in the management and development of cultural heritage. The National Policy on Georgia's Cultural Heritage proposes status differentiation for registered monuments and a three-tiered system of monument categories, with monuments of national, regional, and local significance. These divisions should be reflected in a diversified management system.



The recommendations of such a serious document were not considered, and no actions have been taken to implement them. Today, under Georgian law, monuments are classified into monuments, monuments of national importance, and monuments included on the World Heritage List.



## ACCORDING TO THE LOCAL SELF-GOVERNMENT CODE, THE POWERS OF MUNICIPALITY INCLUDE:

- s) protection and development of local originality, creative activities and cultural heritage; promotion of the development of the cultural sphere in the municipality and taking appropriate measures for this purpose; maintenance, reconstruction and rehabilitation of cultural monuments of local importance (**Local Self-Government Code, Article 16**).

1. In accordance with Article 16(2)(s) of the Organic Law of Georgia – Local Self-Government Code, in order to protect cultural heritage, a municipality shall ensure the maintenance, reconstruction and rehabilitation of cultural heritage existing in its territory and determined by paragraph 2 of this article.

2. When discovering [or] revealing cultural heritage while carrying out their duties, municipality bodies shall inform the Ministry  
**(Law of Georgia on Cultural Heritage. Article 7<sup>1</sup> - Own powers of municipalities in the field of the protection of cultural heritage).**

By law, local governments have certain jurisdictions but do not have detailed and clear guidelines in this area. In addition, municipal budgets are quite small, with funds mainly allocated to priority areas that do not include cultural heritage. Therefore, funds allocated to it are inadequate to deal with existing challenges. Municipalities are mostly limited to small-scale and low-budget activities such as cleaning specific objects and setting up small-scale infrastructure.

Since municipalities do not have a strategy or guidelines for protecting and developing cultural heritage sites in their territories, their action is mostly voluntary, spontaneous, and one-off rather than part of a long-term plan. Their small budgets do not allow for the implementation of important projects. Available funds being largely spent spontaneously is one of the main reasons for this is the lack of strategy as described in the 2015 assessment report prepared as part of the Council of



Europe and European Union's Rehabilitation of Cultural Heritage in Historic Towns joint regional project:

The implementation of cultural heritage projects depended entirely on voluntary initiatives that were not given a special budget from the central government. Tight local budgets did not allow local governments to implement these voluntary cultural heritage initiatives since these funds were needed to rehabilitate basic communal infrastructure and address priority social issues. Local governments depended on grants, private investments, and exclusive transfers from the state budget to implement heritage-related projects. Dependence on these funds reduced the autonomy of local governments in making decisions about cultural heritage and rendered them ineffective at performing even basic maintenance on listed properties, inventorying and studying local heritage resources, and running public awareness campaigns to promote cultural heritage. These, in turn, had an adverse effect on the state of conservation of heritage objects and alienated the local population towards cultural heritage. As the protection, maintenance, and reconstruction of cultural heritage fall within the jurisdictions of local governments, these problems need to be addressed and eliminated.

Ownership is another important aspect that interferes with local government bodies managing of cultural heritage resources. According to the new Local-Self Government Code, the land of cultural and natural monuments and protected areas remains in state ownership and is managed by the Ministry of Economy and Sustainable Development. Local governments are not authorized to manage or directly benefit from these recourses unless the property is transferred to their ownership, which is a lengthy and complicated process.

It is unfortunate that this 2015 document is still relevant today since the situation has not changed regarding the development of a horizontal, highly effective management model in the field of cultural heritage protection. The National Agency for the Protection of Monuments is still (except for Tbilisi and the Autonomous Republic of Adjara) the main body at the central level responsible for issuing permits for monuments in the regions and supervising them. This authority (except for Adjara and Tbilisi) has not yet been delegated to local governments. Lack of sufficient competence on the ground is one reason for delays in the delegation of powers to issue permits, monitor, supervise, or perform other functions at the local level. However, the efforts of municipalities, the Ministry, and the Agency (one of whose responsibilities is to



“participate in and support the training of specialists and new scientific staff in the field of cultural heritage”) are insufficient to perform these functions.

The cultural-heritage administrative system is highly centralized. Management is the prerogative of the central government, and the involvement of local governments is limited to support and small-scale cooperation when requested by the central administration. This policy should be changed to place cultural heritage at the center of an integrated approach and significantly expand the circle of stakeholders involved in the process of protecting and developing cultural heritage.



## RECOMMENDATIONS

Effective cultural-heritage management requires a strong, horizontal governance network. To do this the sector needs to start decentralizing by separating and redistributing responsibilities at the central, regional, and municipal levels while at the same time ensuring integrated governance (conservation). For this it is necessary to:

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- » Separate and redistribute competencies, define long-term and short-term goals and deadlines, and develop a detailed action plan and guidelines based on those goals.
- 
- » Establish and strengthen institutions at the regional and local levels and create relevant infrastructure.
- 
- » Develop a strategy for protecting and developing cultural heritage in both regions and municipalities that is in line with national policy (Unfortunately, at this stage, national policy is quite vague. - Author's note).
- 
- » Develop large-scale training programs to transfer necessary knowledge and skills and train qualified personnel.

Effective cultural-heritage management in the 21st century requires an inclusive approach involving local, regional, and national authorities as well as all stakeholders in the heritage field such as professionals, NGOs, and civil society.

It is also necessary to encourage citizens to play a more active role. Anyone can be a defender of cultural heritage and the more people that are involved and interested in the issue, the easier it will be to achieve these goals. Promoting citizens' interests and involving them in these processes is the government's responsibility, and the Committee of Ministers of the Council of Europe has developed recommendations for member states as part of their European Heritage Strategy for the 21st Century initiative:



**RECOMMENDATION S1** - Encourage the involvement of citizens and local authorities in capitalizing on their everyday heritage

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**RECOMMENDATION S2** - Make heritage more accessible

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**RECOMMENDATION S3** - Use heritage to assert and transmit the fundamental values of Europe and European society

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**RECOMMENDATION S4** - Promote heritage as a meeting place and vehicle for intercultural dialogue, peace, and tolerance

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**RECOMMENDATION S5** - Encourage and assess citizen participation practices and procedures

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**RECOMMENDATION S6** - Create a suitable framework to enable local authorities and communities to act for the benefit of their heritage and its management

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**RECOMMENDATION S7** - Develop and promote participatory heritage identification programs

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**RECOMMENDATION S8** - Encourage heritage rehabilitation initiatives by local communities and authorities

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**RECOMMENDATION S9** - Support intergenerational and intercultural projects to promote heritage

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**RECOMMENDATION S10** - Facilitate and encourage (public and private) partnerships in cultural heritage promotion and conservation projects<sup>4</sup>

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<sup>4</sup> "European Heritage Strategy for the 21st Century" (Council of Europe Committee of Ministers, Strasbourg, February 22, 2017) <https://rm.coe.int/16806f6a03>.



## LOCAL AND INTERNATIONAL PRACTICES OF CITIZEN PARTICIPATION IN THE PROCESS OF CULTURAL HERITAGE PROTECTION

Although the recommendations call for the involvement of citizens in the process, the situation in Georgia is unfortunately quite difficult, and no part of the government wishes to correct this. Often it is their policy not to interest citizens and involve them in the process, but to instead ignore interested members of the public. There are several examples of this occurring:

### CAMPAIGN TO PROTECT THE SAKDRISI-KACHAGHIANI ARCHEOLOGICAL MONUMENT

On July 5, 2013, by the order of the Minister of Culture and Monument Protection, the status of Sakdrisi-Kachaghiani as an archeological monument was abolished. Consequently, RMG Gold, a company whose immediate interest was mining gold from this area, was given a green light to carry out work in several parts of Sakdrisi-Kachaghiani based on the conclusion of a specially created commission. Immediately following this decision, a group was set up demanding the suspension of the process and a new interdisciplinary investigation. They planned a large-scale campaign, initiated a legal dispute, and began permanent protest rallies in both the capital and near the Sakdrisi mine. This became a larger, more complex issue involving not only cultural and natural heritage, but also labor rights and environmental protection. Unfortunately, their large-scale campaign did not yield results since state structures did not consider the demands of interested members of the public. As a result, this unique archeological site was destroyed.



## PANORAMA TBILISI

In 2014-2015, construction of Panorama Tbilisi, consisting of three large-scale buildings, started in the historic district of Tbilisi's legally protected Strict Protection Zone of Historic Development and Historic City Landscape Protection Zone, where any kind of construction work was prohibited. This construction was met with resistance, and the process of issuing permits was accompanied by protests. An initiative group addressed the decision-making body with a letter requesting that the permit issuing process be open to the public and that stakeholders be allowed to participate. However, the Ministry of Economy and Sustainable Development and the Technical and Construction Supervision Agency under that ministry completely ignored calls from 17 organizations and up to 5,000 Georgian citizens about the Panorama Tbilisi project.

There are many other cases when the state completely closed the process and disregarded the interests of citizens. Protecting cultural heritage is a difficult and complex process that often does not end with the desired outcome. In most cases this is caused by a *lack of awareness* about the problem and an insufficient number of people with critical opinions. We need to understand that cultural heritage is a *non-renewable* resource. Whatever we lose now, we lose forever. Therefore, when decision makers promote harmful policies, civil groups must take charge by demanding full-fledged rather than superficial involvement in the process and promoting specific ideas to involve more people.

Who can be a cultural heritage activist? Anyone can be one - cultural heritage is a common treasure, so caring for it is all our responsibility. Each citizen must contribute to heritage preservation. Protecting cultural heritage is a long, complex, and difficult process. It is impossible to achieve that goal through just one-time actions, which is why it's necessary to develop both short-term and long-term goals and a concrete plan to implement them. It is possible, and often even necessary, to change such a plan to adapt to new challenges. One of the best examples of long-term and successful protests in Georgia is the Defend Gudiashvili Square protest campaign.



**The Defend Gudiashvili Square campaign** continued for over nine years in three stages. Each stage of the campaign had different tasks that served the main goal:

*Phase I - Defend Gudiashvili Square, 2009-2011.* Task: collect and disseminate information and expand the circle of stakeholders interested in saving the square

*Phase II - Strengthen Gudiashvili, 2011-2012.* Task: physically preserve architectural objects

*Stage III - I will wait for you in Gudiashvili Garden, 2013-2018.* Task: start the restoration.

The sole purpose of the campaign was to preserve the cultural heritage and urban fabric around Gudiashvili Square. During each stage of the process, organizers faced different challenges that required them to adapt each phase to changing needs and develop a strategy and action plan. Their consistent process achieved positive results.

Another interesting example and a completely different experience is that of the Amsterdam City Restoration Campaign (Stadsherstel).

Amsterdam, like most European cities, required major restoration after World War II. The local government felt that the old town needed to be commercialized, which meant replacing its residential function with a commercial one. This required fundamental changes to make the city more accessible to vehicles: Amsterdam's characteristic canals had to be converted into roads and houses had to be demolished to free up space for traffic. Plans were drawn up in the 1960s when the first steps were taken. The project provoked strong opposition, with representatives from large businesses also participating in the protest campaign. They founded an organization whose goals were to:

1. Acquire buildings in the greatest danger.
2. Restore quality living space in these buildings.
3. Manage the buildings that they had acquired



Initially, the organization bought houses in areas of the city where the city government planned to demolish buildings. This process made the plan of the city government impossible. Although the danger had passed and Amsterdam's urban or architectural sites were no longer in danger, the organization continued to work and began purchasing buildings whose rehabilitation would improve the city's neighborhoods. Since the campaign was founded in 1956, Stadsherstel has rebuilt more than five hundred buildings.

Protecting cultural heritage is impossible without citizen participation. Despite several unsuccessful campaigns, the topic is becoming increasingly popular, and today both sensitivity to the topic and the number of people and interested groups involved in the process has increased considerably. The protection of cultural heritage involves different interests, and it is necessary to work with people or groups from different professions and with different responsibilities and interests. The main target groups are politicians, journalists, lawyers, heritage owners, professional circles, and concerned citizens.

To succeed, we must define our target audience from the beginning. Who would we work with and who we are trying to influence? How can we create long and short-term strategies appropriate to our goals and develop an action plan? In most cases, civic campaigns aim to influence decision makers and institutions. This requires promoting the topic and expanding the circle of participants in the process. We need to bring our message to as many people as possible. More people should feel the urge to become active participants rather than mere observers of the process. To achieve such a goal, we must plan and carry out an effective communication campaign. Different tools and approaches can be used for this purpose, including exhibitions, information meetings, media activism, and social media. The communication campaign, its audience, and its form should be determined by the common goal. There are several such successful campaigns both internationally and in Georgia.



In 1975, the British organization SAVE was established. This organization has been protecting cultural heritage for more than four decades. Their work began with organizing an exhibition presenting information and visual materials related to 1,200 destroyed monuments and the essence and severity of the problem. SAVE soon attracted the attention of the press and wider public and became an effective organization that brought together heritage specialists. SAVE demonstrated to the public and investors that a historic building could acquire new purpose without sacrificing its appearance. The most famous is the London Battersea Power Station, which was going to be demolished but survived thanks to the efforts of this organization. Members of the organization managed to have the building given monument status, thus saving it from demolition. Today the Battersea power station is a successful venue with restaurants, bars, and shops located there. SAVE regularly uses digital and print media in their campaigns, which easily and quickly capture people's attention. They also use petitions and, if necessary, seek legal remedies through the courts. The organization collaborates with local planning agencies and related organizations.

## THE PROTECT THE OLD BOULEVARD CAMPAIGN

In 2015, a new concept for the development of Batumi's Boulevard was presented to the public. This project would have changed the Boulevard's layout, with one of its three alleys being demolished and converted into a space for cafes and restaurants. Changing the layout of the Batumi Boulevard caused great dissatisfaction because it would have challenged its existence as a quiet recreational space, which was one of this cultural heritage monument's most important features. A few days after the presentation, the Protect the Old Boulevard initiative group was established. This group was able to run an effective campaign to disseminate information, involve more people, start legal processes, and coordinate with decision makers. After identifying problems and ways to solve them, a specific campaign was planned. One of its goals was to create the critical mass needed to influence decision making institutions. To make this local activity national, they started a very effective viral photo campaign called "Three." To show their support for keeping all three alleys of the boulevard, people took a photo with three fingers visible, posted it on a social network, and tagged three people they wanted to do the same. The campaign went



beyond the borders of Batumi and Autonomous Republic of Adjara and included the whole of Georgia. Social networks were full of “three” photos.



In early January 2016, the snow cover in Batumi reached half a meter, damaging perennial trees and seedlings. The Batommi organization launched a campaign on January 4 in which everyone could participate in the snow removal process. The activity gained great popularity and allowed the organization to identify people interested in protecting and rescuing the Boulevard, establish lines of communication with them, and mobilize them around the Protect the Old Boulevard campaign. On April 4, 2016, the press service of the Chairman of the Government of the Autonomous Republic of Adjara reported that the government was considering terminating the contract with the company working on the Batumi Boulevard concept plan.



Our goal should be to develop cultural heritage in a way that does not endanger it, but fully reflects its value so that cultural heritage takes its proper place in the life of the country and its economic progress. To achieve this goal, protecting cultural heritage should become a state priority, with protection and management issues fully integrated into strategic documents and action plans. All public bodies including public agencies and the education system, as well as professional and civil society, should be equally involved in strategy development, implementation, and monitoring. And this shouldn't just be on paper - we are still far from our desired goal, and we still do not see institutions whose job it is to develop and implement these policies taking concrete steps. Citizens need to take the charge and achieve the desired result with concrete, consistent steps of their own. Do not pass this on to others! Do it yourself!

Diagram showing in detail the actions used by the SAVE British Heritage campaign.<sup>5</sup>

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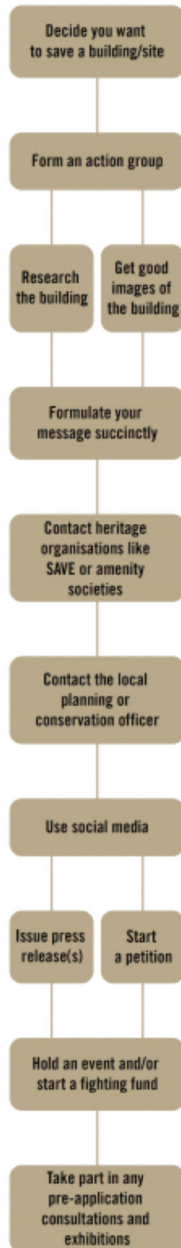
5 <https://www.savebritainsheritage.org/help-and-advice/the-campaign>.



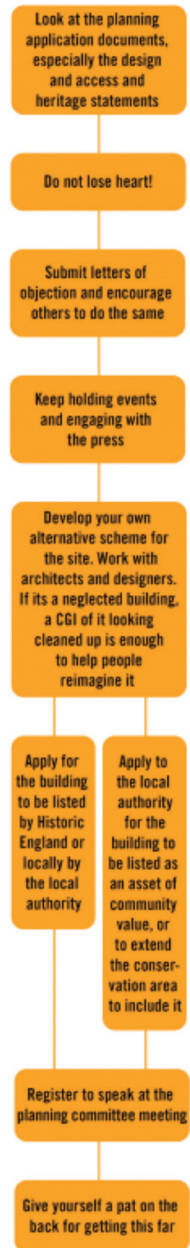
# HOW TO FIGHT A PLANNING APPLICATION

## A FLOW CHART FROM SAVE BRITAIN'S HERITAGE / WWW.SAVEBRITAINSHERITAGE.ORG

### BEFORE THE APPLICATION'S BEEN SUBMITTED



### DURING THE APPLICATION PROCESS



### AFTER THE APPLICATION'S BEEN DECIDED



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**FOR FURTHER INFORMATION ABOUT THE WORK  
OF EECMD, PLEASE CONTACT:**

**Eastern European Centre for Multiparty Democracy  
(EECMD)**

7, Sharashidze str. 0179, Tbilisi, Georgia  
+995 32 291 56 50/51  
contact@eecmd.org

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