

# Dealing with the challenging commonality of the heritage traces of former colonial presence overseas

*Comparative analysis between the overseas cultural heritage policy strategy  
of the Netherlands and Portugal on bilateral and multilateral level of governance*



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## Introduction

The period of colonial rule by the Netherlands and Portugal is a thing of the past. Nevertheless, built remnants such as forts, castles and residences dating from that period can still be found in the territories of both the former colonized and colonizers all around the globe. As silent witnesses of colonial history, Fort Galle in Sri Lanka built by the Dutch and Portuguese in the 16<sup>th</sup> and 17<sup>th</sup> century and the Historical Centre of Willemstad built by the Dutch in 17<sup>th</sup> century in Curaçao are two examples of the plenitude of this ‘overseas cultural heritage’ (OCH), referring to unmoveable heritage sites that were created under the colonial influence or former presence of nation states on a territory that is not part of these states today.<sup>1</sup> At the end of the 20<sup>th</sup> century, both the Portuguese and Dutch governments increasingly felt a responsibility to (be involved with the) care for these remnants and developed national policy on the matter.<sup>2</sup> However, OCH-policy offers complex challenges to present-day governments as the heritage is at the crossroads of the cultural and political involvement of both the former colonized and colonizer and thus bridges the colonial past into the current postcolonial reality.

The formation of OCH-policy, especially by the former colonizer, might be difficult and contested at two levels: not only does the policy itself always concern the jurisdiction of at least two nations, it also inevitably involves making choices about the underlying heritage definition. How could the OCH-policy for instance deal with the “dual parenthood” of OCH and operate between the jurisdiction of two nation states (van Maanen and Ashworth, 2013: 2)? And how could it deal with the commonality of OCH, as the heritage embodies a common past and ownership by two now independent countries (see §1.3)? Earlier research has demonstrated the mutual involvement of both the former colonizer and colonized states in OCH-project can be beneficial: case studies for instance demonstrated that sharing heritage expertise can strengthen the conservation of OCH-sites (Roosmalen, 2013: 16; Meurs and Verhoef, 2006). Also, well-conserved OCH-sites, especially if they are World Heritage-sites, might offer practical benefits for local populations as they stimulate tourism (Essah 2001; Bruner, 1996) and support local development and investments (Da Silva, 2013: 75). Furthermore, OCH-policy could even be a sign of the maturity of a group when it “challenges comfortable assumptions” about itself or its past (MacMillan, 2009: 71). In 2000, the Dutch government introduced an OCH-policy strategy

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<sup>1</sup> In this thesis, ‘at home’ refers to the current geographic territory of the nation state, ‘overseas’ refers to areas outside these borders, also when used to describe a situation in the past. The author is aware that this concept is slightly focussed at the perspective of the former colonizer but uses the definition because the OCH-policy strategy of the former colonizer is the principal research object of the study.

<sup>2</sup> Whenever this thesis refers to “Dutch” or “Portuguese” OCH it does not imply legal ownership of the heritage, but merely refers to their involvement in the creation of the heritage.

framed as a “mutual heritage policy” (MCH-2000).<sup>3</sup> This Dutch common OCH-policy might be a positive and fruitful OCH-policy strategy based on cooperation and mutual support. Academic research on the characteristics of this OCH-policy strategy and how it deals with the challenging commonality of OCH thus seems important. And, is the Dutch policy strategy comparable to the strategy of other former colonizers? Interestingly, in a study on Dutch migration and heritage in the age of postcolonialism (Oostindie, 2008), the Dutch OCH-policy is shortly compared to similar policy of European governments. This study states that the Portuguese OCH-policy is “most comparable” with the Dutch (Fienieg et al., 2008: 39). However, given the rather exploratory nature of this comparison, it stresses that further research is necessary and especially a “comparative analysis of how different European countries deal with the legacy of their heritage overseas (...) seems crucial.” (Ibidem: 56). This statement invites further academic examination. To what extent are the OCH-policy strategies of the Netherlands and Portugal indeed comparable? The current research on how the Netherlands and Portugal deal with their OCH is rare and splintered over several partially relevant studies of several academic disciplines, such as heritage and memory studies and political sciences research. Moreover, a comprehensive comparative analysis of the OCH-policy strategy of Portugal and the Netherlands that examines both national heritage policies (bilateral level of governance)<sup>4</sup> and initiatives at the United National Scientific, Cultural and Educational Organization (UNESCO), the key authority for multinational heritage (multilateral level of governance), has not yet been conducted.

The majority of the current OCH-research consists of small-scale case studies of OCH-sites examining the heritage management, conservation strategy or their different interpretations. For instance, Eugenio van Maanen and Gregory Ashworth (2013) examine the Surinamese heritage management and legislation of the Dutch colonial heritage sites in Paramaribo. Other studies are especially aimed at the conservation practice of OCH, for instance in Olinda, a former Dutch city in Brazil (Meurs and Verhoef, 2006) or in Dutch-Portuguese colonial fort Galle in Sri Lanka (Rajapakse, 2011; 1). Finally, OCH has been analysed as sites that can embody different interpretations and memories of the past. Edward Bruner (1996: 293) for instance examined the “conflicting interpretations” of the Elima Castle in Ghana by tourists and the local population, a castle used by the Portuguese and Dutch for international gold and slave trade. These case studies are instrumental as they uncover key difficulties in the care for OCH in situ but grant often only little attention to the involvement of the former colonizer in the process (Roosmalen, 2013; van Maanen and Ashworth, 2013; Meurs and Verhoef, 2006; Verhoef

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<sup>3</sup> *Raamwerk gemeenschappelijk cultureel erfgoed*. Parliamentary papers 27.032, 2. The Hague, April 26 2000. Referred to in this thesis as ‘MCH-2000’.

<sup>4</sup> National policies concerned with OCH operate at the bilateral level of governments as at least two nation states are involved: the (former colonized) state that hosts the sites and the (former colonizer) state to whom the heritage is overseas.

and van Oers, 2005) or sometimes no attention at all (Rajapakse, 2011). Nevertheless, the OCH-policy strategy of former colonizers is at root of their involvement in a plurality of cases.

The few existing publications that do examine the Dutch and Portuguese OCH-policy are mostly focussed only at the bilateral or multilateral level of governance. A cornerstone research concerning the Dutch OCH-policy by Anouk Fienieg (2006) examines the reception of the commonality of the bilateral Dutch policy by the partnering countries. Further research on the Dutch OCH-strategy directly builds on her research (van Zoelen, 2016; Boodt, 2015; Fienieg, 2010), but do not reflect upon the OCH-policy strategy at the multilateral level of governance. Concerning the OCH-policies of Portugal, most research was conducted on the OCH-policies during active colonialism until 1974 (Mariz, 2016a, 2016b, 2013). A rare but key case study on the involvement of Portugal in the conservation of OCH-sites in Morocco and Mozambique (Da Silva, 2013) explicitly reflects upon the multilateral OCH-initiatives of Portugal after 1974 but does not analyse the bilateral OCH-policy of Portugal.

Consequently, further research that focusses on the OCH-policy strategy of the Netherlands and Portugal at both the bilateral and the multilateral level of governance would add to the existing research. This thesis will do exactly this and examine: what policy strategy have the Dutch and Portuguese governments developed concerning their OCH in the past century at both bilateral and multilateral level of governance, and to what extent the policy strategies are comparable? In order to answer this research question, this thesis adopts a multidisciplinary research strategy by firstly conducting a policy analysis of the OCH-policy on bilateral and multilateral level of governance. To strengthen the analysis of the OCH-policy strategy, the thesis will also examine the underlying heritage definition by examining how it deals with the *challenging commonality* of OCH (see §1.3), rooted on key concepts and theories from the academic debate. This thesis will mainly focus on the OCH-policy strategy at root of the Dutch and Portuguese involvement in several OCH-projects and attribute only limited attention to the implementation of this policy.

In order to do this, the thesis will firstly conduct a policy analysis of the emergence and the further development of national Dutch and Portuguese OCH-policy (Chapter 2 and 3). Then, the thesis will examine the heritage definition that is institutionalized in this Dutch and Portuguese OCH-policy and uncovers and compares the choices that have been made to address the commonality of the OCH (Chapter 4). The second part of the thesis finally lifts the analysis from the bilateral to the multilateral level of governance and examines the Dutch and Portuguese OCH-initiatives within UNESCO, the key authority for multinational heritage governance (Chapter 5). The individual parts of the thesis together answer the research question and uncover the OCH-policy strategies that have been developed by the Dutch and Portuguese governments in the past century (Conclusion). First, the examination of 'heritage' and the challenging commonality of OCH as key concepts of this thesis is in order (Chapter 1).





## Chapter 1 • Theoretical introduction

### 1.1 • What is heritage...

The concept of 'heritage' has broadened its ontological scope over time. Originally, heritage was mainly a juridical concept meaning 'inherited goods', an etymology still present in the resemblance with the word 'inheritance' (Grijzenhout, 2007: 1; Graham et al., 2000: 1). Since the 1960's, the concept of heritage increasingly replaced the concept of 'cultural property' in national and international law, precisely because of this relation to the 'care' and 'handing on'. Heritage, other than property, is less connotated with ownership and has a strong element of conservation as it hints for the "protection of the heritage for the enjoyment of present and later generations" (Prott and O'Keefe, 1992: 309). Since the 1980's, the heritage concept has been used more often and further broadened its scope as it now not only includes unmoveable and tangible entities such as architectural sites and paintings, but also intangible entities such as a cuisine or traditional dance (Harrison, 2013: 6).<sup>5</sup> However, Smith's (2006: 11) statement that "[t]here is (...) no such thing as heritage" expresses the cornerstone of the academic heritage studies many key scholars agree upon: although the concept of heritage has been broadened over time and it can consequently be applied to an increasing category of entities, a clear, unchangeable and complete definition of heritage that all actors involved with would agree upon does not exist (Ashworth et al., 2007: 2; Grijzenhout, 2007; Harvey, 2001: 319-320; Lowenthal, 1985 etc.). Nevertheless, consensus on some key characteristics of heritage can be distilled from the academic debate.

Firstly, heritage is a 'label' used in the present, applied to something in the (near) past. David Lowenthal (1985) first explored this relationship when stating that the past is a "foreign country" as it significantly differs from the present. Later, Lowenthal (1998: xv) rooted the idea that heritage therefore "clarifies pasts so as to infuse them with present purposes" and although the heritage itself originates from the (near) past, its selection as heritage happens in the present and serves a political, economic or social present purpose. This view, referred to as the "present-centeredness" of heritage (Ashworth et al., 2007: 3), is now generally accepted in heritage studies (Scott, 2014: 183; Harrison, 2013: 14; Smith, 2006; Graham et al., 2000: 2; Lowenthal, 1998: xv; Tunbridge and Ashworth, 1996: 20). Adding to this, heritage can also be "*lieux de mémoires*" [sites of memory] or "the ultimate embodiments of a memorial consciousness that has barely survived in a historical age" (Nora, 1989: 12). *Lieux de mémoires* are created when the real context of the memory, *milieu de mémoires*, no longer exist but people want to preserve it, and can appear in material, functional and symbolic forms, or a combination (Ibidem: 18-9).

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<sup>5</sup> As stated, this thesis only focusses at unmoveable types of OCH.

Since heritage transforms things from the past towards the present, heritage sites can be remembering creations of beauty and creative excellence, but can also be “difficult” when they remember the destructiveness and cruelty of past events and “bring shame upon us now for the cruelty and ultimate futility of the events that occurred within them and the ideologies they represent.” (Logan and Reeves, 2009: 1). Consequently, difficult parts of the history represented in heritage sites be chosen to be conserved, but also to be forgotten (Ibidem: 1). Simultaneously the remnants can however bring cultures together as “creative expression has the potential to increase understanding and respect between disparate cultures and peoples” (Schneider, 2010: 101) and be a way of coming to terms with events in the past. And, as said, it can even be a sign of the maturity when a group “challenges comfortable assumptions” about itself or its past (MacMillan, 2009: 71).

### 1.2 • ...or rather, who decides what is heritage?

Given the absence of a clear ontological definition of ‘heritage’, the heritage definition and selection processes are always up for contestation and involve a matter of *choice* and *choice maker*. Consequently, the concept of heritage is less about the intrinsic qualities of entities that are indicated by the heritage concept, but about this process of indication and the cultural and social (Smith, 2006: 2) but also political processes this entails. It is therefore stated that heritage is not about tangible things but a “multilayered *performance*” of “visiting, managing, interpretation or conservation” (Ibidem: 3), or a “process of categorising, ordering, listing and subsequently conserving and/or archiving it” (Harrison, 2013: 6), a process that can be called “heritageisation” (Harvey, 2001: 32).

A key selection process is the formation of heritage policies that institutionalize a certain heritage concept. Rodney Harrison (2013: 14) therefore differentiates “official” and “unofficial” heritage referring to the authorisation of the state whereas official heritage differs from all other forms of heritage via “a set of professional practices that are authorised by the state and motivated by some form of legislation or writer charter.” This thesis will analyse and compare two levels of official heritage: at the bilateral level of governance as institutionalized in national policy documents regarding OCH (Chapter 2-3) and at the multilateral level of governance as is reflected in the initiatives and policies of UNESCO (Chapter 5).

### 1.3 • Overseas cultural heritage, a challenging commonality

Especially when OCH is concerned, the choices made by the government regarding the heritage definition are interesting and challenging. A core difficulty for formulating OCH-policies is what could be called the *challenging commonality* of the heritage, as the heritage embodies a common past and

ownership by two now independent nation states. In order to strengthen the analysis of the OCH-policy of the Netherlands and Portugal, this thesis therefore will not only map the national OCH-policies and multilateral OCH-initiatives of both (policy analysis), but also reflect upon the heritage definition that underlies these policies and initiatives and uncover the heritage choices that have been made. This will be done by analysing how the policy deals with this challenging commonality, an analytical frame based on the key existing heritage concepts introduced earlier. The frame specifically reflects upon two elements of the challenging commonality of OCH: how do the policies portray the *common past* from which the heritage originates and to what extent do they treat the *ownership* of the heritage as *common*?

#### *Common past*

As shown, heritage selection involves the selection of elements of the past and granting them with a heritage status in the present (Lowenthal, 1985, 1988). When OCH is concerned, the pasts from which the sites originate are potentially contested and even *difficult* (Logan and Reeves, 2009: 1) but when a government can speak about these difficult parts of its own past, this can be a sign of maturity (MacMillan, 2009: 71). Therefore, this thesis will analyse how the OCH-policy reflects upon the common past from which the heritage originates. How does the policy speak about this past? Does it stress the link to former colonial activities or rather avoid this connotation? And does it enable room to discuss about this common past?

#### *Common ownership*

By formulating OCH-policy, governments inevitably express a form of ownership of the heritage (not ownership as legal right to possession of a site, but as partaking in what could be called the meaning of the heritage) (Fienieg et al., 2008: 39). An important risk for heritage policy is that it marginalizes some views on heritage. Heritage can for instance be “dissonant” when actors involved have disjointing or conflicting heritage interpretations (Tunbridge and Ashworth, 1996). Ashworth (et al., 2007: 45) therefore stress that “pasts, heritage and identities should be considered as plurals”. When OCH is concerned, this plurality is especially challenging since it encompasses two national populations.<sup>6</sup> Therefore, the thesis will also analyse how the OCH-policies deals with the two state actors involved. Do they embrace the plurality of heritage definitions surrounding the OCH and stress the common ownership of the heritage, or is for instance their own relation to the heritage dominant?

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<sup>6</sup> Since this thesis is exclusively focussed at the level of official OCH-policy, the thesis will only look at the challenging ownership with regard to two groups: the former colonizer and the former colonized. Of course there are many more perspective and nuances in every heritage context present, but due to the size of this thesis, this simplified model applicable to all postcolonial context is used.



## Chapter 2 • The Dutch overseas cultural heritage policy in historical perspective

In the late 16<sup>th</sup> century the Netherlands obtained a presence around the world with the foundation of the West Indies Company (WIC) (1621-1792) and the East Indies Company (DIC) (1602-1799). Driven by mainly commercial motives, both companies established a global trading network with trading posts and colonial activities at all six inhabited continents (Oostindie, 2008: 1). The amount of present-day material remnants of this presence is vast: a complete inventory of OCH that emerged under Dutch colonial presence has still never been made.

As said, at the end of the 20<sup>th</sup> century the Dutch government developed national policy on the matter at the bilateral level of governance. This chapter will closely analyse the emergence and development of this OCH-policy until the present day. As such, the first paragraph (§2.1) will put these developments in historical perspective and explain what events led up to the emergence of the Dutch OCH-policy. The second paragraph (§2.2) will analyse the development of the OCH-policy by highlighting the key policy documents and by distilling the core characteristics of the policy since its emergence in 2000 until today. This policy analysis, and the analysis in the next chapter, are made by analysing the core governmental policies concerned with OCH and is supported by, and supplements, existing academic research.

### 2.1 • Preamble to overseas cultural heritage in Dutch national policy: from international monuments care towards a specific policy priority, 1875-1992

#### *1875-1992: Need for policy guidance*

The root of the Dutch OCH-policy is to be found in the institutionalization of the care for Dutch monuments as signifiers for national identity in the 1870's, the era of nationalism and paternalism. In 1875 the government formulated its first policy for its monuments in the Netherlands (Boodt, 2015: 9), a task in 1903 moved to the *Rijkscommissie*.<sup>7</sup> The first task of the institute was to make an inventory of all heritage sites in the Netherlands. In this context, Jacob Cornelis Overvoorde -a member of the *Rijkscommissie*- was the first to raise awareness for the “remnants of Dutch art in the overseas regions” (Attema and Keesom, 1997: 332) and can therefore rightly be called the ‘progenitor’ of the present OCH-policy (van Zoelen, 2016: 12). After a journey through Asia and Africa (1910-1911), Overvoorde

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<sup>7</sup> The name and fields of expertise of this state institute were changed often since its foundation to *Rijksbureau voor de Monumentenzorg* in 1918, *Rijksdienst voor de Monumentenzorg* (RDMZ) in 1946, *Rijksdienst voor Archeologie, Cultuurlandschap en Monumenten* (RACM) in 2006 and *Rijksdienst voor Cultureel Erfgoed* (RCE) in 2009.

started an inventory of Dutch heritage overseas, pleaded for the further mapping of and caring for this heritage and reported on its derelict state to the Rijkscommissie, stressing that the Dutch should extend their responsibility to care for cultural property to sites overseas (Attema and Keesom, 1997: 332-4).

However, it would take another eighty years for the Dutch government to comply with this plea and expand its monuments care to sites outside its current national borders. The decades leading up to this show what can be called a fragmented and sporadic involvement with the OCH-care. This consisted of the sporadic “export of [heritage] expertise” by the *Rijksdienst voor de Monumentenzorg* [National Monuments Authority (RDMZ)] on request of the partnering country regarding for instance setting up heritage inventories and management mechanisms and support with renovation projects (van Tilburg, 2002: 14). Also, the Ministry of Foreign Affairs incidentally provided support for OCH, signs of “fragmented international cultural relations” as a policy strategy on the matter was still absent (IOB, 2001: 33).

Meantime, in the 1980’s and 1990’s the foreign demand for assistance to Dutch heritage experts increased, for instance with the setting up of local heritage policies (Suriname 1976, Curaçao 1987), with heritage inventory projects (Indonesia 1991, Sint Maarten 1992 and Sint Eustatius 1997) and with the conservation or restoration of sites dating from the Dutch colonial period (Jakarta Batavia 1972, Jakarta Bogor 1989, Jakarta Kota, 1990, Sri Lanka 1996) whether or not with (financial) support of the Dutch Ministry of Foreign Affairs (van Dulm, 2002: 31; Attema and Keesom, 1997: 340-8). The RDMZ felt the increasing need for state coordination and asked the Dutch government in 1989 to formulate an official OCH-political strategy, stressing that the government could not stay silent as it had already shown a sense of “responsibility or at least involvement with the architectonic heritage overseas” by the previous sporadic financial support (Attema and Keesom, 1997: 341).

#### *1992-2000: OCH enters national cultural policy*

This time, the appeal collided well with the increase of financial resources for the Dutch international cultural policy.<sup>8</sup> In the 1990’s, the Ministry of Culture mentioned Dutch OCH in two Cultural Policy Acts<sup>9</sup>: the DCP of 1993-1996 called *Investeren in cultuur* and more extensively in the DCP of 1997-2000 called *Pantser of ruggengraat*.<sup>10</sup>

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<sup>8</sup> The financial resources increased from NLG 3.5 million in 1990, to NLG 5.1 million in 1995 and NLG 32.2 million in 2000 (IOB, 2001: 26).

<sup>9</sup> In the Dutch policy system, the *Cultuurnota* is the most important Dutch Cultural Policy (DCP) document that sets out a multiannual strategy and as such forms the core of the cultural policy for the upcoming years.

<sup>10</sup> • Ministry of Education, Culture and Sciences, *Investeren in cultuur: Cultuurnota 1993-1996*. The Hague, 1992. Referred to in this thesis as ‘DCP-1993-1996’.

• Ministry of Education, Culture and Science, *Pantser of Ruggengraat: Cultuurnota 1997-2000*. The Hague, 1996. Referred to in this thesis as ‘DCP-1997-2000’.

In the DCP-1993-1996, a link to OCH is made twice. First, it states that Dutch archive agencies have a “specific responsibility (..) regarding the former colonies and the other countries where there have been important Dutch settlements in the past.” (DCP-1993-1996: 110). Rather than giving policy guidance, the DCP thus confirms the responsibility regarding Dutch archives both at home and overseas (DCP-1993-1996: 111). A second and more pronounced link to OCH is made when stated that during the internationalization of monuments care, the minister “will give preference to partnerships with countries where there is built heritage that is perceived as ‘mutual heritage’ by both the partner country and the Netherlands. The Dutch contribution will mainly consist of providing knowledge and expertise.” (DCP-1993-1996: 120). As such, the DCP-1993-1996 seems to directly respond to the request of the RDMZ to give policy guidance on its actions and supports and affirms the RDMZ’s actions until now as it already exported expertise. Previous historiographies of the emergence of Dutch OCH-policy do not mention this DCP-1993-1996 (van Zoelen, 2016: 12-3; Boodt, 2015: 11-3; Fienieg, 2006: 17) although it seems important that this DCP not only for the first time mentions OCH in official Dutch heritage policy, but also stresses its *commonality*: it clearly stressed that all partners should agree upon this commonality (DCP-1993-1996: 120). Apart from this, the DCP does not set out a clear implementation guideline.

In the DCP-1997-2000 called *Pantser of Ruggengraat*, attention to OCH returns in a more expanded form but implementation guidelines remain absent. The DCP only states that the government is willing to share “historical knowledge” on OCH (DCP-1997-2000: 45). In the DCP-1997-2000 the Dutch government however for the first time explicitly recognizes a shared responsibility for OCH.<sup>11</sup> Interestingly, the DCD-1997-2000 directly refers to the colonial past as it states that Sri Lanka and Ghana also have “historical ties” with the Dutch, “in fact part of the countries of the DIC-route” (Ibidem). All countries mentioned in the paragraph on OCH are related to former Dutch colonial presence.<sup>12</sup>

As such, the DCP-1993-1996 and DCP-1997-2000 answer directly to the request of the RDMZ to give official government guidance on the matter of the export of the Dutch expertise about conservation techniques and heritage management, but one could not yet speak of a fully pronounced policy strategy regarding OCH. Nevertheless, between 1997 and 2000, 24 projects concerning OCH were in fact executed (see Appendix C). Furthermore, the acknowledged responsibility regarding the heritage overseas sets in motion the further development of an OCH-policy in 2000 (see §2.2).

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<sup>11</sup> Please note that in 1992 the Dutch government already expressed a responsibility regarding the former Dutch colonies abroad but this responsibility only involved their archive agencies and was rather unarticulated. In 1996, this responsibility broadened to incorporate OCH as a whole, not only archives.

<sup>12</sup> Apart from Indonesia, South-Africa and Suriname the document also mentions Sri Lanka and Ghana in the context of this OCH (DCP-1997-2000: 45).

At the end of the 1990's, OCH became a recurring topic in the debate in the House of Representatives also due to an inventory of the heritage called *Verstrooid Verleden* (1997).<sup>13</sup> Although the inventory is no official state policy, it is nevertheless vital to mention here because as it more clearly explains the idea of 'mutual heritage' in the 1990's. The heritage definition has a clear Dutch orientation: the heritage is described as "Dutch cultural heritage abroad" and refers to Dutch buildings, archives and shipwrecks (DCP-1997-2000: 4-5(quoted)). The inventory almost exclusively refers to heritage with direct relation to the DIC and WIC and the former colonial presence of the Dutch overseas. Furthermore, it claims that it is vital that both parties share the perception of commonality in order to successfully conserve the heritage (Ibidem: 2). This is rather paradoxical: the heritage is Dutch, but it should be perceived as mutual in order to successfully conserve it. However, again the document clearly acknowledges some form of commonality, avoids divisiveness and seeks harmony with the overseas countries, but its concepts are still indecisive and paradoxical.

## 2.2 • Overseas cultural heritage, a policy priority, 2000-2018

The inarticulate guidance in the DCPs of the 1990's and the precluding *Verstrooid Verleden*-inventory transformed into clear policy as the conservation of Dutch OCH split off as a special policy priority in 2000. The development of the OCH-policy strategy since can be divided into two phases, as the policy slightly changed directions in 2009.

### *2000-2009: Overseas cultural heritage, under the wings of the HGIS*

In the *Raamwerk gemeenschappelijk cultureel erfgoed* [Policy guidelines mutual culture heritage], the Dutch OCH is for the first time clearly conceptualised in official policy as it describes three different heritage categories.<sup>14</sup> The first aligns with the *Verstrooid Verleden*-inventory: "overseas cultural heritage" defined as "former DIC, WIC or colonial objects, outside Europe" (Boodt, 2015: 14). However, it adds two new categories: commissioned objects or buildings built or brought outside the Netherlands by Dutchmen (and objects in the Netherlands from countries that are meant with the first category (Ibidem: 14). As such, the policy expands the heritage definition to encompass not only heritage dating from the Dutch colonial presence overseas. The main goal of the policy is to work together on the

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<sup>13</sup> *Verstrooid Verleden*. Ministry of Foreign Affairs, Session 1996-1997, Parliamentary papers 25.320, 1. The Hague, April 16, 1997. Referred to in this thesis as 'Verstrooid Verleden-inventory'.

<sup>14</sup> Supra note 3.

Unfortunately, both the Ministry of Foreign Affairs and of Culture are no longer in possession of this policy document. The analysis of the document has therefore been made by using its citation and analysis in secondary literature (Boodt, 2015) and a policy evaluation (IOB, 2001).



“sustainable (physical) conservation” of this heritage (IOB, 2001: 92), directly repeating the goal described in the Verstrooid Verleden-inventory, but complements it with the sub-goals “knowledge exchange, strengthening of local support and the expanding of the knowledge about the mutual cultural heritage present” (IOB, 2001: 92(quoted); Akkermans et al., 2007: 62).

MCH-2000 aimed at seven priority countries that were picked based on the quality and quantity of its OCH and on the local “enthusiasm” about this policy (Fienieg, 2010: 41): Ghana, South-Africa, India, Indonesia, Sri Lanka, Suriname and Russia (see Annex A for an overview of the priority countries in the Dutch OCH-policy).<sup>15</sup> The inclusion of Russia, a country the Netherlands does not share a colonial history with, is remarkable. According to Fienieg (2010: 41) this can be seen as a form of circumventing a “neo-colonial hint” of the OCH-policy (2010: 41). The enlargement of the OCH-concept to not only include heritage related to the former colonial presence of the Netherlands, can be explained with similar arguments.

The MCH-2000 policy has a strictly regulated implementation structure: it worked entirely on request by partnering countries, on project basis and introduced an extensive set of criteria that the requested projects had to meet in order to be eligible for funding. The criteria oblige projects to serve a social, economic and political purpose in the present as the project should “strengthen the cultural identity” of the partnering country, should have “spin-off” effects for the partnering country by for instance stimulating local tourism and should be of “great strategic significance” to cultural cooperation with the priority countries (IOB, 2001: 92; Akkermans et al., 2007: 62(quoted)). The funds were made available by the Ministries of Culture and Foreign Affairs and managed and allocated by *Homogene Groep Internationale Samenwerkingen-Cultuurmiddelen* (HGIS), an institute that managed funding for three other cultural heritage categories too (IOB, 2001: 92).

Apart from the implementation via HGIS, the policy was also translated into custom-made policy agreements with partnering countries that included agreements on OCH-projects. Unfortunately, these bilateral agreements are not publicly available, but based on policy evaluation and secondary literature (Akkermans et al., 2007: 62; Verhoef and van Oers, 2005: 2), we know that the Dutch government had made these bilateral agreements with at least Sri Lanka (2003), South-Africa (2004), Ghana (2004) and Suriname (2001).

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<sup>15</sup> There is contestation about when Suriname was added as a priority country. One policy evaluation (Akkermans et al., 2007) states that Suriname was added in 2005, but an earlier evaluation (IOB, 2001: 25) states that Suriname was in 2001 already a priority country. Jochem Boodt (2015: 15), who had access to the original policy document of 2000, confirmed that Suriname was already priority country since 2000.

*2009-2020: Overseas cultural heritage, a separate policy priority again*

Apart from minor changes, the Dutch OCH-policy strategy on the bilateral level of governance held on to the structure introduced in 2000 until 2009. In 2009, the Dutch government made three important adjustments to the OCH-policy strategy.

Firstly, the key concept of the Dutch OCH-policy was changed: since 2000 the policy referred to *gemeenschappelijk* [mutual] cultural heritage, but this was changed in 2009 to *gedeeld* [shared] (SCH-2009-2012).<sup>16</sup> Unfortunately, the policy does not explain why this shift has been made.

Secondly, after the recommendations of a policy review (Akkermans et al., 2007), it was decided to detach funding for the program from HGIS involvement as the review claimed that the OCH-program asked for a more specific policy strategy (Akkermans et al., 2007: 53-4). As a result, the International Cultural Policy Act for 2009-2012 called *Grenzeloze Kunst*<sup>17</sup> announced the transformation of the OCH-policy and reintroduces OCH as a policy priority with separate three-year policy guidelines, the SCH-2009-2012. With the detachment from the HGIS-fund, both the Ministry of Culture and Foreign Affairs would directly contribute €1 million per year to the OCH-policy.

Thirdly, the ambition of the policy was increased from only the conservation of OCH to also stimulating a “dialogue” about it as a side effect of the OCH-policy (DICP-2009-2012, 2). As such, OCH-policy could trigger “critical reflection on our past and the mutual understanding of the past, the present and the future” and therefore contribute to the “strengthening of relation and the fruitful cooperation between countries” (SCH-2009-2012: 1). Nevertheless, any link to colonialism is still absent in the policy-strategy as it still speaks of the rather neutral “historical ties” (SCH-2009-2012: 1).

Finally it should also be added that the SCH-2009-2012 expanded its geographical from seven to eight countries also including Brazil (see Appendix B).

Since 2009, four more OCH-policy documents have been published that have not all been analysed by the existing studies on the Dutch OCH-policy (van Zoelen, 2016; Boodt, 2015; Fienieg, 2006), but they made only minor changes to the Dutch OCH-policy strategy.<sup>18</sup> Firstly, as a result of the liberal

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<sup>16</sup> Ministry of Foreign Affairs and Ministry of Education, Culture and Sciences, *Beleidskader Gedeeld Cultureel Erfgoed 2009-2012*. The Hague, 2009. Referred to in this thesis as ‘SCH-2009-2012’.

<sup>17</sup> Ministry of Foreign Affairs and Ministry of Education, Culture and Science, *Grenzeloze Kunst*, The Hague, 2008. Referred to in this thesis as ‘DICP-2009-2012’.

<sup>18</sup> • *Meer dan kwaliteit: een nieuwe visie op cultuurbeleid*. Dutch Ministry of Education, Culture and Science. Sessions 2010-2011, Parliamentary papers 32.820, 1. The Hague, June 10 2011. Referred to in this thesis as ‘DCP-2013-2016’.

• Dutch Ministry of Foreign Affairs and Ministry of Education, Culture and Science. *Beleidskader Gedeeld Cultureel Erfgoed 2013-2016*. The Hague, 2012. Referred to in this thesis as ‘SCH-2013-2016’.

• Dutch Ministry of Foreign Affairs and Ministry of Education, Culture and Science. *Beleidskader Gedeeld Cultureel Erfgoed 2017-2020*. The Hague, 2016. Referred to in this thesis as ‘SCH-2017-2020’.

government, the policy was confronted with an intense downsizing of the budget, and was increasingly focussed on the economic use and purpose of culture (DCP-2013-2016: 3; SCH-2013-2016: 2). Nevertheless, the heritage definition, as well as the goals and implementation structure of 2009 were kept in place (Ibidem: 4).

Secondly, Australia, Japan and the United States of America were added as priority countries, countries (SCH-2013-2016: 2, 5) but the policy also allowed incidental cooperation with countries other than the priority countries (Ibidem: 2; Smid and van Eersel, 2012). Consequently, 43% of the OCH-projects funded in 2013 and 2014 were in non-priority countries (see Appendix C). Unfortunately, the existing policy evaluations nor the ministries provide with an overview of the total funded projects within the OCH-policy strategy.

To shortly summarize, the policy analysis in this chapter clearly demonstrated that the Dutch OCH-policy strategy at bilateral level rooted in a long period of fragmented export of heritage expertise but grew into an extensive and stable policy priority since 2000. This OCH-policy strategy has a strong implementation structure and attributes an important role to the Dutch government as facilitator of OCH-projects although projects are always initiated by the partnering country. The policy analysis furthermore showed how the OCH-policy clearly expands its focus beyond the connotation with colonial history as it was from the beginning focussed at countries and types of heritage that are not related to this history. In the fourth chapter, the underlying heritage definition of the policy will be further examined. Firstly however, analysing the Portuguese national OCH-policy framework is in order.

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• Ministry of Foreign Affairs and Ministry of Education, Culture and Science. *Beleidskader international cultuurbeleid 2017-2020*. The Hague, 2016. Referred to in this thesis as 'DICP-2017-2020'.



## Chapter 3 • The Portuguese overseas cultural heritage policy in historical perspective

By entering the Indian Ocean in 1492, Portuguese nation initiated a period of European discovery and global colonial that would last for almost five centuries (Feldman-Bianco, 2001: 478-9). The extensive online inventory made by the Portuguese Gulbenkian Foundations of urbanistic or architectural traces of Portuguese heritage outside Europe demonstrates the numerousness of the built traces from this period.<sup>19</sup>

This chapter will analyse the emergence and development of Portuguese policy regarding its OCH following the same structure as the previous chapter. Therefore, the first paragraph (§3.1) will analyse what events led up to the emergence of the Portuguese OCH-policy and the second (§3.2) will analyse the emergence and development of the Portuguese OCH-policy since 2001.

### 3.1 • Preamble to overseas cultural heritage in Portuguese national policy: monument policies during active colonialism, 1911-1974

The first initiatives within the Portuguese national policy to take care for its OCH emerged already at the beginning of the 20<sup>th</sup> century in a context of active colonialism and consequently, as claimed by Vera Félix Mariz (2013), have a strong nationalistic and even propagandist rhetoric.

The first OCH-policy emerged in 1911 and was directly modelled after the *Direcção das Obras Públicas e Mina* [Directorate of Public Works and Mines] founded in 1852, a public institute that among other things arranged the care for Portuguese “historical” or “national” monuments in the Portuguese mainland (Mariz, 2016a: 108, 110(quoted)). In 1911, the government founded several *Direcções e Inspeções das Obras Públicas das Colónias* [Directorates of Public Works of the Portuguese Colonies] in its colonies, special directorates that would be locally responsible for the “[s]tudy, construction and conservation of public buildings and monuments” (GR-274/1911, art. 1).<sup>20</sup> The first OCH-policy was thus directly modelled after national monument conservation laws. However, the responsibilities of the Directorates in the colonies were in practice limited when compared to the equivalent mainland Directorate and involved no care or conservation responsibilities (Mariz, 2016a: 110).<sup>21</sup> Adding to this,

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<sup>19</sup> “Navigation”, Heritage of Portuguese Influence Website, The Calouste Gubenkian Foundation, accessed November 19, 2018, <http://www.hpip.org/def/en/Contents/Navigation>.

<sup>20</sup> *Regulamento geral das direcções e inspecções de obras públicas das colónias*. 1911. Diário do Govêrno 274/1911, Série I, 1911-11-23: 4679-4686. Referred to in this thesis as ‘GR-274/1911’.

<sup>21</sup> Angola, Mozambique and Portuguese India were exceptions to this trend as they had special Commissions for the local monuments (Mariz, 2016a: 110; Mariz, 2013: 262).

the viability of the policy framework was hindered by the absence of a complete inventory of all overseas monuments (Ibidem: 109). Therefore, Mariz (2013: 262) claims that in the first half of the 20<sup>th</sup> century there was a “total lack of well orientated “heritage consciousness” regarding Portuguese overseas architectonic heritage”.

This changed in 1958 when the *Estado Novo*, the authoritarian regime that ruled over Portugal from 1933 to 1974, centralized the monuments care in the provinces, the former colonies, as a responsibility of the mainland Ministry of Overseas and made the local Directorate of Public Works and Communications responsible for the “inventory, classification, conservation and restoration of the overseas monuments” (Mariz, 2013: 266). With this centralization consolidated in two Decree-Laws<sup>22</sup>, the Portuguese government not only for the first time “assume[d] full responsibility for the safeguarding of the overseas architectural heritage” as they centralized the policy in the mainland, but they also broadened the responsibilities from only nominating property as monuments, to also caring for it (Mariz, 2016a: 118). The extensive and early attention for OCH within Portuguese policy is remarkable, especially since the period of the *Estado Novo* rule has been characterized with policy that “limited both cultural and artistic endeavour” (Compendium, 2018: 1). Mariz explains the emergence of OCH-policy with the function the overseas heritage could have for the *Estado Novo* regime. Firstly, she (2016b: 159) demonstrates how the care for OCH stimulated tourism in the provinces in the 1950’s and 1960’s and served the economy in the Portuguese overseas territories. Secondly, Mariz (2013: 266) connects the emergence of the policy in 1958 with the growing decolonization pressures in the international community - think for instance of the Accra Conference (1958) or the Bandung Conference (1955) of newly independent nation states – and in the Portuguese territory itself. In a case-study of Mozambique, Mariz claims that within this context of decolonization and especially during the Portuguese Colonial War (1961-1974) the *Estado Novo* used the Portuguese monuments in its colonies as “propaganda machine” (2013: 262) to prove the “legitimacy of Portuguese colonialism” (2013: 268) in the area.

Nevertheless, the renewed OCH-policy did not immediately work because provinces lacked material and human resources (Mariz, 2016a: 176, 197). The policy functioned under par and one even spoke of the “total loss or damage of historical monuments” in some provinces (Ibidem: 196). In 1972 the policy was strengthened with a new implementation plan (*Decreto 470/72*, 1972), but this never had the change to be implemented, as the *Estado Novo* regime fell in 1974 and Portugal lost authority over its colonial territories.<sup>23</sup>

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<sup>22</sup> • *Decreto-Lei 148*. 1957. Diário do Governo 148/1957, Série I, 1957-06-29: 671-686.

• *Decreto 45575*. 1964. Diário do Governo 48/1964, Série I, 1964-02-26. 331-353.

<sup>23</sup> *Decreto 470/72*. 1972. *Diploma organico dos serviços de obras públicas e transportes do ultramar*. Diário do Governo 273/1972, Série I, 1972-11-23: 1718-1730.

### 3.2 • Overseas cultural heritage policies after colonial presence, 1974-2018

On April 25 1974, the Carnation Revolution in Lisbon brought the Estado Novo authoritarian regime to an end and with it, all former Portuguese African provinces gained independence within the following year: Guinea-Bissau (September 10, 1974), Mozambique (June 25, 1975), Cape Verde (July 5, 1975), São Tomé and Príncipe (July 12, 1975) and Angola (November 11, 1975). With the independence, the OCH was no longer part of the Portuguese territory and jurisdiction and the centralized policy of 1972 expired. Shortly after 1974, the new Portuguese government however continued the efforts to care for its OCH.

#### *2001-Heritage Law, bilateral agreements and the Government Planning Options*

After the Carnation Revolution it would take almost thirty years before the care for OCH would enter the Portuguese heritage law again, in 2001.<sup>24</sup> This 2001-Heritage Law still is the “basis for the policy and cultural heritage protection” (Compendium, 2018: 12) and the only official heritage law that refers to OCH.

The 2001-Heritage Law replaced the 1985-Heritage Law,<sup>25</sup> that makes no mention of heritage outside the Portuguese territory. The 2001-Heritage Law however does. When analysing the relevant article (art. 5), two things directly stand out: firstly, the policy is not exclusively yet prominently focussed on Portuguese speaking countries as it commits to “contribute” to the care for OCH, defined as “cultural heritage, located in or outside the national territory, which testifies to chapters of common history” with other Portuguese speaking countries, or that testifies “of special importance of Portuguese civilisation and culture” in other countries abroad (2001-Heritage Law: art. 5.1-2). Secondly the policy directly connects its heritage definition to the existing multinational heritage governance of the European Union and at UNESCO when it adds that it is especially aimed to “preserve and safeguard cultural heritage of European importance” or of “exceptional universal value” (Ibidem: art. 5.3). The latter is of course directly related to the concept of outstanding universal value, the conceptualisation of World Heritage (see §5.1).

By mentioning it in this 2001-Heritage Law, the Portuguese government officially acknowledges that the overseas heritage should be of their concern, but gives no clear policy guidance on the matter. As such, the attention to OCH in the 2001-Heritage Law is rather limited and hardly comparable to the

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<sup>24</sup> *Lei 107/2001. Estabelece as bases de política e do regime de protecção e valorização do património cultural* [Heritage protection law]. 2001. Diário da República 209/2001, Série I-A, 2001-09-08: 5808-5829. Referred to in this thesis as ‘2001-Heritage Law’.

<sup>25</sup> *Lei 13/85. Património cultural Português*. 1985. Diário da República 153/1985, Série I, 1985-07-06: 1865-1874. Referred to in this thesis as ‘1985-Heritage Law’.

extensive policy frameworks in the Dutch policy system. The Portuguese government has not expanded its policy guidance on the care for OCH in its national heritage laws since.

Based on the 2001-Heritage Law, the government seems to ascribe a limited role to the central government in regard to the care for its OCH. This sentiment is supported by the strategic policy plan for the Culture for 2012-2015 that even states that since cultural heritage “represents the inheritance common to all Portuguese” it is “a civic and citizenship issue to guarantee its care and development”, “more than a legal obligation or imposition” (*Lei 64-A/2011*, 2011).<sup>26</sup> Many heritage projects, including OCH, are therefore for instance executed by the Camões Institute, a semi-public institute that is responsible for the execution of the Portuguese international cultural policy (Compendium, 2018: 4). Unfortunately, Camões does not report on all executed projects and, mirroring the central Portuguese policy, does not state OCH as a separate priority or topic of interest. Therefore, it is not possible to make an overview of their involvement in OCH-projects, such as in Appendix C. The absence of clear implementation guidance might leave local heritage experts and executioners with relative operational freedom. This is confirmed in a case study of the heritage management of Portuguese OCH in Mauritania and Mozambique and the involvement of Portugal in these processes (Da Silva, 2013: 66), in which is stated that heritage projects for sites that testify to the “Portuguese Discoveries”, ergo Portuguese OCH from the colonial era, are “random and subject to political alternation, and subject to the personal approaches and resolutions of the different experts involved.”

In order to strengthen the analysis of the Portuguese government OCH-policy strategy since 1974, it is instrumental to also analyse the bilateral agreements that Portugal made with its former colonies or provinces and to analyse the Portuguese *Grandes opções do Plano* [Government Planning Options (GOP)].

Although OCH-policy only entered Portuguese heritage law in 2001, on a bilateral level Portugal immediately sought cultural cooperation with the newly independent nation states in 1974 and concluded several bilateral agreements on cultural cooperation with former colonized countries. Luckily, these bilateral agreements are publicly available and can therefore be used to understand the Portuguese involvement with its OCH since 1974. Almost immediately after the African decolonisation wave of 1974-1975, Portugal made bilateral agreements with Cape Verde (1977), Guinea-Bissau (1979), Morocco (1979), Angola (1979), India (1980), Argentina (1981), Malaysia (1989) and some years later also with Sri Lanka (2000), Paraguay (2000) Macau (2002) and Ethiopia (2009). These cultural agreements take a cooperative stance, stressing the legitimacy of the two nation states and arrange cultural cooperation such as for instance the exchange of students. The agreements also frequently encompass the care for monuments of the one nation situated in the territory of the other, ergo what

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<sup>26</sup> *Lei 64-A/2011. Grandes Opções do Plano para 2012-2015*. Diário da República 250/2011, 1 Suplemento, Série I, 2011-12-30: 5538.



we call OCH. Interestingly, when addressing this OCH, three early agreements with Guinea-Bissau (Ibidem: art. 14.1(quoted)), Cape Verde (*Decreto 50/77, 1977*)<sup>27</sup> and Angola (*Decreto 144-B/79, 1979*)<sup>28</sup> do not speak of *commonality* of these monuments at all, but rather speak of “historical and artistic monuments and species of the other Party existing in their respective territories.”<sup>29</sup> The agreements thus clearly suggest a less shared form of ownership as it states that the monuments are “of the other Party” but not in its territory (or the other way around) and do not suggest any communality or shared involvement around the monuments, except that both states “shall take the necessary measures to ensure the preservation” of these monuments (*Decreto 144-A/79, 1979*<sup>30</sup>: art. 14.1; *Decreto 144-B/79, 1979*: art. 9; *Decreto 50/77, 1977*: art. 15.1). The agreement with India is even explicitly focussed at the care for Portuguese heritage in Goa, India (*Decreto 35/80, 1980*: art. II.2).<sup>31</sup> Again, the heritage definition shows no commonality or shared ownership of the OCH.

The heritage narrative in the bilateral cultural agreements changes after 1989 as the agreement with Malaysia states to “take all necessary measures to ensure the restoration and the upkeep of archival materials and historical monuments of common interest.” (*Decreto 144-B/79, 1989*: art. 9). For the first time, the bilateral agreement thus suggests that the overseas heritage is not owned by one of the countries, but *common*. A similar narrative can be seen in the agreement with Sri Lanka (*Decreto 1/2000, 2000*: art. 9) and Ethiopia (*Decreto 1/2009, 2009*: art. 7).<sup>32</sup> Next to this, the later bilateral cultural agreements with Ethiopia (Ibidem), Paraguay (*Decreto 12/2000, 2000*) and Macau (*Decreto 25/2002, 2002*(quoted)) demonstrate an increased ambition to take care for the cultural heritage together for instance via the “exchange of experts”.<sup>33</sup>

Finally, the examination of the Portuguese GOPs is also instrumental, as they reflect the government policy in general. A Government Planning Options (GOP) is a document outlining the general governmental policy strategy for the upcoming year(s). Most GOPs since 1974 do not attribute direct attention to OCH. The first link to Portuguese OCH has been made in the GOP of 1992 when it states that the government should launch “initiatives aimed at giving international projection to the historical and cultural heritage that links Portugal to the Asian, African, Islamic and South American world;” as a

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<sup>27</sup> *Decreto 50/77, 1977*.Diário da República 85/1977, Série I, 1977-04-12: 803-805.

<sup>28</sup> *Decreto 144-B/79, 1979*.Diário da República 298/1979, 3 Suplemento, Série I, 1979-12-28: 3414.

<sup>29</sup> This phrasing is almost identical to the phrasing in the bilateral with Angola (*Decreto 144-B/79, 1979*: art. 9.a) and Cape Verde (*Decreto 50/77, 1977*: art. 15.1).

<sup>30</sup> *Decreto 144-A/79, 1979*.Diário da República 298/1979, 2 Suplemento, Série I, 1979-12-28: 3414.

<sup>31</sup> *Decreto 35/80, 1980*.Diário da República 125/1980, Série I, 1980-05-30: 1269-172.

<sup>32</sup> • *Decreto 1/2000, 2000*. Diário da República 8/2000, Série I-B, 2000-01-11: 76-80.

• *Decreto 1/2009, 2009*. Diário da República 18/2009, Série I, 2009-01-27: 550-5.

<sup>33</sup> • *Decreto 12/2000, 2000*.Diário da República 155/2000, Série I-A, 2000-07-07: 2968-73.

• *Decreto 25/2002, 2002*.Diário da República 192/2002, Série I-A, 2002-08-21: 5908-11.

contribution to the salience of the Portugal in the world (*Lei 1/92*, 1992: art. 30,31(quote)).<sup>34</sup> This however does not directly refer to OCH alone but can be any form of Portuguese heritage. Remarkably, the GOP of 2016-2019 does directly refer to the Portuguese OCH as it states that in order to promote “the Portuguese language and Portuguese-speaking citizenship” the government commits to the “[p]romotion (...) of common or shared heritage, particularly within the framework of the UNESCO World Heritage;” (*Lei 7-B/2016*, 2016: art. 34).<sup>35</sup> Based on the analysis of the Portuguese GOP’s since 1974 it can thus be confirmed that the Portuguese government only attributed limited attention to its OCH and directly links the attention to other heritage governance arenas such as the multilateral heritage governance at UNESCO.

#### *Focus on Lusophone countries*

Finally, it is instrumental to shortly expand the focus beyond the Portuguese heritage laws (as these are rather limited), GOPs and bilateral agreements. In the context of the analysing the Portuguese policy regarding the OCH, it is important to mention that Portugal after 1974 in general invested extensively in maintaining good diplomatic relations with Lusophone states, nation states that have Portuguese as the official language (30 Years of Best Practices, 2014: 12). In the years after 1974 leading up to the 2001-Heritage Law, the new Portuguese government strived to enhance the cultural and political relations with (some newly independent) Lusophone states and used the shared history and language as the binding element. This endeavour was even settled in the most fundamental juridical instrument of the Portuguese political system: the Constitution.<sup>36</sup> Article 78.2.d of the Constitution charges the state with the task of “d) [d]eveloping cultural relations with all peoples, especially those that speak Portuguese, and ensuring the defence and promotion of Portuguese culture abroad”. Fienieg (et al., 2008: 39) even claim that the Portuguese language “is seen as the basis of the country’s sovereignty.” This focus on Lusophone countries is also eminent from several GOPs as they repeatedly stress the importance of the governments’ cooperation with Portuguese speaking countries throughout the world (GOP-1988, art. 6, art. 88; GOP-1990, art. 6; GOP-1991, art. 3; etcetera) and with “countries with common historical roots with Portugal” (GOP-1988, art. 6(quoted); GOP-1990, art. 6; GOP-1993, art. 2).<sup>37</sup> The ambition to maintain good relations with the Lusophone states is mainly manifested in the

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<sup>34</sup> *Lei 1/92. Grandes Opções do Plano para 1992*. 1992. Diário da República 57/1992, 1 Suplemento, Série I-A, 1992-03-09: 1214.

<sup>35</sup> *Lei 7-B/2016. Grandes Opções do Plano para 2016-2019*. 2016. Diário da República 63/2016, 1 Suplemento, Série I, 2016-03-31: 1110.

<sup>36</sup> *Constitution of the Portuguese Republic. Seventh Revision. 2005*. [English translation]. Accessed online on November 3, 2018. <http://www.en.parlamento.pt/Legislation/CRP/Constitution7th.pdf>.

<sup>37</sup> • *Lei 30-B/92. Grandes Opções do Plano para 1993*. 1992. Diário da República 298/1992, 1 Suplemento, Série I-A, 1992-12-28: 5980. Referred to in this thesis as ‘GOP-1993’.

Portuguese involvement in two multinational organizations: the *Países Africanos de Língua Oficial Portuguesa* [Organization for Officially Portuguese-speaking countries in Africa (PALOP)] founded in 1992 and the *Comunidade dos Países de Língua Portuguesa* [Community of Portuguese Language Countries (CPLP)] founded in 1996. Clearly, the Portuguese government maintains close relation with other Portuguese speaking countries, countries that share a colonial history with Portugal and inevitably also have heritage sites dating from this period.

As clearly speaks from this policy analysis, just as the Dutch government, the Portuguese government confirms their involvement with the care for their OCH in national policy, but the Portuguese policy is far less expanded than the Dutch and has no centralized implementation structure. The current OCH-policy strategy roots in a contrastingly more extensive policy during the period of active colonialism when OCH served as propaganda tools and supported the Portuguese legitimacy-claim. However, the current OCH-policy is less extensive and gives no clear policy guidance. Instead, the policy strategy leaves room for implementation by other actors and arena's, such as the Camões institute, Portuguese language organizations and at the arena of UNESCO. This latter linkage will be analysed in the fifth chapter, but first the next chapter will deepen the analysis of the Dutch and Portuguese OCH-policy strategies and examine the heritage definition that are institutionalized in their OCH-policies.

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- *Lei 64/90. Grandes Opções do Plano para 1991.* 1990. Diário da República 298/1990, 3 Suplemento, Série I, 1990-12-28: 5256. Referred to in this thesis as 'GOP-1991'.
  - *Lei 100/89. Grandes Opções do Plano para 1990.* 1989. Diário da República 298/1989, 2 Suplemento, Série I, 1989-12-29: 5638. Referred to in this thesis as 'GOP-1990'.
  - *Lei 3/88. Grandes Opções do Plano para 1988.* 1988. Diário da República 21/1988, 1 Suplemento, Série I, 1988-01-26: 272. Referred to in this thesis as 'GOP-1998'.



## Chapter 4 • The heritage definition in the Dutch and Portuguese policy framework regarding overseas cultural heritage

The policy analysis of the previous two chapters mapped the emergence and development of Dutch and Portuguese national policy concerning their OCH. This chapter will take the analysis further and analyse and compare the underlying heritage definition that is institutionalized in the Dutch and Portuguese national policy to strengthen the understanding of the OCH-policy strategy of both governments. This will be done by distilling how the policies responds to the *challenging commonality* of OCH, using the analytical framework set up in the theoretical introduction (Chapter 1) and by connecting the policy analysis of the previous chapters with the observations of existing academic case studies.

### 4.1 • Common past

When comparing how the heritage definitions in the Dutch and Portuguese policy documents reflect upon the common past of the OCH, it can be noted that both governments avoid the direct linkage to the colonial historical context from which the OCH originated. This avoidance translated in the Netherlands into a policy strategy that explicitly expands beyond the colonial connotation of its OCH. The Portuguese policy strategy however seems to be less avoidant of the colonial connotation.

As soon as the care for the Dutch OCH developed into a separate policy priority in 2000, the Dutch OCH-policy strategy expanded its heritage definition beyond OCH with a colonial origin (MCH-2000). Ever since 2000, the Dutch OCH-policy focussed both on OCH objects and on for instance objects in the Netherlands with a foreign origin. Thereby, the geographical focus of the Dutch OCH-policy always include countries that do not share a colonial past with the Netherlands (Appendix B). Furthermore, no explicit link to colonialism has been made in the Dutch policy documents since 2000.

An partial explanation to this can be found in the historiography of the Dutch OCH-policies in §2.1 as it demonstrated that it took almost 80 years after the first plea for official OCH-policy for it to emerge. According to many scholars, OCH was for a long time ignored by the Dutch government as they had feelings of embarrassment and even of “guilt and shame” regarding their colonial past (Boodt, 2015: 12; Roosmalen, 2013: 8; Hoekema, 2005: 9(quoted); IOB, 2001: 24) and therefore incorrectly assumed that the former colonies were not interested in this heritage (Hoekema, 2005: 10). This ties in with the observation of Paul Bijl (2012: 458) who states that the Dutch colonial history has long been “kept apart” from the national historical memory, a “condition of cultural aphasia”. This could explain why the OCH-policy strategy emerged rather late and why it still avoids the topic of colonialism and as such steers around the possible *difficult* elements of the OCH. Cynthia Scott (2014: 182) draws a similar conclusion in her assessment of the Netherlands-Indonesia shared cultural heritage project of 2003-2006, a project

part of the OCH-policy, when she signals that the project did not address the difficult issues such as colonial ethics and concludes that the project's "common conceptions of heritage (...) conflict with efforts to resolve the unsettled history of the colonial past." (Ibidem: 183). Possibly, the Dutch government expanded the focus of its OCH-policy beyond OCH with a colonial connotation and included countries such as Russia that it does not share colonial history with a priority country to its policy to circumvent any "neo-colonial hint" (Fienieg, 2010: 41). Fienieg (Ibidem) suggested that the geographical focus of the Dutch OCH-policy was enlarged to also include Russia for this reason.

However, the Dutch policy strategy opened-up to difficult element of the colonial past in 2009 when it added that it the policy could stimulate "dialogue" about OCH (DICP-2009-2012: 2) as a "critical reflection on our past and the mutual understanding of the past, the present and the future" (Ibidem: 1). As such, the policy seems to be increasingly open to reflect upon the difficult and possible shameful parts of history embodied by OCH. Therefore, the Dutch OCH-policy could since 2009 be indeed a sign of the 'maturity' of the Dutch government as it "challenges comfortable assumptions" about its past (MacMillan, 2009: 71), but such a statement would need further research incorporating the implementation of this ambition.

Similar to the Dutch OCH-policy until 2009, the Portuguese OCH-policy strategy does not make any direct link to colonialism when addressing its OCH. However, this avoidance seems to be less strong than in the Dutch policy.

When broadening the analysis of the Portuguese OCH-policy by also investigating the country's GOPs and cooperation with Portuguese speaking countries, it is demonstrated that the Portuguese government in its policies in general is very much focussed on Portuguese speaking countries, mostly former colonized countries. Moreover, Portuguese OCH-policy strategy does not seem to explicitly avoid a 'neo-colonial hint' by expanding the focus of the policy beyond the OCH with a colonial association, as the Dutch strategy does. As such, the policy analysis confirmed that "[c]ommon language and common history form the basis of its heritage policy." (Fienieg et al., 2008: 42) and that the Portuguese OCH-policy seems to "refer more explicitly to the colonial past than Dutch policy" (Ibidem: 39). Furthermore, Portugal did not wait to form OCH-policy as the Dutch have done, but made already in the 1970's bilateral agreements with for instance Guinea-Bissau and Cape Verde, within five years after their decolonization.

## 4.2 • Common ownership

By formulating OCH-policy, the Dutch and Portuguese governments already consider themselves to be at least partially related to the ownership of OCH (Fienieg et al., 2008: 39). However, there are some nuances within the Dutch and Portuguese understanding of this ownership.

Although the Dutch OCH-policy at first demonstrates a rather paradoxical relation to ownership as it stressed both the common and Dutch character of OCH (Verstrooid Verleden-inventory), all policy documents since 2000 do not refer to the OCH as *Dutch* anymore, but stress *mutual* ownership or involvement of both parties with the heritage as a precondition for the fruitful conservation of the OCH. In 2009, this key concept was even changed from *mutual* to *shared*. Although the policy does not explain this shift, Fienieg et al. (2008: 57) mention that the Dutch government was at that time rethinking the concept of “common” heritage and state that it “is evident that friction will remain between generalized notions of commonality and feelings of resentment, pride and embarrassment relating to the colonial past”. In Dutch and in English, both words are slightly different: although both refer to entities that are owned or treated by several actors, the word *mutual* does not imply the proportion of this ownership, whereas *shared* can imply that it is owned by the one actor who intended to let another actor partake in it. As such, the shift to *shared* could be a gesture towards the partner country and lessen the Dutch figurative ownership. Although the Dutch involvement with its heritage overseas thus does demonstrate some form of perceived ownership or relation with the heritage in question, the Dutch policy strategy increasingly moves away from any claims of ownership of the heritage. Nevertheless, prior research has demonstrated that the OCH that is part of the Dutch policy has in many instances not been perceived as common or as partly Dutch by the partnering country at all until it became part of the Dutch OCH-policy (Fienieg, 2006: 56). Clearly, the concept therefore remains rather awkward as it stresses a commonality of ownership that is rather unclear and sometimes not perceived as such by all partners involved.

Contrastingly, the Portuguese OCH-policy, and mainly in its bilateral agreements, the ownership of the OCH is more clearly defined as Portuguese. This was also eminent from the OCH-policy in the preamble of the current policy. The 2001-Heritage Law simultaneously speak of heritage that “testifies to chapters of common history” (art. 5.1) but that also is “a testimony of the special importance of Portuguese civilization and culture.” (art. 5.2) presenting the ownership of its OCH as something both common and Portuguese. Thirdly, the 2001-Heritage connects the ownership of its OCH to the mankind as a whole when it states that the heritage can also be of “exceptional universal value” (art. 5.3), a direct reference to the criteria for UNESCO World Heritage sites that are conceptualised as world heritage of mankind (see Chapter 5). Consequently, the research nuanced the observation by Fienieg (et al. 2008: 39) that the Portuguese “policy started with a focus on common history”. The policy analysis demonstrated that the Portuguese OCH-policy strategy emerged from a fully Portuguese narrative

during active colonialism and later stressed the Portugueseness of the heritage, rather than the commonality of it, in its first bilateral agreements.



## Chapter 5 • Dutch and Portuguese initiatives regarding their overseas cultural heritage at UNESCO

After examining the OCH-policy strategy of the Netherlands and Portugal at bilateral level of governance, this chapter will lift the analysis to the multilateral level of governance and map and compare to what extent both have made use of the multinational heritage governance of the UNESCO World Heritage Convention to take care of their heritage overseas. This will be done by focussing on the initiatives both governments set up that are (partially) concerned with OCH: the Netherlands-Funds-in-Trust (NFIT) agreement and the World Heritage of Portuguese Origin (WHPO) network. After introducing the key characteristics of the multinational heritage governance at UNESCO (§5.1), this chapter will investigate the key characteristics, development and implementation structure of the NFIT-agreement (§5.2.1) and the WHPO-network (§5.3.1) and then zoom in on the commonality of the heritage definition that is institutionalized in these initiatives (§5.2.2, §5.3.2). As such, it makes use of the same analytical framework used in the previous chapters.

### 5.1 • The official multinational heritage definition of UNESCO

The cornerstone of multinational heritage governance, including its definition, selection, protection and promotion, is the World Heritage Convention adopted in 1972 by the General Conference of UNESCO.<sup>38</sup> The 1972-Convention institutionalizes the concept of ‘World Heritage’ (WH), referring to cultural and natural sites that can be considered as “world heritage of mankind as a whole” given their “outstanding universal value” and are therefore enlisted on the WHList (1972-Convention: Preamble). The implementation of the Convention is monitored and steered by the WHCentre and the WHCommittee and its advisory bodies.<sup>39</sup> Nation states are the main actors in the listing procedure: they can place sites on the heritage list and nominate them for inscription on the WHList. The WHCommittee finally decides

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<sup>38</sup> UNESCO. 1972. *Convention concerning the Protection of the World Cultural and Natural Heritage*. 17C/Resolutions/29. Paris, 16 November. Referred to in this thesis as ‘1972-Convention’.

<sup>39</sup> The World Heritage Centre is the Secretariat to the 1972-Convention as it deals with the “day-to-day” management of its implementation (Meskell, 2013: 145(quoted); Francioni, 2002: 17). The World Heritage Committee consists of representatives of twenty-one States Parties to the 1972-Convention and is the executive body of the 1972-Convention that decides about the inscription of sites on the WH List (1972-Convention: art. 8-14). The advisory bodies - the International Centre for the Study of Preservation and Restoration of Cultural Property, the International Union for Conservation of Nature and the International Council on Monuments and Sites (ICOMOS) – are non-governmental expert organizations that form a “global network of expertise” within UNESCO that have no decisive power but advise during the nomination process (Elliott and Schmutz, 2012: 266).

upon enlisting (UNESCO, 2018a). Once a site is listed, the Member State is responsible for its conservation and maintenance and is to set-up heritage management measurements in its national policy (1972-Convention: art. 4-7). As a supplement to the 1972-Convention, the WHCommittee adopted five Strategic Objectives in 2002 and 2007, known as the “five C’s”, to strengthen the credibility of the List, and to ensure the fruitful conservation of WH-sites.<sup>40</sup>

A key challenge for the List is its geographical imbalance: it currently counts 1.092 sites of which only 9% is situated in Africa and 8% in the Arab States, a striking contrast to Europe and North America where 47% of the sites are situated (UNESCO, 2018b). In response to the imbalance, the WHCommittee adopted the *Global Strategy* in 2009,<sup>41</sup> a document that expressed the intention of the States Parties to make the List ‘more balanced’, by for instance making the heritage definition more inclusive and by improve the geographical balance by encouraging under-represented regions in the world to submit nominations to the list.

In despite of its shortcomings, the 1972-Convention and its institutes are “important global standard setters in questions of safeguarding cultural and natural heritage” (Schmitt, 2009: 104) and facilitated the “internationalization of the world heritage regime” (Francioni, 2002: 17-8). With the almost universal acceptance of the 1972-Convention, it can be seen as the key authority for multinational heritage governance.<sup>42</sup> As such, the 1972-Convention institutionalized what could be called an *official multinational heritage concept* as it embedded the heritage located on the territories of its States Parties into an extensive multinational governance structure that guarantees their “identification, protection, conservation, presentation and transmission to future generations” (1972-Convention: art. 4).<sup>43</sup>

## 5.2 • Netherlands Funds-in-Trust

Since 2001, one year after the introduction of OCH as a policy priority in the national Cultural Policy Act (MCH-2000), the Netherlands invested in the targeted funding of projects that would support the implementation of the 1972-Convention and to projects of “mutual or shared cultural heritage”

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<sup>40</sup> • UNESCO. 2002. *Budapest Declaration on World Heritage*. Decision: CONF 202 9. Budapest, June 28.

• UNESCO. 2007. *The “fifth C’ for “Communities.”* Decision: 31 COM 13b. Christchurch, July 13.

<sup>41</sup> UNESCO. 2009. *Global Strategy for a Representative, Balanced and Credible World Heritage List*. WHC. 09/33.COM/10C. Paris, May 11. Referred to in this thesis as ‘Global Strategy’.

<sup>42</sup> Out of the 195 Member States of UNESCO, the Convention has currently (November 2018) 193 States Parties (UNESCO, 2018c; UNESCO, 2018d).

<sup>43</sup> Referring to the concept of official heritage by Harrison (2013: 14), see Chapter 1.

(UNESCO, 2018e). As such, the Dutch government lifted the policy priority that it institutionalized in national heritage law and bilateral agreements towards the multilateral level of governance.

### 5.2.1 • NFIT, how does it work?

In 2001, the Dutch Ministry of Culture established the three-year Netherlands-Funds-in-Trust (NFIT) agreement with the WHCentre of €1.8 million to enable projects that “reinforce the implementation” of the 1972-Convention (van Oers, 2018: 8; UNESCO, 2018e(quoted)). Since its first cycle, the NFIT was extended four times and has until now been running for seventeen years, making it “one of the longest running bilateral fund agreements at UNESCO in support of World Heritage” (UNESCO, 2018f; van Oers, 2012: 18(quoted)).

Every four-year cycle, the Dutch Ministry of Culture sets priorities for its NFIT-funding. However changing these priorities have been, a stability is the “special attention” attributed to the “category of mutual or shared cultural heritage” present since the first funding cycle (UNESCO, 2018e), clearly a reference to the national mutual heritage policy priority (see §5.2.2). Based on an overview of the projects funded by the NFIT between 2001-2010 (WHCentre, 2012: 78-91) it can be concluded that in the first ten years of its existence 22% of the projects concern a form of shared heritage in general and 16% of all funded projects heritage that is shared with the Netherlands.<sup>44</sup>

Under the umbrella of supporting the implementation of the 1972-Convention, the NFIT has from its foundation thus been a tool with which the Dutch government could introduce its care for OCH into the multinational governance platform of UNESCO. This has been done by connecting the NFIT in general, and therefore also the care for OCH, to several generally accepted policy priorities of the WHCentre and its States Parties. Since the second cycle of 2005-2008, the priorities set for the NFIT were aligned with existing heritage definitions and strategies of the 1972-Convention. The category of shared heritage well befits these priorities as most Dutch OCH involve countries that are still underrepresented on the WHList, such as South-Africa and Mozambique. For instance, the NFIT prioritized in its second and fifth cycle projects contributing to the five C’s, five Strategic Objectives of the 1972-Convention (UNESCO, 2017; van Oers, 2012: 12). Also, the NFIT contributed to the Global Strategy for instance by supporting almost no projects for European WH-sites, a continent already well represented on the WHList. Finally, the NFIT also contributes to heritage sites that are not (yet) inscribed on the WHList by for instance supporting their nomination processes.

The role of the Dutch government in the implementation structure of the NFIT is significantly smaller than in its bilateral OCH-policy. Similar to the implementation structure of the Dutch bilateral OCH-policy (see Chapter 2), projects are always initiated by the partner countries and not by the Dutch government itself. All States Parties to the 1972-Convention can hand in a request NFIT-funding for a

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<sup>44</sup> The percentage refers to the number of projects, not to the amount spent on every project (that information is not public).

project at the WHCommittee. Other than the bilateral OCH-policy, the Dutch government is not involved with the allocation of the funding and the implementation of the projects: the WHCentre decides upon the selection and implementation of projects entirely independently from the Dutch government (van Oers, 2012: 9, 20). The Dutch government only sets the priorities for the funding and once a year endorses the annual programme of selected projects (Ibidem). The NFiT-priorities solely include the type of projects the funds should be allocated to, but do not steer *how, where* (there is no geographic focus) or *by whom* (for instance certain experts from certain countries) the projects should locally be implemented. This grants the WHCentre with “relative freedom”, limits the involvement of an individual nation state and ensures that the NFiT “has served as a true extension of the neutral body that UNESCO represents” (Ibidem: 20). It can therefore be concluded that, apart from setting priorities, the Dutch government has no real power in steering the allocation of the funds, selection of project nor their execution and this system thus indeed expresses an independence of the Dutch government.

### 5.2.2 • NFiT, deconstructing its “special attention” for common heritage

Chapter 4 demonstrated that the Dutch OCH-policy strategy at bilateral level is characterized by a heritage definition that explicitly expands its focus beyond colonial heritage alone and strongly stresses the commonality of the heritage concerned. When analysing how the NFiT-initiative deals with the challenging commonality of the OCH, it seems to repeats this strategy.

As the previous paragraph demonstrated, projects of Dutch mutual or common heritage have been a continuous priority in all five NFiT cycles since the first in 2001 and seems to be in line with the OCH-policy strategy at national level. The NFiT programme defines OCH as “heritage that is perceived by the Netherlands and other countries or regions concerned as shared cultural heritage. This heritage extends beyond the remnants in former colonies and could include cultural properties originating from other international ventures by the Netherlands as well” (UNESCO, 2018e).<sup>45</sup> Just as in the national policy concerning OCH, the NFiT thus expands the definition of OCH to not only include “remnants in former colonies” (Ibidem). Nevertheless, when analysing an overview of all NFiT-projects between 2001-2011 ((WHCentre, 2012: 78-91) it can be concluded that *all* projects that concerned Dutch shared heritage where heritage sites that originated from the Dutch colonial presence in the region. Also, ten of the twelve Dutch shared heritage projects were in countries that are signalled as priority countries in the national OCH-policy. Ergo, concerning the *commonality of the past*, the shared cultural heritage priority within NFiT officially expands the historical scope to not only refer to the colonial heritage just as the bilateral OCH-policy does, but in practice has only funded Dutch OCH projects with a relation to

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<sup>45</sup> Throughout the five cycles, conceptualisation remained identical to the first conceptualisation in 2001, except that in 2017 the term “mutual” was replaced by “shared”, fitting the Dutch rephrasing of the OCH definition in 2009.

its colonial past. However, it should be remembered that these projects were not selected by the Dutch government but by the WHCentre, as explained in §5.2.1.

By introducing the care for its OCH at the multilateral level of governance, the Dutch governments of course repeats a form of ownership of this heritage at the arena of UNESCO (see §4.1). However, the realm of UNESCO adds what could be called a universal or global element to this ownership, especially when WH-sites are involved: as explained in §5.1, the WH-label signifies a certain universal value of the sites concerned. When Dutch OCH are also WH, the sites are thus added with an extra dimension of ownership as not only the people of the Netherlands and for instance Indonesia have a relation to the heritage, but also the “mankind as a whole” (1972-Convention: Preamble).

### 5.3 • World Heritage of Portuguese Influence or Origin

The previous chapter demonstrated that the Portuguese national repeatedly referred to the heritage governance system of UNESCO when addressing its OCH, for instance when referring to OCH that could be of “exceptional universal value” (2001-Heritage Law: art. 5.3), a reference to the WH concept of outstanding universal value (see §5.1). The link was made more directly in the GOP of 2016-2019 when stating that the government commits to the promotion of OCH “particularly within the framework of the UNESCO World Heritage” (*Lei 7-B/2016*, 2016: art. 34). Portugal indeed set up a multilateral initiative within the realm of UNESCO called the World Heritage of Portuguese Origin-network.

#### 5.3.1 • WHPO, how does it work?

With the support of the UNESCO WHCentre the Portuguese National Committee for ICOMOS organized two International Meetings on WHPO. The first meeting (27-29 April 2006) was aimed to prepare the “creation of an international cooperation network among experts of every country having heritage of Portuguese origin” (UNESCO, 2006) and concluded with the establishment of ground rules for such a network (Flyer second meeting WHPO<sup>46</sup>). At the second meeting (23-26 October 2010) the participants officially founded the WHPO-network by signing the Coimbra Declaration (in: 30 Years of Best Practices, 2014).<sup>47</sup> The signing representatives, both policy officials and heritage professionals, endorse

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<sup>46</sup> “Flyer for Second International Meeting on the World Heritage of Portuguese Origin”, UNESCO World Heritage Centre Website. Accessed November 19, 2018. Referred to in this thesis as ‘Flyer second meeting WHPO’.

<sup>47</sup> The original Coimbra Declaration is not available online but has been reproduced in: (30 Years of Best Practices, 2014).

• Portuguese National Commission for UNESCO and Ministry of Foreign Affairs. 2014. *Portugal e o Património Mundial. Portugal and World Heritage. 30 Anos de Boas Práticas. 30 Years of Best Practices*. Lisbon: Portuguese National Commission for UNESCO. Referred to in this thesis as ‘30 Years of Best Practices, 2014’.

knowledge-exchange via the network “in order to manage, safeguard and protect our amazing, and sometimes brilliant shared heritage” (Coimbra Declaration, in: 30 Years of Best Practices, 2014(quoted); *Público*, 2010). The WHPO can therefore be seen as a cooperation network for both policy officials and heritage experts.

Interestingly, just as the NFIT, the WHPO-network is connected to larger strategic objectives of UNESCO. The initial goal of the WHPO-network was twofold: firstly, it should support the local “integrated and sustainable management” of existing overseas WHPO (Flyer second meeting WHPO(quoted); UNESCO, 2010). This goal ties in with one of the strategic objectives agreed upon in the Budapest Declaration (art. 4.b), the objective to “ensure the effective conservation” of WH-sites. Secondly, the WHPO-network would support and empower countries that are preparing nominations for heritage sites of Portuguese origin to become part of the WHList (Flyer second meeting WHPO(quoted); UNESCO, 2010).<sup>48</sup> This ties in with the strategic objective to “strengthen the credibility” of the List by improving its geographic balance and stimulating the nomination of sites from nation states that are underrepresented, as expressed in both the Budapest Declaration (art 4.a) and the Global Strategy. As such, one could state that the creation of this network that is especially focussed on WH-sites with Portuguese origin is enabled by tying it to larger strategic goals of UNESCO.

When analysing the implementation of the goals, two key events should be noted: the creation of a WHPO-list and the organization of TOUR-WHPO. As part of the WHPO-network, several WH-sites that have a Portuguese origin or influence were indicated as being WHPO. The website of the Portuguese Directorate-General for Cultural Heritage (DGPC) currently lists eleven official WHPO-sites with and states that sites on the Tentative List can be included on the WHPO-list as soon as they achieve the WH-status (DGPC, 2018).

A second large achievement by the WHPO-network was the organization of the “Tourism Management at World Heritage Sites of Portuguese Origin and Influence” (TOUR-WHPO) project (UNESCO, 2011). This two-year project aimed at fostering “capacity-building for tourism management” of WHPO-sites in order to contribute to their conservation (Ibidem). The project consisted of twenty-seven on-site projects: ten at WH-sites in Portugal and seventeen at WHPO-sites such as the Historic Town of Ouro Preto in Brazil and the Cidade Velha in Cape Verde (Alçada et al., 2013: 25-45). The project was financed by Portuguese public tourism institute called *Turismo de Portugal* (30 Years of Best Practices, 2014: 52).<sup>49</sup> This program was part of the WH and Sustainable Tourism Programme (UNESCO, 2013) and as such tied the relevance of the WHPO-network and the conservation for Portuguese OCH

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<sup>48</sup> The original documents of the first WHPO-meeting were not archived, but the conclusions of the meeting were repeated on a flyer announcing the second WHPO-meeting (Flyer second meeting WHPO) and confirmed on online publications (UNESCO, 2006; Website second WHPO-conference).

<sup>49</sup> The amount of financial support for the project is unclear.

to yet another existing policy framework at UNESCO.<sup>50</sup> The TOUR-WHPO project ended with a concluding conference February 2013 in Portugal where a publication on the project was launched (Alçada et al., 2013).

Apart from the creation of the WHPO-List and the TOUR-WHPO-program, no other concrete results seem to have emerged from the creation of the WHPO-network and the goals for the network seem to have been downsized as the publication that resulted from the TOUR-WHPO-program states that the WHPO-network mainly operates as a platform for exchanging best practices and knowledge that could easily be used by its members and as a strong label that can inform visitors about the value and existence of WHPO (Alçada et al., 2013: 10, 89). On the DGCP-website, Portugal clearly states the WHPO-sites “follow the principles” of the 1972-Convention and reiterates that the WHCommittee “is responsible for the implementation” (DGPC, 2018). As such, Portugal distances the WHPO-network from the goals set in 2010 and reinstates the network to a platform for cooperation and a strong international label. Just as in at the bilateral level of governance, the Portuguese OCH-policy strategy thus does not attribute a strong role in the implementation of the care to the Portuguese government. Via WHPO, Portugal connected the attention for Portuguese OCH to existing heritage management frameworks of UNESCO. In this rather latent form, the WHPO-network and label still exist.

### 5.3.2 • WHPO, deconstructing its concept of commonality

The previous chapter demonstrated that the Portuguese OCH-policy strategy at bilateral level of governance is characterized by a heritage definition that is more focussed at the Portugueseness of the heritage involved than the Dutch. If we take the analysis further and examine the commonality of the heritage concept used in the WHPO-network, it could be stated that this is even more so.

Of course, it should be noted that the heritage definition strongly expresses their Portugueseness as the name of the network of course already indicates. This is an important difference when looking at the Dutch policy strategy that expresses a more *common ownership*. Over the years, this focus even narrowed down from including both sites of Portuguese origin *and influence*, to include only site of Portuguese *origin*.<sup>51</sup>

Just as the NFIT, the WHPO-project avoids the usage of the concepts of slavery and colonialism when it speaks about the common past of the OCH. Rather, the positive elements of the common past are highlighted and the past is associated with the time of great *discoveries* and for instance referred to as the “Age of Discoveries” (Tour-HPO, 2013: 17; Website DGCP, (quoted)) and *globalisation* (Alçada et

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<sup>50</sup> UNESCO. 2012. *World Heritage and Sustainable Tourism Programme*. WHC-12/36.COM/5E. Paris, May 11.

<sup>51</sup> The current WHPO-List counts *eleven* WH of Portuguese *origin*-sites (DGPC, 2018) whereas the earlier publications by the Portuguese National UNESCO-Commission mention *twenty-six* sites of Portuguese origin *and influence* (Alçada et al., 2013; 30 Years of Best Practices, 2014; Appendix C). No statement was made on how and when the focus was changed.

al., 2013: 159; Património Mundial, 2013<sup>52</sup>: 2). Nevertheless, all WHPO-sites originated during the former colonial presence of Portugal overseas. Just as at bilateral level of governance, and other than the Netherlands, the Portuguese government does not enlarge its OCH focus to include also sites not related to former colonialism. Although the commonality of the heritage and the past that it originates from is sometimes stressed, for instance by stating that WHPO is “shared heritage” and originates from “history (...) that we share” (Coimbra Declaration, in 30 Years of Best Practices, 2014), the OCH is not primarily framed as common or shared, but as Portuguese. The WHPO heritage concept thus stresses not only the Portugueseness of the common past of the OCH, but also of the common ownership.

Key to the WHPO-initiative is that it is only focussed on OCH that has already been granted with the WH-status. The NFIT is as said not exclusively focussed on WH-sites but also support projects of sites that are for instance nominated to become WH-sites. The exclusive focus on WH-sites of the WHPO has important benefits for the Portuguese OCH-policy strategy. Firstly, if a heritage site dating from the former Portuguese colonial presence is WH, it is evidently recognized by the host state as something important and worth of a global visibility. Hence, the difficulty of the *common past* of the site did not hinder the local government to nominate it to become WH. Next to this, the WH-status of course might also benefit the States Party financially as the WH-label generally boosts tourism and consequently the local economy (Essah, 2001: 45). Secondly, the WH-status lifts the potential challenging *common ownership* between the former colonizer and former colonized to the global level, as was already explained in §5.2.2. Thirdly, OCH-sites enlisted as WH are embedded in the heritage management standards and requirements of UNESCO. Case studies concerning the conservation of OCH-sites repeatedly stress existence of “adequate national [heritage] policies and infrastructure” are of key importance for the conservation of the sites (van Maanen and Ashworth, 2013: 304; Verhoef and van Oers, 2005: 3(quoted)). Once an OCH-site is thus granted with WH-status its conservation and care are directly monitored and if necessary helped by the WHCentre.

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<sup>52</sup> Portuguese National Commission for UNESCO and Ministry of Foreign Affairs. 2013. *Património Mundial de Origem / Influência Portuguesa*. Lisbon: Portuguese National Commission for UNESCO. Accessed August 12, 2018. Referred to in this thesis as ‘Património Mundial, 2013’.



## Conclusions

The multidisciplinary and multilevel research of this thesis enabled to map the differences and commonalities of the Dutch and Portuguese OCH-policy strategies. This has been done using a multidisciplinary analysis that combined a policy analysis of the OCH-policy of the Netherlands and Portugal at bilateral and multilateral level of governance, with the examination of the heritage definition at the heart of the existing policy, the latter by examining how the policy deals with the *challenging commonality* of OCH. Combining the analysis in the previous chapters, the following can be concluded.

### *Comparing the Dutch and Portuguese OCH-policy strategy at the bilateral level of governance*

The policy analysis of the second and third chapter demonstrated that national policies developed by the Portuguese and Dutch governments concerning their OCH vary in size and are therefore hardly comparable. The Dutch OCH-policy is extensive and developed since 2000 into a solid policy framework with a clear implementation structure. The Dutch governments thus positions the itself as facilitator of various forms of aid, for instance with restoration projects or the export of expertise, and is entirely steered by the request of partner governments. Just as the Dutch government, also the Portuguese government confirmed its involvement with the care for their OCH in national policy, but this policy has not developed into a coherent and strong policy framework on the matter and provides with no clear implementation guidance. Other than the Dutch policy, the Portuguese does not express the need to centralized government policy but rather precludes the transfer of the policy topic to the implementation by other actors or at the multilateral level of governance.

However, after examining the underlying heritage definition of the OCH-policies, it can be concluded that the heritage definitions of Portugal and the Netherlands show similarities in dealing with the challenging commonality of the heritage. Firstly, both governments avoid any direct link between their OCH and the history of colonialism when addressing the common past of the heritage. Secondly, both governments clearly partake in the common ownership of the OCH by formulating policy on the matter in the first place but they give a slightly different interpretation of this common ownership. The Dutch OCH-policy strategy clearly expanded its focus beyond the OCH related to their colonialism and actively includes types of heritage and geographical focus areas that have no link to the colonial past of the Netherlands. Interestingly, the Portuguese OCH-policy strategy does no such thing and more openly stresses the Portugueseness of its OCH.

### *OCH-policies at the multilateral level of governance*

These differences between the underlying heritage definition of Portugal and the Netherlands at bilateral level of governance were also present at the multilateral level, and even more so. Again, the Dutch embed its care for their OCH in a larger initiative: the NFIT supports the implementation of the

1972-Convention in general by funding all sorts of heritage projects, some of which are ‘shared heritage sites’. The Portuguese WHPO initiative is much more directly aimed at Portuguese OCH as it created a platform and label for WH-sites that are of Portuguese origin or influence. This initiative clearly accentuates the Portugueseness of this heritage and does not stress the commonality of the sites.

Expanding the view of analysis to the realm of UNESCO, thus allowed the research to discover that both the Netherlands and Portugal lifted the ambition that has been institutionalized in national heritage law and bilateral agreements to take care of its OCH, into the multilateral level of governance. Moreover, the policy analysis demonstrated that they both enabled this lift by making use of the existing larger policy priorities and concepts of the WHCentre that well befit the characteristics of their OCH. For instance, attention at the WHCentre for Portuguese and Dutch OCH can benefit the geographical balance of the WHList as most of this OCH is situated in underrepresented regions and can therefore contribute to the Global Strategy and the Strategic Objectives of the 1972-Convention. Connecting the care for OCH to these priorities and concepts within the realm of UNESCO moreover can fix certain difficulties concerning the commonality of the OCH as the OCH-sites: not only are sites with a WH-label embedded in the extensive heritage management and conservation framework of UNESCO that might improve their conservation and are OCH sites with a WH-label already a confirmation of the involvement of the partnering country, the WH-label also ‘lifts’ the difficulty of the dual common ownership of OCH to what could be called a global ownership as WH-sites have an “outstanding universal value” and are “world heritage of mankind as a whole” (1972-Convention: Preamble).

The obvious and crucial next step is to question what policy strategy works best and how it is received by the partner states, something that could be addressed in future research, preferably by non-European researchers. Additionally, it would be interesting to further investigate the OCH-policy strategy of other former colonizers such as England and France to further contribute to the small but emerging research field focussed at the challenges and opportunities for heritage management of the remnants of former colonial presence overseas.

## Bibliography

Please note that long titles of juridical instruments that have been referred to often in this thesis have been abbreviated to a workable format. Every abbreviation has been announced in a footnote and been repeated in the full reference list below.

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## Appendix A: List of abbreviations

CCH	Common Cultural Heritage
CPLP	<i>Comunidade dos Países de Língua Portuguesa</i> [Community of Portuguese Language Countries]
DCP	Dutch Cultural Policy ( <i>Cultuurnota</i> )
DGPC	<i>Direção-Geral do Património Cultural</i> [Directorate-General for Cultural Heritage]
DIC	Dutch East Indies Company
DICP	Dutch International Cultural Policy
HGIS	<i>Homogene Groep Internationale Samenwerkingen-Cultuurmiddelen</i> [Homogeneous Group International Cooperation - Culture Means]
ICOMOS	International Council on Monuments and Sites
IOB	Inspectie Ontwikkelingssamenwerking en Beleidsevaluatie [Inspection Development Aid and Policy Evaluation]
MCH	Mutual Cultural Heritage
NFiT	Netherlands-Funds-in-Trust
NLG	Dutch guilders, f
OCH	overseas cultural heritage
PALOP	<i>Países Africanos de Língua Oficial Portuguesa</i> [Organization for Officially Portuguese-speaking countries in Africa]
RACM	<i>Rijksdienst voor Archeologie, Cultuurlandschap en Monumenten</i> [National Authority for Archaeology, Cultural landscapes and Monuments]
RCE	<i>Rijksdienst voor Cultureel Erfgoed</i> [National Authority for Cultural Heritage]
RDMZ	<i>Rijksdienst voor de Monumentenzorg</i> [National Monuments Authority]
SCP	Shared Cultural Policy
TOUR-WHPO	Tourism Management at World Heritage Sites of Portuguese Origin and Influence Programme
UNESCO	United National Scientific, Cultural and Educational Organization
WH	UNESCO World Heritage
WHPO	World Heritage of Portuguese Origin
WIC	Dutch West Indies Company

## Appendix B: Priority countries of the national OCH-policy of the Netherlands

	Countries with former Dutch colonial presence							Countries without former Dutch colonial presence			
	Brazil	Ghana	India	Indonesia	Sri Lanka	Suriname	South-America	Australia	Japan	Russia	America
2000		X	X	X	X	X	X			X	
2009-2012	X	X	X	X	X	X	X			X	
2013-2016	X		X	X	X	X	X	X	X	X	X
2017-2020	X		X	X	X	X	X	X	X	X	X

Sources: Boedt, 2015: 15; SCH-2017-2020; SCH-2013-2016; SCH-2009-2012.

## Appendix C: Overview number of Dutch OCH-projects and their average spending since the emergence of the OCH-policy

	Executed OCH-projects	Average spending per project <sup>54</sup>	Source / remarkable
1997-2000	<b>24</b>	<b>€ 227.083<sup>55</sup></b>	Source: Akkermans et al., 2007: 26-27; IOB, 2001: 88, 92, 97.
			Source: Akkermans et al., 2007: 26-27; IOB, 2001: 88, 92, 97.
2001-3	<b>11</b>	<b>€ 497.936</b>	
			Source: Akkermans et al., 2007: 26-27.
2004-6	<b>5</b>	<b>€ 126.740</b>	Source: Akkermans et al., 2007: 26-27.
			Source: Akkermans et al., 2007: 26-27.
2007-8	No data.	No data.	
2009-11	<b>156</b>	<b>€ 38.462</b>	87,3 % of the funding was allocated to countries that share a colonial history with the Netherlands (Ghana, Brazil, Sri Lanka, Indonesia, India, Suriname and South-Africa) (Smid and van Eersel, 2012: 11), but the specific heritage project are not necessarily also related to colonial heritage objects.
			Source: Smid and van Eersel 2012: 11-2.
2012	No data.	No data.	
2013-14	<b>79</b>	<b>€ 50.633</b>	43 % of the projects involved a non-priority country, 20 % of projects in Russia (IOB, 2016: 85)
			Source: IOB, 2016: 84-5.
2015-17	No data.	No data.	

<sup>54</sup> The average spending has been calculated by the author using the available data in the policy evaluations via this formula: <total amount spent on all OCH-projects> / <total number of executed OCH-projects>.

<sup>55</sup> NLG 488.399 (in 2002, the Dutch currency changed from NLG to euro's).

## Appendix D: Overview WHPO-sites

	A	B	Country	Name
<b>Africa</b>	1	1	Cape Verde <sup>a,b</sup>	Cidade Velha, Historical Centre of Ribeira Grande
	1		Ethiopia	Fasil Ghebbi, Gondar Region
	1		Gambia	Kunta Kinteh Island and Related Sites
	1		Ghana	Forts and Castles, Volta, Greater Accra, Central and Western Regions
	1	1	Mozambique <sup>a,b</sup>	Island of Mozambique
	1		Kenya	Fort Jesus, Mombasa
	1		Republic of Tanzania	Ruins of Kilwa Kisiwani and Ruins of Songo Mnara
	1		Senegal	Island of Gorée
<b>South-America</b>	1		Argentina <sup>b</sup> , Brazil <sup>b</sup>	Jesuit Missions of the Guaranis
	1	1	Brazil <sup>b</sup>	Historic Town of Ouro Preto
	1	1	Brazil <sup>b</sup>	Historic Centre of the Town of Olinda
	1	1	Brazil <sup>b</sup>	Historic Centre of Salvador de Bahia
	1	1	Brazil <sup>b</sup>	Sanctuary of Bom Jesus do Congonhas
	1		Brazil <sup>b</sup>	Historic Centre of São Luís
	1	1	Brazil <sup>b</sup>	Historic Centre of the Town of Diamantina
	1	1	Brazil <sup>b</sup>	Historic Centre of the Town of Goiás
	1		Brazil <sup>b</sup>	São Francisco Square in the Town of São Cristóvão
	1		Brazil <sup>b</sup>	Rio de Janeiro-Carioca Landscapes between the Mountain and the Sea
	1		Paraguay	Jesuit Missions of La Santísima Trinidad de Paraná and Jesús de Tavarangue
	1		Uruguay <sup>b</sup>	Historic Quarter of the City of Colonia del Sacramento
<b>Asia, Pacific, other</b>	1	1	China (Macao) <sup>b</sup>	Historic Centre of Macao
	1	1	India	Churches and Convents of Goa
	1		Bahrain	Qal'at Al-Bahrain - Ancient Harbour and Capital of Dilmun
	1	1	Morocco	Portuguese City of Mazagan (El Jadida)
	1		Malaysia	Melaka and George Town, Historic Cities of the Straits of Malacca
	1		Sri Lanka	Cold Town of Galle and its Fortifications
<b>Total</b>	26	11		

A = mentioned as WHPO according to 30 Years of Best Practices (2014) and Alçada et al. (2013). B = mentioned as WHPO according to the DCPG website (2018).

<sup>a</sup> = Part of PALOP. <sup>b</sup> = Part of CPL