

5	Excellent
4	Very Good
3	Good
2	Satisfactory
1	Poor

4	Clear definition of cultural property
5	State ownership of undiscovered cultural heritage
3	Regulations on trade of cultural property
3	Export controls
4	Export certificates
3	Certificate of authenticity
1	Import controls
1	Establishment of national services
2	National inventory of cultural property
2	Inventory requirements for museums, public institutions, private collections
5	Protection of archaeological sites and regulation of archaeological excavations
1	Public education and awareness raising
2	Measures to prevent museums and similar institutions from acquiring illegally exported cultural property
2	Prohibition of import of cultural property stolen from a museum or religious/secular institution
4	Regulation of the diplomatic pouch
5	Provisions for the return of cultural objects stolen from a museum or other public institution
2	Sanctions (criminal and/or administrative and/or civil) of illicit activities related to destruction and illicit trafficking of cultural property
2	Requirement of register of sales for antique dealers, auction houses, dealers of cultural heritage and art galleries
4	Protection of underwater cultural heritage
4	Regulations regarding the use of metal detectors
1	Regulations regarding the trade of cultural artefacts on internet
Other (please specify):	

6. **Did your country's legal framework regarding illicit trafficking of cultural property change as a result of ratifying the 1970 Convention?**

X	Yes
	No

7. **What laws were passed or changed as a result of ratification? (Please provide the name of the law and the year it was passed)**

Law no. 107/2001, of 8 September, which establishes the bases of the policy and of the regime of protection and valorization of the cultural patrimony. The following laws have not passed as a result of the ratification of the Convention, however are particularly important in this framework: - Decree-Law no. 148/2015, of 4 August, which establishes the system of classification and inventory of movable property of cultural interest, as well as the rules applicable to the export, dispatch, import and admission of movable cultural goods. - Law 30/2016, of 23 August, on the restitution of cultural objects unlawfully removed from the territory of a Member State of the European Union (transposes Directive 2014/60/EU of the European Parliament and of the Council of 15 of May 2014).

8. **Please add any additional comments on the legislative/policy framework**

9. **Has your country implemented a policy to prevent the illicit export of cultural property?**

X	Yes
	No

Please specify :

Through the export forms of the European Union and in the request of the documents provided for in Decree-Law no. 148/2015, of 4 August.

10. **Does the implemented policy include the requirement of a legally issued export certificate of the country of origin and/or transit?**

X	Yes
	No

Please specify :

When it is an import, as provided in Decree-Law no. 148/2015, of August 4.

11. **Has your country encountered difficulties in returning/restituting cultural property to its place of origin due to incompatibilities with national judicial decisions?**

	Yes
X	No

Implementation and operative framework

Institutional Framework

12. Does your country have a specialized service for the protection of cultural property (as described in Article 5 of the Convention) whose functions may include drafting laws and legislation, establishing national inventory, promoting establishment/development of scientific and technical institutions, organizing the supervision of archaeological sites, establishing rules for curators, antique dealers, etc., developing educational activities and/or publicizing the disappearance of cultural property?

X	Yes
	No

13. Please describe this service's major roles and responsibilities.

Competent State bodies and entities: - The National Library of Portugal (BNP), regarding bibliographic assets; - The General Directorate for the Book, Libraries and Archives (DGLAB), regarding archival and photographic heritage assets; - The National Film Archive (Cinemateca Portuguesa), regarding assets of the audiovisual heritage; - The General Directorate of Cultural Heritage, in relation to other movable cultural goods.

14. Please indicate which of the following departments/ministries/agencies also have specialized services for the protection of cultural property against illicit trafficking (mark all that apply).

	Magistrates and/or judges
X	Police, gendarmerie, and/or Department of Interior
X	Public prosecutor
X	Customs
	None
X	Other (please specify): Ministry of Culture

15. Please describe the roles and responsibilities of these specialized services in more detail.

1. Police The Criminal Police (PJ) has the exclusive competence to investigate all the crimes of theft, damage, reception of goods of important artistic or historical value, whether in public or private collections or in a place accessible to the public, or belonging to the national cultural heritage, being legally classified or in the process of classification, in accordance with Article 7 (3) of Law no.49/2008, of 27 August 27 (Law on the Organization of Criminal Investigation). Within the PJ, a specialized Department on cultural property (Brigada de Obras de Arte) works in close collaboration with INTERPOL and EUROPOL and is responsible for publicizing the disappearance of cultural property as well as for the detection and investigative actions regarding illicit traffic of cultural property. 2. Customs The Customs Agency (Autoridade Tributária e Aduaneira), which is responsible for procedures regarding the import and export of cultural property, has a department (Direção de Serviços Anti-Fraude) specialized in detection actions regarding illicit traffic of cultural property. 3. Ministry of Culture The Ministry of Culture the rules applicable to the circulation of mobile cultural goods.

16. How do relevant stakeholders (Ministry of Culture, police, customs, etc.) coordinate regarding the protection of illicit trafficking? Mark all that apply

	Formal coordinating committee, working group, etc.
	Coordination lead by specialized service (as described in Article 5), antenna or focal point
X	Communication and meetings as necessary (i.e., for specific cases)
	Cross-trainings (i.e., trainings for police from Ministry of Culture staff)
	No Coordination
X	Other (please specify) : There is communication between the various parties when there is need or some concrete case to be dealt with

17. Please provide more detail on this coordination, including how it functions and who is involved.

Whenever necessary (this need is assessed in a case-by-case basis), depending on the concrete criminal investigation in progress, the PJ resorts to the specialized support and collaboration of other entities and institutions with functions in the safeguarding of cultural heritage.

18. Does your country use a database of stolen cultural objects?

	Yes, we have our own national or/and regional database that is not linked with the INTERPOL database
	Yes, we have our own national or/and regional database that is linked with the INTERPOL database
X	Yes, we use the INTERPOL database (and do not have our own national database)
	No, we do not currently have a national database or use the INTERPOL database
	We would request assistance to establish such a database

19. Please provide additional details on how your country uses such a database.

Also: Yes, we have our own national or/and regional database that is not linked with the INTERPOL database The database is used whenever a particular investigation shows that it is necessary to disclose some cultural property that has disappeared due to the commission of a crime, and on the other hand, when research is carried out to find out about stolen or stolen cultural property in other countries, in order to find them in the national territory, particularly in the scope of our investigations and oversight actions.

Protection and Prevention Systems

20. To what extent do museums and religious or secular public monuments have their own specific inventories of their cultural property/collections?

	All/almost all cultural property is inventoried
	Most, but not all, cultural property is inventoried

X	Some cultural property is inventoried, but significant gaps remain
	Very little cultural property is inventoried
	No/almost no cultural property is inventoried

21. **Please provide additional details on these inventories, specifying whether they are digitized, and including any challenges in creating/maintaining them.**

There are four major inventories in Portugal. First of all, the inventories of cultural property, directly managed by the Central Administration (DGPC), the National Library of Portugal (BNP), the General-Directorate for the Book, Libraries and Archives (DGLAB), and the National Film Archive (Cinemateca Portuguesa), which refer, respectively to: - museum collections, and other movable protected heritage; - library collections, including protected heritage; - archive collections, including protected heritage; - audiovisual collections, including protected heritage. The Regional Administration of the Azores and Madeira autonomous regions has its own databases for movable heritage. The Local Administration (municipalities) has its own databases for museum collections (municipal museums). Many private institutions have their own databases, such as private museums, religious institutions and foundations. Each type of administration and each private institution is responsible for managing its own databases.

22. **To what extent does your country have a centralized national inventory of cultural property?**

X	All/almost all protected cultural property is inventoried
	Most, but not all, protected cultural property is inventoried
	Some protected cultural property is inventoried, but significant gaps remain
	Very little protected cultural property is inventoried
	No/almost no protected cultural property is inventoried

23. **Please provide additional details on this inventory, including any challenges in creating/maintaining it.**

The General-Directorate of Cultural Heritage has a specific database for protected movable heritage, but is not available to the public.

24. **Please describe the extent to which looting/pillaging/illegal excavations of archaeological and ethnological objects is a challenge, including actions taken to combat it.**

The looting/pillaging of archaeological objects is a living threat concerning the archaeological heritage, especially in rural areas. We currently find that the destruction of archaeological sites is mainly due to agricultural or forestry works that do not require any kind of licensing for the digging in search of archaeological goods. We will have to comply with Article 103 of the Law n. ° 107/2001, of September 8th.

Knowledge, Skills and Values of Stakeholders and the Public

25. **Has your country undertaken any public awareness campaigns related to the protection of cultural property in the past five years?**

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X	Yes
	No

26. **Please describe, including methods, target audience, etc.**

The Criminal Police (PJ), through the PJ Museum, integrated in the School of Criminal Police, two projects aimed precisely at safeguarding the cultural heritage, alerting the public to the safety of cultural assets, with various indications as to the measures to be taken for a better protection. These projects are: - S.O.S Azulejo (SOS Tiles), which aims at the special protection of tile heritage; and - Igreja Segura (Safe Churches), which aims the protection of monuments and national religious heritage. These projects are essentially publicized through a website, with their own mailbox allowing citizens to raise questions and report illicit situations. <https://www.policiajudiciaria.pt/obras-arte-furtadas/>
<https://www.policiajudiciaria.pt/furto-trafico-e-viciacao-de-obras-de-arte-e-bens-culturais/>
<https://www.policiajudiciaria.pt/museu-policia-judiciaria/> (tiles and churches)

27. **To what extent is the public in your country engaged in the protection of cultural property? Examples of engagement may include :**

5	Excellent
4	Very Good
3	Good
2	Satisfactory
1	Poor

1	Protection of local archaeological and heritage sites by the public (eg. assistance in monitoring of sites, support in documenting etc.)
1	Return of objects to relevant authorities
1	Sharing information on stolen objects with authorities
2	Placing pressure on museums to change acquisition policies
2	Advocating for policy change

28. **Overall, to what extent do police and/or gendarmerie have the necessary resources and knowledge to address cultural property crime?**

	To a great extent
	To a considerable extent
X	To some extent
	To no extent

29. **Overall, to what extent do customs officers have the necessary resources and knowledge to address cultural property crime?**

	To a great extent
X	To a considerable extent
	To some extent
	To no extent

30. **What type of training do police receive on cultural property crime?**

	No specific training on this issue
X	Training has occurred in the past, but is not ongoing
	Training occurs periodically
	In-depth, specialized training for officers working on this issue
	Assistance is required from UNESCO and its partners
	Other

31. **Please provide additional details on the content and frequency of these trainings.**

There has not been a specific frequency for specialized training in this area. The more recent training actions attended were related to the online search of cultural, historical and / or archaeological goods.

32. **What type of training do customs officers receive on cultural property crime?**

	No specific training on this issue
	Training has occurred in the past, but is not ongoing
X	Training occurs periodically
	In-depth, specialized training for officers working on this issue
	Assistance is required from UNESCO and its partners
	Other

33. **Please provide additional details on the content and frequency of these trainings.**

Nothing to add.

34. **To what extent have museums in your country adopted a code of ethics, such as the ICOM Code of Ethics, that is in line with the principles of the 1970 Convention?**

	All or almost all have adopted such a code of ethics
X	Most have adopted such a code of ethics
	Some have adopted such a code of ethics
	None/only a few have adopted such a code of ethics
	Other (please specify) :

35. **Please provide additional details on the degree to which museums adhere to such a code of ethics.**

In Portugal museums act according to the Portuguese Law on Museums (2004) which is in line with the principles set forth in the 1970 Convention. Nevertheless, museums also adopt the ICOM Code of Ethics, although there is no survey with statistic data regarding the museums that adopt the Code.

36. **To what extent do dealers and auction houses in your country follow practices that are in line with the principles of the 1970 Convention, such as those outlined in the UNESCO International Code of Ethics for Dealers in Cultural Property and the Operational Guidelines of the 1970 Convention?**

X	All or almost all follow such practices
	Most follow such practices
	Some follow such practices
	None/only a few follow such practices
	Other (please specify) :

37. **Please provide additional details on the policies and practices of dealers and auction houses in your country.**

Only make the previous communications and / or submit the export licenses when the goods leave our country.

38. **How has your country engaged art and antiquities dealers around the issue of illicit trafficking of cultural property?**

There is a legal obligation of communication to the Criminal Police, by traders who negotiate in cultural heritage, describing the object acquired and the respective seller. When there is a change in the legal framework it communicates with the main antique dealers and auctioneers.

39. **Do you regulate the trade of cultural objects on internet?**

	Yes
X	No

40. **Have you entered into a specific agreement with an internet platform?**

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	Yes
X	No

International Cooperation

41. **Please list any bilateral agreements your country has regarding the protection of cultural property, including the years for which the agreement is in effect.**

a) Agreement with the Republic of Peru for the Protection, Conservation, Recovery and Return of Cultural, Paleontological, Archaeological, Artist and Historical Goods, Stolen, Illegally Exported or Transferred, signed in Lisbon on 12 November 2012. b) Cooperation Agreement with Libya in the areas of education, science, technology and higher education, language, culture, youth, sports and social communication, Decree no. 29/2009, of 30 October, c) Cooperation Agreement with Chile in the areas of education, science and higher education, culture, youth, sports and media, published in Diário da República, 1st Series, no. 70, of 9 April 2009 d) Cultural Agreement with Colombia, published in Diário da República, 1st Series, no. 42, 2 March 2009 e) Cooperation Agreement with Estonia in the fields of language, education, culture, science and technology, youth, sports and media, published in Diário da República, 1st Series-A, no. 168, 1 September 2005 f) Cultural Agreement with the Republic of the Philippines, signed in Manila on November 8, 2002, Decree no. 5/2010, of 12 April g) Agreement with the Government of the Russian Federation on combating crime, signed in Moscow on 29 May 2000

42. **Please indicate how the 1970 Convention helped with return/restitution cases your country has been involved in?**

	To no extent	To some extent	To a considerable extent	To a great extent
Provided a legal framework for return/restitution		X		
Provided a moral framework for return/restitution		X		
Provided a diplomatic framework for return/restitution		X		
Other (please specify):		-		

43. **Please provide additional details on or examples of how the 1970 Convention has facilitated return/restitution cases**

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44. **Does your country have a system in place to facilitate international cooperation (e.g. single points of contacts and easily accessible information) in cases of illicit trafficking of cultural property?**

X	Yes
	No

If yes, please specify

GEPAC – Office of Strategy, Cultural Planning and Evaluation – Ministry of Culture (Law no. 30/2016, of 23 august).

45. How has your country promoted this system and ensure the international community is aware of it?

Through Camões Institute under the remit of the Ministry of Foreign Affairs.

Overall

46. Yearly statistics

Thefts

1st Year reporting	69	Number of objects
Additional information : Theft and trafficking		
2nd Year reporting	0	Number of objects
Additional information :		
3rd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

Illegal Excavations

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects
Additional information :		
3rd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

Seizures (cultural objects originating from own country)

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects

Additional information :		
3rd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

Seizures (cultural objects originating from another country)

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects
Additional information :		
3nd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

Restitutions

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects
Additional information :		
3nd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

47. Please rate the extent to which each of the following is a challenge your country faces in preventing theft and illicit exportation of its cultural property.

	Not a challenge	Somewhat of a challenge	A considerable challenge	A major challenge
Gaps in national legislation to protect cultural property	X			
Lack of police capacity related to cultural property		X		
Lack of customs capacity related to cultural property		X		

Lack of coordination between relevant stakeholders		X		
Lack of inventories and databases in museums			X	
Inadequate security systems in museums and places of worship			X	
Inadequate security of archaeological sites	X			
Lack of cooperation from the art market		X		
Lack of expertise/capacity in the legal field (lawyers, judges, prosecutors, etc.)			X	
Lack of regulation on the internet				X
Lack of public awareness				X
Other (please specify):				-

48. **If applicable, please describe the three biggest barriers your country faces in securing the return/restitution of cultural property that has been stolen/illegally exported (e.g., cost of legal proceedings in other countries, lack of communication with counterparts in other countries, etc.).**

49. **If applicable, please describe the most common reasons why your country is not able to fulfill requests for return/restitution made by other countries (e.g., requests made outside parameters of existing legal framework, lack of evidence for claims, etc.).**

UNESCO Support for the Implementation of the 1970 Convention

General awareness raising and communication strategies

50. **UNESCO and its partners have developed a number of tools to help State Parties implement the 1970 Convention. Please rate how helpful these tools have been to your country :**

	Not helpful	Somewhat helpful	Very helpful	Extremely helpful
Object ID Standard (ICOM, the Getty, and UNESCO)		X		
UNESCO International Code of Ethics for Cultural Property Dealers			X	
ICOM Code of Ethics for Museums			X	

UNESCO Database of National Cultural Heritage Laws			X	
Basic Measures Concerning Cultural Items Offered for Sale on the Internet (INTERPOL, UNESCO, ICOM)			X	
Model Provisions Defining State Ownership of Undiscovered Cultural Property (UNESCO and UNIDROIT)		X		
Model Export Certificate for Cultural Objects (UNESCO and WCO)			X	

51. Please provide additional details on how your country has used UNESCO's tools.

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52. Please indicate whether your country has uploaded relevant national laws to the UNESCO Database of National Cultural Heritage Laws.

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53. What additional tools would be helpful for UNESCO to develop ?

A database common to all member states, aimed at networking.

54. Have you or other stakeholders in your country participated in any of UNESCO's capacity building workshops or projects related to preventing illicit trafficking of cultural property in the past five years?

	Yes
X	No

55. How did these workshops or projects contribute to the implementation of the 1970 Convention in your country? Please provide specific examples where possible.

□

56. There are a number of ways the UNESCO Secretariat could support State Parties in the implementation of the 1970 Convention in the future, in addition to servicing the governing bodies of the Convention. Please indicate the extent to which the Secretariat should give priority to the following activities :

	No priority	Low priority	Somewhat of a priority	High priority
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Support in reforming national policies and legislation		X		
Promoting policy dialogues between countries				X
Support for inventorying projects				X
Specialized trainings for police				X
Specialized trainings for customs				X
Specialized trainings for museum staff				X
National workshops to bring together stakeholders across departments, ministries, etc.			X	
Regional workshops to bring together stakeholders from across the region across departments, ministries, etc.			X	
Awareness raising activities (press releases, video clips, etc.)				X
Development of more legal and practical tools such as the WCO model export certificate, the Database of National Cultural Heritage Laws, etc.		X		
Facilitating the sharing of best practices between countries (e.g., online or through a newsletter)			X	
Other (please specify):				

57. **Please provide any additional suggestions for how UNESCO should focus its work on this topic going forward.**

58. **What difficulties did you State encounter while implementing the Convention during the last reporting cycle period ?**

Lack of human and material resources, lack of funding, lack of an integrated policy, lack of training of the various stakeholders and lack of awareness.

59. **How has your country used the Operational Guidelines of the 1970 Convention adopted in UNESCO during the Third Meeting of States Parties (2015)?**

60. **Any other additional issues or comments you would like to share.**