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### **Heritage Legislation - Portugal**

Country: Portugal

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7.1.A Council of Europe conventions which have been signed and ratified by the state

# 7.1.A Council of Europe conventions which have been signed and ratified by the state:

|  | Convention | Date de signature (dd/mm/yyyy) | Date de ratification (dd/mm/yyyy) |  |
|--|------------|--------------------------------|-----------------------------------|--|
|  | Granada    | 20/10/2000                     | 29/03/2005                        |  |
|  | Valetta    | 20/10/2000                     | 29/03/2005                        |  |
|  | Florence   | 20/10/2000                     | 29/03/2005                        |  |
|  | Faro       | 20/10/2000                     | 29/03/2005                        |  |

#### 7.1.A Brief Overviw

#### **Granada:**

It is implemented in Portuguese legislation since 2001 (art.º 45º da Lei nº 107/2001 de 8 de Stembro; Decreto-lei nº 140/2009 de 15 de Junho). In the last 2 years Portugal developed an intense activity concerning immovable heritage protection.

#### Valetta:

Since 2001 (Lei nº 107/2001 de 8 de Stembro) where in the article 102 is previewed a criminal procedure related with ilicit traffic of legal protected monuments and sites.

#### Florence:

This is not on cultural heritage legislation but on the planning and environmental legislation.

The convention principles are present on the Portuguese legislation and policies concerning cultural heritage managment. Namely , the implementation of "Portal of Archeologist" in the web site of the General Directorate for Cultural Heritage , that allows an overview of all archaeological work, as well as the on line acess to the inventory of archeological sites and of monuments and sites with legal protection, reflects the art. 14th of the convention.

7.1.B If your state has not yet ratified all of these conventions, please briefly describe the efforts being made to reach this

#### **Brief overview**

Faro:

7.1.C Council of Europe Recommendations about cultural heritage reflected / incorporated in legislation or policy of yourstate.

#### 7.1.C Recommendations:

| 14             |  | Heritage Legislation - Portugal       |                                  |               |
|----------------|--|---------------------------------------|----------------------------------|---------------|
| Recommendation | Theme  | Reflected/incorporated in Legislation | Reflected/incorporated in Policy | Not<br>applic |
| Rec (1980) 16  | Specialised training   | Yes                                   | Yes                              | No            |
| Rec (1981) 13  | Declining craft trades   | No                                    | No                               | No            |
| Rec (1985) 8   | Film heritage  | No                                    | No                               | No            |
| Rec (1986) 11  | Urban open<br>space  | No                                    | No                               | No            |
| Rec (1986) 15  | Architectural<br>heritage -<br>Craft trades                      | No                                    | No                               | No            |
| Rec (1987) 24  | Industrial<br>towns  | No                                    | No                               | No            |
| Rec (1989) 5   | Archaeology -<br>town / country<br>planning                      | Yes                                   | Yes                              | No            |
| Rec (1989) 6   | Rural<br>architectural<br>heritage                               | No                                    | No                               | No            |
| Rec (1990) 20  | Industrial,<br>technical and<br>civil<br>engineering<br>heritage | No                                    | No                               | No            |
| Rec (1991) 6   | Funding<br>architectural<br>heritage                             | Yes                                   | Yes                              | No            |
| Rec (1991) 13  | 20th Century<br>architectural<br>heritage                        | No                                    | No                               | No            |
| Rec (1993) 9   | Architectural<br>heritage /<br>natural<br>disasters              | No                                    | No                               | No            |
| Rec (1995) 3   | Documentation architectural heritage                             | No                                    | No                               | No            |
| Rec (1995) 9   | Cultural<br>Landscapes   | No                                    | No                               | No            |
| Rec (1996) 6   | Protection<br>against<br>unlawful acts                           | Yes                                   | No                               | No            |
| Rec (1997) 2   | Physical<br>deterioration -<br>pollution                         | No                                    | No                               | No            |
| Rec (1998) 4   | Historic<br>complexes,<br>immoveable<br>and moveable<br>property | Yes                                   | Yes                              | No            |
|                | Haritago   |                                       |                                  |               |

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| Rec (1998) 5  | education   | No  | No  | No |
|---------------|---|-----|-----|----|
| Rec (2001) 15 | History<br>teaching   | Yes | Yes | No |
| Rec (2003) 1  | Tourism as a factor for sustainable development             | No  | Yes | No |
| Rec (2004) 3  | Geological<br>heritage                                      | Yes | Yes | No |
| Rec (2005) 13 | University<br>heritage                                      | Yes | Yes | No |
| Rec (2008) 3  | Guidelines -<br>implementing<br>the Landscape<br>Convention | No  | No  | No |

## 7.2.A Are visions or strategies for heritage going to change in the short and medium term?

#### 7.2.A Vertical Tabs

#### **Integrated Approach**

Short and medium term changes:

- New state/governmental organisation of the cultural departments due to the severe financial constraints. Decreasing of the private support on all cultural activities: conservation, restoration, exhibitions, etc.
- Increasing of the integrated approach at all levels not only between technicians from different areas but also between different actors: private developers, public, municipal and local authorities and organizations.
- Increasing of the awareness about the environmental friendly techniques within the conservation and restoration work fields.
- Increasing of the awareness of the cultural values attached to the landscape and the crucial role on the sustainable cultural heritage conservation.
- Revision of the listing cultural heritage criteria. The system started over 100 years ago and went across many changes and points of view. Now it is recognized that is necessary to establish criteria for reviewing the existent list and their protection areas and new criteria for the future listed cultural heritage.

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