

Intangible cultural heritage and public policies in Portugal: An overview

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Abstract

By signing the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (ICH), states parties commit to implementing its guidelines in national contexts, adapting policies, procedures and heritage management systems to include the UNESCO principles and an understanding of Intangible Cultural Heritage (ICH), as well as considering community participation central to safeguarding processes. For many countries, this has resulted in framing new discourses, policies and practices that have contributed to a new reflection on how ICH is understood and how safeguarding is approached. Portugal is among the countries which, by ratifying the ICHC in 2008, set in motion a new heritage policy and governance framework for the safeguarding of ICH. This chapter presents an overview of the main steps taken in public policies concerning ICH, reflecting on the effects and challenges posed. This empirical study is based on the analysis of official documents (e.g., legislation and reports) and a literature review. The analysis presented herein may be significant to identify key issues in the implementation of ICHC in Portugal, and thus contribute to a comparative overview of the diverse approaches and effects generated by UNESCO.

Keywords

Intangible cultural heritage, cultural policies, museums, safeguarding, cultural heritage, UNESCO

Introduction

The 2003 *UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage* (ICHC) has had a significant impact on the international debate around what intangible heritage is and how safeguarding¹ should be approached. By signing the ICHC, states parties commit to implementing its guidelines in national contexts, adapting policies and procedures and heritage management systems to include the UNESCO principles and an understanding of Intangible Cultural Heritage (ICH), as well as considering community participation central to safeguarding processes. This has resulted in reframing discourses, policies and practices (Akagawa and Smith 2019), especially for the countries that ratified the document. Hence, as far as states parties are concerned, it may be said that there is a before and after the 2003 Convention.

The complexities involved in implementing protective regimes for the ICH have been the subject of research interest, especially in the last decade (Kuutma 2019). The discussions include in-depth case studies of the impacts of the ICHC on national frameworks, analysing the complexities and challenges posed (Adell *et al.* 2015; Foster and Gilman 2015; Bortolotto 2021, among others). Many of these studies have demonstrated a diversity of reactions and local effects when implementing the ICHC in national frameworks (Bendix, Eggert and Peselmann 2012), since it generates new governance procedures, bureaucratic apparatus, new institutions and actors responsible for its interpretation and implementation which, in turn, are also confronted with the need to adapt to the existing heritage selection and management policies and practices.

Portugal is among the countries which, by ratifying the ICHC (2008), set in motion a new framework of policies and governance for the safeguarding of ICH, a context that has evolved over the years. This chapter presents an overview of the main steps taken in public policies concerning ICH, reflecting on the effects and challenges posed. This empirical study is based on the analysis of official documents (e.g., legislation and reports) and a literature review.² A first strand of analysis introduces the measures taken to create a new legal and institutional framework for ICH safeguarding at national level, which gained official protection from 2009 onwards. A second strand of analysis focuses on a review of the National Inventory of Intangible Cultural Heritage (created in 2011)

¹ This chapter is partially adapted from the text entitled “*Reflexões sobre Património Cultural Imaterial e Museus: Das Políticas às Práticas*” (2020).

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and its effects. The third strand is an examination of the role of museums from an institutional point of view, as they were regarded as the main actors responsible for ICH safeguarding since the implementation of ICHC. The final strand of analysis is related to the newly created (2020) government programme on preserving Portuguese traditional know-how.

Rethinking the framework for safeguarding ICH

Considering the Portuguese state's intent to ratify the ICHC (which was formalized in 2008), legal measures were taken in early 2006, entrusting the Ministry of Culture with the inclusion of the ICH in national policy (*Decree-Law no. 215/2006*).

From a legislative point of view, in 2001, the Portuguese Cultural Heritage Act (*Law no. 107/2001*) had foreseen a definition of cultural heritage that recognized its intangible dimension. It was referred to as "intangible assets" (*bens imateriais*) and framed within a broader definition of cultural heritage (Article 2, 4 and 6). However, the preservation of such intangible dimension had limited application in practice, but above all needed further development (Costa 2008; Carvalho 2011).

Following the ICHC ratification, a new decree came into effect in 2009 (*Decree-Law no. 139/2009*) building on the Portuguese Cultural Heritage Act 2001 in order to place greater focus on the particularities of the ICH, to set the basis for public action, and to make the necessary changes in order to translate the international heritage norms into national legislation.

Overall, the new legal framework incorporates the term "ICH" and is globally aligned with the 2003 Convention assumptions.³ It states the importance of ICH (and its diversity) for identity and collective memory, and highlights the role and participation of communities, groups and individuals in safeguarding and managing ICH (Article 2, c). The legal text gives considerable attention to the creation of a nationwide inventory system, emphasizing its role as the basis of ICH safeguarding. Furthermore, it was designed to be the only instrument to guarantee legal protection for ICH in the country.

Registration in the national inventory was also understood as a prerequisite for any Portuguese cultural expression application to be submitted to the international listing

³ See Vaivade and Wagener (2018) for a comparative study regarding the implementation of the ICHC in other national legal systems.

system of the ICHC (Costa 2013a: 157). Notwithstanding, since the Decree-Law of 2009 fails to mention this interdependence as a compulsory condition⁴, in subsequent years the Portuguese cultural expressions inscribed in the UNESCO Intangible Cultural Heritage Lists (hereafter the Lists) did not follow the procedure of entering their records in the National Inventory. The main argument was that in each proposal the cultural expression in question was already included in “an inventory of intangible cultural heritage in the territory” in line with criteria U.5 and R.5 in the *Operational Directives* for the Implementation of the ICHC (UNESCO 2016).⁵ This is one of the reasons for the amended version of the Decree in 2015, namely to include an explicit reference stating that all cultural expressions aiming to be inscribed in the international lists would have to be registered first in the National Inventory (*Decree-Law no. 149/2015*, Article 16, 1-4). It is likely that this measure has partly contributed to a deceleration of the internal flow of ICH proposals for the international lists, since the National Inventory procedures of peer-review and validation are highly demanding and time-consuming, where processes can take up to years.

The National Inventory of Intangible Cultural Heritage: a time for reflection

The National Inventory of Intangible Cultural Heritage (hereafter National Inventory) was launched in 2011, taking the format of a digital database – *Matriz PCI*.⁶ It has been operational for 10 years, however there are a number of questions that still call for attention.

⁴ The only reference in the 2009 Decree to this subject is in the text's preamble where it is noted that “the national inventory of intangible cultural heritage corresponds to one of the fundamental prerequisites imposed by UNESCO's 2003 Convention for possible nominations for the Representative List of the Intangible Cultural Heritage of Humanity and for the List of Intangible Cultural Heritage in Need of Urgent Safeguarding” (In *Decree-Law no. 139/2009*, p. 3648, translated by the author).

⁵ However, the interpretation of the officer in charge of the inventory, Paulo Costa, was that regarding criteria U.5 and R.5 of the *Operational Directives*, where it states: “the element is included in an inventory of the intangible cultural heritage present in the territory(ies)”, corresponded to “the element is included in a *National Inventory of Intangible Cultural Heritage*” (emphasis added. Author's translation of the original: *A Manifestação Figura num Inventário de Património Cultural Imaterial Nacional* (Costa 2013b: 111).

⁶ Available at: <http://www.matrizpci.dgpc.pt/MatrizPCI.Web> (accessed 10 November, 2021).

When considering the National Inventory's limited visibility and use in view of the number of cultural expressions inscribed – 20 inscriptions in total⁷– it falls short of effectively meeting the expectations initially set: to become “the tool for the knowledge of Portuguese traditions' diversity” (Costa 2013b: 108, translated by the author).

On the other hand, the low number of cultural expressions in the National Inventory also challenges initial perceptions of the entity's scientific ambitions, since it was “expected to make a major contribution to the visibility of many institutions that have for a long time played an important role in documenting ICH, such as ethnology and ethnographic museums, and universities and research centres for anthropological studies” (Costa 2009a: 139).

A number of issues might explain the current state of the art, one of which is related to the level of peer-review involved. The high level of technical and scientific documentation is given greater prominence in the ICH inventory form, since the inventory is understood as a means to contribute to archive and memory in the case of a cultural expression's disappearance (Costa 2013b: 50).

Furthermore, in addition to the overall requirements of the inventory form (*Ordinance no. 196/2010*), it is also compulsory for a professional with a degree in anthropology (or any other area within the social sciences) to undertake the supervision of the ICH inventory proposal. This might challenge the participation of communities (e.g., practitioners) to take the lead in such processes when not in partnership with duly specialized professionals, not to mention the financial assistance required by such processes. In fact, the lack of involvement of the communities in many inventory processes – most of them led by local authorities – is already one of the acknowledged problems (Costa 2013a).

Another issue is related to the management of this process at the institutional level, considering, to date, the limited capacity to respond to and handle the flow of submission forms with more agility.

Considering the difficulties with which the National Inventory has been confronted in the last 10 years, it is time for reflection, for engaging in a critical analysis and assessing its impact, and ultimately finding ways to bridge the gaps. In this regard, it is also worth

⁷ There are 17 ICH elements inscribed plus three elements inscribed in the category of “urgent safeguard”. Furthermore, there are 84 inventory forms under analysis: <http://www.matrizpci.dgpc.pt/MatrizPCI.Web/pt-PT/InventarioNacional/PesquisaOrientada#> (accessed 10 November, 2021).

examining the impact of other inventory systems that have adopted more open and participatory approaches. Wikipedia is one such model, and its adoption could foster a more diverse and representative mapping of ICH, while maintaining some level of peer-review, as is the case of Finland's Wiki-inventory of Living Heritage (Kivilaakso and Marsio 2017), among others.

On the role of museums from an institutional perspective

In 2007, the Portuguese Ministry of Culture assigned the responsibility of defining a policy for ICH to the newly created Institute for Museums and Conservation (*Instituto dos Museus e da Conservação*) (Decree-Law no. 97/2007), thus positioning museums as one of the main actors for the safeguarding of ICH.⁸

The initial years of this institutional framework revealed some level of drive. On the one hand, a focus was placed on the conceptualization and implementation of a National Inventory, and on the other, some steps were taken towards public action, through the organization of debates throughout 2008, that would contribute to a growing awareness of the role of museums in ICH safeguarding (see Costa 2009b). However, from 2012 onwards changes in the institutional landscape would lead to a slower pace and more limited effects.

In 2012, following a new political cycle, a major reorganization would merge several specialized areas of state intervention (museums, intangible heritage, archaeology, architecture, conservation) into one central governmental body – the General-Directorate for Cultural Heritage – DGPC (*Direção-Geral do Património Cultural*) (Decree-Law no. 115/2012) –, an overall trend also observed in some European countries since 2009 (Camacho 2015). Hence, the newly created DGPC inherited the institutional responsibilities of the former Institute for Museums and Conservation (2007-2012) in ICH national policy implementation-related matters.

In such reform, the ICH responsibilities were assigned to the Division for Immovable, Movable and Intangible Heritage (*Divisão do Património Imóvel, Móvel e Imaterial*), under the Department for Cultural Assets (*Departamento de Bens Culturais*). The Division covers several heritage categories in addition to ICH. To some extent, the

⁸ For a more in-depth analysis of the previous institutional framework regarding ethnographic heritage see Carvalho (2011).

organizational changes have weakened the autonomy regarding ICH management. While previously, with the former *Institute for Museums and Conservation*, IHC responsibilities fell under the authority of a specialized department, in the DGPC they are under a Division with scarce resources but a larger scope and responsibilities. Moreover, there has been no reinforcement in terms of human resources in this new organizational context, which has, to some extent, influenced its capacity to effectively develop and implement the expected ambitions for ICH safeguarding.

For museums, one of the tangible effects of the legal and institutional framework regarding ICH was the adjustment of technical aspects regarding the management of collections, namely the inventory forms that were considered ill-suited for describing ICH. In 2011, the information system used to support national museum inventories – the *Matriz*⁹ programme – was reviewed and adapted to allow for ICH entries. However, if a simple search with the term “intangible cultural heritage” is conducted on the aforementioned database, 2963 entries are found, most of which are related to museum objects, but the search is inconclusive as to the existence of specific entries for ICH practices.¹⁰ Exploring other search options on the database, namely by themes, it is possible to observe that ICH is not one of the available options. A follow-up of the impact of the database on ICH entry-related issues would be useful. For example, are museums using the platform to identify and document ICH? Are there constraints? Is the database raising interest in ICH among users? Who are its users and how are they using the database?

As far as the *Matriz* information system (3.0/MatrizNet, MatrizPix and Matriz PCI) is concerned, a recent report has underlined that this information system is no longer up to the mission of fulfilling a more comprehensive collection management and confronting the current challenges of collections’ digital access (Camacho 2021a). The outdated information technology architecture of this system and the lack of technical assistance, which has caused multiple problems for museum professionals and users, are among the identified problems. In fact, a current project is underway to revamp the system,

⁹ The program was created in the 1990s and began to be used in national museums from 1994–1995. For more detail see: Costa (2010, 2016) and Matos (2012). The *Matriz* is available at: <http://www.matriznet.dgpc.pt/matriznet/Home.aspx> (accessed November 12, 2021).

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<http://www.matriznet.dgpc.pt/MatrizNet/Objetos/ObjetosListar.aspx?TipoPesq=2&NumPag=1&RegPag=50&Modo=2&Critério=%22património+cultural+imaterial%22> (accessed November 12, 2021).

aiming for substantial improvements in collection searches, which was expected to be implemented in 2021 (Camacho 2021a).

It should also be noted that the legal framework for ICH (*Decree-Law no. 149/2015*) comprehends a specific role for museums in documenting ICH. Regarding the ICH entries in the National Inventory, the Law foresees that the objects associated with such cultural practices and the documentation produced (graphic resources, sound and video) should be incorporated in museums, preferably in museums of the RPM – Portuguese Network of Museums (*Rede Portuguesa de Museus*) (Article 19)¹¹. However, there are no detailed guidelines on its implementation (under what conditions, with what resources?) and no assessment to date, considering, at the same time, the overall operational difficulties of the RPM's work in recent years (see Oleiro 2017; ICOM Portugal 2017; Filipe 2017).

Furthermore, the legal framework for ICH (*Decree-Law no. 149/2015*) dedicates an important role to museums as one of the main actors involved in the ICH safeguarding policy, which is highlighted in several manners such as the contribution of museums in conducting studies on ICH in articulation with museum collections (Article 3, f), and the development of education programmes (Article 3, h). Given the lack of funding and support to apply such measures, the impact of ICH, in practice, remains uncertain. In this regard, the role of funding to leverage the development of such measures should not be ignored.

In relation to the above aspect, another issue needs to be considered, namely the overall complexity of the museums' action in supporting the ICH safeguarding policies in a period of crisis. As several reports noted, the crisis caused by the Covid-19 pandemic has widened various gaps within the scope of museums, highlighting the inequalities and constraints (UNESCO 2020; ICOM 2020; NEMO 2021). Nevertheless, in recent decades, the Portuguese museum sector has been subjected to several (and consecutive) economic crises, limiting museums' resources and, thus, their performance. Traditionally, museums in Portugal have been heavily dependent on public

¹¹ The RPM organisation was created in 2000 and is presently under the General-Directorate for Cultural Heritage (DGPC), aggregating 161 accredited museums (different types of museums and under different administrations): <http://www.patrimoniocultural.gov.pt/pt/museus-e-monumentos/rede-portuguesa/> (accessed November 12, 2021). Nonetheless, there are at least 683 museums in Portugal (Neves, Santos and Lima 2013).

funding, thus placing the museum sector in a particularly vulnerable position when confronted with major financial crises and subsequent public funding retraction. Considering the last decades, Garcia *et al.* (2016) analysed the cultural landscape in Portugal, differentiating two important cycles. The first is related to the period from the 1990s to 2008, presenting an overall trend of increased investment in culture (including museums) by the State and local governments. The second cycle is linked to the effects of the international financial crisis of 2008 – Portugal was among the most affected European Union member-states–, but also to the subsequent Portuguese sovereign debt crisis of 2011. Both crises (2008 and 2011) contributed to an inversion of the first cycle, with tighter budgets, disinvestment and overall containment and discontinuity, in addition to reinforced asymmetries, considering an analysis up to 2016. In fact, the critical situation of the museum sector has been frequently exposed by practitioners and researchers in recent years (Carvalho 2017; Oleiro 2017; ICOM Portugal 2017; Filipe 2017; Carvalho and Matos 2018; Camacho 2021a, 2021b). Despite the absence of more updated surveys, it may be argued that while the museum sector is still dealing with the aftermath of previous and consecutive crises, the current situation due to Covid-19 is a significant threat to a sector that is already fragile, and where the effects in the short and long-term are yet to be assessed. However, the limitations and constraints that stem from this context of scarcity, and the impact they may have on museums' capacity to be more active in the safeguarding of ICH, considering the resource investment that such agency involves, cannot be underestimated.

In short, a more active role of museums in safeguarding ICH is intertwined with a diverse set of issues. Today, we live in a hypothetical fertile museological period characterised by multiple transformations: new museums, “new” audiences, a new generation of museum professionals (most likely better prepared and informed), the availability of a wide range of new digital tools and forms of communication. However, in practice, change is slowly being incorporated into museums which are confronted with different paces and an asymmetric museum landscape, influenced by the contrariety and contingency of resources (human and financial) and the ability (or inability) of leaders (at different levels) to leverage sustainable programmes and projects, but above all public policies grounded on medium and long-term strategies. As noted, in Portugal, the role and agency of museums in safeguarding ICH, although incorporated formally in public policies, lacks further development in practice, namely in terms of supporting financial resources, in addition to a reflective practice to critically review the paths taken.

A new programme focusing on preserving the know-how

In 2020, a new Programme was established focusing on preserving Portuguese traditional know-how (*Resolution of the Council of Ministers no. 89/2020*). The scope of this programme is the arts and crafts sector, and it addresses four strategic aims: 1) preservation – by collecting, organising, producing and providing access to traditional know-how (understood here as tangible and intangible); 2) professional training – by ensuring know-how transmission to the new generations and practitioners; 3) capacitation – by providing support to artisans in order to improve products and services qualification, and their commercialization; and 4) promotion – through the cultural but also economic enhancement of the arts and crafts sector, and here the economic dimension and the relationship with tourism is of utmost importance.

It may be said that this new Programme concerns ICH safeguarding, particularly the practices in the domain of traditional craftsmanship, e.g., the skills and knowledge involved in craftsmanship, while also including the products themselves. However, it does not formally acknowledge any relationship with prior legal documents such as *Decree-Law no. 149/2015*, which is the basis of ICH safeguarding in the country. It should be noted that *Decree-Law no. 149/2015* had formally adopted the concept of ICH and its five domains, following the ICHC principles.¹² Furthermore, in the Programme, the term “ICH” is mentioned only once and in vague terms, with no explicit link to the two proposed concepts – “arts and crafts” (*artes e ofícios*) and “artisan” (*artesão*) – which are at its core¹³. Moreover, while the Programme foresees a measure consisting in

¹² *Intangible cultural heritage* is described as “the cultural manifestations expressed in traditional practices, representations, knowledge and skills, regardless of their popular or erudite origin, that communities, groups and individuals recognize as an integral part of their cultural heritage, and which, being transmitted from generation to generation, are constantly recreated by communities and groups depending on the environment, their interaction with nature and their history, instilling in them a feeling of collective identity” (*Decree-Law no. 149/2015*, Article 1, 2, p. 5363, translated by the author). The same legal document, clarifies that ICH is manifested in five domains: a) Oral traditions and expressions, including language as a vehicle of intangible cultural heritage; b) Artistic expressions and performance manifestations; c) Social practices, rituals and festive events, d) Knowledge and practices related to nature and the universe; e) Skills within the scope of traditional processes and techniques (Article 1, 3, p. 5363, emphasis added, translated by the author).

¹³ The “arts and crafts” are defined as “artisanal activities that produce works based on technical aptitudes and skills, based on personal intervention, presenting profound knowledge of the materials and processes. They are socially and culturally acknowledged small-scale practices; and “artisan” is described as “the expert who carries out an artisanal activity, on their own or for someone else, with technical mastery over the

mapping the know-how at national level (*Resolution of the Council of Ministers no. 89/2020*, III, 1.3, p. 10), there is no formal association with the National Inventory of Intangible Cultural Heritage.

The Programme will be developed by the “Know How” association, created in 2021 (*Decree-Law no. 43/2021*) (*Associação Saber Fazer*). It is formed by public state organizations where several domains of expertise and governmental areas overlap: tourism (*Instituto do Turismo de Portugal*), competitiveness, innovation and entrepreneurship (*Agência para a Competitividade e Inovação*), employment and professional training (*Instituto do Emprego e Formação Profissional*), environment (*Agência Portuguesa do Ambiente*), agronomy and veterinary (*Instituto Nacional de Investigação Agrária e Veterinária*), and culture. As for the governmental area of culture, the chosen partner is the General-Directorate for the Arts (*Direção-Geral das Artes*), under the Ministry of Culture. On the one hand, as a result of this consortium an approach based on convergence and cooperation is particularly noteworthy. This approach cross-cuts various governmental areas, seemingly from a less compartmentalized perspective, and foresees the distribution of responsibilities in terms of ICH safeguarding. On the other hand, regarding this consortium, the absence of the General-Directorate for Cultural Heritage (DGPC), the main governmental body under the Ministry of Culture with assigned responsibilities in ICH safeguarding, is noteworthy. Moreover, this may represent a missed opportunity to activate the potential role of museums (under the tutelage of the DGPC) in safeguarding traditional craftsmanship, and their potential contribution as active partners in local and regional sustainable development.

While noting some formal inconsistencies and redundancies regarding ICH and its related concepts, and the absence of articulation with prior legal documents concerning ICH, this new Programme can indeed be interpreted as an initiative that may fuel new dynamics. For the time being the Programme has political support and investment (which was not clearly observable in previous ICH safeguarding measures), as it has been

materials and processes that are intrinsic to them, demonstrating skill and manual expertise, as well as an aesthetic sense. The artisan develops work that can be informed, in different ways, by the vernacular, the natural landscape or contemporary material culture” (*Resolution of the Council of Ministers no. 89/2020*, ANNEX, I, p. 8, translated by the author).

recently announced that the Portuguese National Recovery and Resilience Plan will include 2 million euros in funding for the know-how Programme until 2025.¹⁴

Concluding remarks

This chapter has presented an overview of the main steps taken in Portuguese public policies concerning ICH with the aim of reflecting on the effects and challenges involved in implementing the ICHC. The analysis leads to the conclusion that the establishment of a legal framework (2009) endorsing a national policy for ICH was a turning point in the Portuguese panorama for its overall integration of the Convention's provisions. It provided the umbrella to set in motion relevant premises that would highlight the importance of safeguarding ICH, a heritage that had been overlooked in the past from an institutional and legal protection point of view.

On the other hand, it should also be noted that, to some extent, the new national framework (legal, institutional, administrative) would provide the context to ensure the participation of Portugal in the influential UNESCO Intangible Cultural Heritage Lists. As observable, projected representation in the Lists has, over the years, given rise to significant growing interest on the part of civil society (mainly of local authorities), including some visibility for ICH in the media. In the last decade, and in line with other countries, several nominations were prepared to inscribe Portuguese cultural expressions in the international listing system. In fact, since 2011 nine Portuguese cultural expressions have been inscribed in the Lists.¹⁵

In particular, this chapter has focused on the National Inventory's (2011) limited use and impact, a mechanism that was designed as the basis of ICH safeguarding in the country,

¹⁴ *Dia Aberto – Plano de Recuperação e Resiliência – Componente Cultural*, 15-12-2021, an event organized by the *Gabinete de Estratégia, Planeamento e Avaliação Culturais – GEPAC*, <https://www.youtube.com/watch?v=4F-hikSWV8> (accessed December 17, 2021).

¹⁵ *Fado, Urban Popular Song of Portugal* (inscribed in 2011 in the Representative List); *Mediterranean Diet* (inscribed in 2013 to add to the existing file, Representative List); *Cante Alentejano, a Polyphonic Singing from Alentejo, Southern Portugal* (2014); *The Manufacture of Cowbells* (inscribed in 2015 in the List of Urgent Safeguarding); *Falconry, a Living Human Heritage* (inscribed in 2016 to add to the existing file, Representative List); *Bisalhães Black Pottery Manufacturing Process* (inscribed in 2016 in the List of Urgent Safeguarding); the *Craftmanship of Estremoz Clay Figures* (inscribed in 2017 in the Representative List), *Winter Festivities, Carnival of Podence* (inscribed in 2019 in the Representative List), and *Community Festivities in Campo Maior* (inscribed in 2021 in the Representative List).

and as the only instrument guaranteeing ICH legal protection, by presenting an overview of the current state of the art. The analysis led to distinguishing several critical points. The first is related to the bureaucratic apparatus and level of peer-review involved in the National Inventory procedures. Also in this regard, the lack of involvement of the communities in many of such inventory processes is an acknowledged problem, as already noted. This suggests that the centrality of community participation in safeguarding processes – which is at the heart of the ICHC – also continues to be a key challenging aspect, but also elsewhere (see UNESCO 2013). More attention should be paid to the need to find ways of designing mechanisms that promote community participation in inventory processes but also in other safeguarding programmes in the future.

Another issue is related to the management of administrative inventory procedures at the organizational level, considering the limited capacity to respond to and handle the flow of submission forms with more agility. This concerns the lack of resources (human and financial) in the main government body – the DGPC – which is in charge of the National Inventory. However, the lack of resources (but also agency) also restricts the advance of other efforts in additional activities, such as raising awareness, capacity building and financial support to other ICH safeguarding programmes. This means that beyond legislation, to ensure more sustainable developments in safeguarding ICH, the government's commitment should also be demonstrated by providing the adequate means to act accordingly.

Regarding the role of museums in safeguarding ICH, this study has revealed how the changes in the institutional framework have led to the weakening of museums' potential role in ICH policies. i.e., from 2007 to 2012, the Institute for Museums and Conservation had the main responsibilities in ICH safeguarding, thus positioning museums as one of the main actors. The DGPC has been the main government body since 2012. This organization combines many specialized areas of state intervention (museums, intangible heritage, archaeology, architecture, conservation), and such concentration (and the bureaucratic apparatus involved) of institutional duties may have prompted a twofold effect: a more reduced agency of ICH safeguarding within the organisation, and to some extent the weakening of museums' potential role, from the institutional point of view, as far as ICH policies are concerned.

As also argued, the newly created (2020) government programme for the preservation of Portuguese traditional know-how is, to some extent, detached from the established

legal system regarding ICH, thus shedding light upon a lack of articulation and discontinuity in government measures. For the time being the Programme has not yet been implemented and will require further assessment over time.

References

Adell, N., R. Bendix, C. Bortolotto, and M. Tauschek (eds.). 2015. *Between Imagined Communities and Communities of Practice: Participation, Territory and the Making of Heritage*. Göttingen: Göttingen University Press.

Akagawa, N., and L. Smith (eds.). 2019. *Safeguarding Intangible Heritage: Practices and Politics*. London: Routledge.

Bendix, R. F., A. Eggert, and A. Peselmann (eds.). 2012. *Heritage Regimes and the State*. Vol. 6. Göttingen: Universitätsverlag Göttingen.

Bortolotto, C. 2021. *UNESCO Frictions: Heritage Making Across Global Governance [2014-2019]*. <https://frictions.hypotheses.org/presentation> (consulted February 20, 2021).

Camacho, C. F. (coord.). 2021a. *Grupo de Projeto Museus no Futuro: Relatório Final*. [Lisbon]: Direção-Geral do Património Cultural. <http://patrimoniocultural.gov.pt/static/data/docs/2021/02/15/RelatorioMuseusnoFuturo.pdf>.

Camacho, C. F. (coord.). 2021b. *Future Museums Project Group Executive Summary of the Final Report*. [Lisbon]: Direção-Geral do Património Cultural. <http://www.patrimoniocultural.gov.pt/static/data/docs/2021/02/12/Summary.pdf>

Camacho, C. F. 2015. *Redes de Museus e Credenciação: Uma Panorâmica Europeia*. Vol. 2. Coleção Estudos de Museus. Casal de Cambra: Caleidoscópio e Direção-Geral do Património Cultural.

Carvalho, A. 2011. *Os Museus e o Património Cultural Imaterial: Estratégias para o Desenvolvimento de Boas Práticas*. Vol. 28. Biblioteca - Estudos & Colóquios. Lisboa: Edições Colibri and CIDEHUS - Centro Interdisciplinar de História, Culturas e Sociedades da Universidade de Évora. <https://doi.org/10.4000/books.cidehus.2476>

Carvalho, A. 2017. "Equipas de Museus: Evolução ou Retrocesso?" *Boletim ICOM Portugal* 8 (Jan.): 14-16.

Carvalho, A. 2020. “Reflexões sobre Património Cultural Imaterial e Museus: Das Políticas às Práticas.” In *Gestão Integrada do Património em Museus e Salvaguarda do Património Cultural Imaterial*, ed. Alice Lucas Semedo, Alexandre Matos, and Elizabete de Castro Mendonça, 1:13–43. Rio de Janeiro: Núcleo Multidimensional de Gestão do Patrimônio e de Documentação em Museus, Escola de Museologia, Departamento de Estudos e Processos Museológicos da Universidade Federal do Estado do Rio de Janeiro (NUGEP/UNIRIO) and Centro de Investigação Transdisciplinar «Cultura, Espaço e Memória» (CITCEM) da Universidade do Porto. <http://hdl.handle.net/10174/27017>

Carvalho, A.; and A. Matos. 2018. “Museum Professionals in a Digital World: Insights from a Case Study in Portugal.” *Museum International* (special issue: *Museums in a Digital World*), 70 (277–278): 34–47. <http://hdl.handle.net/10174/24003>

Costa, P. 2016. “Sistema Matriz: Instrumentos para a Gestão e o Acesso ao Património Cultural.” In *Cultura Digital em Portugal*, ed. Teresa Duarte Martinho, João Teixeira Lopes, and José Luís Garcia, 161-180. Porto: Edições Afrontamento.

Costa, P. F. da (ed.). 2009b. *Museus e Património Imaterial: Agentes, Fronteiras, Identidades*. Lisboa: Instituto dos Museus e da Conservação and Softlimits.

Costa, P. F. da. 2008. “Discretos Tesouros: Limites à Protecção e outros Contextos para o Inventário do Património Imaterial.” *Museologia.pt* 2: 17-35.

Costa, P. F. da. 2009a. “Drawing-up a Nation-wide Inventory of Intangible Heritage in Portugal.” *International Journal of Intangible Heritage* 4: 138–42.

Costa, P. F. da. 2010. “Inventário de Coleções e Técnica: Contextos, Fronteiras, Lógicas Classificatórias.” In *Ciência e Técnica: Normas Gerais*, ed. Sanches da Costa and Paulo Ferreira da Costa, 24–64. Normas de Inventário. Lisboa: Instituto dos Museus e da Conservação.

Costa, P. F. da. 2013a. “Património Imaterial: Entre as Comunidades e as Organizações.” *RP, Revista Património* 1: 154-159.

Costa, P. F. da. 2013b. “O Inventário Nacional do Património Cultural Imaterial”: Da Prática Etnográfica à Voz das Comunidades.” In *Atas do Colóquio Internacional: Políticas Públicas para o Património Imaterial na Europa do Sul: percursos, concretizações, perspetivas*, 93–115. Lisboa: Direção-Geral do Património Cultural (DGPC).

http://www.patrimoniocultural.pt/static/data/patrimonio_imaterial/politicaspublicasparaopatrimonioimaterialnaeuropadosul_dgpc2013.pdf

Decree-Law n.º 115/2012, of 25 May, *Diário da República*, 1.ª série, n.º 102, pp. 2772-2777. Creates the General-Directorate for Cultural Heritage (*Direção-geral do Património Cultural*).

Decree-Law n.º 139/2009, of 15 June, *Diário da República*, 1.ª série, n.º 113, pp. 3647-3653. Establishes the regime for the safeguarding of Intangible Cultural Heritage.

Decree-Law n.º 149/2015, of 4 August, *Diário da República*, 1.ª série, n.º 150, pp. 5361-5371. Amended version of the Decree-Law n.º 139/2009.

Decree-Law n.º 215/2006, of 27 October, *Diário da República*, 1.ª série, n.º 208, pp. 7539 – 7548. Approves the organic law of the Ministry of Culture.

Decree-Law n.º 43/2021, *Diário da República*, 1.ª série, n.º 109, pp. 10-13. Creates the Association Know-How (*Associação Saber Fazer*).

Decree-Law n.º 97/2007, of 29 March, *Diário da República*, 1.ª série, n.º 63, pp. 1928-1932. Creates the Institute for Museums and Conservation (*Instituto dos Museus e da Conservação*).

Filipe, G. 2017. “A Implementação da Lei-Quadro dos Museus Portugueses: Aporia de uma Política Museológica?” *Boletim ICOM Portugal* 10 (Out.): 12–17.

Foster, M. D., and L. Gilman. 2015. *UNESCO on the Ground: Local Perspectives on Intangible Cultural Heritage*. Bloomington: Indiana University Press.

Garcia, J. Luís, J. Teixeira Lopes, T. Duarte Martinho, J. Soares Neves, R. Telmo Gomes, and V. Borges. 2016. “Mapping Cultural Policy in Portugal: From Incentives to Crisis.” *International Journal of Cultural Policy* pp. 1-7. <http://hdl.handle.net/10451/25038>

ICOM Portugal. 2017. “Contributos para uma Urgente e Necessária Política Museológica Nacional.” *Boletim ICOM Portugal* 9 (Jun.): 12-22.

ICOM. 2020. *Follow-up Survey: The Impact of COVID-19 on the Museum Sector*. Paris: ICOM (International Council of Museums).

Kivilaakso, A., and L. Marsio. 2017. “Safeguarding Living Heritage with Participatory Wiki-inventorying in Finland.” *MEMORIAMEDIA Review* 1: 1–6.

Kuutma, Kristin. 2019. "Inside the UNESCO Apparatus: From Intangible Representations to Tangible effects." In *Safeguarding Intangible Heritage: Practices and Politics*, ed. N. Akagawa, and L. Smith, 68-83. London: Routledge.

Law n.º 107/2001, of 8 September, *Diário da República*, 1.ª série-A, n.º 209, pp. 5808-5829. Establishes the basis for cultural heritage policy and its protection and valorization regime.

Matos, A. 2012. "SPECTRUM: Uma Norma de Gestão de Coleções para os Museus Portugueses." Doutoramento em Museologia, Universidade do Porto.

NEMO. 2021. *Follow-up Survey on the Impact of the COVID-19 Pandemic on Museums in Europe - Final Report*. [n.p.]: NEMO (Network of European Museum Organizations). https://www.nemo.org/fileadmin/Dateien/public/NEMO_documents/NEMO_COVID19_FollowUpReport_11.1.2021.pdf

Neves, J. Soares, J. Alves Santos, and M. João Lima. 2013. *Panorama Museológico em Portugal (2000-2010): Os Museus e a Rede Portuguesa de Museus na Primeira Década do Séc. XXI*. Lisboa: Direção-Geral do Património Cultural.

Oleiro, M. Bairrão. 2017. "Políticas Públicas no Sector dos Museus: O Que Pode Ser Feito." *Boletim ICOM Portugal* 8 (Jan.): 8–11.

Ordinance n.º 196/2010, of 9 April, *Diário da República*, 1.ª série, n.º 69, pp. 1163-1167. Sets the requirements of the inventory form for ICH.

Resolution of the Council of Ministers n.º 89/2020, *Diário da República*, 1.ª série, n.º 207, pp. 6-10. Approves the Program "Know-How" (*Programa "Saber-Fazer"*).

UNESCO. 2013. *Evaluation of UNESCO's Standard-setting Work of the Culture Sector, Part I – 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, final report, by the Internal Oversight Service Evaluation Section, IOS/EVS/PI/129 REV*. [Paris]: UNESCO. https://ich.unesco.org/doc/src/IOS-EVS-PI-129_REV.-EN.pdf

UNESCO. 2016. *Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage*. [Paris]: UNESCO. https://ich.unesco.org/doc/src/ICH-Operational_Directives-6.GA-PDF-EN.pdf

UNESCO. 2020. *Museums Around the World in the Face of COVID-19*. <https://unesdoc.unesco.org/ark:/48223/pf0000373530>

Vaivade, A., N. Wagener. 2017. "National Laws Related to Intangible Cultural Heritage: Determining the Object of a Comparative Study." *Santander Art and Culture Law Review* 2: 91–108.



INTANGIBLE CULTURAL HERITAGE AND DIGITAL MEDIA

Portugal - Slovakia Readings

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United Nations
Educational, Scientific and
Cultural Organization



UNESCO Chair in Intangible Heritage
and Traditional Know-How: Linking Heritage
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