

WHAT HAPPENED TO THE OLD JEWISH QUARTER OF PEST  
IN THE PAST THREE YEARS?  
HOW MUCH OF THE UNESCO REQUIREMENTS HAVE BEEN FULFILLED?  
(Report of ÓVÁS! Association to UNESCO's World Heritage Centre)

Budapest, April 14, 2011

UNESCO's first reprehensive report on the situation of the old Jewish quarter of Pest was issued three years ago and was followed by the first official UNESCO warning. Another official warning was published two years ago. Given the fact that, ever since, there is no improvement in the conditions of the Jewish quarter and that the situation remains untenable, the ÓVÁS! Association considers it important to assess the developments of the last three years and to issue a repeated call to the decision makers to observe the legal and normative procedures, on the one hand, and to comply with the requirements prescribed by the UNESCO, on the other.

With great regret we have to report that the situation of the old Jewish quarter of Pest is just as alarming as it had been prior to the aforementioned UNESCO Mission Report of April 2008 written by UNESCO expert Michel Polge, which reprehended the Hungarian authorities, and the UNESCO warnings issued in June 2008 in Quebec and in 2009 in Sevilla. The State of Conservation Report of the Hungarian State 2009, apparently written to pacify the UNESCO, paid mere lip service to the cause. The ÓVÁS! Association considers the section dealing with the old Jewish quarter in the present State of Conservation Report of the Hungarian state, issued on January 31, 2011 (see <http://www.vilagorokseg.hu/portal/tartalom.php?id=20110202162259>) another similarly meaningless document.

**What were the measures prescribed, to be taken without delay, by the 2008 and 2009 warnings of UNESCO's World Heritage Committee?**

- To stop the demolition of buildings;
- To review, one by one, the demolition permits already granted to the investors, in an equitable manner but first and foremost in view of the protection of the existing architectural heritage.
- To prepare an urban conservation and development plan for the buffer zone, which would respect the principal architectural values and the urban landscape of the district and would go beyond the present regulations.
- Parallel to this, to introduce efficient methods (e. g. tax incentives and grants) to make private investors interested in rehabilitation and conservation, rather than demolition and construction.
- The documents requested In a special paragraph that the Hungarian state orders the exploration of the physical traces of the ghetto walls.
- The UNESCO expert drew attention, besides the architectural values of the district, to a specific and enviable characteristic of the quarter, namely its airy construction, its spacious courtyards and gardens. He also emphasized the importance of protecting this feature.

**With regard to the State of Conversation Report issued by the Hungarian State in 2009, the UNESCO welcomed** “the various strategic measures being planned, in particular the revision of the Management Plan, the establishment of a managing body, the reassessment of the buffer zone, the assessment of the relationship between the world heritage site and its buffer zone and the drafting of a national World Heritage Bill.”

## **What has been implemented from the UNESCO's requirements and the commitments made two years ago?**

*Out of these requirements and the promises that the Hungarian state made in 2009 almost nothing, with one only exception, has been implemented up the present date. The only exception is the exploration of the ghetto walls; however, no measure has been taken to assure their protection.*

Even after the first UNESCO warning of April 2008 the new Regulatory Plan accepted in September 2008 at several places still foresees the demolition of the remnants of the ghetto walls. This has not been changed up to the present day, even after the exploration of these walls. Nor have any of the other paragraphs of the regulatory plan, accepted in September 2008, been modified, though many of those are illegal according to Hungarian law and trigger constitutional worries; also, these paragraphs completely ignore the requirements of the UNESCO World Heritage Committee, as well as the warning issued in Quebec. The fact that the plan is in open breach of the law and triggers constitutional worries was established by the Parliamentary Commissioner for Future Generations in July 2009.

Equally regrettable and incomprehensible is the fact that the authorities' position regarding the Jewish quarter has not changed after the warnings. Although, very correctly, the Hungarian National Committee of World Heritage and the National Office of Cultural Heritage has decided and officially declared that the Bécsi Street building project in the Fifth District, another part of the world heritage site buffer zone, is unacceptable and have taken action against it, these agencies failed to take similar steps to protect the Jewish quarter in the Seventh District. Regarding the Bécsi Street project these agencies issued the following statement: "It is wrong to assume that a building which is not protected individually is, ipso facto, valueless and can be pulled down." Contrary to this principle, the National Office of Cultural Heritage often makes statements according to which unprotected buildings in the Jewish quarter are valueless. This is precisely what happened in the case of the buildings of Nagydiófa Street 8 and Kazinczy Street 37 where, under this pretext, the Office has approved the demolition of the buildings (See Annex 4).

When requests for new construction permits in the Jewish quarter are being reviewed, the context, such as the characteristics of the street and the neighbouring blocks and the proportions of the constructions, is not taken into consideration, nor do the authorities adopt an approach that might be expected in relation to protected zones. Projects are being evaluated as they are, in themselves and merely in relation to the regulatory plan: there is no comprehensive approach to monument protection, which would take into consideration the history, the architectural heritage, the values, the urban texture and the proportions of the area. In each case decisions are made to approve actions that jeopardize the preservation of the monuments, such as the demolition of internal wings, the building of a number of additional floors etc.. These individual decisions add up to change the face of complete blocks, sections of streets and eventually, step-by-step, whole streets. **Meanwhile full streets and street sections have already been destroyed. These include, for example, the beginning of Király Street, Holló Street in full, sections of Kazinczy Street and Klauzál Street and the middle part of Dob Street.**

The situation is worse than it was three or two years ago, since permits that are illegal according to Hungarian law and contrary to the UNESCO requirements are continuously being issued. Therefore, not only those permits that were issued three years ago but also those that have been issued since then, should be renegotiated.

## **The situation today**

*- The land use coefficient and the building density rate have not been reduced in the Regulatory Plan of the old Jewish quarter of Pest accepted in 2008. The Plan does not contain any architectural assessment of monuments which should have served as a basis for the document, lacks an environmental impact assessment and does not pronounce the principle that buildings should not*

*be demolished, nor any stipulations concerning the conditions of eventual demolition.* The Regulatory Plan defines the land use coefficient between 4.5 and 6—similarly to the plans adopted before the UNESCO warning was received— although in the inner blocks and along the inner streets it is normally 1.5–2, and only occasionally 3. The existing new buildings, as well as the empty plots and truncated buildings (21 buildings) will completely transform the scale, characteristics, and atmosphere of the streets and blocks in the quarter. In addition to this, there are 13 buildings in the protected area, sold to investors, which have already been evacuated or are being evacuated at the moment, with another 15 buildings sold, evacuated, or truncated in the vicinity of the protected area, where serious changes are likely to happen. **During the past few years most of the invaluable treasures of these empty buildings have disappeared, such as the cast-iron and wrought iron railings and, in many cases, the windows and doors as well. Most of these buildings are monument buildings where, according to previous experience, we might expect – with the consent of the National Office of Cultural Heritage – the process euphemistically called “development”, namely the demolition of full wings, the addition of multiple floors and new constructions of full blocks (in some cases, even seven-storey buildings). This means that unless the process is halted, the construction proportions may radically change not only in the case of newly constructed buildings but also in the case of traditionally protected historical monuments.**

Permits are continuously being issued on the basis of the existing regulatory plan, which is known to break the law. Since September 2008, in the protected part of the Jewish quarter, **nine** permits have been issued or are being issued for entire buildings, in several cases also allowing for demolition. Another **eight** permits issued between 2005 and 2008 are still valid today. Another **12** additional permits for buildings in the neighbouring streets in the Jewish quarter have also been issued. Annex 4 to this report lists the permits for monument buildings issued by the National Office of Cultural Heritage. Permit issuance for regular buildings falls in the authority of the municipal government. The numbers indicated above contain both the permits for monument and regular buildings.

*- In February 2008, the previous Chairman of the National Office of Cultural Heritage made the architectural value assessment prepared by 12 employees of the office, which would have served as a basis for the new Regulatory Plan, confidential for 10 years.* The assessment defined what can and what cannot be done to the particular buildings of the protected monument area. One of the journalists of a Hungarian weekly magazine, HVG, has obtained by way of litigation that the assessment and its outcomes are made public as data of public utility but, by that time, the Regulatory Plan had already been accepted by the district municipal government. The authorities issuing demolition and construction permits (the National Office of Cultural Heritage in case of monument buildings, and the local municipalities in case of individually unprotected buildings) have been ignoring and are continuously ignoring all these statements, requirements and prohibitions regarding the monuments.

#### **Examples include:**

- **Kazinczy Street 37:** This individually not protected, five-storey building was demolished in 2009 with the approval of the National Office of Cultural Heritage.

- **Nagydiófa Street 8:** The National Office of Cultural Heritage has not raised objections either regarding the demolition of this nineteenth-century one-storey building that has a spacious green courtyard. The demolition of the building has not taken place so far, because the residents of the street initiated a lawsuit against this decision. If they were to lose the trial the demolition of the old building and the construction of the new building would take place. After the demolition a seven-storey gigantic building with a three-floor underground car park may be built in the rather narrow street.

- **Kazinczy Street 41:** In 2010, the National Office of Cultural Heritage permitted the construction of four additional floors on the top of this one-storey house built in 1881, so that it may become a

part of the two five-storey buildings to be erected on the two adjacent empty plots. Kazinczy Street 37 was knocked down for the sake of this building project extending to three plots (the demolition has taken place, but the final construction permit has not yet been issued).

- **Dob Street 19:** In December 2010 the Office also issued a draft construction permit for two additional floors on top of this one-storey monument building built around 1820. This is the oldest building in Dob Street.

- **Dob Street 21:** In December 2010 the Office issued a draft permit for the demolition of the inner wings of the U-shaped two-storey monument building built in 1875.

**These permits could never have been issued if the monument value assessment and the recommendations had been taken into consideration.**

- *The National World Heritage Bill promised first for 2009 and, second, to 2010, has not been submitted to the Parliament either; so the latter has not discussed it.* The draft version received by non-governmental organizations at the end of 2010 was a very poor document. Along with other NGO-s, the ÓVÁS! Association could not accept it not only because it would not have provided the necessary protection for the buffer zones in general and for the old Jewish quarter of Pest in particular, but also because it would have further weakened the already weak protection provided by the current law. It is true that the draft law was withdrawn in 2010 and is under reworking at the moment; however, establishing the managing body (agencies) and adopting the new plans would take at least two years after the law comes into effect. Given that, according to the plans, the new law would be passed in 2011, the current processes can go on for at least three more years without any change.

- *The features of the existing and newly issued demolition and construction permits.* These normally allow for the full demolition of inner wings and the construction of five, seven-storey building sections in the place of the inner wings of one to three-storey buildings even in the case of monument buildings. In these cases only the façade and the front part of the buildings to the depth of 6 meters (occasionally, in the better cases, 12 meters) are preserved in their original form. As examples for this procedure we may mention the buildings within the buffer zone near the Dohány Street Synagogue in Síp Street, Király Street 36 and, most recently, Dob Street 21 and Klauzál Street 7, 9, 19, 21, within or on the border of the buffer zone and, a little further away, Akácfa Street 47, 49, 61. As a consequence to such permits, traditional courtyards, gardens, staircases and the complete inner world of these historical buildings disappear one after the other. Another general method is to approve of the construction of two or even four extra floors on top of one- or two-storey buildings—see, for example, Kazinczy Street 41 and Dob Street 19.

- *We are not aware of any negotiations with the investors in order to change the approved plans. Especially dangerous is the state of a housing estate with 147 apartments in the immediate vicinity of the hundred and fifty year-old Dohány Street Synagogue, approved in 2006. For a few years this project has not progressed due to the financial crisis but, since a valid construction permit has been issued, the construction may be restarted any time.*

- *We are not aware of a single case when the expired permit would not have been renewed upon request.*

- *There is no law passed or even proposed for creating a financial support system for the conservation and reconstruction of the old buildings and historical urban areas.*

- *The extension of the protected areas have not taken place to date, although in the case of Inner-Erzsébetváros a complete assessment of all the buildings is available since 2002.* The old Jewish quarter of Pest has been marked out completely inorganically. For example, Akácfa utca, which was part of the former ghetto, does not belong—inexplicably—to the protected part of the Jewish quarter.

COMMENTS ON THE SECTION DEALING WITH THE JEWISH QUARTER IN THE STATE OF CONSERVATION REPORT OF THE HUNGARIAN STATE, SENT TO UNESCO ON JANUARY 31, 2011

According to the report:

- Only a few previously issued demolition and construction permits are still valid.
- Actual demolition/construction work is not being carried out in the area, primarily due to economic reasons.
- The officers of the former municipal council who had taken the decisions that endangered the status of the area's buffer zone are no longer in their previous positions, while some of them, including the former Mayor of the Seventh District, are under criminal trial.
- The process of creating the Management Plan and establishing the management body has been suspended due to the drafting of the National World Heritage Law, given the fact that, on the basis of this law, a new Management Plan that corresponds to the stronger legal status will be prepared.
- The Hungarian State is aware of the importance of the conservation of historical buildings and of creating a financial support system that would give incentive to this process, but it does not provide a deadline for implementing such a system.
- The report relates only one positive development. This is the project carried out along the middle part of Kazinczy Street with the support of the European Union. Here, besides the conservation of two residential buildings, several public buildings, such as the façade of the Orthodox synagogue, as well as the entire street section, is going to be conserved.

According to ÓVÁS! Association:

**The Governmental report considers that the eight demolition and construction permits that were issued earlier and are still valid constitute only a small number. Now, this number may be considered few indeed; however, their implementation will have serious consequences in the already stripped district. It is to be stressed, once again, that none of the previously issued permits have been withdrawn over the past three years, nor has the content of any of these been altered.**

Here are some examples:

- Among the plots and buildings affected is the aforementioned housing estate in the vicinity of the Dohány Street Synagogue with 147 apartments and four stores of underground car parking to be built on three plots, based on a very poor design. All the inner wings of two two-storey monument buildings in Síp utca (nos. 8 and 10) were demolished in 2007, in order to build a seven-storey building part visible from the memory garden of the synagogue. According to the plans three additional floors will be built on the remaining two-storey wings at the street façade. All this is taking place in a narrow street where most of the buildings have two or three floors. The third house belonging to this project is Dohány utca 10, a monument residential building. This will not be demolished but, according to the permit, a voluminous eight-storey building can be built in its courtyard, merely 20 meters from the synagogue, which will also be in sight from the memory garden of the synagogue. Since the demolition in 2007 no construction work has taken place due to the financial crisis. Five years have passed without any action since the National Office of Cultural Heritage issued the construction permit in 2006. An eventual modification of this plan has never been negotiated with the investors, although this is the most important and most frequented part of the Jewish quarter. Once the economic recovery were to take place, the construction may start

without further delay.

- The implementation of the construction plans permitted for Dob Street 34 and 36, two neighbouring plots, would result in similarly critical consequences. Again, these plans are disproportionate (envisaging a built-in density more than the double of that of the neighbourhood) and of poor quality. The permits for these two buildings have also been valid for the period since 2005. Another part of the street has already been disfigured: a long, poor-quality four, five-storey building has been built on three plots at the expense of a building of monument value and the garden of the crèche – all this in a narrow street where most of the buildings have two stores.

- In addition to the already existing permits and approvals, new ones have been issued in the protected area and around its borders: for example, Kazinczy Street 37–39–41, Dob Street 19, 21 (monument buildings), Dohány Street 31, Klauzál Street 7–9 (remains of monument buildings), Akácfa Street 47–49, 61 (monuments).

**It is true that some of the municipal officers are under criminal trial and that there is a newly elected municipal council. However, the Regulatory Plan accepted by the previous council in September 2008 is still valid, the fact, pointed out by us repeatedly, that the plan is illegal and generates constitutional worries notwithstanding. Among other illegal clauses, the plan allows for a new construction rate that is three or even four times higher than the current one.** The offence against the law was stated by the Parliamentary Commissioner for Future Generations as early as in July 2009. Given the fact that, despite this official statement, the plan remained in effect, the ÓVÁS! Association—along with other NGO-s—turned to the Constitutional Court in December 2009. However, the decision-making process of the Constitutional Court regarding our request may take several years. Neither the present municipal council of the Seventh District, , nor the National Office of Cultural Heritage representing the Hungarian State, nor the responsible ministry did take any steps to correct the legal offences, although the buffer zone of a world heritage site is involved in the issue.

### **The revision process of the Management Plan and the World Heritage Law**

The Management Plan of the world heritage sites and their buffer zones was prepared in 2005 but has remained ineffectual, just as the documents, available since 2009, related to the eventual creation of a managing body. **Had the protection requirements of the Management Plan, jointly elaborated by the National Office of Cultural Heritage and the Municipality of Budapest, been taken into consideration during all these years, the Jewish quarter would indeed look like a protected district today.** Nevertheless, this did not happen, however incomprehensible and inexplicable this fact may be and, therefore, the quarter remains unprotected and seriously endangered. The same applies to the suspension of the creation of the managing body. The current report states that this has been temporarily suspended, since on the basis of the World Heritage Law “a new Management Plan that corresponds to a stronger legal status must be prepared.”

It is difficult to comment on this omission and on such a statement. The currently valid law for the Protection of the Cultural Heritage requires that the Minister of Culture, among other tasks, has the Management Plan prepared. However, six years have passed since 2005 in full inertia, leaving the district fully vulnerable, condoning the continuous process of demolition and the construction of new buildings of outrageous size and quality, while this could have been avoided merely by enforcing the Management Plan and, particularly, its section on the Protection Requirements .

According to the report of the Hungarian state, the World Heritage Bill may be passed in 2011. The enforcement of the law, as we already noted, will take time. Even according to the best scenario, a new regulatory plan would not be elaborated until two years from would have passed after the date when the law comes to effect. This would add up to four or five years of lawlessness after the warning issued in Sevilla.

**The establishment of “a municipal rehabilitation fund” or any other incentive system (tax or contribution reductions), which would encourage the conservation of the historical buildings instead of their demolition.**

One of the most emphatic paragraphs in the two UNESCO warnings of 2008 and 2009 was related to this matter. Therefore, by September 2008, the Municipality of Budapest had developed a detailed economic and financial policy regulating this issue. Ever since, three years have passed without any further progress. The report of the Hungarian Government still does not contain any concrete suggestions for solving this problem in the foreseeable future. According to this report “the Government perceives the necessity of these regulations and will take stock of its possibilities related to this issue as well as its room for action in function of the developments in the general economic situation.” The report suggests that this may take a few more years, although such regulation would be economically advantageous not only in the long term but also in the short term. Implementing such a regulation would trigger the conservation of the old buildings and the creation of new jobs, while the rehabilitated streets and buildings would not only bring benefits for the inhabitants of the district but would also boost the tourism.

**The rehabilitation of a section of Kazinczy Street between the corners of Dob Street and Wesselényi Street**

The only positive project mentioned by the Government Report is the starting rehabilitation of two residential buildings in the middle section of Kazinczy Street, together with the conservation of the façades of the Orthodox Synagogue, the College of Education and the Museum of Electricity. This is an important step toward change but would not halt the negative processes.

**The ÓVÁS! Association requests that the UNESCO World Heritage Committee and the ICOMOS sends, without any further delay, a new mission to Hungary to review the current endangered status of the Jewish quarter.**

It would be an error to wait for the new National World Heritage Law, which is still to be passed, and the ensuing establishment of the new managing body (agency), as well as the preparation of the programme of this new agency presumably leading to the preparation and adoption of the new regulatory plan because, while we would be waiting for all this, even those parts of the Jewish quarter that have been left untouched so far would be fundamentally affected.

If no radical change is to take place until the adoption of the new plan based on the new World Heritage Law—for example, if the protection requirements of the Management Plan adopted in 2005 and the individual monument value assessments for each building completed in 2008 do not become effectual, or if the current unlawful regulatory plan is not withdrawn and, at the same time, a construction moratorium is not introduced—the old Jewish quarter of Pest cannot be regarded a protected area but, rather, a highly vulnerable and seriously endangered heritage.

