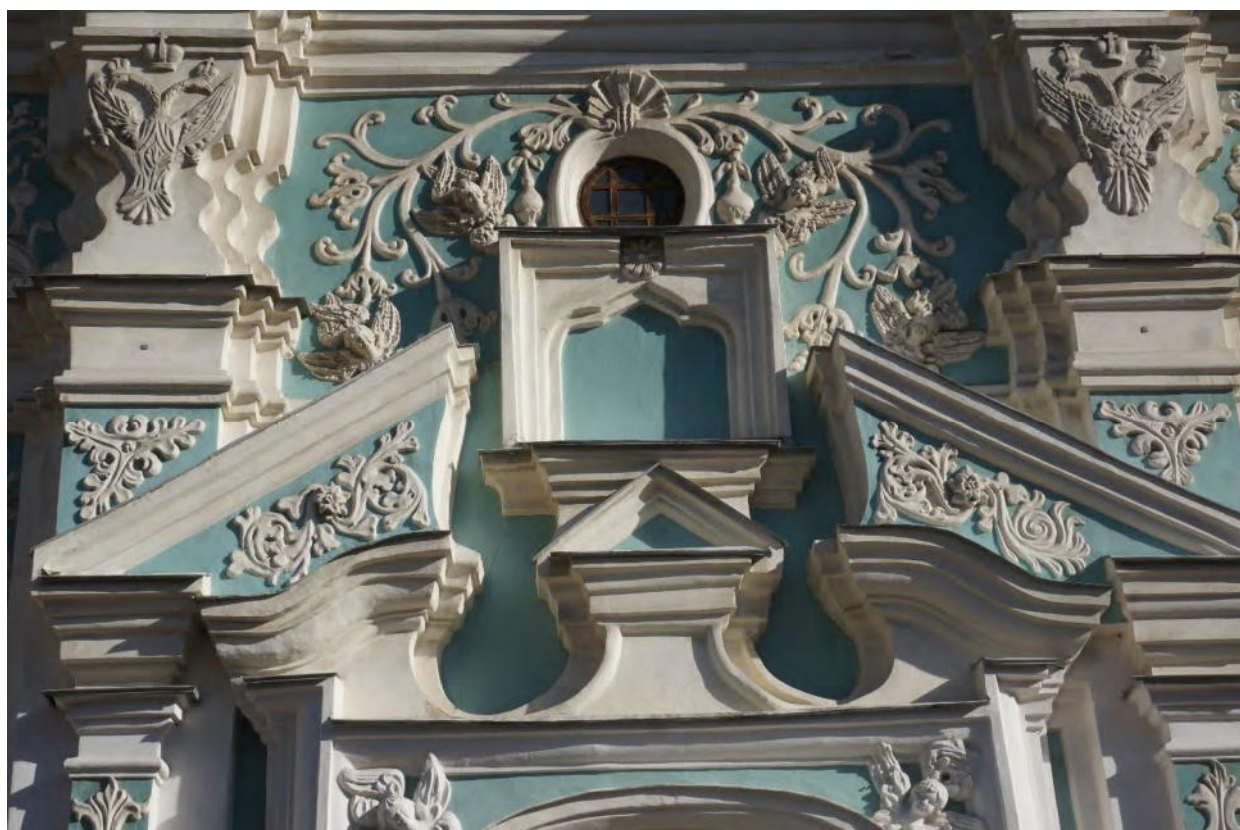


**Report**  
**Joint World Heritage Centre/ICOMOS Reactive Monitoring Mission**  
**to the World Heritage property**

**Kyiv: Saint-Sophia Cathedral and Related Monastic**  
**Buildings, Kyiv-Pechersk Lavra (Ukraine)**



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**Kyiv, Ukraine**

**10 – 14 February**  
**2020**

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## TABLE OF CONTENTS

TABLE OF CONTENTS .....	2
ACKNOWLEDGMENTS .....	4
EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS .....	5
1 BACKGROUND TO THE MISSION (detailed description provided in Annex I).....	10
1.1 INSCRIPTION HISTORY.....	10
1.2 INSCRIPTION CRITERIA AND OUTSTANDING UNIVERSAL VALUE.....	11
1.3 JUSTIFICATION OF THE MISSION (program provided in Annex II) .....	13
1.4 TERMS OF REFERENCE (provided <i>in extenso</i> in ANNEX III) .....	14
2 NATIONAL POLICY FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY .....	16
2.1 PROTECTED AREA LEGISLATION .....	16
2.2 PROPERTY SPECIFIC REGULATIONS .....	16
2.3 INSTITUTIONAL FRAMEWORK.....	17
2.4 PLANS AND INSTRUMENTS - ANNEX XI -TABLE "B" .....	17
2.5 MANAGEMENT STRUCTURE (SEE ANNEX XIII) .....	22
3 IDENTIFICATION AND ASSESSMENT OF ISSUES / THREATS .....	24
3.1 MANAGEMENT EFFECTIVENESS.....	24
4. NATURE AND EXTENT OF THREATS TO THE PROPERTY .....	29
4.1 IMPLEMENTATION OF EXISTING REGULATIONS .....	29
4.2 INAPPROPRIATE INTERVENTIONS WITH A NEGATIVE VISUAL IMPACT ON THE INTEGRITY/TALL BUILDINGS .....	31
4.3 RECONSTRUCTION ISSUES .....	31
4.4 REVIEW OF ISSUES CONNECTED TO THE FULFILMENT OF REPORTING REQUIREMENTS SET DOWN IN THE OPERATIONAL GUIDELINES (PROGRAMS AND PROJECTS WHICH ARE NOT NECESSARILY PROBLEMATIC)..	34
5 ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY.....	40
5.1 PHYSICAL STATE OF THE MAIN COMPONENTS .....	40
5.2 OVERALL STATE OF CONSERVATION OF THE PROPERTY .....	48
6 A CONCLUSIONS .....	52
6 B RECOMMENDATIONS.....	54
6.1 RECOMMENDATIONS FOR ANY ADDITIONAL ACTION TO BE TAKEN BY THE STATE PARTY .....	54
6.2 RECOMMENDATION AS TO WHETHER THE LEVEL OF THREATS TO THE PROPERTY WARRANTS THE PROPERTY BEING PLACED ON OR REMOVED OF THE LIST OF WORLD HERITAGE IN DANGER.....	57

<b>ANNEX I</b>	<b>BACKGROUND TO THE MISSION</b> .....	59
1	INSCRIPTION HISTORY .....	59
2	BRIEF DESCRIPTION .....	59
3	INSCRIPTION CRITERIA AND <b>WORLD HERITAGE VALUES</b> .....	59
4	INTEGRITY ISSUES RAISED IN THE <b>ICOMOS</b> EVALUATION REPORT AT TIME OF INSCRIPTION .....	60
5	THE LATEST DECISION OF THE <b>WORLD HERITAGE COMMITTEE</b> .....	62
<b>ANNEX II</b>	<b>PROGRAMME OF THE RMM 10-14 FEBRUARY 2020</b> .....	64
<b>ANNEX III</b>	<b>TERMS OF REFERENCE</b> .....	67
	Background.....	67
	 Committee decision 43COM 7B.92 .....	67
	 Objectives of the Reactive Monitoring Mission.....	67
<b>ANNEX IV</b>	<b>COMPOSITION OF MISSION TEAM</b> .....	69
<b>ANNEX V</b>	<b>MAPS AND PLANS</b> .....	70
<b>ANNEX VI</b>	<b>DECISIONS OF THE WORLD HERITAGE COMMITTEE</b> .....	76
	<b>DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 41ST SESSION</b> .....	80
<b>ANNEX VII</b>	<b>VISITS AND MEETINGS</b> .....	<b>96</b>
<b>ANNEX VIII - ADDITIONAL MATERIALS RECEIVED DURING/AFTER THE 2020 MISSION</b> .....		97
	<b>VIIIA CODE DE CONSTRUCTION 2019</b> .....	97
	<b>VIIIC MASTER PLAN_PRESENTATION</b> .....	97
	<b>VIIID PRESENTATION ENGLISH SOPHIA</b> .....	97
	<b>VIIIE SAINT-SOPHIA PLANNED RESTORATION</b> .....	97
	<b>VIIIF PRESENTATION LAVRA</b> .....	97
	<b>VIIIG LONGTERM PROGRAM FOR LOWER LAVRA</b> .....	97
<b>ANNEX X - ENHANCED DRAFT OF THE MANAGEMENT PLAN</b> .....		97
	<b>XA CHAPTER 1</b> .....	97
	<b>XB CHAPTER 2</b> .....	97
<b>ANNEX XI - INFORMATION TABLES</b> .....		97
<b>ANNEX XII – PHOTOGRAPHS</b> .....		97
<b>ANNEX XIII - THE MANAGEMENT SCHEME</b> .....		97

## ACKNOWLEDGMENTS

The mission team would like to express its profound gratitude to the Ukrainian authorities for their support provided during the mission and kind hospitality granted. As during previous missions, their constant support was instrumental in allowing World Heritage Centre and ICOMOS representatives to get acquainted with the World Heritage property, and to receive first-hand information on the issues and challenges that the national and municipal authorities are facing in their pursuit to ensure a better implementation of the World Heritage Convention.

The mission team would like to convey its gratitude especially to all officials and specialists of the Ministry of Culture and Information Policy of Ukraine, and in particular to Ms Svitlana Fomenko, Deputy Minister, for their valuable efforts in favour of the implementation of the World Heritage Convention.

The mission team would like to convey its special thanks to the Kyiv City Council, and in particular to Mr Vitalij Klichko, Mayor of Kyiv, and to Mr Valentin Mondryivskyi, Deputy Head of Kyiv City State Administration Kyiv.

Special thanks go also to all officials and specialists involved in the preparation and the success of this mission, and in particular to Ms Nelia Kukovalska, Director General of the National Reserve “St. Sophia of Kyiv”, Mr Oleksandr Rudnyk, Acting Director of the National Kyiv- Pechersk Historical and Cultural Preserve, Ms Daryna Nedzelska, National Coordinator.

The mission team’s deep gratitude goes to H. E. Archbishop Paul (Lebed), Metropolitan of Vyshgorod and Chernobyl, the governor of the Holy Dormition Kyiv-Pechersk Lavra.

## EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS

The World Heritage property of Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra (Ukraine) was inscribed on the World Heritage List in 1990. The property consists of two separate components: Saint-Sophia Cathedral and its related monastic buildings and the monastic complex of Kyiv-Pechersk Lavra with the Church of the Saviour at Berestove, which together represent two outstanding complexes of cultural heritage monuments from the Middle Ages and Early Modern period (Kyivan Rus' and Hetmanate Periods).

At its 43rd session in 2019 the World Heritage Committee recalled its serious concern about the longstanding threats to the property, such as the unresolved issue of extensive urban development in the buffer zone and visual vicinity of the property, and re-iterated its previous request that the State Party invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its current state of conservation and to discuss the sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, in line with its previous decisions.

Considering the main problems and factors affecting the property, the joint World Heritage Centre / ICOMOS Reactive Monitoring mission from 10 to 14 February 2020 has undertaken the extensive consultation with national and city authorities, site managers and religious authorities and provided the corresponding response to each one of the specific matters raised by the Terms of Reference.

The Mission undertook on-site visits and received a detailed introduction to a series of documents, plans and programmes from the Ukrainian authorities.

**The Mission concluded that the general state of conservation of the property, composed of Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra and the Church of the Saviour at Berestove, is, to a great extent, satisfactory.**

**The recommendations of the 2017 Reactive Monitoring mission have been scrupulously followed by the Ukrainian authorities (although some of them are still in progress).**

**No new negative phenomena affecting the state of conservation could be observed, rather some improvement compared to the previous ones.**

**Although it has not yet been possible to achieve 100% of the objectives set since the previous mission, promising trends perceived during the 2017 mission and ongoing implementation of all relevant measures attested by the 2020 Reactive Monitoring mission, are supporting the retention of the Outstanding Universal Value of the property.**

The new monitoring mechanism was installed at all monuments to survey the stability of their structures. An International Assistance Request for the creation of a Monitoring System in Saint Sophia Cathedral and Kyiv-Pechersk Lavra was submitted by the authorities to the World Heritage Centre and approved by the Chairperson of the World

Heritage Committee.

The State Party submitted a detailed monitoring report and additional information on this specific issue. It was presented during the mission (PPT presentations in PDF format—see Annex VIII).

**While important views that relate to the Outstanding Universal Value of the property have already been disturbed at some points, the Moratorium on all new construction is in place until the adoption of the new Master Plan.**

ICOMOS has reviewed all relevant development projects submitted by the State Party to the World Heritage Centre, in line with paragraph 172 of the *Operational Guidelines*.

**2020 Recommendations** - following the rationale and order used in the 2017 mission report

#### **Legal framework:**

A special process has been included into the newly amended Cultural Heritage Law in order to report on large-scale restoration works (i.e. restoration of complete buildings) and new development projects according to Paragraph 172 of the *Operational Guidelines*. This amendment of the legal framework could promote a more effective implementation of protective measures, therefore it is a favourable step forwards in strengthening the preservation of the OUV of the property.

The urgent need for the adoption and implementation of the Management Plan has been repeatedly highlighted by the Decisions and requests of the World Heritage Committee. The State Party submitted an enhanced version of the Draft Management Plan to the World Heritage Centre by 1st December 2016. Further preparation works (on the basis of enhanced content and structure) for the final version are in progress, in close cooperation with ICOMOS experts within the framework of an ICOMOS Advisory assistance. Adoption of the Management Plan was expected in the first half of 2017. However, because of insufficient financial resources, the process of preparation is behind the planned programme. Following the institutional changes that have taken place in the meantime, work on the preparation of the Management Plan continues, on a new basis. The first two chapters have been completed (I. Introduction; II. General description of the Property - 2.1. Location - 2.2. Content of the World Heritage Property components 2.3. Historical review - 2.4. Natural characteristic - 2.5. Anthropogenic characteristics) and the draft of the third chapter (III. Analysis and evaluation of the Outstanding Universal Value of the World Heritage Property) is being finalized. Further chapters will be prepared in accordance with the new Law on Cultural Heritage. The planned process for completion and entry into force of the full Management Plan has a deadline of the end of the year 2020.

#### **Recommendation 1:**

The effectiveness of the amendment of the legal framework should be evaluated and presented for examination by the World Heritage Committee at its next session.

#### **Recommendation 2:**

The process of the preparation of the Management Plan should be accelerated, and

the finalised Management Plan should be submitted to the World Heritage Centre as early as possible, preferably in the year 2020, for review by the Advisory Bodies, prior to its formal adoption as quickly as possible.

## Plans

The mission identified significant progress in developing and coordinating the various planning tools and development strategies; however, the management of the property still needs to give effective priority to the protection of the World Heritage property's attributes and their setting.

### **Recommendation 3:**

The "Historical and Architectural Key Plan of Kyiv" (Part of the Draft Kyiv Master Plan) should be finalised urgently, submitted to the World Heritage Centre for review by the Advisory Bodies and adopted as soon as possible, in order to make the new Master Plan of Kyiv and the Zoning Plan of Kyiv Central Area operational.

### **Recommendation 4:**

Strict monitoring of the application of the new zone-by-zone protection regime is required, and it is recommended that the World Heritage Committee be fully informed of its implementation, first time in the second year after its introduction (predictably 2022).

## Buffer zone issues

The mission welcomes and recognizes with satisfaction the elaborated proposal of the unification of the two previously separated parts of the buffer zone and the definition of differentiated protection regimes within it.

As recommended by the 2017 mission, the Ukrainian authorities introduced a legal definition of "buffer zone" of World Heritage properties, which allows for different levels and regimes of protection to be included inside a "buffer zone". The unified buffer zone of the World Heritage property "Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra" was declared. A request for a minor boundary modification was submitted to the World Heritage Centre and will be presented for evaluation by the World Heritage Committee at its 44th session in 2020.

### **Recommendation 5:**

The different levels and regimes of protection for the buffer zone should be entered into force as soon as possible and their implementation should be strictly enforced and monitored.

## Protection of the integrity from negative visual impact

The Mission highlighted that all potential projects should be evaluated through a comprehensive Heritage Impact Assessment (HIA), prepared in accordance with the ICOMOS 2011 'Guidance on Heritage Impact Assessments for Cultural World Heritage

Properties’, including reference to 3D visual simulations so that the effects of the proposed developments on the Outstanding Universal Value (including integrity and authenticity) of the World Heritage property can be properly understood and considered.

The mission noted the strong and definite political will to implement necessary measures, including the introduced moratorium (still in force), as well as to use the means and tools – the Kyiv Development Master Plan, update of the “Historical and Architectural Key Plan of Kyiv” and the Zoning Plan of Kyiv Central Area as well as the foreseen finalization and adoption of the Management Plan and practicing HIA – which are/will be available to protect and enhance the property’s Outstanding Universal Value.

#### ***Recommendation 6***

In order to establish a more efficient system of the protection of the integrity from visual impacts on the skyline, visual fields and vistas from the most characteristic viewpoints, an overarching solution should be introduced in the urban regulation documents which are under preparation (being the Kyiv Development Master Plan, updated “Historical and Architectural Key Plan of Kyiv” and the Zoning Plan of Kyiv Central Area). Detailed timing of the process leading to adoption of urban regulation documents should be submitted to the World Heritage Centre for review by the Advisory Bodies.

#### ***Recommendation 7:***

With the new delimitation of the buffer zone and the differentiated protection regime, there is still a strong need to protect the setting of the **World Heritage property**. This requirement should be included in a clear and detailed manner in the Zoning Plans of the Master Plan of Kyiv, and should apply not only to the perimeters of the World Heritage property or its buffer zone, but for all other "district" and "landscape protection" areas (determined in the document: СХЕМА МЕЖ ПЛАНУВАЛЬНИХ УТВОРЕНЬ = “Scheme between Planning Formations”).

### **Tall buildings**

Taking into account the problems of tall buildings that have emerged during previous years and a number of Committee decisions that have been addressed, the mission’s recommendation is the following:

#### ***Recommendation 8:***

An updated, comprehensive inventory of tall buildings should be established, in order to enable evaluation of their possible visual impact on the integrity of the World Heritage property. This inventory should contain all existing high-rise buildings and also the already-issued building permissions related to tall building projects, showing separately those where construction has already started. This document should be submitted to the World Heritage Centre for further consideration.

### **Reconstructive interventions**

In the context of the spirituality and practice of orthodox Christianity, the use of traditional architecture and decorative arts is a living approach, therefore in this context “reconstruction” is well-known and largely accepted (especially if the given object is not a protected building). Reconstruction can only be accepted in exceptional cases in which the aim of the intervention is to eliminate damage and shortages in the integrity of the ensembles caused by the preceding unfavourable periods of history and, in addition, if all the conditions required by the 2000 Riga Charter are met.

The mission did not encounter any new reconstruction efforts but, nevertheless, reiterates the previous mission's recommendation related to this issue.

***Recommendation 9:***

In cases of considerable reconstruction, the principles and requirements laid down in the doctrinal documents – such as the Nara Document on Authenticity (1994) and The Riga Charter (2000) – should be respected and followed.

<b>Management issues</b>
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***Recommendation 10:***

Necessary and sufficient funding should be secured by the State Party for the urgent completion and immediate and consequent implementation of the Management Plan, as well as for the implementation of the mission recommendations.

***Recommendation 11:***

The mission noted the progress achieved by the State Party in defining appropriate procedures for creation of a "Supervisory Board of a World Heritage site" in line with the 2019 Decree No. 805. The State Party should implement all relevant readjustments following the change of the name of the property by the Committee and establish, as a matter of urgency, a Supervisory Board of the World Heritage property "Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra".

## 1 BACKGROUND TO THE MISSION (detailed description provided in Annex I)

### 1.1 INSCRIPTION HISTORY

The World Heritage property of Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra (Ukraine) was inscribed on the World Heritage List in 1990, on the basis of criteria (i), (ii), (iii) and (iv) during the 14th session of the Committee. No buffer zone was defined at the time of the inscription, and the Committee recommended that the authorities concerned respect the environment of these two outstanding monumental ensembles.

#### BUFFER ZONE CREATION

The document “Buffer Zone of the Saint-Sophia Cathedral and Related Monastery Buildings” was received by the World Heritage Centre on 6 April 2005. The proposed buffer zone encompasses the most valuable historic and cultural aspects of Kyiv, including the State Historic and Architectural Preserve “Starodavniy (ancient) Kyiv”, and the protective zones of Volodymyrska St. and Khreshchatyk. The boundaries have been slightly changed compared to the previous proposal, including parts of the Kyiv’s Upper City plateau within the limits of the ancient fortification and representing its historic setting. The buffer zone has been reduced at the expense of parts in the vicinity of Independence Square (Maidan Nezalezhnosti) belonging to the ensemble of Khreshchatyk Street. The proposed buffer zone is relatively large, covering areas that are already legally protected. The scope of the buffer zone is to provide an urban planning instrument for the control of developments, but it can also highlight significant urban forms. Related to the buffer zone(s), the World Heritage Committee’s Decision (29 COM 8B.56) contains the following points:

1. Having examined Document WHC-05/29.COM/8B Add,
2. Commends the State Party for having proposed the buffer zones.
3. Approves the minor modification of the buffer zone of the Saint-Sophia Cathedral and Related Monastery Buildings.

The expansion of the eastern limit of the buffer zone of Saint Sophia Cathedral with the inclusion of Khreshchatyk Street and Maidan Nezalezhnosti Square, as an important component of the urban environment, takes into account the Committee’s recommendations set forth in Decisions 33 COM 7B.125 (p. 7) and 34 COM 7B.103 (p. 8). Also, in accordance with Decision 36 COM 8B.41 (p. 2b) on the possibility of including the slopes of the Andrew’s Hill, the northern limit of the buffer zone is expanded within the funicular, Borychiv Tik Street and Andrew’s Descent. From the south, both the odd and even numbered buildings on Prorizna Street are attached to the protected zone of the ensemble of the buildings of Saint Sophia Cathedral. Prorizna Street is one of the important structural axes that forms the historic city centre. It is an important historical element of the city environment and has a significant architectural, historical and cultural importance that needs to be preserved and regenerated.

The regime of the preserved zone corresponds to the Law of Ukraine “On the Protection of Cultural Heritage” (2000) and the requirements of international agreements for the preservation of immovable cultural heritage. The archaeological regime within the protected zone, as the most archaeologically valuable territory of the city, corresponds

to the requirements of the “International Charter on the Protection and Using the Archaeological Heritage” (1990).

Regarding the possible extension of the buffer zone boundaries, the State Party stated that the Scientific and Methodological Council of the Ministry of Culture of Ukraine decided to unify the buffer zones of both components of the property. The proposal and project documentation were approved by the Ministry of Culture in July 2011.

A request for a minor boundary modification - proposing new delimitations for the unified buffer zone - was submitted to the World Heritage Committee (via the World Heritage Centre) on 31 January 2020 (See also section 3.1.1.).

## 1.2 INSCRIPTION CRITERIA AND OUTSTANDING UNIVERSAL VALUE

The following text is an extract from the Statement of Outstanding Universal Value (SOUV) for the property. The Full SOUV is provided in Annex I. <sup>1</sup>

The Saint-Sophia Cathedral and Related Monastic Buildings and Kyiv-Pechersk Lavra represent two outstanding complexes of cultural heritage monuments from the Middle Ages and Early Modern period (Kyivan Rus’ and Hetmanate Periods).

The property consists of two separate components: Saint-Sophia Cathedral and its related monastic buildings and the monastic complex of Kyiv-Pechersk Lavra with the Church of the Savior at Berestove.

Saint-Sophia Cathedral, located in the historic center of Kyiv, is one of the major monuments representing the architectural and the monumental art of the early 11th century. The Cathedral was built with the participation of local builders and Byzantine masters during the reign of the Great Prince of Kyiv, Yaroslav the Wise, as the main Christian Church of the Kyivan Rus’ capital.<sup>2</sup> The Cathedral has preserved its ancient interiors and the collection of mosaics and frescoes of the 11th century is unique for its integrity. Its masterpieces include the Pantocrator, the Virgin Orans, the Communion of the Apostles, the Deisis and the Annunciation. The architecture and monumental art of the Cathedral had a wide influence on the architecture and decoration of the Kyivan Rus’ temples. Monastic buildings constructed in the 17th and 18th centuries in the Ukrainian Baroque style surround the Cathedral. The architectural ensemble includes the bell tower, Metropolitan’s house, the refectory, the Zaborovsky gate (Zaborovs’koho brama), the south entrance tower, the cells of cathedral elders and the seminary encircled by a stone wall. Over the centuries, the Cathedral and monastic buildings have expressed a unique harmony

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<sup>1</sup> In this context, the State Party has communicated that during the third Cycle of the Periodic Reporting (2022-2023 for Europe and North America) Ukraine is planning to submit an updated Statement of Outstanding Value to the World Heritage Committee.

<sup>2</sup> In this context, the State Party has reported that recent research has proved that the cathedral was founded by the Grand Prince of Kyiv Volodymyr Svyatoslavych († 1015) and completed by his son and a heir to the Kyivan throne, Yaroslav the Wise († 1054).

of architectural and natural forms, and national spirit and have held a significant place in the traditional historic landscape of Kyiv.

The Kyiv-Pechersk Lavra is an architectural ensemble of monastic buildings situated on the plateau overlooking the right bank of the Dnieper River. The ensemble was formed over many centuries in organic combination with the landscape, and acts as a general urban dominant. Founded by St. Anthony and St. Theodosy in the 11th century, the monastery became a prominent spiritual and cultural centre that made a significant contribution to the development of education, art and medicine. The architectural ensemble of Kyiv-Pechersk Lavra comprises unique surface and underground churches from the 11th to the 19th centuries, in a complex of labyrinthine caves that expands more than 600m, as well as domestic and household buildings from the 17th to the 19th centuries. The architectural ensemble acquired its modern aspect as a result of construction activities in the 17th to the 18th centuries in the heyday of the Ukrainian Baroque. The main monuments of the Kyiv-Pechersk Lavra ensemble are the Dormition Cathedral, the Trinity Gate Church, the Great Bell Tower, the Church of All Saints, the Refectory Church, the monastery defensive walls with towers, the cave complexes of St. Anthony (Near) and St. Theodosy (Far) with surface churches, the Exaltation of the Cross and the Nativity of the Virgin and the Church of the Saviour on Berestove.

For centuries, the Kyiv-Pechersk Monastery, with relics of saints buried in caves, has been one of the most important Christian pilgrimage centres in the world.

Criterion (i): Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv Pechersk Lavra represents a masterpiece of human creative genius in both its architectural conception and its remarkable decoration.

Saint-Sophia Cathedral is a unique monument of architecture and monumental art of the early 11th century having the biggest preserved collection of mosaics and frescoes of that period. The Cathedral's architecture is distinguished by supplementary naves added to the five-nave core and pyramidal spatial composition of the cross dome church. The monumental decoration of the Cathedral composes an ensemble unique for its conceptual design that reflects the major theological ideas of the time and is an outstanding example of Byzantine art. The huge pantheon of Christian saints depicted in the Cathedral has an unrivalled multiplicity among Byzantine monuments of that time. The mural paintings of the Cathedral also include a complex of unique secular frescoes in the stair towers made in the tradition of Byzantine art.

The ensemble of Kyiv-Pechersk Lavra is a masterpiece of Ukrainian art that was definitely formed during the Baroque period. It integrates unique surface and underground buildings and structures of the 11th-19th centuries combined with a rich landscape.

Criterion (ii): The property is a result of the cultural interaction of the Kyivan Rus', the Byzantine Empire and Western Europe. Architecture and monumental painting at the property reflect the changes of Byzantine architectural and artistic traditions that acquired a new sense under the influence of local vision. It revealed, in spiritual tradition as well as in architectural planning, encompassing the tradition of underground Orthodox cult

architecture of Kyiv-Pechersk Lavra. The Dormition Cathedral was an example for the construction of similar churches in the Eastern Europe region during the 12th to 15th centuries.

Criterion (iii): Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv•Pechersk Lavra bears exceptional testimony to the centuries-old Byzantine cultural traditions of neighbouring countries in general and of Kyivan Rus' in particular. Over the centuries the property had a major spiritual influence in Eastern Europe.

Criterion (iv): Saint-Sophia Cathedral is a unique edifice that reflects in its architecture and mural decoration the peculiarities of churchwarden order. The construction of the Cathedral laid the foundation of an architectural school that influenced the cultural architecture and monumental art of Kyivan Rus' and then of Eastern Europe.

Kyiv-Pechersk Lavra is an exceptionally valuable architectural ensemble formed over the course of almost nine centuries, which reflects changes in stylistic trends in architecture, as well as the process of the improvement of engineering structures.

### 1.3 JUSTIFICATION OF THE MISSION (program provided in Annex II)

The World Heritage property of Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra (Ukraine) was inscribed on the World Heritage List in 1990 on the basis of criteria (i)(ii)(iii)(iv). A minor boundary modification was approved in 2005.

This property includes the Kyiv-Pechersk Lavra (property component 22.9 ha and its buffer zone 108.34 ha) with the Church of the Saviour at Berestove (property component 0.6 ha) and the Saint-Sophia Cathedral (property component 5.02 ha and its buffer zone 111.81 ha).

Concerns have been raised consistently since 2008 regarding the potential cumulative impact of a range of actions on the Outstanding Universal Value of the property, including inappropriate developments within its buffer zone. Joint World Heritage Centre/ICOMOS Reactive Monitoring missions took place in March 2009, November 2010, April 2013 and March 2017.

At its 43rd session (Decision 43 COM 7B.92, Baku, 2019) the Committee recalled its serious concern about the longstanding threats to the property, such as the unresolved issue of extensive urban development in the buffer zone and visual vicinity of the property, which have deleterious effects on its inherent characteristics and could impact adversely on the property's Outstanding Universal Value (OUV), in line with Paragraph 179 of the *Operational Guidelines*. The Committee reiterated its request to the State Party to submit relevant documentation, including Heritage Impact Assessments (HIAs), to the World Heritage Centre, in line with Paragraph 172 of the *Operational Guidelines*, before any final decisions are made or any works start on major development projects within the property, its buffer zone and setting. The full text of Decision 43 COM 7B.92 is provided with the Mission Terms of Reference at **ANNEX I**.

The Committee again requested the State Party to invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its current state of conservation and to discuss the sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, in line with its previous decisions.

The Committee indicated that the proposed Mission should also review whether the property is faced with threats which could have deleterious effects on its inherent characteristics and whether it meets the criteria for inscription on the List of World Heritage in Danger, in line with Paragraph 179 of the *Operational Guidelines*.

A joint World Heritage Centre/ICOMOS Reactive Monitoring mission to Kyiv (Ukraine) was invited by the State Party and carried out from 10 to 14 February 2020.

The mission was conducted by Ms Anna Sidorenko, Programme Specialist in charge of Central, Eastern and South-Eastern Europe, UNESCO World Heritage Centre and Professor Dr Tamás Fejérdy, ICOMOS expert.

The mission met the representatives of the Ministry of Culture and Tourism of Ukraine, the representatives of the Saint-Sophia and the Kyiv-Pechersk Historico-Cultural Reserves, the representatives of the City of Kyiv and the governor of the Holy Dormition Kyiv-Pechersk Lavra, as well as representatives of concerned NGOs (The list of persons met during the mission is annexed in the ANNEX VII Visits and Meetings).

#### **1.4 TERMS OF REFERENCE (provided *in extenso* in ANNEX III)**

The objectives of the Reactive Monitoring mission are to review the overall state of conservation of all components of the property as well as progress in the implementation of the Committee's Decision 43 COM 7B.92 and previous Committee Decisions and mission recommendations.

In particular, the mission should review and assess the following key issues:

1. Assess the overall state of conservation of the property and evaluate factors and conservation issues that could potentially impact on its OUV, including particularly its conditions of authenticity and integrity;
2. Analyse the planning situation for all major construction projects in the property and its setting, whether proposed, approved or contracted, and the processes under which they are assessed and approved; consider the impact or potential impact of construction projects that have been carried out or are planned within the property or in its setting, in terms of impact or potential impact on OUV;
3. Review previous Committee Decisions, the recommendations of the 2009, 2010, 2013 and 2017 reactive monitoring missions and 2019 ICOMOS Advisory mission, and identify those recommendations which are yet to be implemented and which remain relevant to the conservation of the OUV of the property and, where appropriate, provide additional advice or further recommendations;
4. Also review progress made regarding the finalization and adoption of the Master Plan of Kyiv, which should incorporate an Urban Development Concept, and the Zoning Plan of Kyiv

Central;

5. Evaluate the progress made in the introduction by the State Party of all relevant provisions regarding World Heritage into national legislation, including an OUV-based policy that would prevent inappropriate developments at the planning stage;

6. Review progress made regarding the finalization, in consultation with ICOMOS, of the Management Plan for the property and its setting, including the clear identification of attributes of OUV, the use of HIAs and the overall management System;

7. Consider how the Master Plan, Management Plan and other legislative provisions interrelate and support each other and where any improvements might be made to the overall system of governance;

8. Consider any other conservation issues currently affecting the property.

The mission team should ensure that a comprehensive inspection of all parts of the property occurs and should hold working meetings and consultations with the Ukrainian authorities at national and local levels and all other relevant stakeholders, including the representatives of the religious community and NGOs.

9. Based on the results of the above-mentioned assessment and discussion with the State Party representatives, and where relevant, other information and technical advice, including all Technical Reviews submitted by ICOMOS, the mission team should propose recommendations to the State Party and the World Heritage Committee to improve the conservation and management of the property and to facilitate the finalization of its Management Plan.

The mission team should prepare a concise mission report in English or French on the findings and recommendations of this Monitoring mission for review by the World Heritage Committee **at its 44th session (2020), with** a view to considering, in case the ascertained or potential danger to OUV is confirmed, the possible inscription of the property on the List of World Heritage in Danger.

## 2 NATIONAL POLICY FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY

### 2.1 PROTECTED AREA LEGISLATION

Owing to the complex relationships, other chapters also contain related assessments and findings, in particular under point 3.1.1 *Buffer zone issues* and 3.1.2 *Conservation, restoration*.

**As recommended by the 2017 mission, the Ukrainian authorities adopted the amendment to the Law “On Cultural Heritage” in order to eliminate contradictions (clashes) between laws (cultural heritage vs. urban development). The amended law harmonizes national legislation in accordance with norms of international law in the field of cultural heritage protection by introducing basic concepts and provisions of the Convention Concerning the Protection of the World Cultural and Natural Heritage (1972),) such as: a World Heritage Property, World Heritage, Buffer Zone, Management Plan etc.**

Another relevant Law has also been amended, namely “**The Code of Construction of the State of Ukraine Planning and Development of Territories**” DBN B.2.2-12: 2019 LE CODE DE CONSTRUCTION D'ÉTAT DE L'UKRAINE L'AMENAGEMENT ET LE DEVELOPPEMENT DES TERRITOIRES DNB B.2.2-12: 2019 Minregion (le Ministère du développement régional, de la construction, du logement et des services communaux de l'Ukraine) 2019. Développé par: l'entreprise publique «Institut Ukrainien public de recherches d'urbanisme «Dipromisto» nommé d'après Yuriy Bilokon». Approuvé par: l'ordre du Ministère du développement régional, de la construction, du logement et des services communaux de l'Ukraine du 26 avril 2019 №104. Entrée en vigueur: dès le 1er octobre 2019

This Act contains appropriate, clear definitions, also with specifications related to UNESCO World Heritage properties including that relating to buffer zone. An example: “13.1.5...

- la planification et le développement des territoires des biens du patrimoine mondial et de leurs zones tampons doivent être effectués conformément aux recommandations du Comité du patrimoine mondial de l'UNESCO. »

#### **Annexed materials:**

- The summary of the newly adopted amendments to the Law on Cultural Heritage is annexed (**ANNEX VIII B**).
- Relevant excerpts of “The Code of Construction of the State of Ukraine Planning and Development of Territories” are also annexed (in French) – **ANNEX VIII A**
- A list of legal documents is shown in the **ANNEX XI - TABLE “A”**.

### 2.2 PROPERTY SPECIFIC REGULATIONS

A detailed description of the property’s specific regulations is described in the 2017 mission report. No changes have been introduced to these regulations. In relation to the buffer zone of the property, positive changes have occurred, see in details under point 3.1.1. An overview of the status of urban and heritage regulator tools is shown in **ANNEX XI - TABLE “B”**.

## 2.3 INSTITUTIONAL FRAMEWORK

A detailed description of the institutional framework is given in the 2017 mission report. The coordination between all stakeholders has been reinforced since the adoption of the amendments to the Law on Cultural Heritage. A good example of closer cooperation is the joint preparation of documentation for a unified buffer zone. There were several signs of this closer cooperation throughout the mission, too.

It is noteworthy that the “portfolio” of cultural heritage at State level is under the supervision of the Ministry of Culture and Information Policy of Ukraine.

In relation to this new context it has to be underlined that under the Ministry of Culture and Information Policy, two new institutional bodies, namely the State Service for Cultural Heritage Protection and the State Inspectorate for Cultural Heritage, have started working for the implementation of relevant regulations and strategic goals. These institutions are to be fully operational from April 2020.<sup>3</sup>

It was also underlined that the role of the Heritage Institute has been strengthened and also acts as a “bridge” between the Ministry and the local communities.

## 2.4 PLANS AND INSTRUMENTS - ANNEX XI - TABLE “B”

The previous Kyiv Master Plan, the main local urban planning document, is valid until 2020, approved by the Decision of Kyiv City Council from 28.03.2002 № 370/ 1804.

As highlighted by the 2017 mission report, there have been many deficiencies **in the implementation** of the well thought-out regulation of the Master Plan of Kyiv – as is apparent from the consecutive resolutions of the World Heritage Committee. Constructions were realized with building permission but not executed in accordance with licenses, just as constructions without permission did not take into account the regulations. Corrective measures took place only in exceptional cases. In general, apart from the last three years or so, during the period of its validity, the implementation of the previous Kyiv Master Plan has been characterized by weak implementation, which re-enforces the importance of a strong and well- supported implementation programme.

### **New, open-ended Kyiv Development Master Plan**

- The Concept of Strategic Kyiv Development (1<sup>st</sup> stage of the Development Master Plan for Kyiv and its suburban area until 2025) was approved by the Decision of the Kyiv City Council d/d 16.09.2010 № 35/4847.
- On the basis of the previous **concept**, the Kyiv City Development Strategy Until 2025 **was approved** by the Decision of Kyiv City Council d/d 15.12.2011 #824/7060. This document defines nine strategic initiatives including those dedicated to the preservation of Cultural Heritage in Kyiv and the unique natural

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<sup>3</sup> An update from the State Party notes that in connection with the restrictions aimed at counteracting the spread of COVID-19 in Ukraine, competitions for civil service positions and appointments to civil service positions were temporarily suspended. In this regard, the creation of these bodies is scheduled for January 2021.

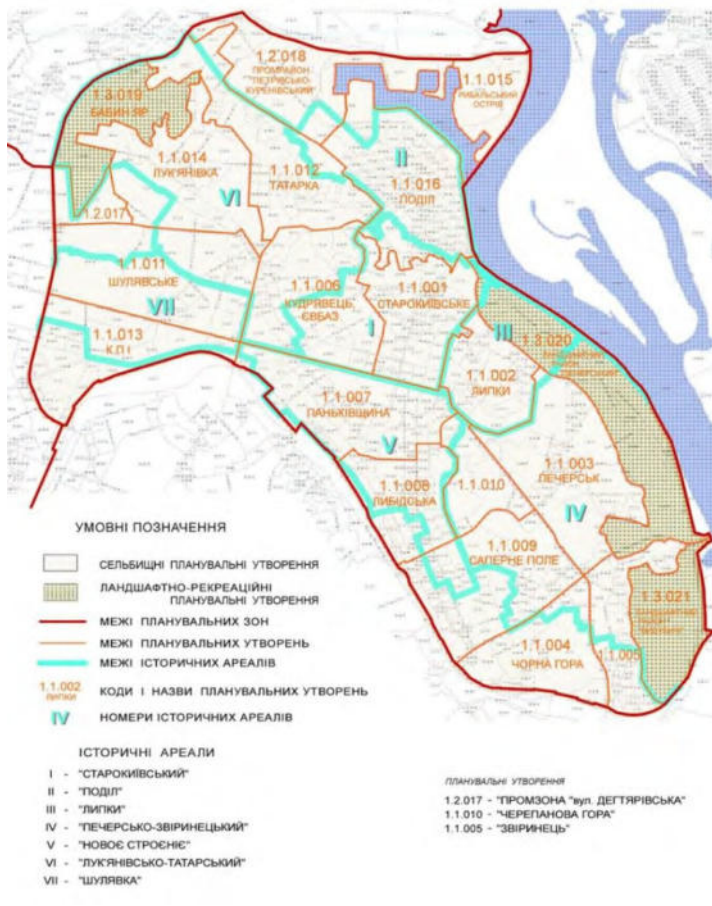
landscape of Kyiv's hills, islands and Dnieper riverside – these are strategic initiatives “Cultural Heights” and “Dnieper Gem”.

- Pursuant to the Decree of the President of Ukraine d/d 25.02.2008 #157/2008 “On the emergency activities concerning Kyiv development” and the Decision of the Kyiv City Council d/d 23.12.1999 № 171/673 “On the organization of works of the development of Kyiv Master Plan for a new accounting period” the development of a new open-ended Kyiv Development Master Plan is in its final phase.  
The Master Plan, containing Urban Development Concept, and the Zoning Plan of Kyiv Central was presented - broadly - during the mission, see presentation in PDF format, **ANNEX VIII C**.
- Update of the “Historical and Architectural Key Plan of Kyiv” (Part of the Draft Kyiv Master Plan) Special chapters of the draft of the Historical and Architectural Key Plan of Kyiv are devoted to the analysis of use regimes for historical areas, including “Starokyivsky” and “Pechersko-Zvirynetsky” areas (the World Heritage property location territory). This Plan aims to reinforce the earlier defined use regimes of areas of historical and cultural Preserves (National Conservation Area “Saint Sophia of Kyiv”, National Kyiv-Pechersk Historical and Cultural Preserve).
- Zoning Plan of Kyiv Central Area. In 2012, Kyiv City Council adopted the document, d/d 20.09.2012 # 69/8353 “On the development of the zoning plan for the territory of Kyiv.” “The Institute of Kyiv Master Plan” has been developing the zoning plan of the central part of Kyiv, which includes the World Heritage Property “Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra”. It is now in the phase of public hearings.

### **Excerpts (maps) from the Zoning Plan**

This overview map shows into which units the regulation was broken down.

СХЕМА МЕЖ ПЛАНУВАЛЬНИХ УТВОРЕНЬ ЦЕНТРАЛЬНОЇ ПЛАНУВАЛЬНОЇ ЗОНИ м. КИЄВА



Relevant parts for the World Heritage property are:

- I. 1.1.001 Starokyevsky (The Old Kyev),
- IV. 1.1.003 Pechersk, and National landscape protection areas:
- III-IV.1.3.020 Pchersky
- IV. 1.3.021- Vidubichy

**Maps are shown in a larger scale (and with Legend in English) in Annex V.**

The Kyiv city zoning plan is developed, by using the latest techniques of determination of the parameters of the height of the constructions in the historical areas of Kyiv. For each quarter (district), situated in the historical area, there have been defined certain parameters: magnitude, height of constructions, etc., taken into account possible negative impact on the World Heritage Property "Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra", as well as the impact on the other outstanding monuments. For this purpose a 3-D model of the central part of Kyiv has been developed. There also have been defined the absolute markers of the maximum height of the buildings and the threat of negative impact of the new-built constructions on the World Heritage properties. Moreover new observing points were identified, from which the viewers can see these historic monuments. As an example of the definition of the Kyiv-Pechersk Lavra Ensemble zone of influence on the area located on the left bank of the Dnieper River "The scheme of panoramic view of the Dormition Cathedral of the Kyiv Pechersk Lavra from the left bank area of Kyiv" has been developed. (Picture 37)

In order to preserve the compositional and artistic qualities of architectural monuments, as well as their dominating role within the construction outline of the city, some requirements have been included in the process of town-planning concerning the necessity to reveal and take into account the zones of forming observation points and zones from which these monuments can be visually perceived. The structure of town-planning restrictions of zoning includes the procedural and planning restrictions concerning heritage monument protection, environmental protection as well as sanitary restrictions. Heritage conservation restrictions were set for new construction and reconstruction within the territories of historical areas, monuments of Historical and Cultural Heritage, their protected zones, zones of regulation of building and other protection areas.

The development and the approval of the zoning plan of the central part of Kyiv will become an effective mechanism for unlocking the real estate operations (lifting the moratorium on land allocation for urban development needs and new building construction in the buffer zone of the World Heritage Property and at the same time clear regulations of urban development in the buffer zone, taking into account all possible risks, as well as all necessary constraints).” (Draft Management Plan 2016)

This above description is still valid; measures aiming at the preparation and adoption of the Kyiv Master Plan and related planning tools are now approximately at the phase of public hearings.

**Relevant information received from the State Party:**

- “At present, the work on the Draft new Master Plan of the city of Kyiv is completed. From March 17, 2020 the materials for the Draft new Master Plan have been posted on the web site of the developer – Utility Company "Kyivgenplan" ("KyivMasterPlan") at the link: <http://kyivgenplan.grad.gov.ua/generalnyj-plan/>.

The citizens of Kyiv will be able to study carefully the project materials and submit their comments and suggestions to the developer's e-mail and postal address.

According to plans approved by Kyiv City State Administration, public hearings and discussions on the Draft Master Plan were to begin on 20 March 2020. However, due to the threat of spreading of the coronavirus in Kyiv and Ukraine, as well as the introduction of restrictive measures, it is not possible to carry out mass events during this period. After the completion of quarantine activities in the capital, in accordance with the law, full public hearings will be held with the involvement of the widest layers of the citizens of the capital.”

- Detailed Plans for the Territories Adjacent to the World Heritage Property “Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra”. Building planning documentation, developed according to the Kyiv City Council Decree, d/d 11.13.2013, #518/10006 “On Approval of the municipal program for creation (updating) of development planning documentation of Kyiv”.
- City Beautification Programs of Improvement of Buffer Zones of the World Heritage

Property “Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra”

“In order to improve the perception of the World Heritage Property, the Kyiv Authorities have taken several measures in terms of beautification improvement program, including the territories of buffer zones of the World Heritage properties.” (Also cf. Annex VIII G - Long Term Program on Restoration, Rehabilitation of Monuments, Reconstruction, Major Repairs and Reproduction of Objects on the Lower Territory of Kyiv-Pechersk Lavra).

The Decree of Kyiv City Council, d/d January 26, 2012 # 20/7357 approved the “Concept of

development of outdoor advertising in Kyiv”, in which outdoor advertising in Kyiv was limited, according to the defined format zones. The World Heritage property of “Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra” and its buffer zones were defined as a “0” format zone, meaning that any placement of separate advertising structures on the territory of the Preserves and the attached areas is prohibited. In November 2016, the Kyiv City State Administration held a regulatory procedure of implementing the amendments to this Concept, which aimed to strengthen the restrictions of outdoor advertising on territories of buffer zones by including them in a “0” format zone” (Draft Management Plan 2016). Advertising would also be regulated through the process associated with the minor boundary modification to the World Heritage property “Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra”, Book 2, in the chapter “2.3.2. General use regime of the buffer zone”, page 33-34 (and further detailed).

**The Management Plan** – The urgent need for adoption and implementation of the Management Plan has been reiterated repeatedly by Decisions of the World Heritage Committee. The Management Plan for the World Heritage property “Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra” has been developed in accordance with the Decisions of the 33rd - 40th sessions of the World Heritage Committee, as well as the recommendations of the joint World Heritage Centre/ICOMOS Reactive Monitoring missions of 2009 – 2017 regarding the conservation of the property and the necessity for the development of a Plan for its management. The Management Plan considers international documents and experience of developing management plans for selected World Heritage properties. The Management Plan is foreseen to contain basic data, descriptions, evaluation of the current situation, and the legal and institutional context as well definition of the optimal state of conservation of the property, structural and institutional requirements and functions, cooperation with other institutions and stakeholders, specific issues (tourism, risk preparedness, etc.); strategic concept of the management and short, medium and long term programmes as well urgent interventions.

The State Party submitted the enhanced version of the Draft Management Plan to the World Heritage Centre on 1 December 2016. Further preparation works for the final version occurred, in close cooperation with ICOMOS experts within the framework of an ICOMOS Advisory assistance (which ceased prior to resolution of the final version). Adoption of the Management Plan was expected in the first half of the year 2017. However, because of insufficient financial resources, the process of preparation is behind the

planned agenda (The process of the elaboration of the Management Plan is presented in detail in the report of the 2017 mission).

**Following the changes to the legal context and the institutional structure that have taken place in the meantime, work on the preparation of the Management Plan continues, on a renewed basis. The first two chapters have been completed (ANNEX X) and the draft of the third chapter is in the final phase of drafting. Further chapters will be prepared in accordance with the new Law on Cultural Heritage.**

**Implementation and authority within the statutory controls that already apply to the property of the Management Plan are going to be regulated by the amendments introducing a legal definition of the World Heritage within the (newly revised and amended) Law of Ukraine on the Protection of Cultural Heritage.**

## **2.5 MANAGEMENT STRUCTURE (SEE ANNEX XIII)**

Personnel of the National Conservation Area “St Sophia of Kyiv” and National Kyiv-Pechersk Historical and Cultural Preserve provide the administration of the World Heritage property “Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra”.

**“Saint-Sophia Cathedral and Related Monastic Buildings” is managed by the Director General of the National Conservation Area “St Sophia of Kyiv”.**

As far as it was presented, no significant changes have been made to the system described in the 2017 report; therefore it is unnecessary to repeat this description here.

**The Director General of the National Kyiv-Pechersk Historical and Cultural Preserve is responsible for the overall management of Kyiv-Pechersk Lavra Ensemble.** Deputy directors are responsible for different fields of activity: the First Deputy Director General is responsible for the protection and monitoring of monuments, their conservation, restoration and rehabilitation, the technical maintenance of properties on the Preserve’s territory, excursions and administrative work; the Deputy Director General for Research is responsible for research and scientific, educational, expository and publishing work; the Deputy Director General is responsible for economic and financial work.

The management of National Kyiv-Pechersk Historical and Cultural Preserve – in connection with its primary religious function – is assured in close cooperation with H. E. Archbishop Paul (Lebed), Metropolitan of Vyshgorod and Chernobyl, the governor of the Holy Dormition Kyiv- Pechersk Lavra.

The amendment of the Cultural Heritage Law defined the tasks and mandates of the different boards established for control, supervision, advice and support.

### Information received from the State Party:

“The Law provide the establishment and tasks of the Supervisory Board of the World Heritage property (Article 375)

Para 1. In order to oversee the conservation of the World Heritage property, a central executive body implementing the state policy in the field of cultural heritage protection shall form a supervisory board, the procedure for its formation shall be determined by the Cabinet of Ministers of Ukraine. The typical regulation on the World Heritage sites supervisory board is being approved by the Cabinet of Ministers of Ukraine.

Para 3. The main tasks of the World Heritage property Supervisory Board are:

- 1) monitoring the implementation of the World Heritage Site Management Plan;
- 2) reviewing the World Heritage Site Management Plan and submitting proposals for changes to it to the Governing Body;
- 3) approving the annual report of the state of conservation of the World Heritage property and the status report of the World Heritage property management plan;
- 4) providing guidance on organizational, staffing, design and financing activities to preserve the World Heritage site;
- 5) resolving conflicts of development and conservation needs of the World Heritage site. The Decree of the Cabinet of Ministers of Ukraine of July 24, 2019 No. 805 “Some Issues of Protection and Preservation of World Heritage Properties” defines the procedure for the establishment or designation of a body for managing the World Heritage site; the procedure for the establishment and formation of the composition of the Supervisory Board of a World Heritage site; a model provision for World Heritage site Supervisory Board.

(Section VI-1 of the CHL: PECULARITIES OF THE WORLD HERITAGE OBJECTS PROTECTION)”

### Additional information received from the State Party:

The State Party has provided additional information reporting that, following Decision **43 COM 8B2** adopted by the World Heritage Committee concerning the change to the name of the property, the Administration of the Preserve "Kiev-Pechersk Lavra" has initiated the process of changing the name of Preserve to the National Preserve "Kyiv-Pechersk Lavra" in order to harmonise the name of the World Heritage property's component with the name of the institution responsible for its management. The Administration of the Preserve has advised that, as site manager, it is responsible for the protection of cultural monuments, conservation of the Preserve's collection, and research, educational, exhibition, information, and publishing activities, etc. A joint meeting of the Scientific and Methodological Boards of the Preserve publicly discussed the proposed change and how this would enhance virtual access to the Preserve and related information. It will also help clarify the role of the Preserve as a State institution responsible for the management of one of the components of the World Heritage property and raise the awareness of the museum complex.

The mission noted that the World Heritage Committee (Decision **41 COM 7B.53**) requested the State Party to address and resolve weaknesses in management observed by previous

missions, by ensuring institutionalized coordination and cooperation in the management of the property within the framework of the Management Plan. The State Party implemented numerous measures, in particular the adoption of *the Decree of the Cabinet of Ministers of Ukraine of July 24, 2019 No. 805* defining the procedures for creation of a "Supervisory Board of a World Heritage site".

The mission supports, in principle, the procedure of harmonisation of the name of the National Preserve with the name of one of the components of the property "Kyiv-Pechersk Lavra" as the change would establish consistency between the name of institution and the current name of the property.

**Recommendation:** The mission noted the progress achieved by the State Party in defining appropriate procedures for the creation of a "Supervisory Board of a World Heritage site" in line with the 2019 Decree No. 805. The State Party should implement all relevant readjustments following the change of the name of the property by the Committee and establish, as a matter of urgency, a Supervisory Board of the World Heritage property "Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra".

### 3 IDENTIFICATION AND ASSESSMENT OF ISSUES / THREATS

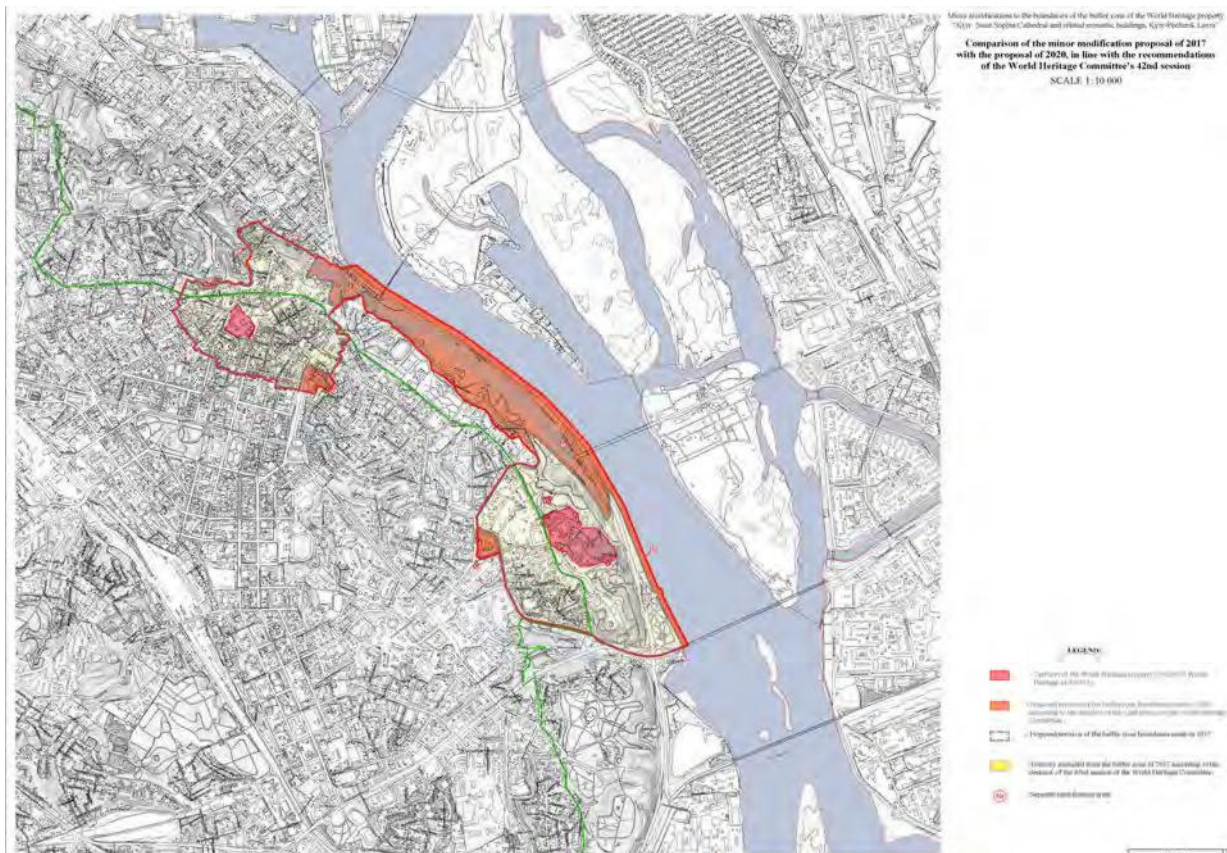
#### 3.1 MANAGEMENT EFFECTIVENESS

##### 3.1.1 Buffer zone issues

One of the recurring issues of the State Party's reports on the state of conservation, Reactive Monitoring mission reports and the Decisions of the World Heritage Committee is the creation of an adequate, unified buffer zone for the property that is composed of three main components located separately in the urban tissue.

The adopted amendment of the Cultural Heritage Act introduced a new legal definition of the "buffer zone" of World Heritage properties that allows different levels and regimes of protection to be included and implemented inside of a "buffer zone" in parallel. Book 2 of the Minor modifications to the boundaries of the Buffer Zone of the World Heritage Property "Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra" contains the detailed description of use regimes valid in the sub-zones of the proposed, unified buffer zone (see below).

On 31 January 2020, the State Party submitted to the World Heritage Centre a request for a minor boundary modification introducing the creation of the unified buffer zone of the property. The minor boundary modification will be reviewed by the World Heritage Committee at its 44th session.



A detailed ICOMOS assessment of the minor boundary modification will take place at an appropriate time. Therefore, the mission experts provide here only a briefly

summarized evaluation:

- 
- The document - prepared under the supervision of the Ministry of Culture, Youth and Sport of Ukraine – having the title: Minor modifications to the boundaries of the Buffer Zone of the World Heritage Property “Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra” is composed of two elements, **Book 1** and **Book 2**.
- This is a thoroughly prepared and elaborated professional work, detailing the principles and justifications for the revised new delimitation of the proposed, unified buffer zone. The description, justification, and explanation of aims as well a comparison with previous delimitations make this document more convincing and clearly suitable for implementation.
- Relevant maps and a large photo-gallery support the content.
- Book 2 contains a detailed description of use regimes valid in the sub-zones of the buffer zone.

Both the concept and the elaboration of this document (Minor Boundary Modification, Book 1 and Book 2) propose a high level of protection of values and offer “user friendly” implementation. The proposed new and unified over-all delimitation of the buffer zone and the use of the sub-zones system, are defined by different regimes (in Book 2. This further subdivision of the buffer zone allows fine-tuning, which requires only as many restrictions for each sub-zone as is strictly necessary in that particular sub-zone. Detailed rules are provided for each sub-zone (page 35-44 in Book 2) (see excerpt below).

2.3.3 Local use regimes of the buffer zone

Subzone number	Description of subzone boundaries	Characteristics of the subzone	Protection and use regimes
1	<p><i>The boundaries pass:</i></p> <ul style="list-style-type: none"> <li>- from the intersection of Mykhailiv's'ka Street and Mykhailiv's'ka Lane to the southwest along Mykhailiv's'ka Lane to the crossing with Irynska Street;</li> <li>- further westward along Irynska Street;</li> <li>- further southward between the building No. 4 on Irynska Street and No. 33 on Volodymyrska Street, further in the rear of the buildings No. 33, 35, 37, 39/24 on Volodymyrska Street to Prorizna Street;</li> <li>- further westward to the crossing of Prorizna Street with Volodymyrska Street;</li> <li>- further southward along Volodymyrska Street to Zolotovonits'kyi Proutzid;</li> <li>- further southward along Zolotovonits'kyi Proutzid to the crossing with Lysenka Street;</li> <li>- further northward along Lysenka Street to the passage between the buildings No. 2 ra No. 4 on Lysenka Street;</li> <li>- further to the north-east between buildings No. 2 on Lysenka Street and No. 1 on Yaroslaviv Val Street;</li> <li>- further across Yaroslaviv Val Street on north-east between buildings No. 6 and No. 8 and further in the rear of the buildings on the even side of Zolotovonitska Street;</li> <li>- further between buildings No. 5 and No. 7 on Reitar's'ka Street to the crossing with this street;</li> <li>- further to the north-west along Reitar's'ka Street crossing Strilets'ka Street to the crossing with Olesia Honchara Street;</li> <li>- further to the north-east along Olesia Honchara Street, crossing Smtenska Street to the intersection with Velyka Zhytomyrska Street;</li> <li>- further eastward along Velyka Zhytomyrska Street crossing Volodymyrska Street;</li> <li>- further northward between buildings No.2a and No. 4, 4a along Velyka Zhytomyrska Street to the north-west semicircular wall of the transformer building (in the courtyard of the building No.2 on Velyka Zhytomyrska Street), further to the north-east between buildings No. 1-3 and 5 on Desyatynna Street, further crossing the street to the upper edge of the slope;</li> <li>- further to the south-east on the upper edge of the slope, further along the main direction of the fence of St. Michael's Golden-Domed Monastery;</li> </ul>	<p>It is adjacent to the Property component – Saint-Sophia Cathedral and Monastic Buildings area, within which it is required to provide the most favourable conditions for the preservation of the Property's Outstanding Universal Value, as follows:</p> <ol style="list-style-type: none"> <li>a) physical preservation of the monument (protection against vibration, contamination, submergence, flooding and other anthropogenic and natural influences);</li> <li>b) creation of optimal conditions for its monitoring;</li> <li>c) preservation of its immediate historical surrounding, the main and essential element of which it is;</li> <li>d) ensuring proper functioning of the monument.</li> </ol> <p>Subzone No.1 includes the territory of the best visual perception of Saint-Sophia of Kyiv ensemble formed by Sofiv's'ka Square, Mykhailiv's'ka Square and Volodymyr's'kyi Passage. Here the main visual fronts and axes are situated that are oriented towards the Ensemble: Volodymyr's'kyi Passage, Zolotovonitska Street, Sofiv's'ka Street and Volodymyrska Street (map No.6 "Visual disclosure").</p> <p>Within the subzone are located:</p> <ul style="list-style-type: none"> <li>- town-planning monument of local importance – 1;</li> <li>- architectural monuments of national importance – 2;</li> <li>- architectural monuments of local importance – 46;</li> <li>- historical monuments of local importance – 5;</li> <li>- newly-discovered cultural heritage properties – 38;</li> <li>- monumental art monuments – 2;</li> <li>- archeological monuments – 8</li> </ul> <p>Among them are:</p> <ul style="list-style-type: none"> <li>• town-planning monument - Volodymyrska Street, leaning between Prorizna and Velyka Zhytomyrska Streets, including Sofiv's'ka Square. Volodymyrska Street is the main street of the Upper City, its historical planning and compositional axis, a representative actively visited space that starts from the Desyatynna Hill in the north and leads to the Golden Gate in the south;</li> <li>• monument of national importance of the 11th century – Golden Gate, that was the main entrance to the ancient city. Zolotovonitska Street, which starts from the Golden Gate and is an important historical planning and compositional axis, oriented to St. Sophia Cathedral Bell tower;</li> <li>• part of the territories of archeological monuments of national importance "Cultural layer of the City of Yaroslav", "City of Volodymyr – Dytynets (Citadel) of the Ancient Kyiv with Desyatynna church foundations" and "Artisanal district of Ancient Kyiv - cultural layer of the city of Iziaslav Svyatopolk" – including the territory of St. Michael's Golden-Domed Monastery;</li> </ul>	<p><i>It is required:</i></p> <ul style="list-style-type: none"> <li>- to preserve the planning and spatial composition and visual connections of the ensemble of St. Sophia of Kyiv with the Golden Gate, St. Michael's Golden-Domed Monastery, Volodymyrska and Sofiv's'ka Streets as the most important elements for preservation of the integrity of the ensemble with the historical environment and for the structure and image of the Upper City as a whole. The ensembles of St. Sophia of Kyiv and St. Michael's Golden-Domed Monastery with Sofiv's'ka and Mykhailiv's'ka Squares and Volodymyr's'kyi Passage that unites them must be regarded as an integral architectural and urban development formation, which is subject to careful preservation in the unity of its components;</li> <li>- to carry out the regeneration, reevaluation and revitalization of the urban environment maintaining the main function of Volodymyrska Street, Sofiv's'ka and Mykhailiv's'ka Squares and Volodymyr's'kyi Passage as a tourist, residential and public space. To make functional reorientation of buildings respectively to the needs of the public and tourist center of Kyiv;</li> <li>- to carry out works on comprehensive urban landscaping and planting of greenery, using traditional paving elements and improving green plantations which hinders the observation of the monument;</li> <li>- to ensure a favorable hydrogeological regime for the monument;</li> <li>- to create the network of observation wells in the hydrogeological protected zone of the ensemble in order to control the hydrogeological situation (carried out by city services under the control of the Conservation Area);</li> <li>- to provide regulation and constant control of the work and the state of water-bearing communications (carried out by the city services under the control of the Conservation Area);</li> <li>- to design foundation structures of buildings on the basis of free groundwater filtration;</li> <li>- to assign obligation on contracting authority's to involve the profile organizations to the pre-project and project works in terms of hydrogeological conditions. To coordinate the calculations of the impact of the future building on the engineering and geological conditions (groundwater level, etc.) within the buffer zone with the Institute of Geological Sciences of the National Academy of Sciences of Ukraine.</li> </ul> <p><i>It is prohibited:</i></p> <ul style="list-style-type: none"> <li>- to construct new buildings and structures with large underground parts (parking lots, objects of service, water-containing structures) in the hydrogeological protected zone of Saint-Sophia of Kyiv ensemble which may change the hydrogeological regime of the territory;</li> </ul> <p><i>Within Sofiv's'ka Square</i></p>

Excerpt from Book 2 of the “Minor modifications to the boundaries of the Buffer Zone of the World Heritage Property “Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra”

**Recommendation:**

The different levels and regimes of protection for the buffer zone should be entered into force as soon as possible and their implementation should be strictly enforced and monitored.

**3.1.2 Monitoring issues**

“To identify the causes of adverse events, prevent their development and apply scientific- based approach to the implementation of measures for ensembles of St Sophia Cathedral and Kyiv-Pechersk Lavra a system of scientific monitoring is implemented. It provides regular cyclical inspections of all facilities and areas in order to assess their condition.” (Draft Management Plan 2016).

The 2017 mission report described the monitoring of the property as follows (p.30):

“The Ensemble of St Sophia Cathedral with related monastery buildings and the Kyiv- Pechersk Lavra Ensemble is under a systematic supervision of scientific and technical personnel responsible for maintaining these structures. Regular general technical inspections of buildings are carried out twice a year – in spring and fall. In addition to regular inspections, occasional reviews of buildings after heavy rains or snowfalls or accidents are conducted.

Monitored areas: building structures; geological conditions of the territory; observations of soil moisture conditions; observations on the development of hazardous processes (visual inspection); observations of the green areas; climatic and microclimatic conditions.

Special “monitoring” follows the on-going, development and construction events and processes in the urban planning context in the buffer zone(s), however the Management of the WH property has no power to influence them directly.”

The above described system works continuously and well, and there have been no substantial changes to its function; however, in connection with the newly adopted legal and institutional decisions, new development might occur in this regard. Therefore, a follow up on the monitoring findings should also be integrated into the relevant, substantial part of Management Plan.

### **3.1.2 Conservation, restoration**

The state of conservation – technical conditions – requires interventions in several components (buildings) in both Preserves. The ongoing restoration works are executed in conformity with international conservation-restoration standards. In some cases, when the exigency of greater or lesser reconstructive intervention is raised, mostly because of functional necessities, the acceptable solution has to be carefully evaluated.

A special process has been included in the newly amended Cultural Heritage Law in order to report on large-scale restoration works (i.e. restoration of complete buildings) and new development projects according to Paragraph 172 of the *Operational Guidelines*.

#### **Information received from the State Party:**

“Article 5. Powers of Central Executive Bodies in the field of cultural heritage protection: The powers of the central body of executive power, which ensures the formation of state policy in the field of cultural heritage protection, include:

21) approval of the procedure for informing the UNESCO World Heritage Committee of the intention to implement urban, architectural and landscape transformations, land-improvement, road works and earthworks within World Heritage property, its territory and buffer zone;

Article 372 of the Law. Legal status of World Heritage property

3. Carrying out urban, architectural and landscape transformations, land-improvement, road works and earthworks within World Heritage property, its territory and buffer zone should be preceded by informing the UNESCO World Heritage Committee.

The recommendations of the UNESCO World Heritage Committee on urban, architectural and landscape transformations, land-improvement, road works and earthworks within World Heritage property, its territory and buffer zone are binding while conducting such works.

The Procedure for informing the Intergovernmental Committee for the Protection of World Cultural and Natural Heritage of intentions to make urban development on the territory of the Cultural Heritage property inscribed on the World Heritage

List and/or within its buffer zone was approved by the Order of the Ministry of Culture of Ukraine dated April 20, 2018 No. 345.”

This amendment of the legal framework could promote a more effective implementation of protective measures; therefore, it is a favourable step forwards in strengthening the preservation of the OUV of the property.

**Recommendation:**

The effectiveness of the amendment of the legal framework should be evaluated and presented for examination by the World Heritage Committee at its next session.

### **3.1.3 Tourism management**

“The World Heritage Property ‘Kyiv: St. Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra’ are known leaders in the tourism industry of Kyiv. They are considered to be the most attractive tourist destinations and are a kind of ‘visiting card’ of the capital of Ukraine. Moreover, due to the revival of its monastic life, Kyiv- Pechersk Lavra has returned its lost positions of the leading pilgrimage centre of the State and international significance.” (Draft Management Plan 2016)

The 2017 mission report described tourism management in the property as follows (pp.30-31):

**“The size of the flow of tourism is currently not too high, and the management of tourism is satisfactory.** The expected (stimulated) growth in this field is going to be addressed in the forthcoming Management Plan. However, some of new or renewed facilities for tourists in the Preserve of the Kyiv-Pechersk Lavra show that this field of management has been further developed in harmony with conservation activity in a way that does not harm the authenticity and integrity of the WH property. Temporary solutions in the tourism sector should be avoided.”

There have been no significant changes to the system described above. It functions well currently; however, in function with the adoption of the relevant part of the new Management Plan, with minor modifications it can be made even more effective.

### **3.1.4 General management challenges**

When evaluating management effectiveness, it is necessary to reiterate issues that have appeared in the reports of previous Reactive Monitoring missions.

- the management of Preserves is effectuated by two different Administrations under the same authority of the Ministry of Culture and Information Policy of Ukraine. Cooperation between the two entities has been significantly improved, as has the cooperation with the Orthodox Church in the case of Kyiv-Pechersk Lavra (see also the point dealing with the “Management structure”);
- the management of the property and its buffer zone(s) is effectuated equally by

the Ministry of Culture and Information Policy of Ukraine

- management (control) activity, in order to avoid adverse effects created by changes (urban development) outside of the property and outside of the protecting areas, is the task of the Kyiv municipality.

Assuring standardized and institutionalized cooperation in the management of the property and the protecting areas (buffer zone, landscape-protection area) could be and should be addressed and resolved in the framework of the implementation of the Management Plan that is under preparation and must be adopted urgently.

The current management structure is outlined in ANNEX XIII in the form of a detailed chart, both for the property and the buffer zone.

## 4. NATURE AND EXTENT OF THREATS TO THE PROPERTY

### 4.1 IMPLEMENTATION OF EXISTING REGULATIONS

**The Implementation of existing regulations**, i.e. the “construction moratorium” issued by the city of Kyiv:

“To prevent construction activities and land allocation for urban needs (given that no clearly defined conditions and restrictions are provided) Kyiv City Council issued the Decision ‘On the Introduction of Temporary Ban (Moratorium) on Construction Activities and Sale of Land within Protected (Buffer) Zones in Kyiv’ (d/d 22.01.2015 #24/889). The document will remain valid until the Master Plan of Kyiv and the Zoning plan of the Kyiv central are approved.” (State Party report, 01/02/ 2017).

The implementation has proven to be more effective, as there are currently no new projects underway that would pose a new threat.

However, it is necessary to create and/or update an inventory of tall buildings, in order to be able to evaluate their possible visual impact on the integrity of the World Heritage property. This inventory must contain all existing high-rise buildings and also the already issued building permissions related to tall building projects, showing separately those for which construction has already started.

The mission noted that previously reported cases are still unresolved, such the following:

#### **High-rise buildings**

- The completed construction of a high-rise building on Klovisky Descent represents an important negative visual impact on the Kyiv-Pechersk Lavra and the Dniepr river panorama. Despite the Committee Decisions requesting, since 2010, the State Party to introduce a moratorium on tall buildings, then, in 2012, 2013 and 2014 (Decisions **36 COM 7B.90**; **37 COM 7B.88**; **38 COM 7B.33**), to reduce the adverse effect of the 150 m. building on Klovisky descent by demolishing the constructed levels to an appropriate scale, the construction was completed. The State Party argued that it was impossible to stop/remove this construction as the permits had been legally issued prior the newly introduced moratorium. The State Party was not able to implement any of its proposals presented to the attention of the Committee in 2013 and 2014, such as to clad the building in glass or to mitigate its impact through a lighting effect rather than modify its height.

While strict regulations are established within the introduction of the unified buffer zone, the regulations in its immediate setting are permissive. The mission observed the ongoing construction of a huge high-rise building in Mikhailovska Str. largely promoted by the investor. Such a tendency for high-rise constructions using previously issued (before moratorium) permits seems a new vision for urban developments in Kyiv.

The mission considers that without immediately introducing regulations to limit the height in delimited visual corridors and areas adjacent to the property and its buffer zone, there is a high risk that a similar scenario will be repeated in the immediate setting of the property, and in particular in the Pechersk district. In 2012, in its state of conservation report, the State Party recognized that three high-rise buildings under construction in that

area were threatening the dominance of the property's silhouette along the Dnieper River. To date, the State Party has not submitted a detailed inventory of all previously issued permits. It was impossible for the mission to assess a cumulative impact of possible future constructions which may appear, one by one, in the buffer zone or immediate setting.

**Recommendation:**

In order to establish a more efficient system of the protection of the integrity from visual impacts on the skyline, visual fields and vistas from the most characteristic viewpoints, an overarching solution should be introduced in the urban regulation documents which are under preparation (being the Kyiv Development Master Plan, updated "Historical and Architectural Key Plan of Kyiv" and the Zoning Plan of Kyiv Central Area). Detailed timing of the process leading to adoption of urban regulation documents should be submitted to the World Heritage Centre for review by the Advisory Bodies.

**Recommendation:**

With the new delimitation of the buffer zone and the differentiated protection regime, there is still a strong need to protect the setting of the **World Heritage property**. This requirement should be included in a clear and detailed manner in the Zoning Plans of the Master Plan of Kyiv, and should apply not only to the perimeters of the World Heritage property or its buffer zone, but for all other "district" and "landscape protection" areas (determined in the document: СХЕМА МЕЖ ПЛАНУВАЛЬНИХ УТВОРЕНЬ = "Scheme between Planning Formations").

**Hydrogeological impact of constructions in close vicinity of property's components**

- The World Heritage Committee was informed by the 2010 Reactive Monitoring mission that there were plans for 30 new buildings in the buffer zone of Saint-Sophia. One formerly-known case is the construction of a **multi-storey building in Gonchara (Olesia Honchara) Str., 17-23**. ICOMOS had commented on the height, building shape and size of this building in 2010 when the detailed project was referred by the State Party to the World Heritage Centre. This is a construction of a large residential building with underground parking levels that is located in the buffer zone in very close vicinity to Saint Sophia Cathedral. The construction is still suspended; construction works of load bearing structures have already been completed, but further works have not been carried out. Negotiations on a possible solution have not yet yielded results.

The mission reiterates previous recommendations to the State Party to conduct an inventory of all issued permits in the buffer zone and the near setting of the property, as well as to define legal provisions to suspend all issued permits until all projects are reviewed using HIAs conducted in line with the ICOMOS 2011 Guidance, and, if needed, revised, in order to prevent any negative impact (individual and cumulative) on the OUV of the property.

**Recommendation:**

An updated, comprehensive inventory of tall buildings should be established, in order to enable evaluation of their possible visual impact on the integrity of the World Heritage property. This inventory should contain all existing high-rise buildings and also the already-issued building permissions related to tall building projects, showing separately

those where construction has already started. This document should be submitted to the World Heritage Centre for further consideration.

#### 4.2 INAPPROPRIATE INTERVENTIONS WITH A NEGATIVE VISUAL IMPACT ON THE INTEGRITY / TALL BUILDINGS

**In this respect, there are no new (negative) developments, and there are no new projects with disturbing effects.**

Vistas from the other side of the Dnieper River were controlled. Regarding the Saint Sophia Cathedral, the visibility for that side practically does not exist (except the bell tower in the background). On the other hand, the visibility and integrity of the ensemble of Kyiv-Pechersk Lavra is in the foreground, and its integrity is challenged by the recent urban development, large and/or tall buildings. However, this impact is largely different from the lower level of the bank of the river and from the road on the high bank – as shown in the photos taken during the Reactive Monitoring mission.

Given the fact that the visual impact of high-rise buildings, even if they are located outside of the protected areas, could be considerable from different viewpoints, mostly from the upper bank level of the other side of the Dnieper River, an overarching solution has to be introduced in the urban regulation documents.

While the regulatory instruments under preparation and/or in the process of being adopted include relevant prescriptions and requirements for the efficient protection of OUV, such as the 2019 State Code of Construction, Territorial Planning and Development, which contains appropriate definitions and specifications related to the World Heritage concept (see sections

2.1 and 2.2 of this report as well the Annex XI), the mission recommends that a strict control of all construction permit requests is introduced by the State Party and that all project proposals for high-rise buildings in Kyiv (even those situated outside of the buffer zone) are submitted by the State Party to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, and prior to any irreversible decision being taken by the national or local authorities.

#### 4.3 RECONSTRUCTION ISSUES

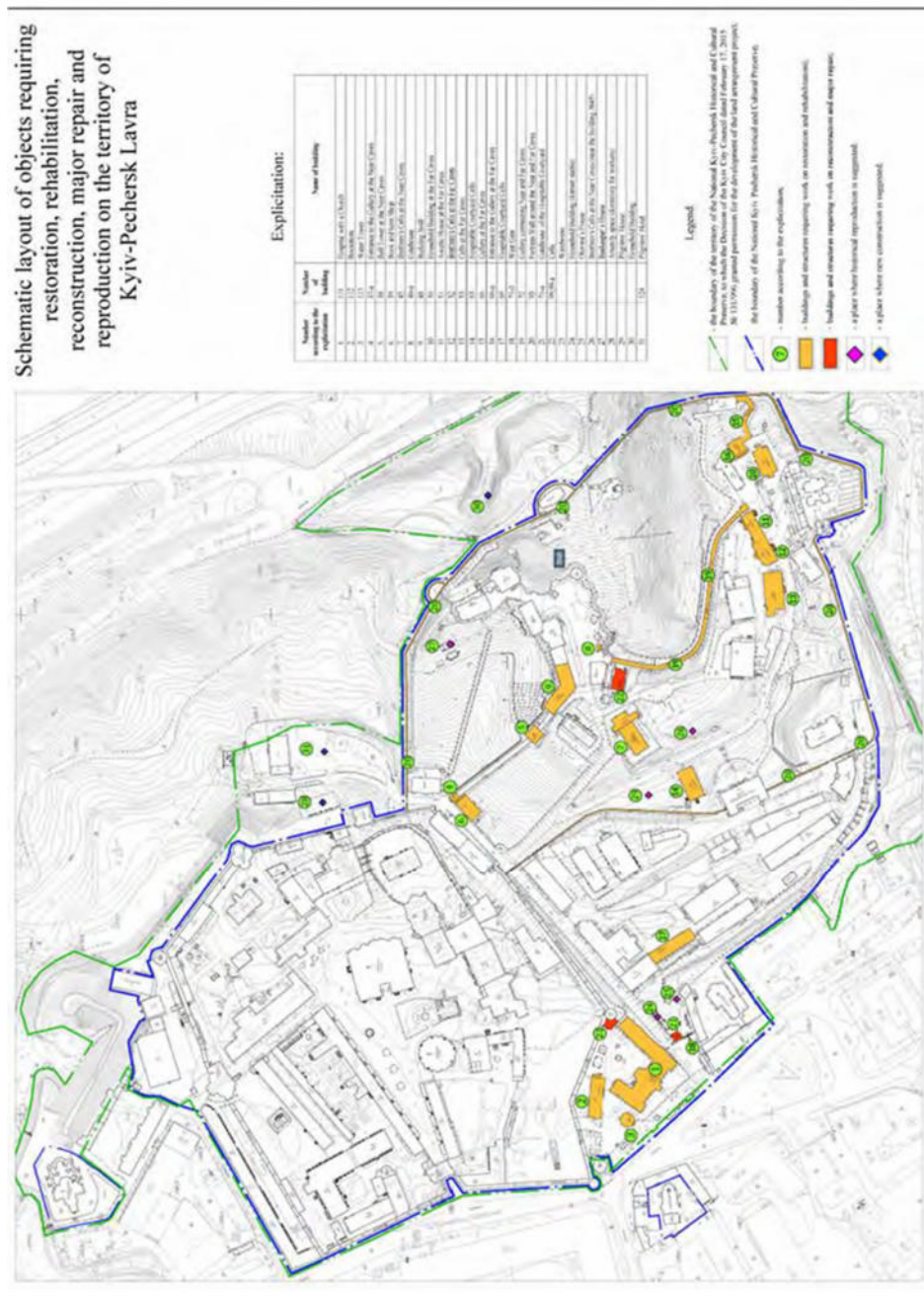
Information on further reconstructive initiatives are incorporated in the newly developed and recently submitted strategic document: **“Long Term Program on Restoration, Rehabilitation of Monuments, Reconstruction, Major Repairs and Reproduction of Objects on the Lower Territory of Kyiv-Pechersk Lavra” (ANNEX VIII G)**. This document – the preparation of which was suggested by the previous Reactive Monitoring mission – contains prescriptions and concepts, a detailed presentation of the timing of planned interventions, as well as individual descriptions and presentations of the buildings and planned objects in the area.

This newly developed concept respects all the requirements laid out in previous documents (Reactive Monitoring mission reports etc.); therefore, there is no need to repeat them in this occasion (Cf. especially with the 2017 Reactive Monitoring report).

The recommendation of the 2017 Reactive Monitoring mission was:

“As a general approach to the future interventions, it is strongly recommended to develop a long-term programme that aims to reach an “optimal final situation” of Preserves, indicating all kinds of necessary interventions, including those elements which are of a reconstructive character. This can be accepted if the aim of this kind of interventions is to eliminate injuries and shortages in the integrity of the ensembles that were caused by preceding unfavourable periods of history. This document has to be submitted for evaluation to the WH Centre.”

The answer given by the State Party is the preparation and submission of the “**Long Term Program on Restoration, Rehabilitation of Monuments, Reconstruction, Major Repairs and Reproduction of Objects on the Lower Territory of Kyiv-Pechersk Lavra**”.



Schematic layout - excerpt from the “Long term programme”

Example of a reconstructed building (N°7 item on the above map): the Brethren cell at the Near Caves. Since the 2017 mission, reconstruction work has been completed. As the photo shows, the structural work has already been completed and the building is not retroactively subject to the new rules made in the meantime. For the ensemble as a whole, the impact of the building is essentially neutral, adapting to its surroundings with its mass and detail. However, further similar interventions should be avoided and assessed in advance under the new rules (Cf. also point 4.3 of this report).



Photo taken during the 2017 Reactive Monitoring mission



Photo taken during the 2020 Reactive Monitoring mission

**The hospital with a church – Building N°111** - a case that was individually addressed in the previous mission (p.38 of the 2017 mission report):

“Restoration of the rehabilitation of the church in honor of Mother of Jesus ‘Joy of All Who Sorrow’”. The current building was originally constructed in 1912-1913 (architect Y.F. Yermakov) in a “U” shape, two-storey hospital building incorporating the church in its main axis. The volume of the church used to be accentuated by a cupola (dome) on the top. With many other decorative elements, the dome was also destroyed during the revolutionary events in the period 1914-1918. The church was also transformed for hospital purposes.

The larger-scale interventions, like the reproduction of the former cupola (dome) of the church have already been completed. The rehabilitation and architectural restoration of this building

– completed with reconstructive interventions – can be accepted. The necessary information for an authentic completion of the building is known, and regaining the original appearance of the building does not harm the overall integrity of the World Heritage property, neither in terms of its visual appearance nor in its functional relations. The project can be seen as a delayed rebuilding after war/revolution damage that would have been implemented if the political situation had not turned to the Soviet period.

**Recommendation:**

In cases of considerable reconstruction, the principles and requirements laid down in the doctrinal documents – such as the Nara Document on Authenticity (1994) and The Riga Charter (2000) – should be respected and followed.

**4.4 REVIEW OF ISSUES CONNECTED TO THE FULFILMENT OF REPORTING REQUIREMENTS SET DOWN IN THE**

**OPERATIONAL GUIDELINES (PROGRAMS AND PROJECTS WHICH ARE NOT NECESSARILY PROBLEMATIC)**

**Repair and restoration works on the St Andrew’s Church**, located in the buffer zone of the Kyiv: St Sophia Cathedral and Related Monastic Buildings, Kyiv Pechersk Lavra. Successfully realized, the result is satisfactory. (See also Annex XXX)

**Removal of the “strategic water storage tanks” network outside the Preserve territory of the Kyiv- Pechersk Lavra** – a field visit during the mission was guided nearby this area.

**The strategic water storage tanks network seemed to be still in use.** Information received during the mission reiterated the intention to remove it. However, no more specific details were available and no documentation was provided by the locals. It was reported that strategic water storage tanks, situated in very close vicinity to the Lavra, has negative hydrogeological impact on the Lavra caves. Given the proximity of the site to the World Heritage property and the adjacent residential area, it is recommended that a high quality urban park be created in the area once the strategic water storage tanks closed. Building in the area should be prohibited (both residential buildings and other institutions).



**Construction of the second set of the National Museum “Memorial to the Holodomor Victims”**, Kyiv, 3, Lavrska Street (for detailed information, see the State Party’s 2017 report on the state of conservation). This project was submitted to the World Heritage Centre according to Paragraph 172 of the Operational Guidelines and two Technical Reviews were provided by ICOMOS in September 2017 and April 2018. **Works are in progress** – see photos below (taken during the 2020 mission).





#### **Erection of a large-scale mast for the “National Flag”**

The concept of this project was presented during the meeting with the Mayor of Kyiv City. The placement and design of the proposed object (as it appears in documents showing the conceptual phase) most likely will not have a negative effect, but rigorous evaluation (supported by an HIA) is needed. This concept was discussed during the 2017 Reactive Monitoring mission and a Technical Review was provided by ICOMOS in November 2017. **According to information received, this project has been suspended.**

Pedestrian bridge connecting two parts of the Kyiv City - This project was submitted to the World Heritage Centre according to Paragraph 172 of the Operational Guidelines and ICOMOS provided a Technical Review in December 2018. The bridge, together with the joining walkway, has already been realised to improve the city-infrastructure for both local citizens and visitors.

Based on the on-site professional tour and visual assessment from different view-points - in spite of the visual prominence of this construction - the mission concluded that the sight of the new pedestrian bridge has limited effect on major vistas, and does not fundamentally jeopardise the OUV of the World Heritage property.



More photos see in **ANNEX XII**.

**Other realised (or ongoing) projects in the buffer zone:**

- works on the restoration of a monument of history of local significance and the newly discovered monument of architecture on 3 Tsytdelna Street are

accomplished.

- construction of an apartment building on 13 Leiptsizka Street is completed .
- works on the reconstruction of Lyceum Leader (extension) on 11A Leiptsizka Street are ongoing.

**Cases - locations viewed during the 2020 Reactive Monitoring mission** (information as summarised by the State Party):

**a) At the intersection of Striletska Str. and Georgiivskiy Lane 9/11**

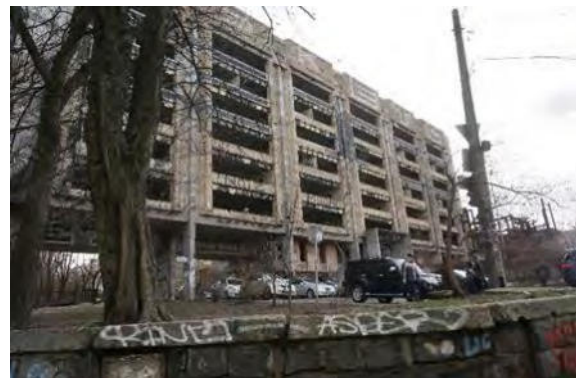
The architectural concept for the regeneration of the historical environment of the quarter located at the intersection of Striletska Str. and Georgiivskiy Lane 9/11 is at the stage of discussion and finalization. It provides for the rehabilitation of the existing buildings, changing its functional purpose to the housing project.

The building is located on the land leased by Dokas Limited Liability Company. The land lease was intended for the construction of a high-rise building. In 2019, the Court declared the lease agreement concluded.

**Evaluation:** Although there is no direct impact on the OUV, the current situation needs a carefully prepared and planned intervention in order to fill the gap in the existing streetscape.



a



b

**b) The incomplete construction on Lvivska Square**

The initial function of the incomplete construction on Lvivska Square was to be an academic building of the Karpenko-Karyi National University of Theater, Cinema and Television.

The construction project was approved in 1976. Construction was carried out until 1986. The building is currently on the balance sheet of the Karpenko-Karyi National University of Theater, Cinema and Television. Readiness of the construction is approximately 30%.

**Evaluation:** The current situation needs a carefully prepared and planned intervention in order to realise a rehabilitation project because this “building-skeleton” is unworthy of the environment of the World Heritage property. A reuse of the building is much welcomed as is a demolishing and rebuilding project. It is important to respect the height regulation of

this Zone (which is the 1.1.001 Starokyivsky Zone – see Annex V).

**c) Velyka Zhytomyrska Str., 34, 34-B**

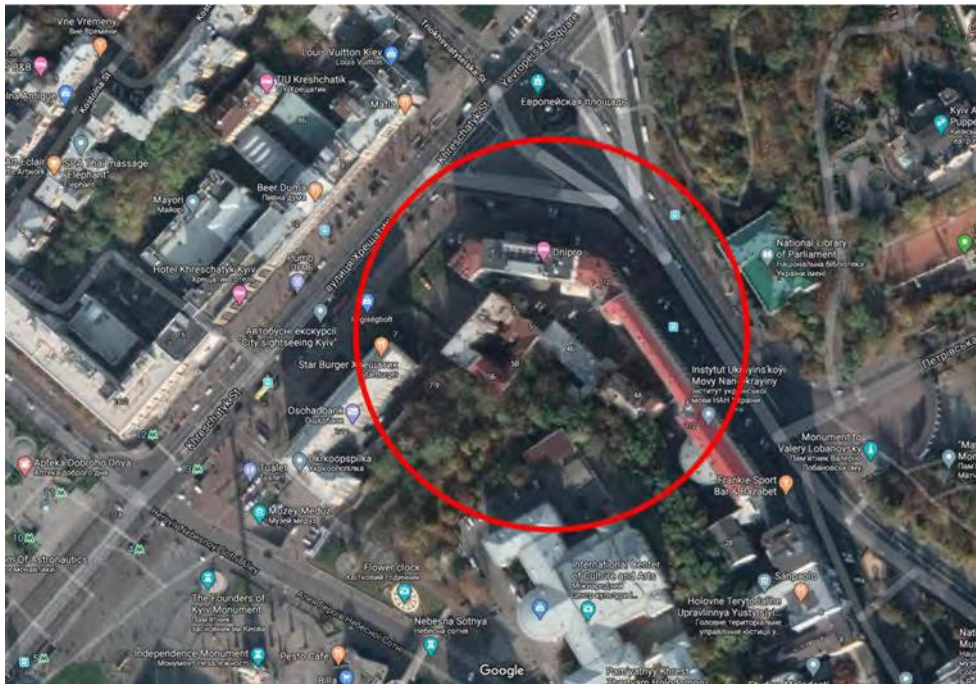
The Ministry of Culture, Youth and Sport of Ukraine received a letter from Budstandart Limited Liability Company dated 05/19/2020 No. 05/20 informing the UNESCO World Heritage Centre of its intentions to reconstruct non-residential buildings for administrative and office buildings on Velyka Zhytomyrska Str., 34, 34-B in Kyiv. After consideration, the Ministry of Culture, Youth and Sport of Ukraine, by letters dated 19 February 2020 (No. 2378 / 6.11.3) and 4 March 2020 (No. 3563 / 6.11.3), forwarded the above mentioned documentation on the planned reconstruction project to the National Commission of Ukraine for UNESCO for submission to the UNESCO World Heritage Centre in accordance with Paragraph 172 of the Operational Guidelines.



**Evaluation:** It is recognised as appropriate that this gap in the urban landscape is addressed through a carefully prepared and planned intervention. The solution should follow the Zone- regulation (height limits) as well as considering the possible impact on the view from the Dniepro River side. This project is subject to a referral by the State Party to the World Heritage Centre under Paragraph 172 of the *Operational Guidelines* and will therefore receive separate evaluation from ICOMOS.

**The development project related to Hotel Dnipro - Khreshchatyk Str., 5-B.**

According to preliminary data, the address of the construction project is Khreshchatyk Str., 5-B. Since 2009, it has been planned to construct a hotel and office centre named “Stolichny”.



The mission did not receive enough information to assess whether this project is consistent with retaining the OUV of the property. The project documentation has to be submitted to the World Heritage Centre in accordance with Paragraph 172 of the Operational Guidelines

**Road reconstruction project in Pechersk district** is another important – ongoing project, currently in the planning phase. Unfortunately, this project was not discussed during the mission, however the possible impact of the planned development seems to be serious. Therefore – without entering into a detailed evaluation – the opinion of the mission is that:

- the road reconstruction project in the Pechersk district in the (newly) unified buffer zone of the property would have a negative impact on the property and its Outstanding Universal Value;

ICOMOS provided a technical review of the project in March 2020, concluding with its advice that this project not be realised.

The mission experts are also of the opinion that this project should be rejected, and that an alternative, much less harmful solution has to be developed.

**Urban planning conditions and restrictions have been issued** for some other projects as it is reported in the “State of Conservation of the World Heritage Property “Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra” - WH Property Components: Kyiv-Pechersk Lavra and Church of the Saviour at Berestove”. The following works were carried out in the buffer zone around Kyiv-Pechersk Lavra during 2018-2019 (from the PPT presentation received during the mission):

- works on the restoration of a monument of history of local significance and the newly discovered monument of architecture on 3 Tsytdelna Street are

accomplished;

- construction of an apartment building on 13 Leiptsizka Street is completed;
- works on the reconstruction of Lyceum Leader (extension) on 11A Leiptsizka Street (on which ICOMOS provided a Technical Review in September 2018) are ongoing;
- reconstruction works of the first phase and construction of the second phase of the National Museum of the Holodomor-Genocide are ongoing.

Urban planning conditions and restrictions on the following land plots were issued (under the existing regime of issuing licenses (before the implementation of the new one) taking consideration of the relevant zoning-regulations:

- 30/5 Redutna Street (reconstruction of an apartment house (manor type));
- 20 Park Road (reconstruction of the restaurant with recreation facilities);
- 14 Redutnyi Lane (construction of a blocked house (manor type));
- 60 Redutna Street (construction of a blocked apartment house (manor type));
- 16A Redutna Street (commercial and office building), 2015.

The project at 14 Redutnyi Lane is understood to be subject to a forthcoming referral by the State Party to the World Heritage Centre under Paragraph 172 of the *Operational Guidelines* and will therefore receive separate evaluation from ICOMOS.

The following urban planning conditions and restrictions have been issued outside the buffer zone, in its immediate surrounding:

- 4 Omelianovycha-Pavlenka Street (reconstruction of non-residential building into a multifunctional complex), 2017;
- 9 Staronavodnytska Street (construction of an apartment building), 2017;
- 2A Staronavodnytska Street (new building of a residential complex), 2017;
- 16A Staronavodnytska Street (a multifunctional complex "Integral-City");
- 42 Staronavodnytska Street (a multifunctional complex), 2016.

## 5 ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY

### 5.1 PHYSICAL STATE OF THE MAIN COMPONENTS

This World Heritage property is composed of three main components, assessed below separately. An assessment of the overarching issues follows.

#### *5.1.1 Saint Sophia Cathedral and Related Monastic Buildings*

The state of conservation of the Saint Sophia Cathedral with other elements of its monumental religious ensemble (closed within a perimeter wall) is generally satisfactory – as a result of a conservation-restoration process addressing each building one by one. Buildings and open spaces (the garden) with some exceptions are well maintained.

**The main challenges are:** the unstable hydro-geological regime, which is further negatively affected by human-induced factors; complex engineering and geological conditions and the presence of underground cavities, which cause soil subsidence and dips; disadvantages of drainage systems and waterproofing of buildings and perimeter walls.

There is a necessity to remove the urban transit gas pipeline of low pressure outside the territory of the ensemble and the storm drainage system installation.

#### **Related information received from the State Party:**

“Currently, the Limited Liability Company “TEPLOTRAS” has developed a project for the removal of the low pressure gas pipeline outside the National Conservation Area «Saint Sophia of Kyiv”. Refurbishment of gas network. The project is expected to be implemented in 2020.

The project "Major Repairs of Sofiivska Square" provides the installation of storm drainage system connected with gutters in the territory of the National Conservation Area «Saint Sophia of Kyiv”. The project is under discussion and finalization.”

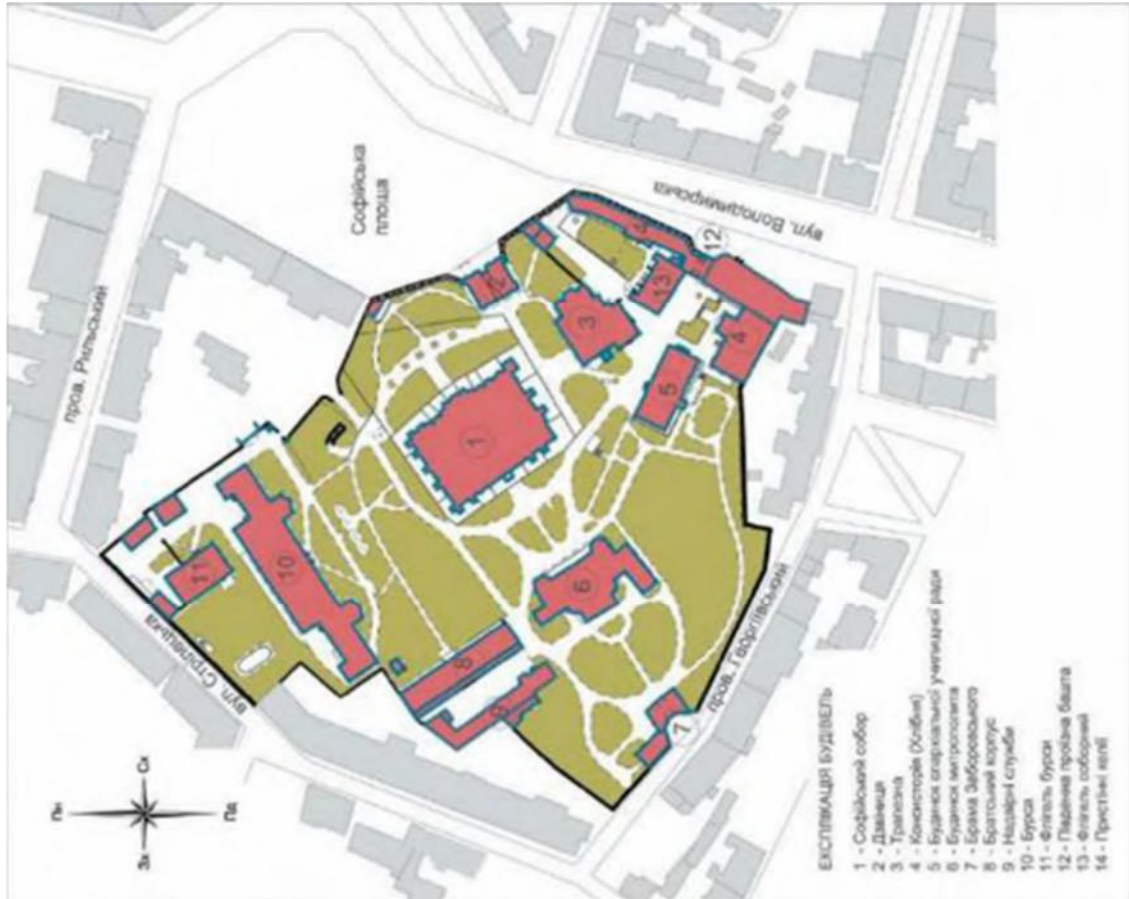
A proposed system for monitoring the hydro-geological regime – prepared by the “Venetian Heritage Cluster” – was presented to the Reactive Monitoring mission in 2017.

#### **Additional information received during the 2020 Reactive Monitoring mission:**

The following measures were taken during 2019 in order to improve the monitoring:

- Extension of the hydrogeological supervisory network - arrangement of three additional wells;
- Arrangement of the system of monitoring of the temperature and humidity in the buildings;
- Conduction of comprehensive scientific and technical researches with determination of the following optimum and maximum permissible indicators in Saint Sophia Cathedral:
  - temperature and humidity regime;
  - light regime;

- air velocities of the internal air environment;
- microbiological and chemical state of the air environment;
- vibration and acoustic loads on the structures from the following factors: traffic, the sound of bells, church singing;
- dynamic characteristics and stress-strain state of the building.



### Concise review of components of the ensemble:

1. **The Church of Saint Sophia** is in a generally good, maintained condition. Research and restoration of the exceptionally precious wall-painting is going on (as is planned archaeological research).
2. **The Metropolitan's Residence (6)**: good condition: in 2005-2008, comprehensive repair and restoration (inclusive of some well-founded reconstructive elements) works were carried out. The building, after a period of emptiness and decay, received new functions as a museum and offices. Fragments (remnants) of interior paintings were restored.
3. **Zaborovskiy Gate (7)**: satisfactory condition: in 2007-2011, the original shape of the western façade was reinstated, and the building of the guardhouse was restored. The immediate surroundings were also arranged by lowering the level (Photo in the **ANNEX XII**).
4. **The Cells of the Cathedral Elders**: partially satisfactory condition. Repair of the decoration of the interiors halls was carried out in 2000-2001.
5. **The Seminary**: unsatisfactory condition. Complex repair and restoration work needed.

6. **Outhouse of the Seminary:** unsatisfactory condition. A complete restoration, technical rehabilitation is needed.
7. **The Perimeter-Walls:** generally satisfactory condition, but certain individual sections of the walls are in poor condition (cracks, stability issues). Restoration of the Monastery perimeter-walls of the 18th century was conducted in 2017-2018.
8. **The South Entrance Tower:** mainly satisfactory condition, except the eastern part (façade, roof).
9. **Yard Utility Services** (the former coach house): unsatisfactory condition , it is in urgent need of restoration.
10. **Wall Cells:** mainly unsatisfactory condition. In 2005-2006, repair and restoration of façades from the yard side was done, but interior works have to be completed,
11. **The Cathedral outhouse** (Building № 2): unsatisfactory condition.

Comment on the latter two items (10 and 11): According to the Master Plan of “Saint-Sophia of Kyiv” National Conservation Area, in the southern part of the architectural ensemble (the territory around the former wall cells and the cathedral outhouse) a recreational zone is provisioned to be arranged.

The overall situation of the green area (the garden) between the built elements has been enhanced; however, it is necessary that this work is performed on the basis of an in-depth research of the historic situation, avoiding as much as possible contemporary “prettification”.

Given the fact that this ensemble (owned and used by the State through its organization) does not fulfil its original, religious function in its totality, the restoration and reuse programmes are strongly connected. Buildings not yet fully restored should continue in their appropriate and sustainable functions.

### **Ownership and land-use issues**

The situation has changed considerably and positively since that described in the Draft Management Plan and cited in the 2017 mission report as follows (pp.46-47).

- With regard to the National Conservation Area “Saint-Sophia of Kyiv”, an inventory of the monuments of the Saint-Sophia of Kyiv and their monetary evaluation have been carried out. Technical passports for all objects (components) of the Reserve have been prepared;
- The right to the permanent use of the land property was issued on 31 August 2004.

### **Restoration works**

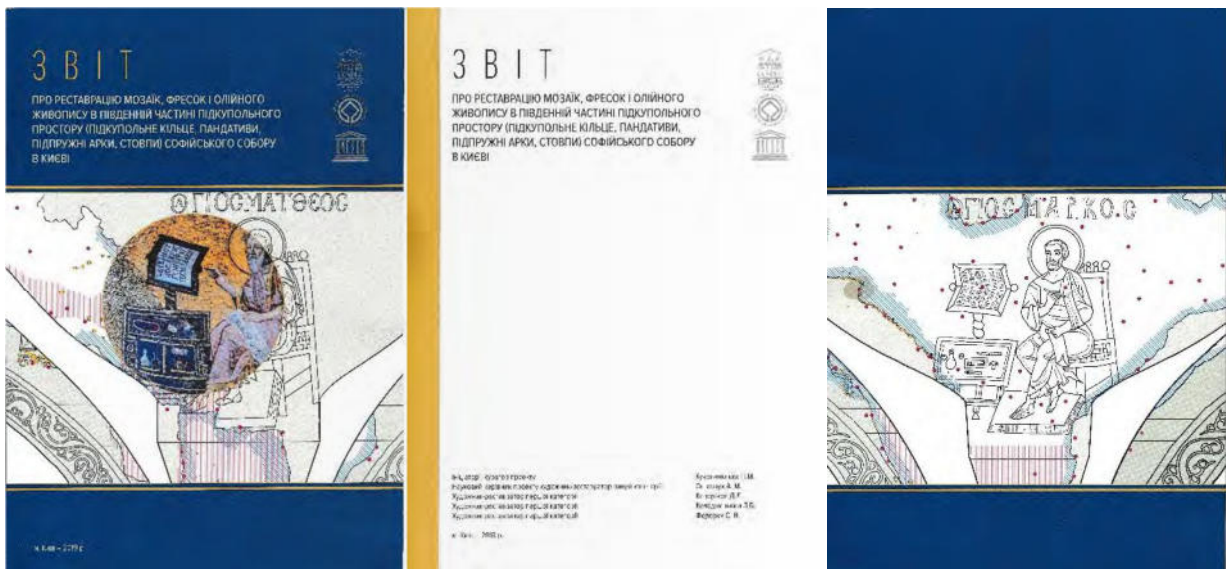
**Trinity Gate Church:** Since 2018, restoration works have been carried out at the monument. Works on the dome and cupola have been completed, the painting of the dome drum icons has been restored, and two compositions – exterior paintings – on the western facade have been restored. Works in the interiors of the 1st tier of the church are being carried out.

**Southern Tower: The** restoration was completed in 2018. It was implemented in a professional way and quality.

The mission was informed of the following works in a presentation received during the mission:

- Restoration repair of the perimeter pavement of Saint Sophia Cathedral (carrying out works to eliminate the drawbacks of waterproofing paving around the Cathedral and replacing old, destroyed sandstone stone with new stone);
- Completion of the complex of repair and restoration works on the architectural monument of national importance - the Consistory (interior and facade work);
- Completion of the complex restoration of the monument of national importance – Refectory;
- Conducting complex reconstruction of the public toilet building into a public convenience facility for people with disabilities and a “mother and baby” room;
- Completion of the repair and restoration of the balcony in the Metropolitan's House with waterproofing and natural stone facing;
- Completion of the complex of repair and restoration works in St. Andrew's Church;
- Implementation of the complex project "Restoration of a monument of architecture of national importance - the Bursa, with its adaptation to the museum centre" - Beginning of a complex restoration of the architectural monument, namely priority emergency activities;
- Development of the project of the repair and restoration works to the Bell Tower.
- Establishment of a recreational zone in the southern part of the territory of Saint Sophia Cathedral and monastic buildings.

**A restoration project (related to mosaics, wall paintings and oil paintings) has been executed and a summarising publication was presented.**



An additional document contains the “Planned priority actions for improving the state

of conservation of the objects on the territory of the component “St. Sophia Cathedral and monastic buildings” as a concise preliminary programme of action-plans detailed in the forthcoming Management Plan.

**As an outcome from the above description of physical conditions, the state of conservation of this component of the property (as expressed in the Statement of OUV), with particular regard to authenticity and integrity, is in a satisfactory condition. Interventions realized follow the principles and requirements of restoration as they are set out in the international guiding documents of ICOMOS.**

### **5.1.2 Kyiv-Pechersk Lavra**

The territory of the ensemble of Kyiv-Pechersk Lavra, component of the World Heritage property, is divided into two large areas: Upper Lavra and Lower Lavra. It is composed of 170 permanent structures (together with the Church of the Saviour at Berestove, see below under point 4C), 140 immovable monuments of cultural heritage (including 44 monuments of national importance), and four natural monuments. Among these structures, there are also underground ones: the Near Caves, the Far Caves (including Varangian Caves) and the cellars (used for fortification and household purposes). This ensemble is determined by its traditional, living religious function as a place of pilgrimage, for travelers both domestic and from other countries.

Since the mission had limited time for visiting Kyiv-Pechersk Lavra, it was not possible to monitor the technical conditions of each and every building and structure. However, during its visits, focusing on the main current issues, it was possible for the mission to see problem areas and discuss related significant issues.

In general, **the buildings and structures** of the Preserve are maintained in a good condition. Their state of conservation is the subject of permanent monitoring and maintenance activity.

Regarding the problem areas identified during previous missions, in the meantime for some of them a solution has been found.

The major parts of the **cave complexes** are well preserved. However, in some areas structures still require interventions against water infiltration and moisture, against biological corrosion and for the prevention of the threat of land-slides.

**It was not possible to visit the Varangian Caves during the mission; therefore, it is advisable that the State Party provide a detailed report of their current state of conservation.**

The constant monitoring system was introduced in 2007, and it is still in function.

### **Restoration works**

**Onufry's Tower:** restoration and refurbishment works are in progress, in conformity with the

conception and principles established for the ensemble.



**Others:** During the reporting period, large-scale restoration works had not been carried out on the objects that are in the use of the Holy Dormition Kyiv-Pechersk Lavra. The daily maintenance of the buildings and the surrounding area is being conducted.



**Other works and activities**

- Archaeological excavations and research;
- Adaptation of the facilities to the needs of low-mobility groups;
- Promotion of the World Heritage property’s components;
- Monitoring of any urban planning transformations within the buffer zone of the World Heritage property (no new factors were determined that would have a negative visual impact on the integrity or a negative impact on the Outstanding Universal Value of the property's components);

**As an outcome of the above description of the physical conditions, the state of conservation’ of this component of the property (as expressed in the Statement of OUV), with particular regard to authenticity and integrity, is in a satisfactory condition. Interventions realised follow the principles and requirements of restoration as they are set out in the international guiding documents of ICOMOS.**

***5.1.3 Church of the Saviour at Berestove***

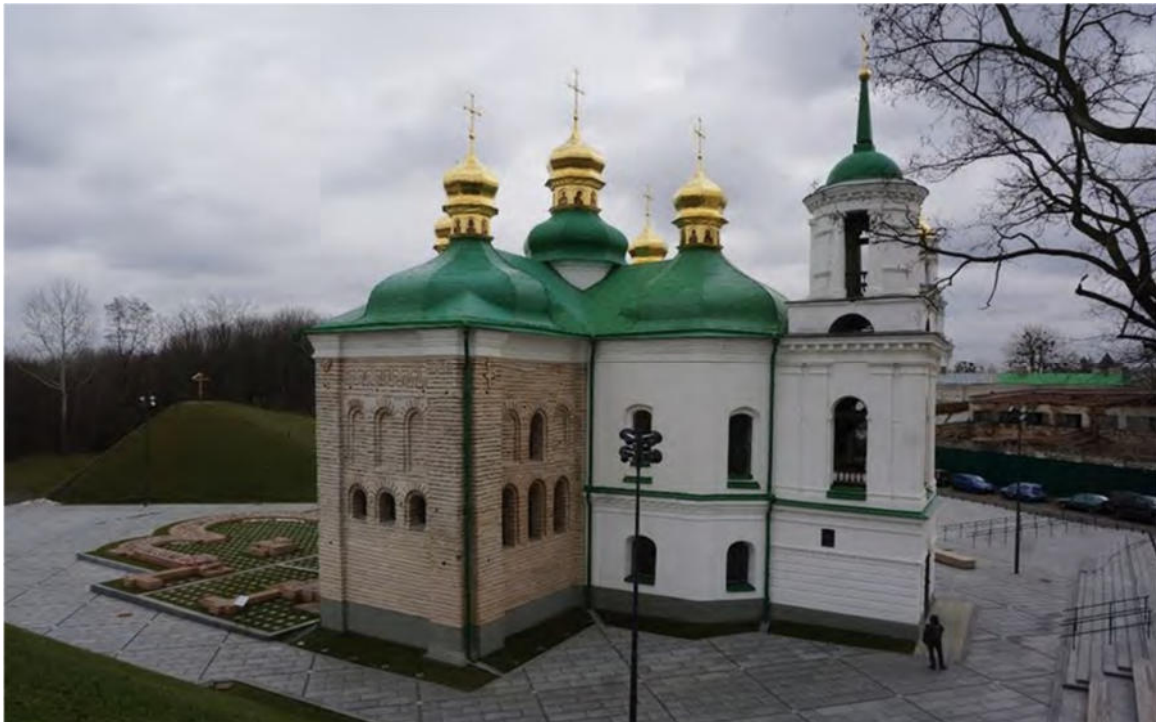
For many years, the Church of the Saviour at Berestove was in an unsatisfactory technical condition. The site needed urgent restoration and conservation works, as well as a dewatering solution for its territory. **Due to recent restoration work, the exterior of the church has been completely renovated.**



Current situation (Photo taken during the 2020 Reactive Monitoring mission)

The high quality of the work carried out ensures the long-term preservation of the proper state of conservation. The rehabilitation and refurbishment of the church environment was also completed, based on a respectable design concept and high quality execution of the works.

“Regimes of use of the architectural monument of national importance "Church of the Saviour at Berestove“ have been developed.



Inside the church (photos in **ANNEX XII**), environmental monitoring is still ongoing. Most of the floor coverings have been completed, but the interior still has significant restoration work to do, such as the wall paintings.

The rehabilitation of the nearby neighbourhood (i.e. renewal of the former industrial buildings with new, appropriate functions) is still not solved.

**As an outcome from the above description of physical conditions, the state of conservation of this component of the property (as expressed in the Statement of OUV), with particular regard to authenticity and integrity, is in a satisfactory condition. Interventions realized follow the principles and requirements of restoration as they are set out in the international guiding documents of ICOMOS.**

## **5.2 OVERALL STATE OF CONSERVATION OF THE PROPERTY**

The mission assessed the overall state of conservation of the World Heritage property Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra, in

relation to management arrangements; possible inappropriate developments within the buffer zone and property's setting, particularly affecting two property's components; rehabilitation activities within the Monastery economic courtyard in the Far Caves of Kyiv-Pechersk Preserve, which includes the reconstruction of buildings; and other matters raised by the World Heritage Committee in its previous Decisions, especially Decisions 43 COM 7B.92, 41 COM 7B.53 and 40 COM 7B.61.

Extensive consultations took place involving national and municipal authorities, site managers and religious authorities. The mission undertook on-site visits and received a detailed introduction to a series of documents, plans and programmes from the Ukrainian authorities.

**The general state of conservation of the property, composed of three components – Saint- Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra and the Church of the Saviour at Berestove – remains satisfactory and, in a sense, showed an improving tendency.**

While maintenance and regular conservation of all the property's components continues, the monitoring mechanism should be installed at all monuments to survey the stability of their structures. As progress towards the realization of this work is connected almost exclusively with financial (funding) opportunities, the mission reiterates the recommendation that a "Special Fund" should be created at the highest national level in order to secure all necessary funds for conservation, stabilization and rehabilitation works.

**The property is not currently faced with specific and proven imminent danger, which would warrant inscription on the List of World Heritage in Danger.**

On the basis of discussions during the meetings with national and local authorities, the mission attested the implementation of recommended measures and previous Committee Decisions in order to prevent any potential threats and to protect attributes that convey the Outstanding Universal Value of the property.

This 2020 mission also reviewed the implementation of immediate measures recommended by the 2017 mission:

1. Coordination among all stakeholders concerned and, in particular between the two Museum-Preserves, reinforced;
2. Management Plan of the property revised, in coordination with the World Heritage Centre and ICOMOS International – on the basis of the new legislative tools adopted, the finalization stage is ongoing;
3. All new high-rise development projects within the property and its setting halted until the adoption of the new Master Plan of the City;
4. Introduce a legal ban on the implementation of existing permits for all constructions in the buffer zone of the property and its vicinity, until all potential projects are evaluated through a comprehensive Heritage Impact Assessment, prepared in accordance with the ICOMOS 2011 'Guidance on Heritage Impact Assessments for Cultural World Heritage Properties', including 3D visual simulations;

5. Document and review all issued permits for constructions in the buffer zone of the property and in its vicinity, in order to evaluate their possible impact on the OUV of the property – this remains a requirement;
  6. new Law imposed for all potential development projects a proactive evaluation of possible impacts on the property and its unified buffer zone in line with Paragraph 172 of the Operational Guidelines;
- the implementation of short-term measures recommended by the 2017 Mission:
7. The amendments, introducing legal definition of the World Heritage to the Law of Ukraine on the Protection of Cultural Heritage adopted;
  8. The State control in the field of cultural heritage protection is enhanced;
  9. Develop a risk management strategy to enhance monitoring of the tectonic and seismic movement of the earth's crust, as well as of the landslide processes that might affect the region – under preparation, in connection with the preparation of the Management Plan (however the State Party reassured the mission that the tectonic and seismic movement of the earth's crust, as well as landslide processes, are duly monitored);
  10. A "Long Term Program on Restoration, Rehabilitation of Monuments, Reconstruction, Major Repairs and Reproduction of Objects on the Lower Territory of Kyiv-Pechersk Lavra" - aiming to reach the "optimal final situation" of Preserves have been prepared and submitted (see ANNEX VIIIIG).
  11. In the framework of the process of adoption of the Kyiv Master Plan, the Urban Development Concept, the Zoning Plan of the Central Planning Area and other relevant Areas have been prepared (currently in the public hearing phase);
  12. Increase the role of local authorities in the management of the property – close cooperation between governmental institutions and local authorities has been strengthened;

- the implementation of mid-term measures recommended by the 2017 Mission:

13. Information received from the State Party:

"The Master Plan of the city of Kyiv is approved by the session of the Kyiv City Council, after which it enters into force and becomes mandatory for consideration and implementation (Order of the Ministry of Regional Development, Construction and Housing and Communal Services of November 16, 2011 No. 290 "On Approval of the Procedure for Development of Urban Planning Documentation" (as amended), paragraph 4.11. Master plans of settlements, zoning plans of the territory and changes thereto are approved by the respective village, settlement, city councils)."

14. The amendments introducing legal definition of the World Heritage to the Law of Ukraine on the Protection of Cultural Heritage have been adopted and are fully operational
15. Develop an efficient fund-raising strategy, including a creation of a Special Fund towards the enhanced monitoring and conservation of the property; (Cf.: Section VII of the CHL about the Financement of Cultural Heritage Protection).

**Information received from the State Party:**

It is currently prohibited to draft new budget programmes or make amendments to the approved targeted programmes that require additional state financing (according to paragraph 12 of the “Measures for efficient and rational use of public funds provided for the maintenance of public authorities and other state bodies, enterprises established by state bodies, institutions and organizations that use the state budget funds”, approved by the Resolution of the Cabinet of Ministers No. 710 of October 11, 2016). Therefore, the Ministry is addressing the issue of amending the Budget Code and introducing a protected item of expenditure on the conservation of World Heritage properties.

At the same time, the problem of cultural development as a whole is conditioned by the low institutional capacity of local authorities and cultural institutions to use already available funding tools.

Since 2014, Ukraine has been actively pursuing the task of reforming the decentralization of power. One of the objectives is to provide quality and available services to the population, including cultural ones. This requires finding a new mechanism for financing the system of providing the population with cultural services.

On January 23, 2019, the Government approved the Concept of Reforming the System of Provision of Cultural Services to the People, which includes the reformation of the financial provision of the system of cultural services.

The draft concept of reforming the financing of the system of providing the population with cultural services provides, in particular: the formation of models of financing cultural services to be provided by state and communal cultural institutions; exploration of the most effective ways of cooperation between the State and territorial communities (state partners) as well as private cultural partners; development of methodology for implementation of public and private partnership projects in the field of culture; and establishing mechanisms for interaction between public and private partners in the cultural sphere.

In accordance with the Government Programme, the next year the Ministry of Culture and Information Policy is expected to approve public and private partnership mechanisms to attract additional resources for the development of monuments and protection of cultural heritage.

16. A Capacity-Building Workshop for all stakeholders concerned, including the representatives of the Kyiv-Pechersk Lavra monastery, as part of the international seminar ‘Living Religious World Heritage: Participatory Management and Sustainable Use and network meeting of site managers of World Heritage properties of religious interest, was held in Kyiv (Ukraine) from 31 October to 1 November 2018, and its conclusions are available online via the link below: <http://whc.unesco.org/en/events/1465/>.

On the basis of the site visits, expertise and consultations carried out during the 2020 mission, as well as the new regulators that have been completed and largely introduced in the meantime, it can be concluded that:

- The recommendations of the previous mission(s) have been taken seriously by the State Party and its relevant institutions as well as the City of Kyiv;
- The recommendations of the 2017 Reactive Monitoring mission were scrupulously followed by the Ukrainian authorities,
- the most significant - still existing - shortfall in performance is the delay in the preparation and entry into force of the new Management Plan (Cf.. recommendation N° 1);
- it is necessary to accelerate the adoption and implementation of the not yet fully operational regulations (Cf.: recommendations N° 2-3-4-5-6-7);

Promising tendencies perceived during the 2017 mission and ongoing implementation of all relevant measures attested by the 2020 Reactive Monitoring mission, permit the retention of the OUV of the property.

**Related to the Authenticity of the property** itself (taking into account all components of it), the mission did not observe any further intervention that would have harmed it. The newly established, unified buffer zone gives additional efficiency to the existing tools and implementation.

**Related to the Integrity of the property**, the situation is similar to that of the property's Authenticity; however, safeguarding the integrity from negative visual impact remains a fragile and delicate issue and therefore continues to require special attention and consistent enforcement of regulations. The planned road-reconstruction project in Pechersk district (see section 4.4) is one of the clear signs of this challenge. (Cf.: Recommendation 7).

## 6 A CONCLUSIONS

The mission recognized considerable progress, both in the amendment of the legal framework and regulations and in the realization of previous mission recommendations. The State Party implemented the large majority of relevant measures in response to the previous recommendations and Committee decisions, and the implementation of the partially remaining ones is also in progress.

The recommendations of the 2017 Reactive Monitoring mission were scrupulously followed by the Ukrainian authorities. Promising tendencies perceived during the 2017 mission and ongoing implementation of all relevant measures attested by the 2020 Reactive Monitoring Mission, permit the retention of the OUV of the property. Its inscription on the List of World Heritage in Danger is not warranted – it is neither necessary nor justified.

–The mission provides further brief details below, following the main objectives of the Reactive Monitoring mission:

1. Assess the overall state of conservation of the property and evaluate factors and conservation issues that could potentially impact on its OUV, including particularly its conditions of authenticity and integrity;

**The mission concluded that the general state of conservation of the property, composed of Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra and the Church of the Saviour at Berestove, is to a great extent satisfactory.**

**Its inscription on the List of World Heritage in Danger is not warranted.**

2. Analyse the planning situation for all major construction projects in the property and its setting, whether proposed, approved or contracted, and the processes under which they are assessed and approved; consider the impact or potential impact of construction projects that have been carried out or are planned within the property or in its setting, in terms of impact or potential impact on OUV;

**No new negative phenomena affecting the state of conservation could be observed; rather some improvement compared to the previous ones.**

3. Review previous Committee Decisions, the recommendations of the 2009, 2010, 2013 and 2017 reactive monitoring missions and 2019 ICOMOS Advisory mission, and identify those recommendations which are yet to be implemented and which remain relevant to the conservation of the OUV of the property and, where appropriate, provide additional advice or further recommendations;

**Recommendations of the 2017 Reactive Monitoring mission were scrupulously followed by the Ukrainian authorities (although some of them are still in progress).**

**Although it has not yet been possible to achieve 100% of the objectives set since**

**the previous mission, promising trends perceived during the 2017 mission and the ongoing implementation of all relevant measures attested by the 2020 Reactive Monitoring mission, permit the retention of the OUV of the property.**

4. Also review progress made regarding the finalization and adoption of the Master Plan of Kyiv, which should incorporate an Urban Development Concept, and the Zoning Plan of Kyiv Central;

and

5. Evaluate the progress made in the introduction by the State Party of all relevant provisions regarding World Heritage into national legislation, including an OUV-based policy that would prevent inappropriate developments at the planning stage;

and

6. Review progress made regarding the finalization, in consultation with ICOMOS, of the Management Plan for the property and its setting, including the clear identification of attributes of OUV, the use of HIAs and the overall management System;

**The most significant - still existing - shortfall is the delay in the preparation and entry into force of the new *Management Plan* (Cf. recommendation N° 2);**

**It is necessary to accelerate the adoption and implementation of the not yet fully operational regulations (Cf.: recommendations N° 3-4-5-6-7 and 9);**

7. Consider how the *Master Plan*, *Management Plan* and other legislative provisions interrelate and support each other and where any improvements might be made to the overall system of governance;

**Following the changes in the legal context and the institutional structure that have taken place in the meantime, work on the preparation of the Management Plan continues, on a renewed basis. The first two chapters have been completed and the draft of the third chapter is in the final phase of drafting. Further chapters will be prepared in accordance with the new Law on Cultural Heritage.**

**Implementation and authority within the statutory controls that already apply to the property of the Management Plan will be regulated by the amendments introducing a legal definition of World Heritage within the (newly revised and amended) Law of Ukraine on the Protection of Cultural Heritage.**

**The parallel and inter-related development of different legal and administrative tools seem to be assured; the discrepancy between the date of entry into force is a challenge for their consistent application.**

8. Consider any other conservation issues currently affecting the property.

The mission team should ensure that a comprehensive inspection of all parts of the

property occurs and should hold working meetings and consultations with the Ukrainian authorities at national and local levels and all other relevant stakeholders, including the representatives of the religious community and NGOs.

**A detailed evaluation is provided above. In general, no new negative phenomena affecting the state of conservation could be observed, rather some improvement compared to the previous ones.**

9. Based on the results of the above-mentioned assessment and discussion with the State Party representatives, and where relevant, other information and technical advice, including all Technical Reviews submitted by ICOMOS, the mission team should propose recommendations to the State Party and the World Heritage Committee to improve the conservation and management of the property and to facilitate the finalization of its Management Plan.

**The finalization of the Management Plan unfortunately remains an issue of a high level of urgency; therefore, it remains necessary for ICOMOS to be involved in this as much as possible.**

## **6 B RECOMMENDATIONS**

### **6.1 RECOMMENDATIONS FOR ANY ADDITIONAL ACTION TO BE TAKEN BY THE STATE PARTY**

#### **2020 Recommendations - following the rationale and order used in the 2017 mission report**

##### **Legal framework:**

A special process has been included into the newly amended Cultural Heritage Law in order to report on large-scale restoration works (i.e. restoration of complete buildings) and new development projects according to Paragraph 172 of the *Operational Guidelines*. This amendment of the legal framework could promote a more effective implementation of protective measures, therefore it is a favourable step forwards in strengthening the preservation of the OUV of the property.

The urgent need for the adoption and implementation of the Management Plan has been repeatedly highlighted by the Decisions and requests of the World Heritage Committee. The State Party submitted an enhanced version of the Draft Management Plan to the World Heritage Centre by 1st December 2016. Further preparation works (on the basis of enhanced content and structure) for the final version are in progress, in close cooperation with ICOMOS experts within the framework of an ICOMOS Advisory assistance. Adoption of the Management Plan was expected in the first half of 2017. However, because of insufficient financial resources, the process of preparation is behind the planned programme. Following the institutional changes that have taken place in the meantime, work on the preparation of the Management Plan continues, on a new basis. The first two chapters have been completed (I. Introduction; II. General description of the Property - 2.1. Location - 2.2. Content of the World Heritage Property components 2.3. Historical review - 2.4. Natural characteristic - 2.5. Anthropogenic characteristics) and the draft of the third chapter (III. Analysis and evaluation of the

Outstanding Universal Value of the World Heritage Property) is being finalized. Further chapters will be prepared in accordance with the new Law on Cultural Heritage. The planned process for completion and entry into force of the full Management Plan has a deadline of the end of the year 2020.

**Recommendation 1:**

The effectiveness of the amendment of the legal framework should be evaluated and presented for examination by the World Heritage Committee at its next session.

**Recommendation 2:**

The process of the preparation of the **Management Plan** should be accelerated, and the finalised Management Plan should be submitted to the World Heritage Centre as early as possible, preferably in the year 2020, for review by the Advisory Bodies, prior to its formal adoption as quickly as possible.

**Plans**

The mission identified significant progress in developing and coordinating the various planning tools and development strategies; however, the management of the property still needs to give effective priority to the protection of the World Heritage property's attributes and their setting.

**Recommendation 3:**

The **“Historical and Architectural Key Plan of Kyiv”** (Part of the Draft Kyiv Master Plan) should be finalised urgently, submitted to the World Heritage Centre for review by the Advisory Bodies and adopted as soon as possible, in order to make the new Master Plan of Kyiv and the Zoning Plan of Kyiv Central Area operational.

**Recommendation 4:**

Strict monitoring of the application of the new zone-by-zone protection regime is required, and it is recommended that the World Heritage Committee be fully informed of its implementation, first time in the second year after its introduction (predictably 2022).

**Buffer zone issues**

The mission welcomes and recognizes with satisfaction the elaborated proposal of the unification of the two previously separated parts of the buffer zone and the definition of differentiated protection regimes within it.

As recommended by the 2017 mission, the Ukrainian authorities introduced a legal definition of “buffer zone” of World Heritage properties, which allows for different levels and regimes of protection to be included inside a “buffer zone”. The unified buffer zone of the World Heritage property “Kyiv: Saint Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra” was declared. A request for a minor boundary modification was submitted to the World Heritage Centre and will be presented for evaluation by the World Heritage Committee at its 44th session in 2020.

**Recommendation 5:**

The different levels and regimes of protection for the buffer zone should be entered into force as soon as possible and their implementation should be strictly enforced and monitored.

### Protection of the integrity from negative visual impact

The Mission highlighted that all potential projects should be evaluated through a comprehensive Heritage Impact Assessment (HIA), prepared in accordance with the ICOMOS 2011 'Guidance on Heritage Impact Assessments for Cultural World Heritage Properties', including reference to 3D visual simulations so that the effects of the proposed developments on the Outstanding Universal Value (including integrity and authenticity) of the World Heritage property can be properly understood and considered.

The mission noted the strong and definite political will to implement necessary measures, including the introduced moratorium (still in force), as well as to use the means and tools – new open-ended Kyiv Development Master Plan (soon to be accepted), update of the "Historical and Architectural Key Plan of Kyiv" (Part of the Draft Kyiv Master Plan) and the (not yet adopted) Zoning Plan of Kyiv Central Area as well as the adoption of the Management Plan and practicing HIA – will be available to protect and enhance the property's Outstanding Universal Value.

#### **Recommendation 6**

In order to establish a more efficient system of the protection of the integrity from visual impacts on the skyline, visual fields and vistas from the most characteristic viewpoints, an overarching solution should be introduced in the urban regulation documents which are under preparation (being the Kyiv Development Master Plan, updated "Historical and Architectural Key Plan of Kyiv" and the Zoning Plan of Kyiv Central Area). Detailed timing of the process leading to adoption of urban regulation documents should be submitted to the World Heritage Centre for review by the Advisory Bodies.

#### **Recommendation 7:**

With the new delimitation of the buffer zone and the differentiated protection regime, there is still a strong need to protect the setting of the **World Heritage property**. This requirement should be included in a clear and detailed manner in the Zoning Plans of the Master Plan of Kyiv, and should apply not only to the perimeters of the World Heritage property or its buffer zone, but for all other "district" and "landscape protection" areas (determined in the document: СХЕМА МЕЖ ПЛАНУВАЛЬНИХ УТВОРЕНЬ = "Scheme between Planning Formations").

### Tall buildings

Taking into account the problems of tall buildings that have emerged during previous years and a number of Committee decisions that have been addressed, the mission's recommendation is the following:

### ***Recommendation 8:***

An updated, comprehensive inventory of tall buildings should be established, in order to enable evaluation of their possible visual impact on the integrity of the World Heritage property. This inventory should contain all existing high-rise buildings and also the already-issued building permissions related to tall building projects, showing separately those where construction has already started. This document should be submitted to the World Heritage Centre for further consideration.

## **Reconstructive interventions**

In the context of the spirituality and practice of orthodox Christianity, the use of traditional architecture and decorative arts is a living approach, therefore in this context “reconstruction” is well-known and largely accepted (especially if the given object is not a protected building). Reconstruction can only be accepted in exceptional cases in which the aim of the intervention is to eliminate damage and shortages in the integrity of the ensembles caused by the preceding unfavourable periods of history and, in addition, if all the conditions required by the 2000 Riga Charter are met.

The mission did not encounter any new reconstruction efforts but, nevertheless, reiterates the previous mission's recommendation related to this issue.

### ***Recommendation 9:***

In cases of considerable reconstruction, the principles and requirements laid down in the doctrinal documents – such as the Nara Document on Authenticity (1994) and The Riga Charter (2000) – should be respected and followed.

## **Management issues**

### ***Recommendation 10:***

Necessary and sufficient funding should be secured by the State Party for the urgent completion and immediate and consequent implementation of the Management Plan, as well as for the implementation of the mission recommendations.

### ***Recommendation 11:***

The mission noted the progress achieved by the State Party in defining appropriate procedures for creation of a "Supervisory Board of a World Heritage site" in line with the 2019 Decree No. 805. The State Party should implement all relevant readjustments following the change of the name of the property by the Committee and establish, as a matter of urgency, a Supervisory Board of the World Heritage property "Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra".

## **6.2 RECOMMENDATION AS TO WHETHER THE LEVEL OF THREATS TO THE PROPERTY WARRANTS THE PROPERTY BEING PLACED ON OR REMOVED OF THE LIST OF WORLD HERITAGE IN DANGER**

The issue of the possible inscription of the property on the List of World Heritage in Danger

has been raised lastly by the World Heritage Committee, by Decision 43 COM 7B.92:

9. “Finally requests the State Party to submit to the World Heritage Centre, by 1 February 2020, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 44th session in 2020, noting that inscription of the property on the List of World Heritage in Danger may be considered should the longstanding threats to the Outstanding Universal Value of the property remain.”

This issue was already previously raised subsequently: by Decision 41 COM 7B.53 and Decision 40 COM 7B.61:

9. “Requests furthermore the State Party to submit to the World Heritage Centre, by 1 February 2017, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 41st session in 2017, with a view to considering, in the case of confirmation of the ascertained or potential danger to Outstanding Universal Value, the possible inscription of the property on the List of World Heritage in Danger.”

The 2020 mission recognized considerable progress, both in the amendment of the legal framework and regulations and in the realization of previous recommendations. The State Party implemented the large majority of all relevant measures in response to the previous recommendations and Committee decisions, and the implementation of the partially remaining recommendations is also in progress.

All recommendations of the 2017 Reactive Monitoring mission were scrupulously followed by the Ukrainian authorities. Promising trends perceived during the 2017 mission and the ongoing implementation of all relevant measures attested by the 2020 Reactive Monitoring mission, permit the retention of the OUV of the property.

**The inscription on the List of World Heritage in Danger is not warranted – it is neither necessary nor justified.**

## 1 INSCRIPTION HISTORY

The World Heritage property of the Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra (Ukraine) was inscribed on the World Heritage List in 1990, under Criteria: Cultural site (i), (ii), (iii) and (iv) during the 14th Session of the Committee. At the time of the inscription, no buffer zone was defined, and the Committee recommended that the authorities concerned respect the environment of these two outstanding monumental ensembles.

## 2 BRIEF DESCRIPTION

Designed to rival Hagia Sophia in Constantinople, Kyiv's Saint-Sophia Cathedral symbolizes the 'new Constantinople', capital of the Christian principality of Kyiv, which was created in the 11th century in a region evangelized after the baptism of St Vladimir in 988. The spiritual and intellectual influence of Kyiv-Pechersk Lavra contributed to the spread of Orthodox thought and the Orthodox faith in the Russian world from the 17th to the 19th century.

## 3 INSCRIPTION CRITERIA AND WORLD HERITAGE VALUES

**Criterion (i):** Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv•Pechersk Lavra represents a masterpiece of human creative genius in both its architectural conception and its remarkable decoration. Saint-Sophia Cathedral is a unique monument of architecture and monumental art of the early 11th century having the biggest preserved collection of mosaics and frescoes of that period. The Cathedral's architecture is distinguished by supplementary naves added to the five-nave core and pyramidal spatial composition of the cross dome church. The monumental decoration of the Cathedral composes an ensemble unique for its conceptual design that reflects the major theological ideas of the time and is an outstanding example of Byzantine art. The huge pantheon of Christian saints depicted in the Cathedral has an unrivalled multiplicity among Byzantine monuments of that time. The mural paintings of the Cathedral also include a complex of unique secular frescoes in the stair towers made in the tradition of Byzantine art. The ensemble of Kyiv-Pechersk Lavra is a masterpiece of Ukrainian art that was definitely formed during the Baroque period. It integrates unique surface and underground buildings and structures of the 11th-19th centuries combined with a rich landscape.

**Criterion (ii):** The property is a result of the cultural interaction of the Kyivan Rus', the Byzantine Empire and Western Europe. Architecture and monumental painting at the property reflect the changes of Byzantine architectural and artistic traditions that acquired a new sense under the influence of local vision. It revealed, in spiritual tradition as well as in architectural planning, encompassing the tradition of underground Orthodox cult architecture of Kyiv-Pechersk Lavra. The Dormition Cathedral was an example for the construction of similar churches in the Eastern Europe region during the 12th to 15th centuries.

**Criterion (iii):** Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv•Pechersk Lavra bears exceptional testimony to the centuries-old Byzantine cultural traditions of

neighbouring countries in general and of Kyivan Rus' in particular. Over the centuries the property had a major spiritual influence in Eastern Europe.

**Criterion (iv):** Saint-Sophia Cathedral is a unique edifice that reflects in its architecture and mural decoration the peculiarities of churchwarden order. The construction of the Cathedral laid the foundation of an architectural school that influenced the cult architecture and monumental art of Kyivan Rus' and then of Eastern Europe. Kyiv-Pechersk Lavra is an exceptionally valuable architectural ensemble formed over the course of almost nine centuries, which reflects changes in stylistic trends in architecture, as well as the process of the improvement of engineering structures.

### **Integrity**

All important elements and attributes necessary to convey the Outstanding Universal Value are contained within the boundaries of the property and are preserved. According to the original design, Saint-Sophia Cathedral was built as a dominant architectural element of the urban environment open to a wide and overall view. In the 19th century, the setting of the Cathedral changed due to the modification of the traditional urban fabric. The integrity of the ensemble of the Kyiv-Pechersk Lavra suffered during the Second World War, when the Dormition Cathedral, the main Lavra church, was almost entirely destroyed, with the exception of its southeast tower. In 1999- 2000, the Cathedral was reconstructed according to the architectural forms of the period of the Ukrainian Baroque in the late 18th century. With regards to the hydrogeological conditions, the Kyiv- Pechersk Lavra caves require a constant monitoring over the state of their preservation and the implementation of preventive measures. Rapid urban development, particularly from high-rise buildings, and the lack of protection and planning mechanisms can threaten the immediate surroundings of the property. The integrity of the property in terms of spatial links between its components and their relationship with the surrounding urban and monastic river landscapes also requires a structured planning to address any potential threat.

### **Authenticity**

The property's attributes reflect its Outstanding Universal Value. All built elements are restored by using original materials. Reconstruction works undertaken at Saint-Sophia were awarded the "European Gold Medal for the Protection of Historic Monuments" in 1987. Saint-Sophia Cathedral and Related Monastic Buildings are used as a museum for educational purposes and for state events.

Kyiv-Pechersk Lavra is used for museum purposes as well as for religious practices that correspond to its original purpose. Although the dominance of the silhouette of the ensemble has been diminished by urban development, the traditional panoramas and silhouettes of Kyiv- Pechersk Lavra along the Dnipro River are preserved.

## **4 INTEGRITY ISSUES RAISED IN THE ICOMOS EVALUATION REPORT AT TIME OF INSCRIPTION**

[April 1990:] (St Sophia): *ICOMOS recommends the inclusion of St Sophia of Kiev on the World Heritage List on the basis of Criteria I, II, III, IV, and VI.*

- *Criterion I. The Cathedral of St Sophia of Kiev is a unique artistic achievement in both its architectural conception and its remarkable decoration.*

*By virtue of its plan whereby 12 columns divide the interior into five naves, this church represents a perfect fusion between symbolic image and architecture: the 13 cupolas which crown it evoke Christ and the 12 apostles in a pyramidal composition so strongly expressed that it was not diminished in the restoration of the onion domes in the 18th century. The design of the five apsidal chapels on the east side and of the double galleries on the north, south and west (where two unsymmetrical towers lead to the tribune) is quite original in both structure and technique.*

*By virtue of its unique mosaic decoration which covers about 260 m<sup>2</sup> and includes such masterpieces as the Pantocrator in the cupola, the Annunciation in the transept, the Virgin Mary at Prayer, the Communion of the Apostles and the Deisis in the main apsidiole, St Sophia of Kiev is a mayor monument of Christian art. The 3,000 m<sup>2</sup> of wall paintings, often greatly restored, which complete the mosaic decor contribute to the paradisaical aspect of the interior; its richness makes it comparable to contemporary edifices of the Byzantine Empire like Hosios Loukas in Phocide.*

-

- *Criterion II. Just as the architectural structure of St Sophia served as a model, the stylistic features of its decoration were spread throughout Kievan Russia in the 11th century by the icon painters working in Kiev. Despite the destruction of a large part of their work in the invasions by the Mongols under Batou Khan in 1240 and the Tatars from Crimea in 1416 and 1482, their influence can be seen in the centers of Novgorod, Pskov, Vladimir and Souzdal.*

- *Criterion III. The decoration of St Sophia, in particular the paintings in the west towers which depict historical events (the visit of Princess Olga of Kiev to Constantinople) or anecdotes (the bear hunt, the squirrel hunt, the wild boar hunt, musicians and court entertainers), bear excellent testimony to the medieval civilisation in a region long characterised by interethnic exchanges.*

- *Criterion IV. Conceived to rival with Hagia Sophia in Constantinople, St Sophia of Kiev is an outstanding example of a Greek-cross church. The central space plan is used but the transversal area is more developed. It is one of the major edifices of Eastern Christianity in the 11th century. Inspired by Byzantine models, the Cathedral has the profound originality of a unique monument strongly influenced by both the Slavic and the cosmopolitan culture of the Prince of Kiev.*

- *Criterion VI. In the center of the city of Kiev, St Sophia symbolizes "New Constantinople", the capital of the Christian state founded by the son of St Vladimir. It was the cathedral where princes were crowned and - following the burial of Yaroslav the Wise in a marble sarcophagus decorated with crosses, palms and shells in 1054- were buried. At the time it possessed the first library of all the Russias. St Sophia of Kiev is directly and tangibly linked with the history of the foundation of the Russian state which, even under Peter the Great, celebrated its victories there.*

*The nomination form for inclusion leaves a doubt as to the delimitation of the proposed property. ICOMOS is of the opinion that the whole of the monastic enclosure, including the buildings inside the enceinte which, since the 17th century, share a common history*

*with the Cathedral, should be part of the proposal. The Baroque bell tower built by the architect Schaedel (1699-1706, remodeled 1851-52), the church refectory (1722-30), the monks' cells, the Metropolitan's house, and other buildings are, like the enceinte and the gates, significant elements of the past history of St Sophia of Kiev. Furthermore, ICOMOS, noting the deleterious effect on the monastery's environs with the reconstruction of the heavily damaged city after World War II, recommends that in future the authorities of the Ukrainian Soviet Socialist Republic respect building standards compatible with the exceptional quality of St Sophia. ICOMOS, April 1990*

*(Kiev-Pechersk Lavra:) That inclusion of this cultural property be deferred to enable the authorities of the Soviet Socialist Republic of the Ukraine to complete the dossier and to formulate a joint proposal with that of St Sophia of Kiev.*

*[...] However, having considered that the site and the monuments of Kiev-Pechersk Lavra are inextricably linked with the town of Kiev, ICOMOS recommends that a joint proposal be drawn up for Lavra complex and St Sophia. The resulting proposal would - request inclusion on the World Heritage List of the following property: religious monuments of Kiev, the Cathedral of St Sophia and Kiev-Pechersk Lavra.*

*1) The revised dossier should include a map of the proposed zone (desired scale - between 1/5,000 and 1/25,000), an aerial view and panoramic views of the surroundings as well as groundplans and photographs of the principal monuments. The protection zone of the Church of the Savior at Berestovo, south of the Park of Eternal Glory, should also be detailed.*

*2) ICOMOS should like to note the reservations and fears it has in regard to the plans for an a fundamentis reconstruction of the Dormition Cathedral, as extensively commented in the press, and would like to have further details on this subject. ICOMOS, April 1990*

**[2005] ICOMOS recommends** - that the World Heritage Committee adopt the following draft decision: The World Heritage Committee,

- 1. Having examined Document WHC-05/29.COM/8B Add,*
- 2. Commends the State Party for having proposed the buffer zones.*
- 3. Approves the minor modification of the buffer zone of the Saint-Sophia Cathedral and Related Monastery Buildings.*
- 4. Welcomes the proposal by the State Party to organise a mission to the site that would as well examine the choice of the eastern boundary of the buffer zone and the existing quality and condition of the urban fabric of the central Kiev both inside and outside of the buffer zones.*

#### **4 THE LATEST DECISION OF THE WORLD HERITAGE COMMITTEE:**

##### **Decision : 43 COM 7B.92**

Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv-Pechersk Lavra (Ukraine)  
(C 527bis)

The World Heritage Committee,

- 1. Having examined Document [WHC/19/43.COM/7B](#),*
- 2. Recalling Decision [41 COM 7B.53](#), adopted at its 41st session (Krakow, 2017),*
- 3. Acknowledges the measures taken by the State Party to address urban development issues, notably through amendments to legislation and ongoing revisions to the Master Plan enhancing cultural heritage protection of the property;*
- 4. Reiterates its serious concern about the longstanding threats to the property, such*

as the unresolved issue of extensive urban development in the buffer zone and visual vicinity of the property, which have deleterious effects on its inherent characteristics and could impact adversely on the property's Outstanding Universal Value (OUV), in line with Paragraph 179 of the *Operational Guidelines*, and reiterates its request to the State Party to submit relevant documentation, including Heritage Impact Assessments (HIAs), to the World Heritage Centre, in line with Paragraph 172 of the *Operational Guidelines*, before any final decisions are made or any works start on major development projects within the property, its buffer zone and setting;

5. Also reiterates its previous request inviting the State Party to finalize the Management Plan for the property, and requests that the Management Plan should:
  1. Apply to both the property and the proposed unified buffer zone which is subject to a minor boundary modification,
  2. Address the recommendations of the April 2018 ICOMOS technical review regarding the draft Management Plan,
  3. Consider any matters arising from the 2019 ICOMOS technical Advisory mission,
  4. Embody a pro-active approach to the management of tourism at the property,
  5. Be adopted and implemented as a matter of priority;
6. Also requests the State Party to finalize, adopt and implement the Master Plan of Kyiv, which should incorporate an Urban Development Concept, and the Zoning Plan of Kyiv Central;
7. Congratulates the State Party for organising and hosting the "International Seminar on Living Religious Heritage: Participatory Management and Sustainable Use" (Kyiv, October/November 2018) and takes note of its recommendations;
8. Further requests the State Party to invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its current state of conservation and to discuss the sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, in line with its previous decisions, and to evaluate whether the property is subject to ascertained or potential threats in conformity with Paragraph 179 of the *Operational Guidelines*;
9. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2020**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 44th session in 2020, **noting that inscription of the property on the List of World Heritage in Danger may be considered should the longstanding threats to the Outstanding Universal Value of the property remain.**

Draft  
as of December 2019

**PROGRAM**  
of the joint World Heritage Centre/ICOMOS Reactive Monitoring mission  
to the World Heritage Property "Kyiv: Saint-Sophia Cathedral and Related Monastic  
Buildings, Kyiv-Pechersk Lavra"

**February, 10 (Monday)**

	Meeting Ms. Anna Sidorenko, World Heritage Centre representative, and Mr. Tamas Fejerdy, ICOMOS expert, in Boryspil International Airport
	Transfer to Kyiv
	Accommodation at the hotel
	Dinner

**February, 11 (Tuesday)**

	Breakfast at the hotel
9:30 – 10:00	Transfer to the National Conservation Area "Sophia of Kyiv"
10:00-11:30	Introductory meeting with the representatives of the National Conservation Area "Saint-Sophia of Kyiv" and National Kyiv-Pechersk Historical and Cultural Preserve, officials from the Ministry of Culture, Youth and Sport of Ukraine <u>Issues to be discussed:</u> 1) the state of conservation of the Property; 2) the state of implementation of the decisions of the World Heritage Committee's sessions and recommendations of the previous monitoring and advisory missions.
11:30-11:50	Coffee-break
11:50-14:00	Overviewing the territory of Saint-Sophia of Kyiv with the follow-up discussion
14:00-15:00	Lunch
15:00-17:00	Overviewing the territory of the buffer zone of Saint-Sophia of Kyiv, the component of the World Heritage property
17:00-18:00	Coffee-break and discussion on the results of the buffer zone overviewing
19:00	Dinner

**February, 12 (Wednesday)**

	Breakfast in the hotel
9:30-10:00	Transfer to the Ministry of Culture, Youth and Sport of Ukraine
10:00-12:00	Meeting with Mr. Volodymyr Borodiansky, the Minister of Culture, Youth and Sport of Ukraine, and other officials <u>Issues to be discussed:</u> 1) progress made by the State Party in introducing relevant provisions regarding the World Heritage into the current

	legislation of Ukraine; 2) implementation of the policy aimed at conserving the property's Outstanding Universal Value
12:00-13:30	Lunch
13:30-14:00	Transfer to Kyiv City State Administration (hereinafter referred to as KCSA)
14:00-17:00	Meeting with the Head of the KCSA, chief architect of Kyiv, other KCSA representatives (with the participation of the officials of the Ministry of Culture, Youth and Sport of Ukraine) <u>Issues to be discussed:</u> 1) participation of Kyiv authorities in the implementation of the Committee's decisions and recommendations of the missions; 2) analysis of the situation with the urban developments within the buffer zone of the property and its visual vicinity. Informing the experts about the procedure of approving such projects in the country; 3) progress made regarding the finalization and adoption of the Master Plan of Kyiv as well as the Urban Development Concept and the Zoning Plan of Center of Kyiv, both being part of the Master Plan of Kyiv; 4) involvement of KCSA into the process of elaborating the Master Plan of Kyiv and the Management Plan of the World Heritage property; 5) influence of KCSA on the urban development transformations within the boundaries of the buffer zone of the UNESCO site; 6) planned urban developments (connected with the social infrastructure) in the buffer zones.
17:00-18:30	Free time
19:00-21:00	Performance in the National Opera of Ukraine

#### February, 13 (Thursday)

	Breakfast in the hotel
8:30-09:00	Transfer to the National Kyiv-Pechersk Historical and Cultural Preserve
9:00-12:00	Overviewing the buffer zone of the Kyiv-Pechersk Lavra, the component of the World Heritage property
12:00-13:00	Discussing the results of the buffer zone overviewing
13:00-14:00	Lunch
14:00-15:30	Overviewing the territory of the Kyiv-Pechersk Lavra, particularly the monuments of the Upper Lavra. Discussion on the results of overviewing.
15:30-16:00	Coffee-break
16:00-17:30	Overviewing the monuments of the Lower Lavra and discussing the state of their conservation. Meeting with the representatives of the Holy Dormition Kyiv-Pechersk Lavra monastery
18:30	Dinner

#### February, 14 (Friday)

	Breakfast in the hotel
9:00-9:30	Transfer to the Sophia of Kyiv
9:30-11:30	Meeting with the representatives of the Working Group for the

	development of the Management Plan for the World Heritage property <u>Issues to be discussed:</u> 1) progress achieved in the finalization of the Management Plan for the World Heritage property and its surroundings; 2) the procedure of the adoption of the Management Plan by the World Heritage Committee and by the national authorities
11:30-12:00	Coffee-break
12:00-13:30	Continuing with the discussion on the Management Plan of the property
13:30-14:30	Lunch
14:30-15:15	Meeting with the representatives of the religious communities
15:15-16:00	Meeting with the representatives of the NGOs working in the sphere of the cultural heritage protection
16:00-18:00	Summarizing the results of the monitoring mission, assessing comments and recommendations made by World Heritage Centre and ICOMOS representatives
19:00	Dinner

**February, 15 (Saturday)**

	Breakfast
	Departure from Kyiv to Boryspil International Airport

### Background

The World Heritage property of Kyiv: Saint-Sophia Cathedral and Related Monastic Buildings, Kyiv- Pechersk Lavra (Ukraine) was inscribed on the World Heritage List in 1990 under cultural criteria (i)(ii)(iii)(iv) and had a minor modification to the boundaries in 2005.

This property includes the Kyiv-Pechersk Lavra (property component 22.9 ha and its buffer zone 108.34 ha) with the Church of the Saviour at Berestove (property component 0.6 ha) and the Saint-Sophia Cathedral (property component 5.02 ha and its buffer zone 111.81 ha).

Concerns have been raised consistently since 2008 regarding the potential cumulative impact of a range of actions on the Outstanding Universal Value of the property, including inappropriate developments within its buffer zone. The joint World Heritage Centre / ICOMOS Reactive Monitoring missions took place in March 2009, November 2010, April 2013 and March 2017.

- **Committee decision 43COM 7B.92**

At its 43rd session (Decision 43 COM 7B.92, Baku, 2019) the Committee recalled its serious concern about the longstanding threats to the property, such as the unresolved issue of extensive urban development in the buffer zone and visual vicinity of the property, which have deleterious effects on its inherent characteristics and could impact adversely on the property's Outstanding Universal Value (OUV), in line with Paragraph 179 of the *Operational Guidelines*. The Committee reiterated its request to the State Party to submit relevant documentation, including Heritage Impact Assessments (HIAs), to the World Heritage Centre, in line with Paragraph 172 of the *Operational Guidelines*, before any final decisions are made or any works start on major development projects within the property, its buffer zone and setting; (Annex I).

The Committee has again requested the State Party to invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its current state of conservation and to discuss the sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, in line with its previous decisions.

The Committee indicated that the proposed Mission should also review whether the property is faced with threats which could have deleterious effects on its inherent characteristics and whether it meets the criteria for inscription on the List of World Heritage in Danger, in line with Paragraph 179 of the *Operational Guidelines*.

- **Objectives of the Reactive Monitoring Mission**

The objectives of the Reactive Monitoring mission are to review the overall state of conservation of all components of the property as well as progress in the implementation of the Committee's decision 43 COM 7B.92 and previous Committee decisions and mission recommendations.

In particular, the mission should review and assess the following key issues:

1. Assess the overall state of conservation of the property and evaluate factors and conservation issues that could potentially impact on its OUV, including particularly its conditions of authenticity and integrity;
2. Analyse the planning situation for all major construction projects in the property and its setting,

whether proposed, approved or contracted, and the processes under which they are assessed and approved; consider the impact or potential impact of construction projects that have been carried out or are planned within the property or in its setting, in terms of impact or potential impact on OUV;

3. Review previous Committee Decisions, the recommendations of the 2009, 2010, 2013 and 2017 reactive monitoring missions and 2019 ICOMOS Advisory mission, and identify those recommendations which are yet to be implemented and which remain relevant to the conservation of the OUV of the property and, where appropriate, provide additional advice or further recommendations;
4. Also review progress made regarding the finalization and adoption of the Master Plan of Kyiv, which should incorporate an Urban Development Concept, and the Zoning Plan of Kyiv Central;
5. Evaluate the progress made in the introduction by the State Party of all relevant provisions regarding World Heritage into national legislation, including an OUV-based policy that would prevent inappropriate developments at the planning stage;
6. Review progress made regarding the finalization, in consultation with ICOMOS, of the Management Plan for the property and its setting, including the clear identification of attributes of OUV, the use of HIAs and the overall management system;
7. Consider how the Master Plan, Management Plan and other legislative provisions inter-relate and support each other and where any improvements might be made to the overall system of governance;
8. Consider any other conservation issues currently affecting the property.

The mission team should ensure that a comprehensive inspection of all parts of the property occurs and should hold working meetings and consultations with the Ukrainian authorities at national and local levels and all other relevant stakeholders, including the representatives of the religious community and NGOs.

9. Based on the results of the above-mentioned assessment and discussion with the State Party representatives, and where relevant, other information and technical advice, including all Technical Reviews submitted by ICOMOS, the mission team should propose recommendations to the State Party and the World Heritage Committee to improve the conservation and management of the property and to facilitate the finalization of its Management Plan.

The mission team should prepare a concise mission report in English or French on the findings and recommendations of this Monitoring mission for review by the World Heritage Committee at its 44th session (2020), with **a view to considering, in case the ascertained or potential danger to OUV is confirmed, the possible inscription of the property on the List of World Heritage in Danger.**

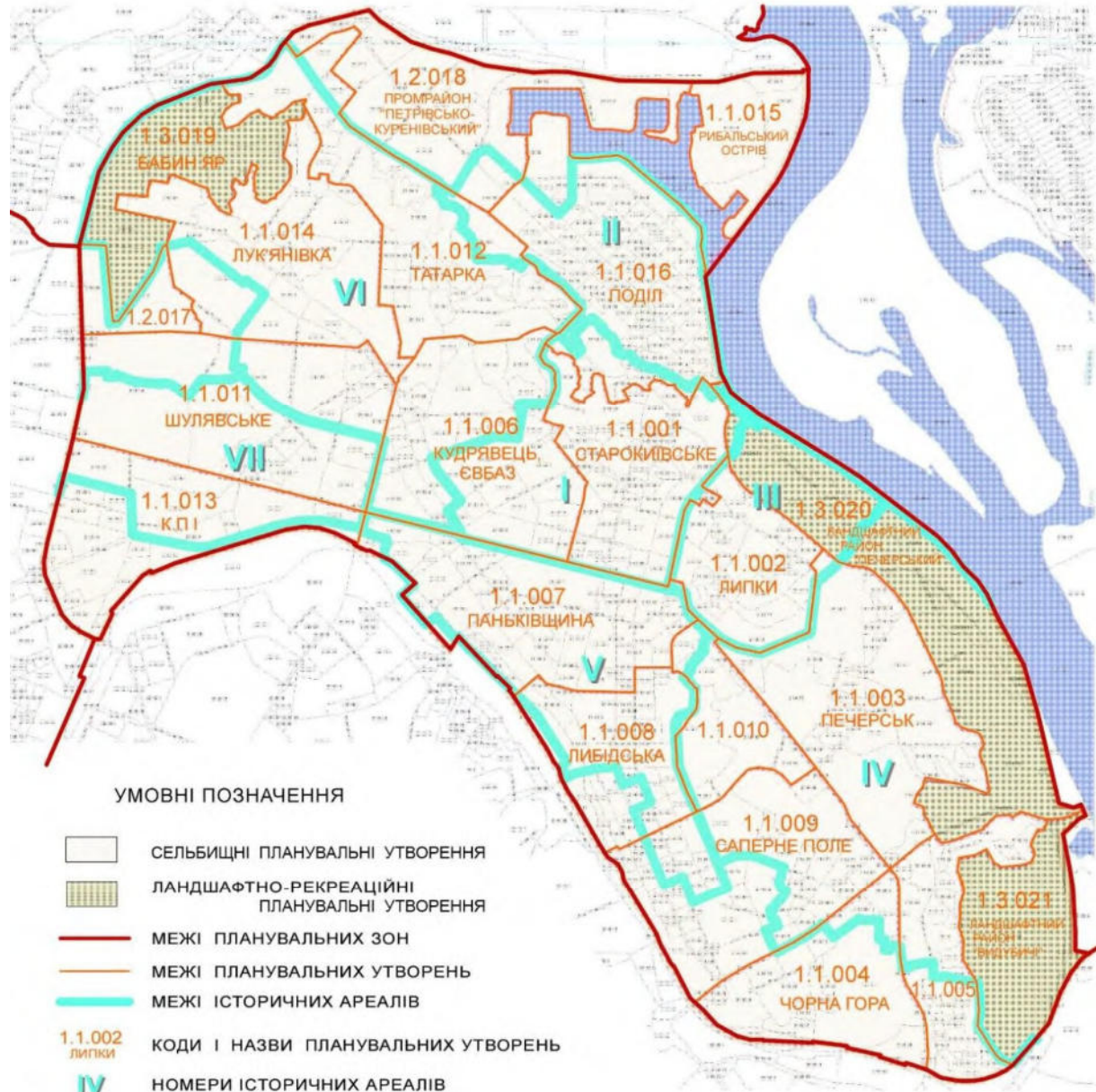
#### **ANNEX IV COMPOSITION OF MISSION TEAM**

The UNESCO World Heritage Centre was represented by Dr. Anna Sidorenko, Programme Specialist in charge of Central, Eastern, South-Eastern Europe.

The ICOMOS expert was Dr. Tamás FEJÉRDY, Honorary President of ICOMOS Hungary, Doctor of Liberal Arts, Architect, conservator.

Maps – excerpts from the Zoning Plan (part of the Master Plan of the Kyiv City)

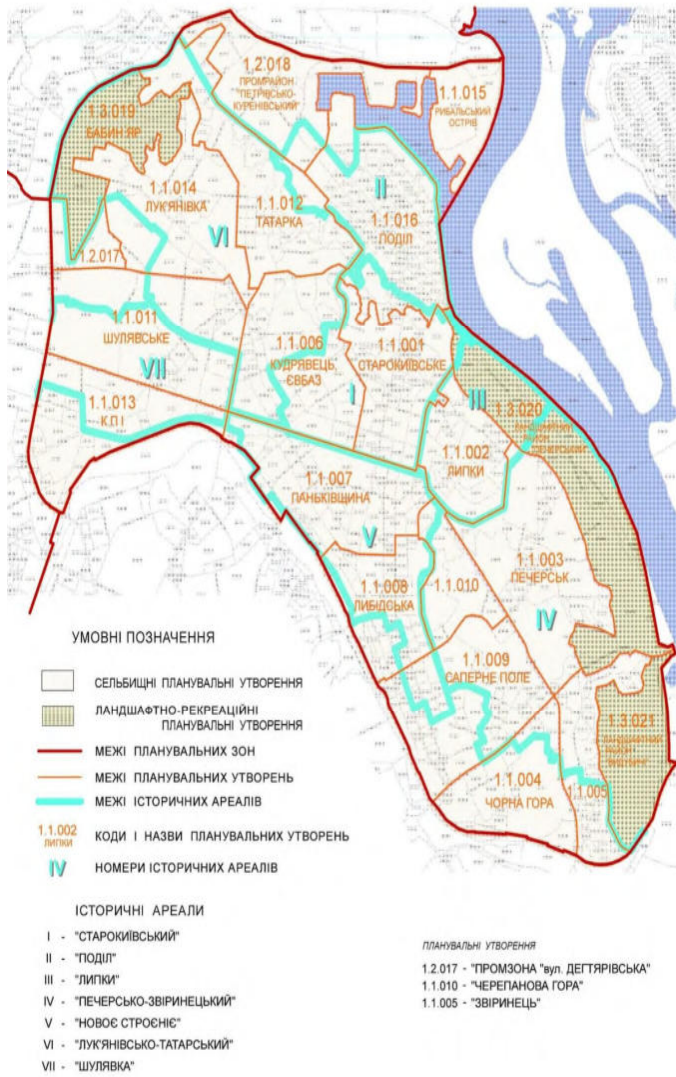
СХЕМА МЕЖ ПЛАНУВАЛЬНИХ УТВОРЕНЬ ЦЕНТРАЛЬНОЇ ПЛАНУВАЛЬНОЇ ЗОНИ м. КИЄВА



- ІСТОРИЧНІ АРЕАЛИ**
- I - "СТАРОКИЇВСЬКИЙ"
  - II - "ПОДІЛ"
  - III - "ЛИПКИ"
  - IV - "ПЕЧЕРСЬКО-ЗВІРИНЕЦЬКИЙ"
  - V - "НОВОЄ СТРОЄНІЄ"
  - VI - "ЛУК'ЯНІВСЬКО-ТАТАРСЬКИЙ"
  - VII - "ШУЛЯВКА"

- ПЛАНУВАЛЬНІ УТВОРЕННЯ**
- 1.2.017 - "ПРОМЗОНА "вул. ДЕГТЯРІВСЬКА"
  - 1.1.010 - "ЧЕРЕПАНОВА ГОРА"
  - 1.1.005 - "ЗВІРИНЕЦЬ"

СХЕМА МЕЖ ПЛАНУВАЛЬНИХ УТВОРЕНЬ ЦЕНТРАЛЬНОЇ ПЛАНУВАЛЬНОЇ ЗОНИ м. КИЄВА











## ANNEX VI DECISIONS OF THE WORLD HERITAGE COMMITTEE

Adopted at its 43rd, 42nd, 41st, 40th, 39th, 38th, 37th, 36th, 35th, 34th, 33rd, 32nd, 29th, 28th, 27th, 22nd and 14th sessions

### - 43RD SESSION OF THE WORLD HERITAGE COMMITTEE

**43rd session of the World Heritage Committee**  
**Working Document, state of conservation report**  
**43rd session of the World Heritage Committee,**  
**Baku, Azerbaijan, 30 June – 10 July 2019**  
**Document WHC/19/43.COM/7B**

#### Current conservation issues

On 30 November 2018, the State Party submitted a report on the state of conservation of the property, available at <http://whc.unesco.org/en/list/527/documents/>, providing information on conservation works, and progress in implementing the recommendations of the Committee, as follows:

- Amendments to the Law of Ukraine “On Protection of Cultural Heritage” have been adopted, introducing the concept of protection of the World Heritage properties;
- There has been ongoing scientific research of the impact of development projects on Outstanding Universal Value (OUV) of the property;
- The 2015 moratorium on all new construction and sale of land remains in force pending approval of the Master Plan of Kyiv and the Zoning Plan;
- The Historical and Architectural Structure Plan of Kyiv has been completed and approved by the order of the Ministry of Culture of Ukraine;
- The approval process for the Kyiv Master Plan is ongoing. A bill “On Amendments to the Law of Ukraine on Regulation of Urban Development” has been approved;
- The 2018 State Construction Standard has been established, providing a new regulation regarding development of all city planning and design documentation in Ukraine. It includes restriction of high-rise buildings, concept of "blue lines" limiting height and building silhouette, the concept of "green lines" that define the boundaries of landscapes and recreational areas, as well as use of the so-called "buffer zone" territory surrounding the property;
- A draft government decision is being developed defining procedures for the establishment of a management body for the property;
- At Kyiv-Pechersk Lavra scientific monitoring of the structural stability of monuments is being implemented.
- At Saint Sophia Cathedral, integrated monitoring of the state of monuments is being permanently implemented;
- An international seminar, "Living Religious World Heritage: Participatory Management and Sustainable Use" (Kyiv, 2018), was organized with financial support from the Ministry of Culture.

On 12 March 2019, the State Party submitted a minor boundary modification proposal for the creation of a unified buffer zone of the property. On 5 April 2019, the Mayor of Kyiv presented to the World Heritage Centre and ICOMOS progress made in revision of the Kyiv Master Plan and informed that the Management and Master plans will be revised on the basis of the concept of this unified buffer zone. An impact assessment was presented for the project of a Pedestrian-bicycle bridge transition between Khreshchaty Park and Volodymyrska Hirka Park.

#### Analysis and Conclusions of the World Heritage Centre, ICOMOS and ICCROM

While substantial efforts have occurred, the Master Plan for the property is yet to be finalized and adopted. It is important that the Master Plan covers not only the property itself, but also the proposed unified buffer zone which has been lodged in accordance with Committee Decision **42 COM 8B.43**, and that it addresses the recommendations of the April 2018 ICOMOS Technical Review relating to the draft Management Plan.

The State Party invited an ICOMOS technical Advisory mission to the property to take place in May 2019 to

assist in the elaboration of differentiated and detailed protection regimes in the proposed unified buffer zone.

Nevertheless, the impact of previous inappropriate town planning, as well as ongoing developments in the buffer zone, continue to pose a threat to the vulnerable Dnieper river landscape, due to their visual impact on the integrity of the property, and thus to its OUV.

The State Party submits, monthly, to the World Heritage Centre, for review by the Advisory Bodies, a large volume of information about different developments, restoration and construction projects. Approximately 20 projects have been reviewed since the last Committee session. Some, such as the project of a Pedestrian-bicycle bridge transition between Khreshchaty Park and Volodymyrska Hirka Park, and the residential and hotel complex in close vicinity to the Kyiv-Pechersk Lavra, jeopardize the property's OUV.

If an OUV-based policy and appropriate regulations are not immediately introduced by the national and municipal authorities to prevent use of the development consents delivered before the existing moratorium, the progressive transformation of the historic urban landscape may represent potential danger to the OUV, in conformity with Paragraph 179 of the *Operational Guidelines*.

The State Party should be encouraged to introduce legal provisions, as a matter of urgency, to prevent inappropriate constructions within the proposed unified buffer zone and visual catchment of the property, which could have deleterious effects on its inherent characteristics. The State Party should also be encouraged to develop in line with the World Heritage Programme for Sustainable Tourism and adopt a proactive approach to growing tourism within the property so that adequate tools are in place to manage the inevitable pressures that tourism brings in historic urban contexts.

While taking note of the May 2019 ICOMOS technical mission, it would also be desirable that the Committee request the State Party to invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its state of conservation, the implementation of its decisions and the level of threats to its OUV.

It is appropriate that the Committee provide the State Party with an opportunity to address these longstanding concerns and to implement its decisions; but if these actions are not completed promptly, consideration of inscription of the property on the List of World Heritage in Danger may be warranted.

It is also recommended that the Committee congratulate the State Party on organizing and hosting the International Seminar "Living Religious Heritage: Participatory Management and Sustainable Use", as well as the first international networking meeting of site managers in charge of the World Heritage properties of religious interest. This activity represents an important step in providing a platform for discussion and dialogue among all stakeholders, particularly including religious communities. The recommendations adopted by the participants (<http://whc.unesco.org/en/events/1465/>) successfully contribute to the implementation of the UNESCO Initiative on Heritage of Religious Interest.

#### **DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 43rd SESSION**

**Decision: 43 COM 7B.92**

The World Heritage Committee,

1. Having examined Document [WHC/19/43.COM/7B](http://whc.unesco.org/en/decisions/43COM7B92),
2. Recalling Decision [41 COM 7B.53](http://whc.unesco.org/en/decisions/41COM7B53), adopted at its 41st session (Krakow, 2017),
3. Acknowledges the measures taken by the State Party to address urban development issues, notably through amendments to legislation and ongoing revisions to the Master Plan enhancing cultural heritage protection of the property;
4. Reiterates its serious concern about the longstanding threats to the property, such as the unresolved issue of extensive urban development in the buffer zone and visual vicinity of the property, which have deleterious effects on its inherent characteristics and could impact adversely on the property's Outstanding Universal Value (OUV), in line with Paragraph 179 of the *Operational*

*Guidelines*, and reiterates its request to the State Party to submit relevant documentation, including Heritage Impact Assessments (HIAs), to the World Heritage Centre, in line with Paragraph 172 of the *Operational Guidelines*, before any final decisions are made or any works start on major development projects within the property, its buffer zone and setting;

5. Also reiterates its previous request inviting the State Party to finalize the Management Plan for the property, and requests that the Management Plan should:
  1. Apply to both the property and the proposed unified buffer zone which is subject to a minor boundary modification,
  2. Address the recommendations of the April 2018 ICOMOS technical review regarding the draft Management Plan,
  3. Consider any matters arising from the 2019 ICOMOS technical Advisory mission, Embody a proactive approach to the management of tourism at the property,
  4. Be adopted and implemented as a matter of priority;
5. Also requests the State Party to finalize, adopt and implement the Master Plan of Kyiv, which should incorporate an Urban Development Concept, and the Zoning Plan of Kyiv Central;
6. Congratulates the State Party for organising and hosting the “International Seminar on Living Religious Heritage: Participatory Management and Sustainable Use” (Kyiv, October/November 2018) and takes note of its recommendations;
7. Further requests the State Party to invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its current state of conservation and to discuss the sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, in line with its previous decisions, and to evaluate whether the property is subject to ascertained or potential threats in conformity with Paragraph 179 of the *Operational Guidelines*;
8. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2020**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 44th session in 2020, **noting that inscription of the property on the List of World Heritage in Danger may be considered should the longstanding threats to the Outstanding Universal Value of the property remain.**

- [42ND SESSION OF THE WORLD HERITAGE COMMITTEE](#)

**42nd session of the World Heritage Committee**

**Working Document, state of conservation report**

**42nd session of the World Heritage Committee,  
2018**

**Decision : 42 COM 8B.43**

The World Heritage Committee,

1. Having examined  
Documents WHC/18/42.COM/8B.Add and  
WHC/18/42.COM/INF.8B1.Add,
1. Refers the proposed minor modification to the buffer zone of **Kiev: Saint-Sophia Cathedral and Related Monastic Buildings, Kiev-Pechersk Lavra, Ukraine**, back to the State Party in order to allow it to:
  - a) Consider creating a single buffer zone for the property surrounding all components,
  - b) In the case of the Saint-Sophia Cathedral component, amend the proposed buffer zone in order to:
    - i. ensure that the boundary is running behind the first row of buildings on the other side of the road,

- ii. reduce or eliminate the large indented section of the buffer zone on the north- west side,
  - c) In the case of the Kiev-Pechersk Lavra component, amend the proposed buffer zone in order to extend it:
    - i. north along the river edge to a point adjacent to the northern tip of the current buffer zone,
    - ii. on the western side one more block and including territory bounded by Moskovska Street, Tsydalena Street and back to Leiptyszka Street,
  - d) Implement the recommendations of the 2017 joint World Heritage Centre/ICOMOS Reactive Monitoring mission and Decision **41 COM 7B.53** relevant to the legal protection and management mechanisms of the buffer zone;
3. Recommends that the State Party notes possible impacts on the property, which might arise outside the buffer zones, consistent with paragraph 112 of the *Operational Guidelines* and ensures that legal protection and management mechanisms are available to regulate changes and development outside the buffer zone to ensure no adverse impact on the visual integrity of the property.

- [41ST SESSION OF THE WORLD HERITAGE COMMITTEE](#)

**41st session of the World Heritage Committee**  
**Working Document, state of conservation report**  
**41st session of the World Heritage Committee,**  
**Kraków, Poland, 2-12 July**  
**Document WHC/17/41.COM/7B**

*Current conservation issues*

On 31 January 2017, the State Party submitted a report on the state of conservation of the property, available at <http://whc.unesco.org/en/list/527/documents/>, providing information on conservation works, as well as progress in implementing the recommendations of the Committee, as follows:

- Historical and Architectural Structure Plan of Kyiv: The Structure Plan has been prepared and now requires approval by concerned parties and the Ministry of Culture. Long-term measures for protection of monuments and strict conditions for construction within the property and the buffer zone are being developed
- Zoning Plan: Elaboration of the zoning plan for the Central Planning Area of Kyiv is ongoing. The historic landscape hills of Kyiv Hills and the valley of the river Dnieper have been included in the protection zone of Saint Sophia and Lavra, and a proposal for strict protection, banning new construction and additional building levels, will be considered by the Institute of Master Plan of Kyiv City;
- Moratorium: There is a moratorium on construction and sale of land pending approval of the Structure Plan and Zoning Plan;
- Klovisky Decent, 7a: The building on Klovisky Decent is not in public ownership and implementation of the Committee request to demolish its visually-intrusive levels is impossible, owing to absence of legal mechanisms to enforce purchase or demolition of floors and lack of resources;
- Kyiv-Pechersk Lavra: Emergency measures to prevent possible landslide risk on the

slope of the Economic Courtyard of the Monastery, including rehabilitation activities on the territory of the Lavra are complete. These activities were presented to the 2013 Reactive Monitoring mission. The Rehabilitation Activities Plan for the Monastery courtyard foresees reconstruction of lost buildings, but has not been implemented;

- Kyiv Master Plan: Revisions to the Master Plan and the Architectural Interim Town Plan of Kyiv are at their final stage. By Order of the Ministry of Culture, protected zones of the ensemble, strict conditions for town planning, and use regimes for the preparatory documentation stage for new buildings and reconstruction of existing buildings have been adopted;
- Management Plan: The draft Management Plan was provided to the World Heritage Centre and ICOMOS in November 2016.

#### Analysis and Conclusions of the World Heritage Centre, ICOMOS and ICCROM

The State Party has instigated measures to address urban development issues, through proposed amendments to legislation and revisions to the Master Plan. In the absence of a detailed Urban Development Plan, elaboration of legal and stringent regulations, and thorough analysis of traditional urban landscape, these efforts do not yet adequately address the threats to the property.

The joint World Heritage Centre/ICOMOS Reactive Monitoring mission carried out from 21 - 25 March 2017 concluded that, while the general state of conservation of the property remains satisfactory, the impact of previous inappropriate town planning, lack of regulations and overall strategic vision pose a threat to the vulnerable Dnieper river landscape, the visual integrity of the property and thus to its Outstanding Universal Value (OUV).

Once adopted, the newly developed Structure Plan and the Zoning Plan should become important tools for controlling development in the buffer zone. However, continuing development project proposals located in the buffer zone highlight the continuing lack of adequate regulations and overall vision. Regrettably, owing to legal and budgetary constraints the adverse effect of the high-rise building on Klovsky Decent on the visual integrity of the property cannot be reversed.

The mission recommended that comprehensive Heritage Impact Assessments (HIAs) be prepared, including 3D visual simulations, of all potential projects to ensure the impacts on the property and its visual integrity can be considered and avoided and that, in the meantime, a legal ban on all previously delivered and planned permits for constructions in the buffer zone of the property and its vicinity should be imposed. Furthermore, an 'Urban Development Concept' should be developed prior to the adoption of the Urban Master Plan. Stringent regulations to prohibit high rise buildings within the buffer zone, maintain the height of buildings undergoing renovation should be developed and implemented. Amendments to the law on the Protection of Cultural Heritage introducing a legal definition of World Heritage should also be adopted.

The mission concluded that works completed at the Monastery of Kyiv-Pechersk Lavra have no adverse effects on OUV, but recommended that, prior to further planned construction and rehabilitation works, a long-term programme should be developed applying the principles and requirements of the Nara Document of Authenticity (1994) and the Riga Charter (2000). Monitoring mechanisms to survey stability of structures should be installed for monuments at risk.

Weaknesses in management observed by previous missions remain unresolved; institutionalized co-ordination and cooperation in management of the property needs to occur within the framework of the Management Plan, which should be finalized, adopted and implemented as a matter of priority.

The cumulative effects of intrusive developments continue to violate the urban integrity of the property. Concerns about this impact have been raised consistently by the Committee since 2008. While progress has been made, essential legal instruments and management documents are not yet finalized and approved. If regulations are not immediately introduced by the national and municipal authorities to prevent use of the permissions delivered before the existing moratorium introduced by the Municipality of Kiev, uncontrolled urban development could jeopardize the property's OUV and could represent potential danger, in conformity with Paragraph 179 of the Operational Guidelines.

It is recommended that the Committee provide the State Party with an opportunity to address these longstanding concerns and to implement the 2017 mission recommendations; but if these actions are not completed promptly, then consideration of the inscription of the property on the List of World Heritage in Danger would be warranted.

**DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 41ST SESSION**

**Decision: 41 COM 7B.53**

The World Heritage Committee,

1. Having examined Document WHC/17/41.COM/7B.Add,
2. Recalling Decision 40 COM 7B.6, adopted at its 40th session (Istanbul/UNESCO, 2016),

3. Acknowledges the measures taken by the State Party to address urban development issues, notably through amendments to legislation and ongoing revisions to the Master Plan enhancing cultural heritage protection of the property;
4. Notes the conclusions and recommendations of the March 2017 joint World Heritage Centre/ICOMOS Reactive Monitoring mission, notably that, while the general state of conservation of the property remains satisfactory, the impact of inappropriate town planning, lack of regulations and overall strategic vision pose a threat to its visual integrity and thus to the Outstanding Universal Value (OUV) of the property;
5. Requests the State Party to:
  - a) Finalize, adopt and implement the Management Plan for the property as a matter of priority,
  - b) Prepare an inventory of existing licensed constructions, and particularly approved tall buildings, in the protected area,
  - c) Carry out comprehensive Heritage Impact Assessments (HIAs) including 3D visual simulations of all potential projects to ensure the impacts on the property and its visual integrity can be considered and avoided,
  - d) Impose a legal ban on all previously delivered and planned permits for constructions in the buffer zone of the property and its vicinity until these HIAs have been reviewed by the World Heritage Centre and the Advisory Bodies,
  - e) Facilitate urgent finalization and adoption of the Master Plan of Kyiv, which should incorporate an Urban Development Concept, and the Zoning Plan of Kyiv Central,
6. Impose stringent regulations to prohibit high rise buildings within the buffer zone, maintain the height of buildings undergoing renovation,
7. Adopt and implement the amended Law of Ukraine on the Protection of Cultural Heritage including a legal definition of World Heritage;
6. Also requests the State Party to address and resolve weaknesses in management observed by previous missions, by ensuring institutionalised coordination and cooperation in management of the property within the framework of the Management Plan;
7. Recommends the State Party to develop a long term programme applying the principles and requirements established in the Nara Document of Authenticity (1994) and the Riga Charter (2000) prior to further planned reconstruction and rehabilitation works at the Monastery of Kyiv-Pechersk Lavra;
8. Also recommends monitoring mechanisms to survey stability of structures be installed at all monuments at risk;
9. Further requests the State Party to implement previous Committee decisions and the recommendations of the 2017 mission;
10. Finally requests the State Party to submit to the World Heritage Centre, by 1 December 2018, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 43rd session in 2019, with a view to considering, in the case of confirmation of the ascertained or potential danger to Outstanding Universal Value, the possible inscription of the property on the List of World Heritage in Danger.

Current conservation issues

On 29 January 2016, the State Party submitted a report on the state of conservation of this property, a summary of which is available at: <http://whc.unesco.org/en/list/527/documents/> and highlights a number of issues:

- The lack of appropriate legal measures, protective and planning mechanisms has reached alarming levels and the State Party recognizes that the main problem is the unresolved issue of unauthorized constructions which represent the major threat to the property's Outstanding Universal Value (OUV);
- Several natural factors affecting the property were identified, including the tectonic and seismic movement of the earth's crust, flooding and potential threat of the emergence of landslide processes.

The report also addresses the progress made in the implementation of Decision **39 COM 7B.85**, including:

- Approval of a draft decision "On Introduction of Temporary Ban (Moratorium) for the Construction and Sale of Land within Protective (Buffer) Zones in Kyiv" by the Kyiv City Council on 22 January 2015. According to this decision, the ban will be in effect until the approval of the Zoning Plan of the Central Planning Area of Kyiv within the unified buffer zone, which is still under development;
- Signature of a Memorandum and demolition of two floors of the new building at Desyatynnyi Lane 3-5 in the buffer zone of one of the components of the property, Saint- Sophia Cathedral. The construction of a multi-story residential complex with underground parking on the Honchara Str. 17-23 in the buffer zone of this component has been temporarily suspended;
- Submission of a draft Management Plan within a formal request to the World Heritage Centre to provide international expert assistance for its finalization;
- A number of conservation and restoration works were undertaken, including on the facades of the following monuments: the Consistory (the Bakery), the Refectory Church, the Bell Tower, the brick utility fence of the Saint Sophia Cathedral, the Metropolitan's Residence and St. Andrew's Church. The project "Repair and restoration works on the walls of the National Conservation Area "St. Sophia of Kyiv" Volodymyrska Str. 24, Shevchenskivskyi District of Kyiv" will start in 2016.

Moreover, the State Party informed on the Rehabilitation Activities Plan for the Monastery economic courtyard of Kyiv-Pechersk Preserve, including the reconstruction of the vegetable storage facility and of the Fraternal and Economic buildings. The assessment of the impact of the reconstruction projects on the OUV of the property was made according to national legislation.

Analysis and Conclusions of the World Heritage Centre, ICOMOS and ICCROM

Progress made by the State Party with regard to the Management Plan, which is currently in

its final stage, is noted. Since the legal status of this document is undefined in the current Ukrainian legislation, the completion of the draft Management Plan is awaiting the national legislative amendments. The State Party therefore asked to postpone the deadline for the submission of the final version to the World Heritage Centre to 1 December 2016.

It is also noted that progress was made with regard to the decision of the Committee concerning the reduction of the height of the non-conforming and dissonant buildings in the buffer zone of the property. While the demolition of two floors of the new building at Desyatynnyi Lane 3-5 is welcomed, the State Party did not report on any measures undertaken to reduce the adverse effect on the property of the building on Klovisky Descent, completed despite the requests made by the Committee at its previous sessions.

Despite the Committee decision regarding the reconstructions undertaken and planned at the property, the State Party has developed a Rehabilitation Activities Plan for the Monastery economic courtyard of Kyiv-Pechersk Preserve, which includes further reconstruction of buildings. The proposed developments appear to have the potential to irreversibly damage the attributes that sustain the OUV of the property and to threaten its authenticity and integrity.

Despite many discussions by the Committee and assurances by the State Party, it is recommended that the Committee express its concern regarding the current situation, and particularly about planned reconstruction/construction works within the boundaries of the property which could result in deleterious impact on the attributes of OUV, as well as the lack of appropriate legal protection and planning mechanisms to protect the property, and about the unresolved issues of unauthorized constructions in the buffer zone and the wider setting of the property.

It is also recommended that the Committee request the State Party to invite a Reactive Monitoring Mission to consider these issues, to assess the current conditions at the property, and to discuss how the protection and management of the property and the wider historic urban landscape of the city of Kyiv might be reinforced, and to advise on the finalization of the Management Plan. The Reactive Monitoring Mission could also review whether the property is faced with threats which could have deleterious impacts on its OUV and which might meet the criteria for its inscription on the List of World Heritage in Danger, in line with Paragraph 179 of the *Operational Guidelines*.

**Decision: 40 COM 7B.61**

1. The World Heritage Committee,
2. Having examined Document WHC/16/40.COM/7B.Add,
3. Recalling Decision 39 COM 7B.85, adopted at its 39th session (Bonn, 2015),
4. Also recalling its concerns expressed every year since 2008 regarding the critical level of urban development reached since inscription and its cumulative impacts on the Outstanding Universal Value (OUV) of the property, and the need for new tools to orient the development process towards sustainable development that protects the attributes of OUV;
5. Also takes note of the efforts undertaken by the State Party which resulted in the demolition of two floors of the new building at Desyatynnyi lane 3-5 in the buffer zone of one of the components of the property, namely Saint-Sophia Cathedral and reiterates its request to the State Party to reduce the adverse effect of the high-rise building on Klovisky Descent by demolishing the already constructed levels to an

- appropriate scale;
6. Notes with concern the Rehabilitation Activities Plan for the Monastery economic courtyard on the Far Caves of Kyiv-Pechersk Preserve and requests the State Party to immediately halt any ongoing or planned construction/reconstruction works and also reiterates its request to the State Party to submit relevant documentation, including Heritage Impact Assessments (HIAs), to the World Heritage Centre, in line with Paragraph 172 of the Operational Guidelines, before any final decisions are made or any works start on major development projects within the property, its buffer zone and setting;
  7. Reiterates its serious concern about the longstanding threats to the property, such as the lack of appropriate legal protection and planning mechanisms, as well as the unresolved issue of unauthorized constructions in the buffer zone and visual vicinity of the property and planned reconstruction works within the boundaries of the property, which have deleterious effects on its inherent characteristics and could impact adversely on the property's OUV;
  8. Further takes note of the State Party's efforts with the development of the Management Plan and also requests it to finalize the Management Plan, with the assistance of the World Heritage Centre and the Advisory Bodies if needed, and to submit the final version by 1 December 2016;
  9. Further requests the State Party to invite a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to the property to assess its current conditions, to discuss all sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv, including reinforcement of the management system, and to assist with the finalization of the Management Plan, in line with the decisions of the World Heritage Committee and in accordance with the World Heritage Convention;
  10. Requests furthermore the State Party to submit to the World Heritage Centre, by 1 February 2017, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 41st session in 2017, with a view to considering, in the case of confirmation of the ascertained or potential danger to Outstanding Universal Value, the possible inscription of the property on the List of World Heritage in Danger.

- [39TH SESSION OF THE WORLD HERITAGE COMMITTEE](#)

[Decision:](#)      [39 COM 7B.85](#)

The World Heritage Committee,

1. Having examined Document WHC-15/39.COM/7B,
2. Recalling Decision **38 COM 7B.33**, adopted at its 38th session (Doha, 2014),
3. Takes note of the measures taken by the State Party to implement the previous decisions of the World Heritage Committee;
4. Acknowledges the steps taken by the State Party to develop legal measures for the protection of the property including the moratorium on construction projects in the buffer zone and urges the State Party to adopt all relevant legal documents, regulations and measures specified in its previous decisions to support the implementation of the *World Heritage Convention* and prevent any potential threat to the property's

- Outstanding Universal Value (OUV);
5. Requests the State Party to reduce the height of non-conforming and dissonant buildings in the buffer zone of the property which threaten and/or have negative impact on the OUV of the property, by means of demolishing the already constructed stories to the level of neighbouring historical buildings in accordance with its previous decisions;
  6. Expresses its concern about the reconstruction of the lost buildings undertaken at the property that can potentially erode its conditions of authenticity and requests the State Party to submit to the World Heritage Centre, in conformity with Paragraph 172 of the *Operational Guidelines*, technical details, including Heritage Impact Assessments (HIAs), for all proposed projects that may threaten the OUV of the property;
  7. Also requests the State Party to submit to the World Heritage Centre, by **1 December 2015**, an electronic and printed copy of the draft management plan of the property revised, in conformity with the ICOMOS recommendations, for review by the Advisory Bodies;
  8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2016**, an updated report, including a 1-page executive summary, on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 40th session in 2016.

- [38TH SESSION OF THE WORLD HERITAGE COMMITTEE](#)

[Decision](#) : **38 COM 7B.33**

The World Heritage Committee,

1. Having examined Document WHC-14/38.COM/7B,
2. Recalling Decisions **35 COM 7B.112**, **36 COM 7B.90** and **37 COM 7B.88**, adopted at its 35th (UNESCO, 2011), 36th (Saint-Petersburg, 2012) and 37th session (Phnom Penh, 2013) sessions respectively,
3. Acknowledges the detailed information provided by the State Party on the progress made in the implementation of its previous decisions;
4. Reiterates its regret that the building on Klovsy descent has been completed despite the requests made at its previous sessions, and that, instead of modifying its height, mitigation through a lighting effect is envisaged, and also reiterates its request to the State Party to reduce its adverse effect by demolishing constructed levels to an appropriate scale;
5. Urges the State Party to finalize and adopt documents, regulations and measures specified in all its previous decisions to prevent any inappropriate development and potential threats to the property's Outstanding Universal Value (OUV);
6. Also urges the State Party to complete development and ratification of the new cultural heritage legislation and the plans for the protection of the buffer zone, to complete and issue the Urban Master Plan, including zoning regulations with particular emphasis on the establishment of no-construction zones, strict limits to development rights, which should take into consideration the OUV of the property, its specific landscape setting, as well as important views and inter-visibility lines, and to implement the moratorium on high rise and inappropriate constructions;
7. Encourages the State Party to continue its efforts with the finalization of the

Management Plan taking into account the recommendations made by the ICOMOS technical review and to clarify methods of implementation, and requests the World Heritage Centre and the Advisory Bodies to advise the State Party on completing the Management Plan;

8. Also requests the State Party to ensure the implementation of the Management Plan by a qualified management team underpinned by effective consultation with local stakeholders, specialists and conservation experts;
9. Also encourages the State Party to continue monitoring, conservation and repair works within the property, and, in particular, the stabilisation work on the Varangian caves;
10. Further requests the State Party to submit to the World Heritage Centre by **1 February 2015**, a progress report, including a 1-page executive summary, on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 39th session in 2015.

- [37TH SESSION OF THE WORLD HERITAGE COMMITTEE](#)

**Decision : 37 COM 7B.88**

The World Heritage Committee,

1. Having examined Document WHC-13/37.COM/7B,
2. Recalling Decision **36 COM 7B.90** , adopted at its 36th session (Saint-Petersburg, 2012),
3. Notes that a moratorium on all high-rise and non-conforming buildings is under consideration by Kiev City Council and supported by the Ministry of Culture and reiterates its request to the State Party to implement such a moratorium and to take all necessary measures, including the development of appropriate regulations to ensure that there are no adverse impacts to the Outstanding Universal Value of the property from future developments;
4. Also notes the decision by the State Party to undertake an independent expert assessment of the overall monastic Dnieper river landscape, including studies on visual perspectives, as a basis for planning and impact assessment, and requests the State Party to complete and submit these assessments to the World Heritage Centre, by **1 February 2014** ;
5. Expresses its regret that the building on Klovsky descent has been completed despite the requests made at its 35th and 36th sessions, notes with concern that proposals are being considered to clad in glass the 150m building rather than modify its height and also reiterates its request to the State Party to reduce its adverse effect by demolishing constructed levels to an appropriate scale;
6. Further notes the continuing progress in the development of an urban development Master Plan for Kiev, and urges the State Party to finalise its approval process and to begin implementation as soon as possible;
7. Notes furthermore the progress made in defining a protected historic urban area and related conservation master plan for central Kiev and urges the State Party to continue with the development of strengthened protective and planning mechanisms, including special Area Plans for the property, its buffer zone and its setting, with particular attention on the preservation of the urban fabric at the buffer zone;
8. Welcomes the placement of the World Heritage property under the direct control of a

single State authority in order to create a unified system of management, but regrets that no unified management plan has been fully developed yet, and also urges the State Party to address this issue as a matter of urgency and to submit the management plan to the World Heritage Centre for review prior to approval;

9. Also welcomes the State Party's proposal to create a special national council in order to enhance collaboration between all stakeholders concerned and the work carried out for the development of a Strategy for the implementation of the 1972 *World Heritage Convention* ;

10. Takes note of the results of the April 2013 reactive monitoring mission to the property and further urges the State Party to implement its recommendations with particular attention to the following:

- a) Finalise the approval process for the Law on cultural heritage to harmonise the legal frameworks at the local and national level and to strengthen the role of the heritage authorities,
- b) Finalise the development of regulatory measures for the integrated buffer zone that was recently created to improve the protection of the conditions of integrity of the property,
- c) Develop detailed regulatory measures for the buffer zone in accordance to the specificities of each sector and in response to the analysis of the characteristics of the urban fabric,
- d) Continue with the development of the conservation and rehabilitation for the Grottes Varègues and ensure the systematic monitoring of the geological and hydrological factors to inform the decision-making process;

11. Urges furthermore the State Party, in line with Paragraph 172 of the *Operational Guidelines* , to make available detailed information on major restorations projects or new constructions, which may affect the attributes that maintain the Outstanding Universal Value of the property before making any decisions that, would be difficult to reverse;

12. Reminds the State Party, in line with Paragraph 110 of the *Operational Guidelines* and in conformity with the ICOMOS Guidelines on Heritage Impact Assessments for World Heritage cultural properties, that impact assessments for proposed interventions are essential for all World Heritage properties;

13. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2014** , an updated report on the state of conservation of the property and the implementation of the above, for consideration by the World Heritage Committee at its 38th session in 2014.

- [36TH SESSION OF THE WORLD HERITAGE COMMITTEE](#)

***Decision: 36 COM 7B.90***

The World Heritage Committee,

1. Having examined Document WHC-12/36.COM/7B.Add,
2. Recalling Decision **35 COM 7B.112**, adopted at its 35th session (UNESCO, 2011),
3. Expresses its grave concern at the degradation of the panorama along the Dnieper river

and that the ongoing construction of high-rise buildings could affect the Outstanding Universal Value of the property;

4. Reiterates its requests to the State Party to impose a moratorium on all high-rise buildings, to implement, in coordination with the City Administration all necessary measures to reduce their adverse effect, by modifying projects and by demolishing constructed levels to an appropriate scale and also to undertake a survey of the overall monastic river landscape as a basis for planning and impact assessment;
5. Considers that the lack of legal protection and planning mechanisms that would enable the national authorities to exercise control over the property constitute a potential threat for the Outstanding Universal Value of the property and urges the State Party to strengthen protection and planning mechanisms as a matter of urgency, to define a protected historic urban area for central Kyiv and to develop special Area Plans for the property, its buffer zone and its setting, based on a careful analysis of important views, typologies and urban fabric, and to submit these to the World Heritage Centre by **1 February 2013**, for review;
6. Also expresses its grave concern about the continuous lack of a management system and defined mechanisms of coordination for the management of the property, and also urges the State Party to put in place a unified system of management for the property;
7. Regrets that adequate information on these development proposals and the status of their approval was not provided by the State Party prior to the beginning of the construction works, in accordance with Paragraph 172 of *Operational Guidelines* and as previously requested and further urges the State Party to ensure that all major projects have adequate impact assessments in line with the ICOMOS Guidance on Heritage Impact Assessment for Cultural World Heritage properties and be then presented to the Committee before any irreversible decisions are made;
8. Invites the State Party to consider the establishment of a special board, including representatives of the national authorities, the city administration, as well as site managers of the property and other relevant stakeholders, and to review all major development proposals and proposed planning controls and policies that could impact adversely on the Outstanding Universal Value of the property;
9. Notes the multi-disciplinary study that has been carried out on the Varangian caves, and also reiterates its request to the State Party to submit to the World Heritage Centre details of the proposed rehabilitation plan for the caves;
10. Requests the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to the property which will discuss, at the highest decision makers level, the development of a national strategy for the implementation of the *World Heritage Convention* in Ukraine, including all sensitive issues regarding the protection of the historic urban landscape of the city of Kyiv;
11. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

**Decision: 35 COM 7B.112**

The World Heritage Committee,

1. Having examined Document WHC-11/35.COM/7B,
2. Recalling Decision **34 COM 7B.103**, adopted at its 34th session (Brasilia, 2010),
3. Notes the progress made with the adoption of protection laws since the 2009 joint World Heritage Centre/ICOMOS reactive monitoring mission and urges the State Party to define a protected historic urban area for central Kiev as soon as possible;
4. Also urges the State Party to strengthen the regulatory and practical mechanisms to ensure the satisfactory implementation of the above laws;
5. Also notes progress with the development of a Master Plan for Kiev and requests the State Party to submit it once approved;
6. Regrets that no management plan has been provided, as requested by the Committee, and that currently there are no plans to produce one, and further urges the State Party to address this issue as a matter of urgency;
7. Further notes the increasing contradictions between management in the two parts of the property, as highlighted by the mission, and also requests the State Party to put in place a unified system of management for the property as soon as possible;
8. Welcomes the important improvement in the relations between the national and religious authorities, commends the State Party and the Ukrainian Orthodox Church for the organisation of the International Seminar which resulted in the adoption of the Kiev Statement on protection of religious properties within the World Heritage Convention and invites it to actively participate in the development of a thematic paper on religious and sacred heritage;
9. Expresses its great concern at the degradation of the panorama along the Dnieper river, and reiterates its request to the State Party to introduce a moratorium on tall buildings until a survey has been conducted of the overall monastic river landscape;
10. Notes furthermore that the issue regarding urban development pressure is now under special control of the Prime Minister of Ukraine, that the City Administration has been charged to inspect all disputed constructions in the historical part of the city from the point of view of their compliance with acting legislation, and that a special commission composed by all stakeholders concerned is being created;
11. Requests furthermore the State Party to submit the final revised plans for all ongoing projects to the World Heritage Centre as well as all information and documents on any major development, in line with Paragraph 172 of the *Operational Guidelines*;
12. Notes moreover the multi-disciplinary study that has been carried out on the Varangian caves, and also reiterates its requests to the State Party to submit to the World Heritage Centre details of the proposed rehabilitation plan for the caves;
13. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2013**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 37th session in 2013.

- 34TH SESSION OF THE WORLD HERITAGE COMMITTEE,

Decision: 34 COM 7B.103

The World Heritage Committee,

1. Having examined Document WHC-10/34.COM/7B,
2. Recalling Decision **33 COM 7B.125**, adopted at its 33rd session (Seville, 2009),
3. Notes reparation works and monitoring activities of the key monuments of the National Conservation Area “Saint Sophia of Kyiv” as well as catacombs at the Lavra site;
4. Also notes that a complex rehabilitation programme for the “Varangian caves” is being prepared and requests the State Party to submit a copy to the World Heritage Centre for review by the Advisory Bodies;
5. Deeply regrets that no moratorium has been put in place on a number of projects until an Urban Master Plan has considered appropriate uses for these sites, and reiterates its requests to the State Party to halt these projects in the light of their lack of conformity with regulations and their potential adverse impact on the Outstanding Universal Value of the property:
  - a) Buildings on the territory around the Arsenal and the earth fortification following the international competition,
  - b) A hotel complex around Saint Spas of Berestove Church,
  - c) A hotel and residential complex on the land of the former military factories near the Arsenal,
  - d) Buildings in the buffer zone of the Saint Sophia Cathedral,
  - e) High-rise buildings that could compromise the panorama of the historical monastic landscape along the Dnieper;
6. Urges the State Party to adopt the Law “On Amendments to Certain Legislative Acts of Ukraine on Protection of Cultural Heritage” and also requests the State Party to approve urgently a new city urban master plan, including a conservation master plan for the property and its buffer zone;
7. Also urges the State Party to provide three printed copies and an electronic version of the draft integrated management plan of the property for review by the World Heritage Centre and the Advisory Bodies;
8. Also reiterates its request to the State Party to consider extending the eastern boundary of the buffer zone of the Saint Sophia site to include Maidant Nezalejnosti Square as an important part of the urban structure, and to initiate a study on visual perspectives of the property in the wider context of the monastic riverside landscape;
9. Further requests the State Party to transmit to the World Heritage Centre, in accordance with Paragraph 172 of the *Operational Guidelines*, a description of any intention to undertake or to authorize major restoration or new construction projects which may affect the Outstanding Universal Value of the property;

10. Requests furthermore the State Party to invite a joint World Heritage Centre/ICOMOS reactive monitoring mission to the property to assess the overall state of conservation of the property and the implementation of the World Heritage Committee's decisions;
11. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2011**, a report on the state of conservation of the property and on the steps taken to implement the above recommendations, for examination by the World Heritage Committee at its 35th session in 2011.

- 34TH SESSION OF THE WORLD HERITAGE COMMITTEE,

Decision: 34 COM 8B.36

The World Heritage Committee,

1. Having examined Documents WHC-10/34.COM/8B and WHC-10/34.COM/INF.8B1,
2. Defers the examination of the extension of **Kiev: Saint-Sophia Cathedral and Related Monastic Buildings, Kiev Pechersk Lavra** to include **Saint Cyril's Church** and **Saint Andrew's Church, Ukraine**, to the World Heritage List in order to allow the State Party to:
  - a) Review and expand the comparative analysis for Saint Cyril's Church with Byzantine churches and for the mural scheme for Saint Andrew's Church the stylistic genesis and then its influence in the Orthodox Christian world;
  - b) Review the boundaries around Saint Cyril's Church in order to extend it so as to include the former walled monastery and form a homogeneous and coherent ensemble separated from the hospital;
  - c) Consider creating a buffer zone north-east of Saint Andrew's Church, on the hillside below the building. This point should be considered in conjunction with the recommendation of Decision 33 COM 7B.125 concerning the buffer zone for Saint-Sophia Cathedral;
  - d) Clarify the texts and responsibilities for the implementation of protection for the property's various components and the buffer zones, and specify the legal status of the Reserve (or National Conservation Area) of Saint-Sophia of Kiev. This point should be considered in conjunction with the recommendations of Decision 33 COM 7B.125;
  - e) Implement a unique system of management which involves the various stakeholders of the properties (the two ministries involved, the Reserve, the museums, the Municipality, the local communities, etc.), in response to the current fragmented management, and in accordance with Decision 33 COM 7B.125;
  - f) Implement a unified management plan for the properties, buffer zones, and landscape protection of the Orthodox Metropolis of Kiev; through its implementation, focus on resolving the problems of unregulated urban development, already raised and highlighted by the reactive monitoring mission to the property already inscribed (March 2009) and Decision 33 COM 7B.125; define and implement a town-planning system that is compatible with the property's values; and implement the cultural and landscape project;

- g) Consider developing a comprehensive works strategy for the medium term for the wet and fragile soil under the foundations of Saint Cyril's Church;
  - h) Reschedule the project for heavy interventions for the unstable soil supporting Saint Andrew's Church and study more extensively the context in order to better identify the work required, considering the least intrusive solutions, preferably focusing on the causes of the instability;
  - i) Confirm for Saint Andrew's Church the presence of fire-alarm systems, and whether there is a specific surveillance team for the property other than the museum staff; state for Saint Cyril's Church the number and status of the active guards and the location of the fire brigade in the event of a fire;
  - j) Implement quantified monitoring of the interior and exterior architectural and decorative components and murals of the churches;
  - k) Provide a summary in French or in English of the applicable texts concerning the protection of the properties, the proposed extensions, and the buffer zones;
3. Recommends the State Party to:
- a) Clarify the meaning and use of the terms 'department' and 'museum' in reference to the Churches of Saint Cyril and Saint Andrew, as they seem to overlap;
  - b) Ensure that restoration work is carried out in complete conformity with international standards under the supervision of a qualified manager;
  - c) Consider limiting the excessive use of candles, which may compromise the murals and the iconostasis paintings for the day-to-day management of Saint Andrew's Church;
  - d) Control the immediate surroundings of Saint Andrew's Church, which have been invaded by a large number of unsightly tourist trading huts;
  - e) Consider an overall tourist infrastructure project and a general maintenance programme for the surroundings of the properties as part of the unified management plan.

- [33RD SESSION OF THE WORLD HERITAGE COMMITTEE](#)

**Decision: 33 COM 7B.125**

The World Heritage Committee,

1. Having examined Document WHC-09/33.COM/7B.Add,
2. Recalling Decision **32 COM 7B.111**, adopted at its 32d session (Quebec City, 2008),
3. Notes the findings of the joint World Heritage Centre/ICOMOS reactive monitoring mission of March 2009 and in particular that the current fragmented management is failing to address the needs of the property and recommended that a unified system is put in place together with a unified management plan;
4. Also notes the satisfactory condition of the key monuments of the property, but expresses concern that other monuments are in a less satisfactory condition and that the catacombs at the Lavra site remain in a critical condition;
5. Requests the State Party to ensure an integrated planning framework of the urban area through

- the development of a detailed urban development plan for the property and its buffer zone;
6. Also expresses great concern at the threats to the property from development in the buffer zone and setting from construction that appears not to be in conformity with current regulations, and urges the State Party to put in place a moratorium on the following projects until an urban development plan has considered appropriate uses for these sites:
    - a) Buildings on the territory around the Arsenal and the earth fortification following the international competition,
    - b) A hotel complex around Saint Spas of Berestove Church,
    - c) A hotel and residential complex on the land of the former military factories near the Arsenal,
    - d) Tall buildings that could compromise the panorama of the historical monastic landscape along the Dnieper;
  7. Recommends the State Party to consider extending the eastern boundary of the buffer zone of the Saint Sophia site to include Maidant Nezalejnosti Square an important part of the urban structure, and to initiate a study on visual perspectives of the property in the wider context of the monastic riverside landscape;
  8. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and on the steps taken to implement the recommendations of the March 2009 reactive monitoring mission and the requests set out above, for examination by the World Heritage Committee at its 34th session in 2010.

- [32ND SESSION OF THE WORLD HERITAGE COMMITTEE](#)

[Decision: 32 COM 7B.111](#)

The World Heritage Committee,

1. Having examined Document *WHC-08/32.COM/7B*,
2. Recalling Decisions **28 COM 15B.99** and **29 COM 8B.56**, adopted at its 28th (Suzhou, 2004) and 29th (Durban, 2005) sessions respectively,
3. Notes the continued collaboration of the State Party with the World Heritage Centre and ICOMOS;
4. Expresses its concern about numerous construction or restoration projects within the buffer zone of the property which could affect the Outstanding Universal Value of the property;
5. Invites the State Party to create a National Coordination Board in order to enhance collaboration between all stakeholders concerned;

6. Also requests the State Party, in consultation with the World Heritage Centre and ICOMOS, to develop a draft Statement of Outstanding Universal Value including the conditions of integrity and authenticity, for examination by the World Heritage Committee at its 33rd session in 2009;
7. Requests the State Party to invite a joint World Heritage Centre / ICOMOS Reactive Monitoring mission to assess the state of conservation of the property and the issues identified in Decision **29 COM 8B.56**, adopted at its 29th session (Durban, 2005);
8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2009**, a state of conservation report covering all components of this property including, in conformity with Paragraph 172 of the *Operational Guidelines*, the description of any intention to undertake or to authorize major restoration or new construction projects which may affect the Outstanding Universal Value of the property, for examination by the World Heritage Committee at its 33rd session in 2009.

- [32ND SESSION OF THE WORLD HERITAGE COMMITTEE](#)

***CLARIFICATIONS OF PROPERTY BOUNDARIES AND SIZES BY STATES PARTIES IN RESPONSE TO THE RETROSPECTIVE INVENTORY***

***Decision: 32 COM 8D***

The World Heritage Committee,

1. Having examined Document *WHC-08/32.COM/8D*,
2. Recalling Decisions **30 COM 11A.2** and **31 COM 11A.2**, adopted at its 30th (Vilnius, 2006) and 31st (Christchurch, 2007) sessions respectively,
3. Recalls that, as decided at its 31st session (Christchurch, 2007) by Decision **31 COM 11A.2**, the World Heritage Centre and the Advisory Bodies will not be able to examine proposals for minor or significant modifications to boundaries of World Heritage properties whenever the delimitation of such properties as inscribed is unclear;
4. Congratulates States Parties in the European Region and the States Parties of Egypt, Morocco and Tunisia on the excellent work accomplished in the clarification of the delimitation of their World Heritage properties and thanks them for their efforts to improve the credibility of the World Heritage List,
5. Takes note of the clarifications of property boundaries and sizes provided by the following States Parties in the European and Arab Regions in response to the Retrospective Inventory, as presented in the Annex of Document *WHC-08/32.COM/8D*:
  - Ukraine: Kiev: Saint-Sophia Cathedral and Related Monastic Buildings, Kiev-Pechersk Lavra;
6. Requests the European and Arab States Parties which have not yet answered the questions raised in 2005, 2006 and 2007 within the framework of the Retrospective Inventory to provide all requested clarifications and documentation as soon as possible and by **1 December 2008** at the latest.

- [32ND SESSION OF THE WORLD HERITAGE COMMITTEE](#),

***Decision: 32 COM 8B.68***

The World Heritage Committee,

1. Having examined Documents *WHC-08/32.COM/8B.Add* and *WHC-08/32.COM/INF.8B1.Add*,
2. Considers that the current proposals are not a minor modification;
3. Recommends that the State Party be invited to submit a full nomination for the proposed extensions of St Cyril's church and St Andrew's church to **Kiev: Saint-Sophia Cathedral and Related Monastic Buildings, Kiev-Pechersk Lavra, Ukraine**.

- 29TH SESSION OF THE WORLD HERITAGE COMMITTEE

**Decision: 29 COM 8B.56**

The World Heritage Committee,

1. Having examined Document *WHC-05/29.COM/8B.Add*;
2. Commends the State Party of Ukraine for having proposed the buffer zones;
3. Approves the minor modification of the buffer zone of Kiev: **Saint-Sophia Cathedral and Related Monastery Buildings, Kiev-Pechersk** (Ukraine);
4. Welcomes the proposal by the State Party to organise a mission to the property that would as well examine the choice of the eastern boundary of the buffer zone and the existing quality and condition of the urban fabric of the central Kiev both inside and outside the buffer zone.

- 28TH SESSION OF THE WORLD HERITAGE COMMITTEE

**28 COM 15B.99**

The World Heritage Committee,

1. Acknowledging that the Ukrainian authorities have provided the report on the research on planned or completed conservation projects in the vicinity of the World Heritage property (Decision **27 COM 7B.80**),
2. Expresses its appreciation to the State Party for the progress made with regard to measures taken to respond to the damage caused by the construction of the underground swimming pool and to define the boundaries of the property;
3. Requests the State Party to keep the World Heritage Centre and ICOMOS informed of any future projects, which may have an impact on the property.

- 28TH SESSION OF THE WORLD HERITAGE COMMITTEE

**27 COM 7B.80**

The World Heritage Committee,

1. Expresses its appreciation to the State Party for their rapid response to the threats and the programme of action adopted for the property;
2. Acknowledging the progress made with legal protection of the property through a presidential decree,
3. Expresses, however, its serious concern for the preservation of the property and in particular for the conservation of the Cathedral and the Belfry;
4. Requests the State Party to provide a detailed technical report to the World Heritage Centre, by

1 February 2004 on the research and on planned or completed projects in the vicinity of the designated World Heritage property in order that the World Heritage Committee can examine the state of conservation of the property at its 28th session in 2004.

- [22ND SESSION OF THE WORLD HERITAGE COMMITTEE](#)

***DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE***

**VII.43** The Committee noted the decisions of the twenty second extraordinary session of the Bureau as reflected in the Report of the Bureau session (Working Document WHC-98/CONF.203/5) and included in Annex IV of this report on the following properties:

**Kiev: Saint Sophia Cathedral and Related Monastic Buildings (Ukraine)**

***DECISION ADOPTED BY THE WORLD HERITAGE COMMITTEE AT ITS 22ND SESSION***

At its twenty-second ordinary session, the Bureau requested the Government of Ukraine to reconsider its hotel-building policy and specific hotel projects in respect of their historical context. It requested the authorities to submit a report on this matter by 15 September 1998 at the latest.

The State Party informed the Secretariat on 14 September 1998 that the above-mentioned projects were repeatedly considered by the experts of Ukraine and were discussed by the local and central authorities as well as by ICOMOS Ukraine. As a result, the project of the hotel "Kiev- International" was decreased in height to the level of the existing surrounding buildings. Furthermore, the construction of the nearby "Laboratory House" project, which did not correspond to the surrounding architectural environment of the Cathedral, was suspended pending the preparation of a new proposal.

On 31 August 1998, the State Party also informed the Secretariat on the proposed reconstruction of the *Dormition Cathedral* in *Pechersk-Lavra* that, according to other sources, could cause problems to the surrounding buildings due to the unstable and geologically difficult terrain. It was stated that the reconstruction project would be carried out on the basis of a complex geological and engineering research, which offers the opportunity to select the optimal engineering and constructive solution. The State Party asked the Secretariat for advice in this matter.

ICOMOS stated that the final designs of the hotel buildings should still be reviewed and confirmed that open excavation pits at the site of the Cathedral, undertaken to research the geology of the soil, now pose dangers to the stability of the area. Expert assistance on the rehabilitation of the subsoil should be obtained without delay. Any further excavation in this area should be carried out according to accepted archaeological principles.

The Bureau took note of the information provided by the State Party on the projects for the construction of hotels in the city of Kiev and the proposed reconstruction of the *Dormition Cathedral* in *Pechersk-Lavra*. It also noted the advice of ICOMOS that the final designs of the hotels should be verified and in-depth hydro-geological studies should be undertaken at the site of the *Dormition Cathedral*. The Bureau requested ICOMOS to field an expert mission to this effect.



**From the Ukrainian side in the consultations took part:*****Ministry of Culture and Information Policy of Ukraine:***

- Mr Volodymyr Borodianskyi, Minister
- Ms Svitlana Fomenko, Deputy Minister
- Ms Yulia Nechyporenko, Head of the Main Department for Cultural Heritage Protection of the Directorate of Cultural Heritage
- Ms Tetiana Slobodianuk, Chief Specialist, Division for Cooperation with UNESCO of the Main Department of Cultural Heritage Protection of the Directorate of Cultural Heritage
- Ms Galyna Malinina, Chief Specialist of the Division of Cooperation with International Organizations of the Department for International Cooperation in the field of Culture
- Ms Iryna Bilyk, Head of the Protocol Sector of the Department for International Cooperation in the field of Culture

***Ministry of Foreign Affairs of Ukraine:***

- Mr Serhii Reva, Ambassador-at-large, Deputy Head of the National Commission of Ukraine for UNESCO

***Ukrainian State Institute of Cultural Heritage:***

- Ms Iryna Prokopenko, Director

***National Conservation Area "Saint Sophia of Kyiv":***

- Ms Nelia Kukovalska, Director General
- Mr Vadym Kyrylenko, First Deputy Director General
- Ms Natalia Bilous, Chief Architect, Head of the Scientific and Research Division for Protection of Architectural Monuments
- Ms Tetiana Polonska, Chief Researcher, Scientific and Research Division for Protection of Architectural Monuments
- Ms Nadia Molochkova, Leading Researcher, Scientific and Research Division for Protection of Architectural Monuments
- Ms Oksana Kovalska, Leading Architect, Scientific and Research Division for Protection of Architectural Monuments
- Mr Serhii Trofymchuk, Leading Architect, Scientific and Research Division for Protection of Architectural Monuments

***National Kyiv-Pechersk Historical and Cultural Preserve:***

- Mr Oleksandr Rudnyk, acting Director General
- Mr Yakiv Dihtiar, Chief Architect
- Ms Tetiana Tkachenko, Head of the Research Division for Analysis, Project Works, Coordination of Research and Architectural Studies, Protection and Inventory of the Immovable Monuments
- Mr Anatolii Ovchar, Head of the Division of Research, Restoration and Renovation Works
- Ms Tetiana Maisterchuk, Head of the Research Unit for Analysis of Design Works, Coordination of Research Architectural Studies, Protection and Inventory of Immovable Monuments

-Ms Daryna Nedzelska, Specialist of the 1<sup>st</sup> category, Division for International Cooperation, Focal Point for World Heritage

***Kyiv City State Administration:***

- Mr Valentyn Mondryivskyi, Deputy Head of Kyiv City State Administration
- Mr Oleksandr Svystunov, Chief Architect of Kyiv
- Mr Oleksandr Nykoriak, Director of the Department for the Protection of Cultural Heritage of the Kyiv City State Administration
- Mr Serhiy Bronevtskyi, Head of the Institute of Kyiv City Master Plan

***Non-governmental organizations:***

- Ms Olena Serdiuk, Deputy Head of ICOMOS Ukrainian National Committee
- Public Council at the Ministry of Culture of Ukraine
- Ukrainian Society for the Protection of Historical and Cultural Monuments
- NGO "Heritage of Kytaevo"
- NGO "Peyzazhna initiative"
- NGO for Historical Cultural Monuments Protection.

**ANNEX VIII - ADDITIONAL MATERIALS RECEIVED DURING/AFTER THE 2020 MISSION**

(See the list of annexes and documents attached below)

**VIIIA CODE DE CONSTRUCTION 2019**

**VIIIB LAW OF UKRAINE ON THE CULTURAL HERITAGE PROTECTION (THE STATEMENTS OF THE VERKHOVNA RADA OF UKRAINE (SVR), 2000, № 39, ART.333)**

**VIIIC MASTER PLAN\_PRESENTATION**

**VIIID PRESENTATION ENGLISH SOPHIA**

**VIIIE SAINT-SOPHIA PLANNED RESTORATION**

**VIIIF PRESENTATION LAVRA**

**VIIIG LONGTERM PROGRAM FOR LOWER LAVRA**

**ANNEX X - ENHANCED DRAFT OF THE MANAGEMENT PLAN**

**XA CHAPTER 1**

**XB CHAPTER 2**

**ANNEX XI - INFORMATION TABLES**

**ANNEX XII – PHOTOGRAPHS**

**ANNEX XIII - THE MANAGEMENT SCHEME**

[Note: there is no Annex IX]