



# The Preservation of Cultural Heritage in the City of Durrës as a Challenge for Local and Central Institutions, with a Focus on the Recognition and Practical Implementation of Legal Procedures and Normative Acts in Order to Preserve and Develop Cultural Heritage

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## Abstract

The damage done to the archaeological property of the city of Durrës is one of the major damages caused to our cultural heritage after the 90s. The reconstruction projects of buildings destroyed by the earthquake in Durrës, financed by the Albanian Development Fund, are being carried out without archaeological monitoring, destroying traces of ancient monuments. According to the law on cultural heritage, constructions that are carried out in areas with high archaeological intensity, such as the "Dyrrah" boulevard in Durrës, must be monitored by archaeologists, but in the case of the 6-story building, this control was missing. The creation of genuine scientific studies about all the archaeological materials and the very rich cultural heritage of the city of Durres, organizing publications, monographs, articles, inside and outside the country, of the cultural values that the city of Durres carries, the organization of joint workshops with universities different in the Balkans and wider, where the University of Durrës in cooperation with the relevant Departments to promote these studies, through the cooperation of pedagogues - specialists in the field of archeology and Cultural Heritage, in cooperation with the Institute of Albanian Albanology, to enrich the library of the city with studies Durrës and the National Library. According to the law on cultural heritage, constructions that are carried out in areas with high archaeological intensity, such as the "Dyrrah" boulevard in Durrës, must be monitored by archaeologists, but in the case of the 6-story building, this control was missing.

**Keywords:** archaeological, cultural heritage, cultural values, Albanian law on the protection of archaeological areas

## 1. Introduction

In our opinion and finding, seeing and analyzing this phenomenon, as one of the irreparable damages done to our cultural heritage.

The damage done to the archaeological property of the city of Durrës is one of the major damages caused to our cultural heritage after the 90s. One of the most flagrant cases of this phenomenon is the intervention that has been made in the archaeological Zone A of the city of Durrës with the implementation of the project known as "Veliera", the project encountered opposition from civil society and environmental protection, but it was evaluated, and the procedures followed for the development of this project by the court are legally correct.

According to the Albanian law on the protection of archaeological areas, precisely its article 2 has the following content:

Article 2 Interventions in the archaeological zone "A" of the city of Durres

In the archaeological zone "A" of the city of Durres it is allowed:

1. Restoration and conservation of archaeological monuments and structures, conducting archaeological surveys with the aim of a complete study of the area, on the basis of projects approved by the National Council of Archeology and the National Council of Restorations.
2. Reconstruction of roads and all works in the engineering network, water supply, lighting, telephone, on the basis of projects approved by the National Council of Archeology and the National Council of Restorations. For all the above interventions, archaeological supervision is carried out continuously during the implementation of the works by the specialists of the Archaeological Services Agency.
3. Placement of light constructions, wood, glass, plastic, metal with a maximum height of 3m, which must be done away from walls and other distinct or assumed structures. Constructions are placed and used by specialized state institutions, they must be mobile and in no case damage the subsoil and the landscape, in function of conservation, 2252 exposure, public information and other needs related to archaeological activity in particular and cultural heritage in general.
4. The project is approved by the National Council of Archeology and the National Council of Restorations and in any case must define the exact purpose, duration, location of the structure within the area, as well as its project plan.
5. Reconstruction after the earthquake is damaging the archaeological heritage of Durrës.

According to an article published in the Reporter. Al dated 07.07.2022 Geri Emiri highlights the damage that is being done to the cultural heritage of the city of Durrës by the reconstruction process, where works are being carried out without the supervision of the relevant authorities from the Albanian Development Fund.

The reconstruction projects of buildings destroyed by the earthquake in Durrës, financed by the Albanian Development Fund, are being carried out without archaeological monitoring, destroying traces of ancient monuments. Between Dyrrah Boulevard - the main artery of Durrës, which takes its name from the ancient toponym of the city.

Behind the high planes of an open construction site on the footprint of a 6-story building destroyed by the earthquake of November 26, 2019, a handful of workers with picks and trowels were working on the soil profiles:

"There are clear archaeological structures in the three profiles of the open pit, on the western, eastern and northern sides," explains archaeologist Brikena Shkodra, commenting on the photos of the work on the site taken by BIRN.

"The western profile preserves traces of an arch made of bricks bound with mortar and next to the arch, a straight wall line," she added.

These archaeological structures are not accidental. Adjacent to the new construction site, archaeologists found in 2004 the sculpture of the god of the earth, Gaea, a unique work in the territory of Albania.

They believe that the remains that were destroyed during the excavation of the foundations of the new palace belong to a monument, which could be a cult building or an important public monument. Some researchers have suggested that the structure may also belong to an imperial palace of the 6th century.

According to the law on cultural heritage, constructions that are carried out in areas with high archaeological intensity, such as the "Dyrrah" boulevard in Durrës, must be monitored by archaeologists, but in the case of the 6-story building, this control was missing.

Data collected by BIRN show that the palace on Dyrrah boulevard is not the only "reconstruction" project in Durrës, where the excavation was done without the presence of archaeologists, raising concerns that the damage to the city's archaeological layers could be even bigger.

Excavations without archaeological monitoring

Because of the archaeological wealth that lies beneath the streets and buildings, today the city is divided into two archaeological zones – where new construction and reconstruction must be monitored by the Institute of Archeology or a licensed archaeologist.

In June 2020, the Institute of Archeology informed the Ministry of Culture and the Municipality of Durrës about the archaeological potential of the square where the new palace would be built and the suspicions that there were traces of 2 ancient monuments.

The Institute further requested to carry out an archaeological excavation of the square, but this excavation was not carried out.

"The wait, from the earthquake to when the reconstruction works started in January 2021, was over a year, while with a concentration of forces, the archaeological excavation would take a month," explained archeologist Brikena Shkodra.

The National Council of Material Cultural Heritage, on October 29, 2020, asked the Albanian Development Fund -

the investor of the building, to conclude an archaeological monitoring agreement with the Institute of Archeology and the National Institute of Cultural Heritage (IKTK) for the works. Four days later, on November 2, the Durrës Municipality issued the construction permit for the new building.

But excavation works for the palace within Archaeological Zone A started without archaeological monitoring, while the IKTK turned a blind eye to them. The Institute of Archeology told BIRN that the investor did not sign the agreement for archaeological monitoring, as the law stipulates.

While IKTK did not explain why it had not intervened for the reference of works without archaeological monitoring.

"Currently, the relevant deed-agreement has not yet been signed, and IKTK's specialists cannot carry out the supervision, which is carried out after the deed-agreement is signed," IKTK officially replied.

Asked by BIRN, the Territory Protection Inspectorate (IMT) in Durrës Municipality stated that after the inspection at the construction site, it concluded that the works were in accordance with the building permit. The IMT further linked the decision of the Council of Archeology, which dictated the conclusion of a three-party agreement for the archaeological monitoring of the works, but did not explain whether this agreement was concluded - without which, according to the heritage law, construction works cannot be carried out.

Unlike the IKTK, the Albanian Development Fund told BIRN that the reconstruction of the palace did not need an archaeological permit, as "it will preserve the existing footprint and at the same time the same depth quotas as the previous building."

According to archaeologist Brikena Shkodra, the change in the typology of the foundations has also led to the destruction of the ancient monument.

"I saw archeological structures visible in excavation profiles that clearly appeared to have just been broken, because it shows when a structure has been preserved for decades underground and when it has just emerged during an excavation," she points out.

"With absolute certainty we can say that we are dealing with the structural remains of a very important monument, probably public, that uses brick and mortar in its structure and when it comes to such investments, it's the IV-V centuries," she says.

Shkodra told BIRN that the way the investor acted is not in accordance with the law.

After the earthquake, reconstruction without archeology specialists

The territory of neighborhood 11 is included in the archaeological zone A of special importance, but according to the archaeologist from Durrës, the construction activity is often carried out without the presence of archeology specialists.

"I have often encountered uncontrolled intervention situations. The most recent case is that of the reconstruction of the palace on the 'Dyrrah' boulevard," said Shkodra, adding that despite the request for preliminary archaeological excavations by the Institute of Archeology, the reconstruction process has started and the underground intervention has been completed without the presence of any specialist.

Very close to the building that is being rebuilt after the damage caused by the last earthquake, many archaeological objects were found years ago, among which the monument of Gea, the goddess of earth and fertility.

Brikena Shkodra considers the reconstruction process after the earthquake of November 26, 2019 a national emergency, but according to her, the archaeological remains are being covered by concrete, without ever knowing what the legacy was. Shkodra conveys the same concern for new construction projects in the city.

She says that the idea to build an underground parking lot between the former "1 Maji" flower garden and the "Shaqe Mazreku" school will surely clash with the archaeological objects of the Roman period, documented near it.

"This space, which once belonged to the old market, must be systematically excavated by specialists from the Institute of Archaeology," said Shkodra.

"It would be a wonderful opportunity to add an outdoor museum to the city, an archaeological park, a new point to visit during the tourist guide, an added economic asset for the city," she concluded.

The well-known Italian architect, head of the "Achea" studio, Marco Casamonti, has presented with technical details the new "Veliera" project, which, according to the architect, will be one of the modern symbols of Durrës. Architects Indrit Hamiti and Ardian Muka saw in their perspective inaccuracies and shortcomings in the project, while they sought to adapt it to the rest of the city.

"In principle we agree, as I like the project as a whole. But I have a remark, because the object erected in the middle of the square 'spoofs' the 'Venetian Tower', the symbol of the ancient city of Durrës. "I think that 'Veliera' should adapt to this historical and cultural object and not leave it in the background, after the attention that the modern object can receive", said Hamiti.

But the Italian architect answered with irony, saying: "We have done that, we are trying to adapt a modern super

project to the urban crap of Durrës. Look at these palaces, these ugliness. Will you identify Durrës with these?! You have done urban massacre. So, we are trying to beautify these ugly buildings a little bit with our work, that's why we made it with these dimensions". The moment the Italian architect brought the unmaintained multi-story buildings to the screen, which he called "ugly monsters", the comments started in the hall, as the "bells" fell on the administrators and former administrators of Durrës.

The project of the municipality of Durrës, which according to it will enable the preservation of the archaeological ruins in the place where Veliera is being built and will make them visitable, has not satisfied its opponents, who think that the construction worth 6 million dollars is illegal and violates history of the city.

While the "Veliera" project in Durrës has been suspended for almost a year pending the decisions of two courts, the municipality has made some changes to the initial plan, which already provides for the preservation and integration of the archaeological discovery, which passers-by and the curious according to the project they will be able to see it partially from above. This, however, has not mitigated the controversy surrounding the construction, while members of Civil Society hope to overturn the project completely, even though an expert report submitted to the court recently ruled in favor of the municipality.

The new project, which BIRN has seen, envisages a staircase which will enable the descent of interested visitors into the structures of the ruins and also "windows" that allow to see the archaeological discoveries from above.

However, the archaeologist Fatos Tartari says that the problem is not this, but the violation of laws and the violation of the underground of Durrës, which, as he says, had to be protected. "Such solutions have been implemented in other European countries, in Italy, Switzerland or Germany, but the real problem is not this", says Tartari, one of the harshest critics of the Veliera project since its beginnings.

According to him, the implementation of the 1961 law on the underground museum of Durrës would be enough to prevent construction in front of the port entrance where Veliera is being built, and in general the archaeological heritage of the 3-thousand-year-old city. "This project should have been stopped before it started" - says prof. Fatos Tartari, who thinks that the city council should be more in-depth in handling this investment of 6 million dollars.

The same is claimed by the civil society representatives who are in court with the municipality for this project since February 2, 2017. They demand compensation for damages to the archaeological site, the cancellation of the project and the return of the square near the seaport to its original state.

Two courts, the one of the First Instance and the Administrative one, are examining the suit of the environmentalists and the civil society in parallel, but none of them has so far taken a concrete decision, except for the suspension of the works. The Administrative Court, whose windows overlook the tower of Veliera, has so far held 10 sessions, while it is expected that its decision will be read on the last day of January, when the next session has also been adjourned.

According to environmentalist Sazan Guri, the delay has to do with the fear of the court of Durrës to tell the truth. "The fear of the Administrative Court of Durrës to make a decision in favor of civil society seems to postpone the positive final decision in the Court of Appeal", said Guri.

Image excerpted from the revised Veliera project in which circular windows have been added.

But regardless of which side will be given the right, the case, which has been debated for a year, is expected to continue at other levels of the judiciary. The municipality does not seem to have any intention of withdrawing from the construction and, like the opposing party, complained about the delay. Quoted in a video by local media Durrësi Lajme during a press conference, the mayor Vangjush Dako said that delaying the decision was not in the best interests of the citizens.

According to him, the municipality has changed the project and now claims that it enables the exposure of the ruins without damaging them. "In defense of the archaeological discovery, and in agreement with the Ministry of Culture and supported by the opinion of experts, the changes of the project have been prepared, which will enable the exposure of the ruins near Veliera without damaging them," said Dako during the same conference. .

The change of the initial project of Veliera was requested six months ago by the National Council of Archeology, on July 24, 2017 it was stated that "The Municipality of Durrës must submit to the ASHA Archaeological Service Agency the implementation project with the changes for the preservation and integration of the most representative structures and according to the suggestions of the KKR National Restoration Council, documenting the traces of the excavations, accompanied by the route and explanatory signs".

On the other hand, the urban planner Ardian Muka, a representative of the Democratic Party, stated that the area where the construction has been developed so far should be turned back into a flower garden, as it was a year ago. According to him, these works have broken the laws on cultural heritage and on archaeological zoning in the city of

Durrës. He said that the court has been pressured to make a unilateral decision.

Otherwise, the opinion of the three experts who were summoned by the Administrative Court gave the right to the municipality, according to them "the change of the project creates the right spaces and conditions for the promotion and integrity of the archaeological findings in this area".

The amended project of the municipality also envisages the use of five columns that were wrongly stuck between the structures of the uncovered building. Some of them will serve as a foundation on which the fourth and last leg will rest, where the four corners of Vela with an area of over 2,000 square meters will also hang.

But the experts did not find the construction of these concrete legs on the old structures to be a violation, while they described them in the report, which BIRN wrote about earlier, as recoverable damages.

Meanwhile, on the other hand, the archaeological discovery and surveys carried out at the beginning of last year have already passed the study stage and are expected to be published, while the group of researchers led by Prof. Dr. Eduard Shehi found from the excavations, that the construction dates of the walls and towers, including what is known as the Venetian Torra, may be wrong.

Researchers say that field observations and measurements in the place where Veliera is being built have created a completely new picture for the chronology of construction and the history of fortification structures in the coastal part of the city and especially in the one near the port of Durrës.



## 2. Conclusions

Based on the analyzes and oppositions that have been made public by specialists in the field despite the legal battle in court (for the Veliera case) as a specialist and expert and researcher of Cultural Heritage, as a resident of the city of Durrës, we think that:

The state, local and central authorities should have considered and analyzed not only the aspect of Cultural Heritage but also other aspects where among the most important we think is the financial plan, why we say the financial plan, in my opinion such a project with a cost that goes into the works of art due to the cost and the impact that had to be presented in several plans, among the most important of which was that of making a percentage as part of the tourist guide of the city for local and foreign visitors (with an impact on the economy of the city), from the progress so far and the real factual presentation of this project in the figurative aspect, until now it is viewed with a not at all positive impact, like a pile of iron, which has been eclipsed by the valuable monument for the city of Durrës, the Venetian Torra by being superimposed on non-harmonious way.

The financial costs of this project have been increased several times, burdening the budget of the Municipality of Durrës, in a very difficult period in economic and financial terms due to the Pandemic and the earthquake of November 2019. Seeing and evaluating it in my personal opinion based on the opinions of the opposing architects of the project, as well as civil society, I estimate that: it would serve tourism and the Durrsak community more, as well as the Albanian Cultural Heritage, the discovery, maintenance, restoration of areas with values identified by Albanian and foreign archaeologists, in the city of Durrës.

The creation of genuine scientific studies about all the archaeological materials and the very rich cultural heritage of the city of Durres, organizing publications, monographs, articles, inside and outside the country, of the cultural values that the city of Durres carries, the organization of joint workshops with universities different in the Balkans and wider, where the University of Durrës in cooperation with the relevant Departments to promote these studies, through the cooperation of pedagogues - specialists in the field of archeology and Cultural Heritage, in cooperation with the Institute

of Albanian Albanology, to enrich the library of the city with studies Durrës and the National Library.

Local and central governments are required to cooperate and be correct in the implementation of legal procedures, in the implementation of projects under the direction of specialists, staying away from arbitrary decision-making by individuals or structures that are linked to economic and political influence related to power.

In our opinion, in the emergency conditions in which the Cultural Heritage of the city of Durrës is located, all institutions must respect decision-making, in consultation with specialists in the field, and in respect of the public consultation factor, applying the local referendum, as they apply several cantons in Switzerland.

The great damage suffered by the Cultural Heritage of the city cannot be undone, but can be minimized by establishing respective rules for all major projects, I say this starting from the recent case of the construction of some works such as the Port of Containers in Porto Romano , the Yacht Harbor in the aquarium of the existing Harbor, the reconstructions that are being carried out after the earthquake, the construction project of the Durrës-Tirana railway, the construction of the Taulania Promenade, etc., which should definitely be subject to an in-depth professional and scientific study and consultation, for the preservation of Cultural Heritage values, since the implementation of these projects may lead to the burying of a part of the city's history.

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