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Country: Belgium-Flanders

Summary:

INVENTORIES

The Flanders Heritage Agency manages 5 different sorts of heritage inventories:

- (1) the inventory of the built heritage;
- (2) the atlas of cultural landscapes;
- (3) the inventory of archaeological zones;
- (4) the inventory of heritage trees and shrubs;
- (5) the inventory of historical parks and gardens.

All these inventories are integrated in the online inventory of the immovable heritage: <https://inventaris.onroerenderfgoed.be/>.

Heritage items are included in these inventories on the basis of the following criteria (the last 2 being specific criteria for archaeological heritage):

- (-) rarity;
- (-) identifiability;
- (-) representativity;
- (-) value of the ensemble;
- (-) value of the context;
- (-) archaeological value;
- (-) probability of on-site conservation.

The heritage minister can formally establish these inventories or parts of them. These decisions are regularly updated. The general legal effects of a formal

establishment are:

- (-) local authorities have to give the good example when handling inventory items and they have to motivate their actions;
- (-) when inventory items are object of real estate transactions their status has to be formally mentioned.

Each type of inventory also has specific legal effects:

- (-) Legal effects for items in the officially established inventory of the built heritage are closely linked to the system of building permits: (1) (positive) exceptions on the general building energy norms, (2) (positive) exceptions on the norms for social housing, (3) demolition permits handled by local authorities have to be strongly motivated;
- (-) Legal effect for items in the officially established inventory of archaeological heritage are closely linked to the system of building permits: (1) general obligation of archaeological survey and delivery of an archaeological report by an officially recognized archaeologist, (2) depending on the findings of the report: full-scale excavation;
- (-) Legal effect for items in the officially established inventory of heritage trees and shrubs: permits handled by local authorities have to be strongly motivated.

LISTING

The new decree distinguishes four listing statutes: (1) protected monuments, (2) protected cultural landscapes, (3) protected town- or village-scapes, (4) protected archaeological sites.

The protected area can include a transition zone. Any heritage of any ownership type can be listed. Listing campaigns are usually linked with the process of inventoring. An overview of the listed heritage can be consulted via the online inventory <https://inventaris.onroerenderfgoed.be>

Heritage is listed by ministerial decree, which includes a thorough motivation, a description of the heritage elements, characteristics and included movable properties and mentioning of the different legal effects. The listing procedure initiates with a period of temporary protection, during which all the parties concerned (owners, local governments, ...) and the necessary advisory bodies are consulted or are given the possibility to comment on the hanging decision. The temporary protection period has a maximum duration of 9 months, within which the minister has to decide make the listing permanent. The public consultation data can influence his decision. Once permanent, a listing decision can only be revised by starting a specific procedure.

The general legal effect of listing is that heritage owners and users have to undertake passive and active conservation. Passive conservation stands for the general obligation to keep the location in good shape and the prohibition to mutilate, damage or destroy it or to any act negatively affecting its value. Active conservation stands for all the measures to be taken in order to keep the location in good shape: regular maintenance, occasional restoration, protection ...

Listing means a permit is necessary for any action concerning heritage locations: some permits are handled directly by the Flanders heritage agency or officially delegated local authorities, other are integrated in the system of building permits etc. The complete demolition of listed heritage is absolutely forbidden. When listed items are object of real estate transactions their status has to be formally mentioned.

IMMOVABLE HERITAGE DEPOSITORIES

The Flemish immovable heritage decree defines 'immovable heritage depositories' as controllable storage and research facilities where archaeological ensembles, archaeological artifacts or parts of listed heritage from all over Flanders can be stored and conserved. Apart from the Flanders Heritage Agency other instances can be officially recognized as Immovable heritage depository and they are supposed to enter into a network. Qualification criteria are: (1) being a permanent, official organization located in Flanders, (2) offering the necessary infrastructure and means to receive and safeguard heritage items on a permanent or temporary base, (3) offering content and eye for public relations, (4) active networking and active participation in national, regional and local depository policies, (5) offering long term service guarantees.

[Expand all](#)

2.1 Main inventories

[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Inventory of the built heritage (Inventaris van het bouwkundig erfgoed)
Year: 2 015
Total number of items 99 868
/ inventory objects:
Is inventory closed or open ?: Open

2.1.B Extent of coverage

[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Atlas of the cultural landscapes (Landschapsatlas)

Area (KM2): 2 996

Year: 2 015

Total number of items 381

/ inventory objects:

Is inventory closed or open ?: Closed

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Architectural Heritage

Buildings still largely complete and/or habitable

Groups of buildings still largely complete and/or habitable

Maritime and waterways heritage (that tend not to be associated with archeological heritage)

Landscape Heritage

Anchor area

2015

381

[Expand all](#)

2.1.A Description of the inventory

Inventory's name:

Inventory of heritage trees and shrubs (Inventaris van houtige beplantingen met erfgoedwaarde)

Area (KM2): 3

Year: 2 015

Total number of items 1 426
/ inventory objects:

Is inventory closed or open ?: Open

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Architectural Heritage

Landscape Heritage

2.1.C Legal status

Does it have Yes

'procedural'
implications?:

If 'yes' above, are Advisory
these procedural

[Expand all](#)

2.1.A Description of the inventory

Inventory's name:

Inventory of historical parks and gardens (Inventaris van historische parken en tuinen)

Area (KM2): 23

Year: 2 015

Total number of items 325

/ inventory objects:

Is inventory closed or open ?: Open

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Architectural Heritage

Buildings still largely complete and/or habitable

Groups of buildings still largely complete and/or habitable

Landscape Heritage

Designed landscapes (parks/gardens)

[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Inventory of Archaeological Zones

Area (KM2): 69

Year: 2 015

Total number of items 82

/ inventory objects:

Is inventory closed or open ?: Open

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Areas with arhaeological heritage in situ

Architectural Heritage

Landscape Heritage

2.1.C Legal status

Is this inventory required by law?: Yes

[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Central Archaeological Inventory (Centrale Archeologische Inventaris)

Year: 2 015

Total number of items 37 249

/ inventory objects:

Is inventory closed or open ?: Open

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Architectural Heritage

Landscape Heritage

2.1.G Finance

What type of financing does it receive?: Structural

What type of funding is used?: Public

2.1.H Internet

[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Beschermingsdatabank

Year: 2 013

Total number of items 13 413

/ inventory objects:

Is inventory closed or open ?: Open

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Protected archaeological sites	15
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Architectural Heritage

Protected town- and villagescapes	1 521
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Protected monuments	11 117
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Landscape Heritage

Protected landscapes	694
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[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Inventory of nautical heritage

Year: 2 015

Total number of items 124

/ inventory objects:

Is inventory closed or open ?: Open

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Nautical heritage (schips ...)

Architectural Heritage

Landscape Heritage

2.1.C Legal status

Is this inventory required by law?: Yes

Does it have 'procedural' Yes

[Expand all](#)

2.1.A Description of the inventory

Inventory's name: Inventory of the Immovable Heritage

2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Architectural Heritage

Landscape Heritage

2.1.D Maintenance

**Organisation
responsible for the
maintenance of this
inventory:**

Flanders Heritage Agency (Agentschap Onroerend Erfgoed)

2.1.E Content

**What type of
inventory is it?:** Scientific
Topographic

2.1 Commentary

Commentary (click to collaps)

Integrated Approach

(-) The inventory of Immoveable heritage also includes the inventory of nautical heritage, which is the basic instrument for the Flemish nautical heritage policy (listing, ...) and includes all the 'floating' heritage from the late 19th century until the 1970's.

Architectural Heritage

(-) The Central Archaeological Inventory is an inventory of the locations of archaeological finds (so concerning **archaeological heritage** that is already excavated). It is of indirect importance for site management.

2.2.A Legal regulations for the creation and/or maintenance of storage areas for the documentation of the heritage.

Yes

Approach (click to collaps)

Integrated Approach

Conservation

2.2.B Archaeological finds and documentation kept together

Yes

2.2.D Organisation(s) which have responsibility for storage of documentation or archaeological finds

Agentschap Kunsten en Erfgoed
Agentschap Onroerend Erfgoed
Recognised Immovable Heritage Depositories

2.2.E Research and/or documentation centre(s) for heritage that are not part of government or university systems

Yes

Approach (click to collaps)

Integrated Approach

Center for Agricultural History (CAG)

Center for Flemish Architectural Archives (CVAa)

Centre for Religious Art and Culture (CRKC vzw)

ETWIE

Flemish Mill Platform (Molenforum Vlaanderen)

KADOC

Levende Molens

Molenzorg Vlaanderen vzw

Sint-Lucasarchief

2.2 Commentary

Commentary (click to collaps)

Integrated Approach

NOTE ON PRIVATE ORGANISATIONS WITH A RESEARCH AND DOCUMENTATION FOCUS

Research and documentation is carried out by the governmental agencies, public bodies, universities and a wide array of private organisations. Research carried out by private organisations is very often paid service (by order or via subventions).

Different private umbrella and network organisations carry out research and documentation functions, often with a thematic focus and often bridging immovable and cultural heritage aspects, which at Flemish government level are treated as separate competences.

The above list is not restrictive. Heritage organizations Herita (www.herita.be) and Faro (www.faronet.be) perform an important role as 'umbrella organization of heritage umbrella organizations'. The website www.erfgoedkaart.be provides an interesting overview of heritage organizations at different levels.

Some umbrella organizations, like the Centre for Religious Art and Culture (Centrum voor Religieuze Kunst en Cultuur- CRKC) are financially supported by the Flemish government. Some of them, like the Center of Expertise for Technical, Scientific and Industrial Heritage (Expertisecentrum voor Technisch, Wetenschappelijk en Industrieel Erfgoed – ETWIE) are officially recognized by the Flemish Government.

Archaeological Heritage

Immovable heritage depositories are supposed to receive and keep archaeological artifacts as well as archaeological ensembles (meaning the artifacts and the research data associated to them).

2.3 Systems of protection

[Expand all](#)

2.3.A Heritage legislation/ protection systems:

Categorie's name / Monument

[Expand all](#)

2.3.A Heritage legislation/ protection systems:

Category's name / Townscape or villagescape
Name of level:

Number of items:

Year: 2015

Items: 1571

CoE Conventions to which it relates

- Visible remains

- Buried remains

Granada Convention on Architectural Heritage:

- Monuments (buildings / structures)

- Groups of buildings

- Sites (cultural landscapes)

2.3.B Inventory(ies) in which this category/protection scheme is recorded.

Inventory of the Immovable Heritage

2.3.C Organisation(s) responsible for this category / protection scheme

Flanders Heritage Agency (Agentschap Onroerend Erfgoed)

[Expand all](#)

2.3.A Heritage legislation/ protection systems:

**Category's name /
Name of level:** Cultural landscape

Number of items:

Year: 2015

Items: 685

CoE Conventions to which it relates

- Visible remains

- Buried remains

Granada Convention on Architectural Heritage:

- Monuments (buildings / structures)

- Groups of buildings

- Sites (cultural landscapes)

Convention on Landscape Heritage:

2.3.B Inventory(ies) in which this category/protection scheme is recorded.

Inventory of the Immovable Heritage

2.3.C Organisation(s) responsible for this category / protection scheme

[Expand all](#)

2.3.A Heritage legislation/ protection systems:

Category's name / Archaeological site

Name of level:

Number of items:

Year: 2013

Items: 26

CoE Conventions to which it relates

Valletta Convention on Archaeological heritage:

- Visible remains
- Buried remains

2.3.B Inventory(ies) in which this category/protection scheme is recorded.

Inventory of the Immovable Heritage

2.3.C Organisation(s) responsible for this category / protection scheme

Flanders Heritage Agency (Agentschap Onroerend Erfgoed)

2.3.D Type of ownership

[Expand all](#)

2.3.A Heritage legislation/ protection systems:

Category's name / Nautical heritage

Name of level:

Number of items:

Year: 2015

Items: 28

2.3.B Inventory(ies) in which this category/protection scheme is recorded.

Inventory of the Immovable Heritage

2.3.C Organisation(s) responsible for this category / protection scheme

Flanders Heritage Agency (Agentschap Onroerend Erfgoed)

2.3.D Type of ownership

2.3 Commentary

2.4.A Mandatory reporting to the competent authorities, by the finder of the chance discovery of heritage elements

Competent authorities:

Organisation

Agentschap Onroerend Erfgoed

Archaeological heritage

2.4 Commentary

Commentary (click to collaps)

Integrated Approach

In accordance with the new general immovable heritage decree, declaration of chance discoveries is mandatory. Within 3 days after the find, finders have to consult the Flanders Heritage Agency. Within 10 days after the declaration the agency carries out a field evaluation.

2.5.A Specific legal responsibility concerning illicit circulation of elements of heritage

Yes

2.5.B Illicit trade of heritage governed by a specific law

Yes

2.5.C Police unit dedicated to the illicit antiquities trade

Yes

2.5.D State action to identify material suspected of coming from illicit excavations or unlawfully from official excavations in

2.5.D State action to identify material suspected of coming from illicit excavations or unlawfully from official excavations in other States party to the Valletta convention

2.5.E Parties involved in the following activities for identifying illicit archaeological excavations (including the illegal use

2.5.E Parties involved in the following activities for identifying illicit archaeological excavations (including the illegal use of metal detectors, treasure hunting)

2.5 Commentary

Commentary

Integrated Approach

On 31 March 2009 Belgium has adopted the UNESCO-convention on the means of prohibiting and preventing illicit import, export and transfer of ownership of cultural property (the 'UNESCO 1970 Convention'). In the same year a platform was created, bringing together all the relevant actors of the different government levels concerned, such as the Flanders heritage agency and the Flemish department of culture. The platform is preparing the implementation of the convention.

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