



STATE OF THE HERITAGE REPORT

THE SUPERINTENDENCE OF CULTURAL HERITAGE

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STATE OF THE HERITAGE REPORT 2004

CONTENTS

1	INTRODUCTION
2	DEFINING MALTA'S CULTURAL HERITAGE
2.1	Legal Definition of Cultural Heritage
2.2	International Obligations
2.3	Sites and Monuments
2.4	World Heritage Sites
2.5	Cultural Landscapes
2.6	Architecture
2.7	The Geological Heritage
2.8	Underwater Cultural Heritage
2.9	Military Heritage
2.10	The Moveable Cultural Heritage
2.11	The Intangible Cultural Heritage
3	THE MANAGEMENT OF MALTA'S CULTURAL HERITAGE
3.1	Legal Framework
3.2	Organisations and Operators
3.3	Reforming the Cultural Heritage Sector
4	SOCIAL AND ECONOMIC ASPECTS
4.1	Investment and Costs
4.2	Cultural Heritage and Sustainable Development
4.3	Tourism and the Cultural Heritage
5	EDUCATION, RESEARCH, OUTREACH
5.1	Education and Cultural Heritage
5.2	Research in Cultural Heritage
5.3	Public Access to Cultural Heritage
6	ISSUES AND OPPORTUNITIES
6.1	Issues and Opportunities

1

INTRODUCTION

The State of the Heritage Report for 2004 picks up where the 2003 edition left off. In many ways, the compilation of the report will lead to a cumulative gathering of information, which will be steadily consolidated during the coming years. This element of continuation is necessary in order for the State of the Heritage to be documented and assessed over a long period.

The first edition of the State of the Heritage Report, published in 2003, received many positive comments. The report presented a number of themes which were treated with a very general readership in mind. The report was not designed to be a definitive publication of its kind. Indeed, future editions will build upon previous ones in an effort to link developments from one year to another. Given the annual frequency of the report's publication, the effectiveness of its content is nothing more than the sum total of the extent and prompt transmission of information. The Report is clearly not designed to be an annual report of a corporate body. Indeed, the State of the Heritage Report should reflect inter-organizational dialogue and the sharing of information throughout a sector that is already burdened with tremendous risks and loss. Compilation of this year's report depended on contributions given by national institutions and NGOs. Unfortunately, the availability of information has been uneven, a sign that few stakeholders have fully appreciated the objective of the State of the Heritage Report.

The annual frequency of the State of the Heritage Report is crucial. General trends within the sector must be understood as early as possible. Malta's heritage sector is responding to change, opportunities as well as to new operational and fiscal realities. In this the heritage sector is already registering progress on a number of fronts. At the same time however, the risks to our heritage are still present. While state organisations, Local Councils and NGOs have their own objectives and corporate strategic plans, their contribution to the broader state of the heritage is essential. Their impact on the sector is likewise critical.

In spite of the unevenness of the information that has been received, many additions have been made to the report for 2004. Certain sections required extensive re-writing. Some parts have been retained with only minor changes, in the belief that their content is still essential for inclusion in this year's report.

The Report for 2004, comes at a time when national interest in cultural heritage issues is steadily on the increase. This trend is accompanied by a growing desire among a growing number of social stakeholders to involve themselves in the cultural heritage sector. Possibly, the most evident expression of this phenomenon may be observed among the Local Councils who are increasingly becoming important partners in cultural heritage matters. This principal of social inclusiveness in cultural matters is vouched for in the Cultural Heritage Act 2002.

The promotion of a social dimension in cultural heritage management is furthermore one of the leading principals as expressed by the conventions of the Council of Europe. Malta's entry into the European Union on the 1st of May 2004 can only serve to further emphasise the importance of cultural appreciation and understanding in contemporary democratic life.

The recent accession to the European Union is also presenting Malta with some significant challenges and opportunities. In the sphere of cultural heritage, there is a pressing need to define in cultural terms what constitutes Maltese identity. This question must lead us to re-investigate the meaning of long underrated cultural values, such as the value of the Maltese landscape, tradition and artistic sensibility. Asserting Maltese identity within a larger European and Mediterranean identity must pass through a re-assertion of these inherited, but often mis-managed cultural values. In this regard, a number of projects receiving European Union funding have been developed by Heritage Malta, the Superintendence of Cultural Heritage and the Malta Centre for Restoration to mention just a few beneficiaries.

The free movement of goods, a hallmark of the European Union, brings with it significant concerns. One of these is that related to the loss of the material patrimony making up Malta's important movable cultural heritage. The lifting of trade barriers between European states means that goods can now move freely across national frontiers. The Superintendence of Cultural Heritage is moving to address this issue, by introducing appropriate subsidiary legislation and by developing new procedures for the control of movement of goods both out and into Malta. Heritage being a national concern, the European Union Treaty and Constitution empower member states to exercise protective measure to safeguard national patrimony. In this area of concern, many state institutions have a critical role to play in the future.

A significant step forward in the area of landscape conservation has been made by the Malta Environment and Planning Authority which has published, earlier this year, a Landscape Assessment document as part of its review of the Structure Plan for the Maltese Islands. This Review will be of great assistance in the implementation of the Council of Europe on Cultural Landscapes.

Important developments in the management's of Malta's World Heritage Sites has also been made with the setting up under the aegis of the Ministry for Tourism and Culture of a consultative Scientific Committee for the conservation of the megalithic temples. The Ministry has also launched an international competition for the presentation of a concept design for the temporary roofing project for Hagar Qim. Funding for the completion of the project has been made available from the European Structural Funds. Implementation of this project has now been passed on to Heritage Malta.

Important sets of data and of statistics relating to heritage sector are available from a number of public sources, which provide an important insight into the major trends currently affecting Malta's cultural heritage.

Government's published Financial Statements provide key indications on the way in which public spending is effecting the heritage sector. The data presented in this Report indicates that Government spending for cultural heritage purposes has been on the increase for the second year running. Most of this investment goes predictably towards salaries and recurrent expenditure. This expenditure is furthermore highly fragmented, falling under different administrative responsibilities. It is therefore particularly important for synergies to be created among the different entities receiving this growing portion of public funding.

A similar picture of growth also emerges with respect to data relating to tourism and access. The available data, supplied by the Malta Tourism Authority and the National Office of Statistics, strongly suggests that visits to heritage sites and museums are on the increase. This represents one

important element of growth. Surprisingly however, the net beneficiary of this growth are not the public or the privately run museums and sites, although these also register an increase in visitor numbers for 2004. Rather, the increase is being registered among visitors to ecclesiastic sites. These figures require attention. At one level, they may be representing visitor access to museums that had hitherto escaped control. For instance the control measure installed at St John's Conventual Church may have contributed to an accounting of a substantive portion of this growth.

Whatever the case, this information reflects a healthy diversification of the heritage sector in recent years. In the coming years, this diversification must also present a real challenge for publicly administered sites and museums. One factor which for instance emerges from the Malta Tourism Authority's surveys for 2001, is the number of 'non museum' attractions that actually offer alternative destinations for visitors. In particular, the MTA data suggests that the Baroque environment of Valletta and its surrounding landscape offer the topmost visited attractions.

A final word must be said on the role played by Local Government in the care and appreciation of Malta's cultural assets. The importance of these entities should not be underestimated. Local Government is ideally placed to administer a large portion of our cultural assets which today lie largely unclaimed and in need of attention.

A survey conducted by the Superintendence in collaboration with the National Statistics Office has come up with a very clear indication of the strong will of Local Councils to participate in cultural matters both as means of asserting their identity, as well as a way of improving the local environment and living conditions. This is a very encouraging result, one that must be encouraged in every way. Indeed, more and more emphasis is now being placed on issues of public heritage. Heritage cannot be viewed entirely from an institutional point of view. The role of heritage as a major community asset has still not made an impact on Malta's cultural heritage. However it may be presented, cultural heritage is still very much viewed as being either an institutional asset or a tourist attraction. Given the importance of Malta's tourist sector, such perceptions can be understood. However, more substantial measures must be taken in order to instil the idea that cultural heritage is, after all, a community asset.

In this, the forthcoming drafting of the National Strategy for Cultural Heritage will, it is hoped, play a significant role. 2005 will be dedicated to the drafting of this national policy document, a first of its kind in the Maltese islands. The drafting process will entail consultation among state entities and the numerous non-governmental partners that have a stake in our heritage. The result, as required by law, is the presentation to our parliament of a national document on the broader strategic direction that Malta's heritage sector should follow. In itself, the preparation of the National Strategy for Cultural Heritage should will be a challenge for all of us to transcend institutional boundaries and reach out to the public in a real and meaningful way.

Anthony Pace
Superintendent of Cultural Heritage

Valletta
2004

2

Defining Malta's Cultural Heritage

2.1

Legal Definition of Cultural Heritage



The Cultural Heritage Act provides a broad and inclusive definition of the “cultural heritage”.

Article 2 of the Cultural Heritage Act defines the term "cultural property" as:

"movable or immovable property forming part of the cultural heritage"

The term "cultural heritage" is also defined by Article 2 as:

"movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological and geological importance and includes information or data relative to cultural heritage pertaining to Malta or to any other country. This includes archaeological, palaeontological or geological sites and deposits, landscapes, groups of buildings, as well as scientific collections, collections of art objects, manuscripts, books, published material, archives, audio-visual material and reproductions of any of the preceding, or collections of historical value, as well as intangible cultural assets comprising arts, traditions, customs and skills employed in the performing arts, in applied arts and in crafts and other intangible assets which have a historical, artistic or ethnographic value."

Furthermore, Article 3 of the Cultural Heritage Act 2002 states that:

“For the purposes of this Act, an object shall not be deemed to form part of the cultural heritage unless it has existed in Malta, including the territorial waters thereof, or in any other country, for fifty years, or unless it is an object of cultural, artistic, historical, ethnographic, scientific or industrial value, even if contemporary, that is worth preserving.”

These definitions establish an important principle. Cultural heritage must be considered in all of its diverse dimensions, and as far as possible it should not be compartmentalized. The Cultural Heritage Act thus establishes a cultural continuum for our heritage, a continuum which recognizes diverse values and aspects of our past in a more holistic and unified meaning of the term.

2.2

International Obligations



Malta has been particularly conscious of its international obligations in the field of cultural heritage. Since the world war of 1939 – 1945, an increasing body of texts, charters, resolutions and conventions have been drawn up and promoted internationally. The initial impetus came from the major international organisations that emerged in the aftermath of the war. The creation of the United Nations and its sister bodies, as well as the creation of the Council of Europe, were important developments in the internationalisation of heritage management principles. Parallel to this development was the emergence of international NGOs, regional organisations, the European Union and other global institutions that promoted the need for there to be common platforms of universally-held principles.

This process led to an international acquis of fundamental texts covering such issues as conservation, restoration, integrated conservation, collection management, the return of stolen cultural property and other aspects. The acquis will continue to expand during the coming decades.

Malta has taken important steps to adopt important elements of this acquis and will continue to pursue a programme of examining and considering international texts and documents for possible adoption. The Superintendence will be developing and overseeing this programme on a number of levels. In this regard the more pressing priorities are the signing or ratification of outstanding conventions, and the implementation of the principles enshrined in accepted conventions within the Maltese heritage sector.

The current situation with respect to Malta's adoption of international conventions related to the cultural heritage sector is as follows:

CONVENTIONS		SIGNED	RATIFIED
European Cultural Convention, 1954	Council of Europe	✓	✓
Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague 1954 (Hague Convention 1954)	UNESCO		
Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague 1954 (Hague Protocol 1954)	UNESCO		

Customs Convention concerning facilities for the importation of goods for display or use at exhibitions, fair, meetings or similar events, Brussels 1962	UNESCO	✓	
European Convention on the Protection of the Archaeological Heritage, London 1969 (London Convention 1969)	Council of Europe	✓	✓
Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (UNESCO Convention 1970)	UNESCO		
Convention on Wetlands of International Importance Especially as Waterfowl Habitats, 1971 (the Ramsar Convention)	UNESCO - Ramsar Bureau	✓	✓
Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973 (CITES)	UNEP	✓	✓
Convention on the Conservation of Migratory Species of Wild Animals, 1979 (the Bonn Convention or CMS 1979)	UNEP	✓	✓
Convention on the Conservation of European Wildlife and Natural Habitats, Bern 1979	Council of Europe	✓	
European Convention on Offences relating to Cultural Property, Delphi 1985 (Delphi Convention 1985)	Council of Europe		
Convention for the Protection of the Architectural Heritage of Europe, Granada 1985 (Granada Convention 1985)	Council of Europe	✓	✓
Convention on Biological Diversity, 1992	UNEP		
European Convention on the Protection of the Archaeological Heritage (Revised), Valletta 1992 (Malta Convention 1992)	Council of Europe	✓	✓
UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (UNIDROIT 1995)	UNESCO		
Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague 1999 (Hague 2nd Protocol 1999)	UNESCO		
European Landscape Convention (Florence Convention 2000)	Council of Europe	✓	

Convention on the Protection of the Underwater Cultural Heritage, Paris 2001	UNESCO		
Convention for the Safeguarding of the Intangible Cultural Heritage, Paris 2003	UNESCO		

Secondly, the new Cultural Heritage Act adopts a series of principles and lays down clear obligations regarding conventions. Part II of the Act, adopts language that promotes integrated conservation, the sustainable use of heritage, social inclusion as well as the promotion of fiscal policies. These principles reflect identical ones already expressed in UNESCO and Council of Europe Conventions. Article 49, then specifically states that the powers and duties under the Cultural Heritage Act 2002 should be exercised in conformity with any international Convention, treaty, agreement or instrument concerning the proper use and conservation of national or world cultural property, to which Malta may be party. This innovative article strengthens the legal implications for the local use of internationally accepted norms and practices. In addition, article 50 of the Act authorises government to ratify and become party to the UNIDROIT Convention on Stolen or illegally exported cultural objects. The adoption of this latter convention has been augmented by the transposition into Maltese subsidiary legislation of the European Community's directive EEC Council Directive 93/7/EEC (15 March 1993) on the return of cultural objects unlawfully removed from the territory of a Member State.

In addition, several national organizations, such as the Malta Planning and Environment Authority, the Restoration Unit of the Works Division, the Malta Centre for Restoration, Heritage Malta and the Superintendence, as well as leading NGOs, have all adopted principles of international documents in their works and every day operations.

The signing, ratification and adoption of international conventions carry with them a number of important obligations. However, they also provide an important framework within which authorities and practitioners can operate. The Superintendence of Cultural Heritage will, over the coming years, endeavour to promote best practices as outlined in these international documents.

2.3

Sites And Monuments



In Malta, sites and monuments of cultural or ecological importance are known from a number of sources. One of these is a Scheduling List drawn up by MEPA. Currently there are 1,719 sites and monuments which are included in the Scheduling List.

Architectural Value	1283
Archaeological Value	263
Ecological Importance	173

The Scheduling List also provides protection through a system of grading and classification. Architectural monuments can be of Grade 1, 2 or 3, and the grading of other sites ranges from Class A to Class E. The levels and grades imply different levels of value and protection.

Scheduled archaeological sites and monuments are sub-divided as follows:

Class A	42%
Class B	56%
Class C	One site

There are no Class D and E listed archaeological sites.

Scheduling is published on the Government Gazette, and the Scheduling List is also available on the MEPA website.

The Antiquities List compiled in 1946/47 to assess war damage, and which has approximately 2000 properties and sites on it. These are classified as:

A. Prehistoric	4.0%
B. Phoenician & Roman	4.5%
C. Medieval	0.5%
D. Ecclesiastical	22.0%
E. Domestic	57.0%
F. Military	0.5%
X. Unclassified	11.5%

Unlike the Scheduling List, the properties and sites on the Antiquities List are exclusively of historical or antiquarian significance. Furthermore, the Antiquities List stops with properties dating to the 18th Century and nothing from the British Period is included.

Almost all the properties on the Antiquities List are seen as worthy of preservation, which would place them at Grade 1 or 2 in terms of today's scheduling.

MEPA also maintains a National Protection Inventory, which compiles data on cultural properties and is intended to inform planning issues. This inventory has basic data on approximately 13000 entries, resulting from data capture exercises in a number of Urban Conservation Areas and along the Victoria Lines. The inventory also has data on approximately 1000 archaeological sites that are also kept in digital format.

The Superintendence of Cultural Heritage keeps a database, listing all recorded archaeological interventions to date, derived in many cases from the Museum Annual Reports of the past hundred years. This database also includes sites which are known to have existed but the location of which is currently lost. The database is constantly updated in the light of discoveries, many of which are the result of accidental discovery during development works. This database will be elaborated once the National Heritage Inventory (CHIMS) is launched.

The development of the National Heritage Inventory is to be tackled in a far-reaching and proactive way. It should be linked to data capture exercises, to programmes of scheduling, and to the application of such data to better inform policies and decisions.

As evidenced in the Museum Annual Reports, and in the Superintendence's database, the majority of archaeological sites and features in Malta have been discovered during development works. Our cultural heritage is at risk by ever-increasing development. This risk is not limited to known sites and monuments. Many yet unknown, buried archaeological sites and features are in constant risk of being destroyed. The same risk is run by buildings whose cultural heritage significance has not been recognised or adequately recorded.

Institutions managing heritage often suffer from mistrust by the public. The public perception is that when a discovery is made during development, the authorities would unnecessarily impede construction works or else that the discovery will lead to land expropriation. The rich heritage of the Islands results in a large number of discoveries, and the number of heritage professionals is too small to deal effectively with the large workload. This may result in unfortunate delays.

There is an immediate need for these problems to be addressed. It is incumbent on cultural heritage institutions to provide clear guidelines and to develop resource capabilities that permit expeditious interventions. Provision must be made for evaluation of potential sites, for monitoring of eventual works, and for

archaeological excavation in the case of accidental discovery. These essential measures must be put within a sustainable framework. The Superintendence is currently developing policies intended to inform decisions that are taken in connection with land use and development. Such policies must be drawn up in the light of values attached to the cultural heritage, and should be based on the gathering of adequate information.

There are a number of areas of activity that must be developed, and which should result in greater protection for the cultural heritage, and a better service to the public.

- **Data Capture Programmes.** This data capture should lead to better protection of the cultural heritage through exploration, research and effective scheduling. It should better inform policies and guidelines for decisions linked to development.
- **Provision for archaeological services linked to development.** Archaeological excavation is regulated exclusively by the Superintendence that should be provided with adequate mechanisms and resources for archaeological evaluation of sites, for monitoring of works and for the excavation of accidental discoveries during works. This activity should be set in a financially sustainable framework.
- **Effective enforcement.** Prompt and effective intervention is necessary in the case of threats to the cultural heritage, by unauthorised or illegal activity. Such interventions require effective legal and procedural mechanisms.
- **Close liaison between MEPA and the Superintendence of Cultural Heritage.** The existing co-ordination should be further developed to create more effective policies and guidelines for development. Such guidelines and policies are to be effectively communicated to the public.

2.4

World Heritage Sites



The UNESCO World Heritage Convention

Malta ratified the UNESCO World Heritage Convention in November 1978.

According to Article 4 of the World Heritage Convention, each State that ratifies the Convention is responsible for ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural heritage situated on its territory. Each State Party is obliged to do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.

Article 5 of the World Heritage Convention states that:

“To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory, each State Party to the Convention shall endeavour, in so far as possible, and as appropriate for each country:

- a. to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes;
- b. to set up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;
- c. to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;
- d. to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and

- e. to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field.

Moreover the Convention states in Article 6 that whilst the sovereignty of the State on whose territory the cultural property is situated is respected, the State Parties to the Convention recognize that this heritage is a world heritage, and as such, it is also the duty of the international community to protect it.

The UNESCO World Heritage List

To date Malta has succeeded in having three sites of cultural value listed in the World Heritage List. These are the city of Valletta, the Ħal-Saflieni Hypogeum, and the Megalithic Temples of Malta.

VALLETTA

Site: City of Valletta

Date of Inscription: 1980

Criteria: C (i) (vi)

World Heritage List Number: 131

Valletta's 320 monuments, situated within an area of 55 ha, make it one of the most concentrated historic areas in the world. Following a positive recommendation by ICOMOS in November 1979, the city of Valletta was inscribed in the World Heritage List during the Fourth Session of the World Heritage Committee held in Paris in September 1980.

Valletta was inscribed in the World Heritage List because it "represents a masterpiece of human creative genius", and is "directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance" [UNESCO criteria for WHS (i) and (vi) respectively].

THE ĦAL-SAFLIENI HYPOGEUM

Site: Ħal-Saflieni Hypogeum

Date of Inscription: 1980

Criteria: C (iii)

World Heritage List Number: 130

The prehistoric hypogeum of Ħal-Saflieni, considered as a "cultural property of exceptional value" by ICOMOS in the latter's justification for recommending the inclusion of the site in the World Heritage List in November 1979, was eventually inscribed in the List during the Fourth Session of the World Heritage Committee held in Paris in September 1980.

The Ħal-Saflieni Hypogeum was included in the World Heritage List because it “bears a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared” [UNESCO criterion for WHS (iii)].

ĠGANTIJA

Site: Ggantija Temples

Date of Inscription: 1980

Criteria: C (iv)

World Heritage List Number: 132

Following a positive recommendation by ICOMOS in November 1979, the megalithic temple complex of Ġgantija was inscribed in the World Heritage List during the Fourth Session of the World Heritage Committee held in Paris in September 1980.

The Ġgantija Temples were included in the List because they are “an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history” [UNESCO criterion for WHS (iv)].

THE MEGALITHIC TEMPLES OF MALTA

Site: The Megalithic Temples of Malta

Date of Inscription (Extension): 1992

Criteria: C (iv)

World Heritage List Number: 132bis

During the Sixteenth Session of the World Heritage Committee, held in Santa Fe in December 1992, the Committee decided to extend the already inscribed site of Ġgantija Temples to include five other prehistoric temple sites in Malta, and to rename the site on the List as “The Megalithic Temples of Malta”. The extension included the prehistoric megalithic sites of Faġar Qim, Mnajdra, Tarxien, Skorba and Ta’ Faġrat.

The six prehistoric sites were inscribed in the World Heritage List as a group by the same criterion by which Ġgantija Temples had been inscribed, namely because each site is “an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history” [UNESCO criterion for WHS (iv)].

Protecting Endangered Properties

World Heritage conservation is a continuous process. Listing a cultural property automatically brings benefits in this process, but it also imposes a number of obligations. It is imperative that an inscribed site does not fall into a state of disrepair, or have any development project risk destroying those qualities which made the property suitable for World Heritage status in the first place. The State owning Listed sites should regularly report on the condition of the properties, on measures taken to preserve them, and on its efforts to raise public awareness of its cultural heritage.

If a country is not fulfilling its obligations under the UNESCO World Heritage Convention, it risks having its properties deleted from the World Heritage List. In case of threat, the World Heritage Committee should be alerted, and if the threat is justified, and the problem serious enough, the property will be placed on the List of World Heritage in Danger. This list is designed to call the world's attention to natural or human-made conditions which threaten the characteristics for which the property was originally inscribed on the World Heritage List.

Hagar Qim and Mnajdra Heritage Park Project – International Design Competition

In November 2003, an international competition was issued by the Ministry for Youth and the Arts for the design of the Hagar Qim and Mnajdra Heritage Park Project. The competition included, in particular, the design of a visitors centre and protective shelters for the megalithic sites.

In April 2004, the Technical Committee audited the submissions for the competition. In all there were 47 submissions, 24 of which were found to be non-compliant with the Design Brief.

An international jury made up of architects, planners, a conservator, and an archaeological site management specialist, examined all the submissions according to the terms laid out in the Design Brief. Foremost in the criteria by which the qualities in design were judged were low impact and reversibility, harmonisation with the surroundings, low maintenance costs, resistance to extreme weathering, light-weight, and especially the qualities which would retard the principal causes of deterioration of the sites.

The competition was won by Arch. Walter Hunziger from Switzerland.

The Scientific Committee for the Conservation of the Megalithic Temples

In April 2000 the Scientific Committee for the Conservation of Megalithic Temples was established, and was entrusted with advising the Museums Department on possible conservation solutions for the preservation of Malta's megalithic sites.

With the enactment of the Cultural Heritage Act in 2003, and the resultant dissolution of the Museums Department, the Scientific Committee ceased to meet. In September 2004 the Scientific Committee for the Conservation of Megalithic Temples was re-established. The new Scientific Committee is made up of representatives of the Superintendence of Cultural Heritage and Heritage Malta respectively and also consists of a number of experts in different fields including stone conservation, structural engineering, archaeology and ecology.

The functions of the Scientific Committee are:

To provide a multidisciplinary forum for understanding the conservation problems of the megalithic temples;

To make recommendations for actions required to conserve and record the temple sites;

To monitor the execution of such actions, evaluate results, and ensure that high scientific standards are maintained;

To provide a forum for consultation on the development of a research agenda for the temples;

To promote and co-ordinate research on the megalithic temple sites.

To date, the Scientific Committee for the Conservation of the Megalithic Temples has had three meetings during which new members were, first of all, familiarised with the work of the previous Scientific Committee. An introduction to the current conservation projects on the megalithic sites has also been made, including the Bank of Valletta Tarxien Temples Project, the Hagar Qim and Mnajdra Heritage Park Project, the Solidarity Funds Project for Ggantija Temples, as well as the on-going project of a 3D recording of the same site.

Valletta

Since 1987, the first historic city rehabilitation programme was set up in Malta in order to conserve, protect and present our capital city. The Valletta Rehabilitation Project, within the Ministry for Resources and Infrastructure, developed a number of short and long-term initiatives that combine specific conservation projects, urban conservation planning and broader management strategies which should lead, among other things, to a social revitalisation of Valletta.

During the past year Valletta Rehabilitation Project has continued with a programme to upgrade the public areas of the city – especially the two main gardens – and has continued with a number of conservation and restoration projects. These projects are financed by the Government of Malta. Italy is financing two restoration projects at St. John's Co-Cathedral.

The finances available during 2004 were considerably higher than 2003 and the Valletta Rehabilitation Project has managed to continue with a number of important restoration projects including:

The restoration of the Cappella d'Italia at St. John's Co-Cathedral

The restoration of a 16th Century organ at St. John's Co-Cathedral

The restoration of the facade and paintings of Our Lady of Victory Church

The restoration of the Paladini, Perez d'Aleccio and entrance fresco at the Palace

The Valletta Rehabilitation Project continues to face the same problems that it has faced over the past years. The resources, both human and financial, are very limited. The Valletta Rehabilitation Project depends on foreign conservators [at considerable cost] for specialised work such as wall paintings. The local know-how is deteriorating rather than improving. One of the areas of major concerns is the fact that fewer structural contractors are interested in working in Valletta because of the bureaucratic and every day problems that they have to encounter. The result is that the cost of structural conservation work has become prohibitive.

Periodic Reporting on the Application of the World Heritage Convention

Under the terms of Article 29 of the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage, ratified by Malta in 1978, each State Party is obliged to report periodically to the general Conference of UNESCO.

In November 2004, Section I of the Periodic Report on UNESCO World Heritage Sites in Malta was compiled by the Ministry for Tourism and Culture. The Report includes the input of various institutions in the heritage sector, including the Ministry itself, the Superintendence of Cultural Heritage, Heritage Malta, the Valletta Rehabilitation Project, the UNESCO National Commission, and ICOMOS (Malta).

Section II of the Periodic Report involves the reporting on each site inscribed in the World Heritage List by the person(s) directly in charge of the site's management.

2.5

Cultural Landscapes



Landscape is an integral part of the common heritage of humankind. The safeguarding and protection of the landscape is essential for the preservation of our cultural identity. Since the 1960s appropriate planning action has been considered an important issue in the management of the Maltese landscape. The establishment of the Planning Authority addressed this issue during the 1990s. The protection of the landscape has again been promoted through the Cultural Heritage Act 2002.

In 2000 the Council of Europe issued the European Landscape Convention with the aim of promoting landscape protection and management, and planning on landscape issues. The Convention defines the term 'Landscape' as meaning:

'an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.'

The Convention highlights the following measures as necessary tools for reaching the objectives of improved landscape management and protection:

- Awareness-raising among the civil society, private organisations, and public authorities of the value of landscapes, their role and changes to them.
- Training and education by means of training in landscape appraisal and operations, multidisciplinary training programmes in landscape policy, protection, management and planning and by means of school and university courses addressing the values attached to landscapes and to issues raised by their protection, management and planning.
- Identification of those landscapes found throughout a Party's territory, analyse their characteristics and the forces and pressures transforming them and to take note of the changes within them.
- Assess of the landscapes thus identified, taking into account the particular values assigned to them by the interested parties and the population concerned.
- Define landscape quality objectives for the landscapes identified and assessed.
- Implementation instruments aimed at protecting, managing and/or planning the landscape.

Malta signed the European Landscape Convention in October of 2000.

In 2004, an important local development with respect to landscape protection and management was registered by the Malta Environment and Planning Authority with the publication of the Landscape Assessment Study of the Maltese Islands.

The Landscape Assessment Study was carried out as part of the broader review of the Structure Plan for the Maltese Islands. The Assessment draws an updated picture of the current state of the Maltese Landscape from a planning point of view, including its cultural heritage component. The definition of 'landscape' as used by the Assessment is the following:

'...the visual aesthetic component of the surrounding environment – that is, views as appreciated and interpreted through the sense of sight. The definition is compatible with that of the European Landscape Convention as it addressed the perception factor of a landscape through the human mind.'

The Landscape assessment is an important contribution towards the identification of several landscape-types composing the Maltese territory, identify the trends and issues affecting these landscapes and outlines a Strategic Landscape Policy Direction.

Heritage Asset	Policy developments	Development Applications
Cultural Landscapes	<ul style="list-style-type: none"> • Review of current development process of requests for works involving ground disturbance within Areas of Archaeological Importance. • Monitoring of development affecting archaeologically sensitive areas is mandatory on a polluter pays principle for major projects, by state agencies for smaller projects. • Controlled development within already committed sites (development schemes) incorporated in Areas of High Landscape Value. 	557
Urban Conservation Areas	<ul style="list-style-type: none"> • Street Categorization (UCA zoning). • Review policy for timber balconies within UCAs. 	1279
Rural Conservation Areas	<ul style="list-style-type: none"> • Mandatory demand for restoration method statements (RMS). • Monitoring of works. • Bank guarantees for compliance with RMS. • A small number of rural heritage assets included in the National Protective Inventory. • Inventory of rural heritage assets required. • Review of LN 160/97 – Conservation of rubble walls and rural structures. • Draft data card for the recording of rubble walls. 	

Besides the Landscape Assessment Study, various other issues and initiatives relating to land-use issues are of direct relevance to the landscape management and conservation. The following table provides an overview of such issues relating to the workings of MEPA carried out between January and October 2004.

The sector requires more work to reconcile conflicting needs and necessities of modern society with the sustainable use of Malta's landscape. Due to the small size of the island, historic and cultural landscapes are constantly under pressure from urban and rural developments.

The indications contained in the European Landscape Convention and in the recent policy developments by MEPA are to be pursued further by all parties concerned. The successful implementation of the necessary measures will require a multi-disciplinary approach, and a commitment towards inter-departmental co-operation.

2.6

Architecture



Malta has a rich and varied architectural heritage. Our towns and villages still include buildings from different historic periods. The Maltese landscape includes architectural landmarks ranging from country houses to wayside chapels. The urban core areas of the island include significant portions of this architectural heritage. A number of legislative frameworks including the Cultural Heritage Act 2002 and the Development Planning Act 1992 regulate the development protection and conservation of this heritage.

Scheduling of architectural heritage provides an effective tool for its protection and conservation. This exercise is however not being carried out systematically and much that is being scheduled is done so as an emergency measure of protection. The constant review of scheduled structures is also an issue that needs to be addressed. That which is to be saved for posterity largely depends on a question of definition and values. However, such a definition needs to take into account a historically comprehensive heritage with no particular emphasis on one particular historic timeframe. The issue of cultural values is in addition a complex one. The built heritage can act as a source of conflict, where developers and public interests are often seen to contradict national conservation policies. This heritage is therefore at risk and susceptible to change. Cultural and aesthetic values are often are often vulnerable or partially compromised by intrusive works.

Different living requirements have influenced the development of historic urban dwellings. These are, in most cases, difficult to reconcile with contemporary necessities. Thus, exigencies of high social profile do not lead to the acquisition of large historic property. The loss of garden spaces and subsequently the radical transformation of important town and country houses has become common. This also has serious repercussions on urban core areas that can be radically transformed in character. Two important factors can augment this threat. The current depopulation trend in areas such as the Grand Harbour Area, as well as requirements for new dwelling units can be a threat to the safeguard of this cultural property as a unit. Recent statistics however indicate that the interest in historic houses situated in Valletta is on the increase.

It is also fast becoming necessary to evaluate architecture through an interdisciplinary approach. Much of our architectural heritage has important links with the local sculptural tradition. A degree of compatibility also needs to be constantly encouraged in the case of new structures constructed in historic urban core areas. St. John's co-Cathedral can be here quoted as an important example where architecture, sculpture and painting are inextricably linked.

Public institutions and non-governmental organisations promote and carry out conservation on historic structures and sites. The range of projects worked on by the Restoration Unit, Works Division in 2003 may be characterised as indicated in the table below.

Fortifications or defence related	16 projects
Governmental Entities and Local Councils	9 projects
Presidential Palaces	5 projects
Ecclesiastical structures	5 projects
Commemorative monuments, statues etc	2 projects
Museum buildings	2 projects

In addition to these projects one should add a number of ongoing conservation and maintenance projects at the following historical monuments:

- St. John's Co-Cathedral, Valletta
- Grand Masters Palace, Valletta
- San Anton Presidential Palace, Attard
- Verdala Presidential Palace, Rabat
- Inquisitor's Palace, Girgenti

2.7

The Geological Heritage



The geology of the Maltese Islands represents 24 million years of sedimentary history. The scientific importance of the Maltese geological record has attracted comparatively little attention from the local public. Yet the subject has long attracted high profile scientific attention. The geological evidence of the Maltese Islands is in fact an important key of interpretation for the entire Mediterranean region.

The geological heritage of the Maltese Islands is consequently composed as much of the actual geological landscape of the Islands, as much as by the heritage of generations of scientific study and amateur collectors.

Malta's geological heritage is legally protected both in terms of its landscape dimension and in terms of movable items and collections.

Article 2 of the Cultural Heritage Act specifically defines "movable and immovable objects of ... palaeontological and geological importance" and "palaeontological or geological sites and deposits, landscapes ... as well as scientific collections" as being an integral part of the "Cultural Heritage".

Similarly the Structure Plan also makes provision for the protection of the geological heritage of the Maltese Islands. The Structure Plan provides protection for geological, geomorphological and palaeontological features through the designation of Rural Conservation Areas and through the designation of Sites of Scientific Interest.

The range of geological features requiring protection, inventory and study are extremely varied and cover different areas of geological and palaeontological research.

The public collections of geological samples on exhibit at Ghar Dalam Museum and the Natural History Museum (Vilhena Palace) are the most extensive and the most comprehensive. Smaller collections and some geological sites are of private ownership. Possibly the most important privately operated heritage site on a geological theme is the Limestone Heritage at Siggiewi.

The study of Maltese geology conventionally falls into two main categories, namely the study of the Tertiary Geological Epochs (Oligocene and Miocene) and the more recent Quaternary Epochs (Pleistocene and Holocene).

Tertiary Heritage

The Tertiary epoch witnessed the formation of the Maltese limestone strata in submerged marine conditions during the Oligocene and Miocene Epochs. This process of sedimentation, followed by a process of folding and faulting constitute the geological genesis of the Maltese Islands. The most important evidence of these distant events is provided by the Maltese landscape with its extensive geological fault structures and differentiated rock strata. This processes resulted in the formation of impressive landmarks such as the Dingli Cliffs which rise to 253m in height or the Great Fault which extends from the North-West to the South-East of Malta. Also of great importance are the ecological data preserved in fossil format within the geological sediments.

Quaternary Heritage

The Quaternary geology of Malta was formed after the islands emerged above sea level at the end of the Miocene around 5 million years ago. The Quaternary deposits and landscape features were therefore formed as a result of water erosion of a dry land mass, during the last 2 million years. This epoch is therefore associated with important erosional features such as caves and valley systems and dry land fossil remains. These fossil remains, such as the ones found in Ghar Dalam, are of great scientific importance due to their relevance to the study of biological diversity and evolutionary processes in these epochs.

2.8

Underwater Cultural Heritage



Archaeology at Sea: main characteristics

The Harbour Beds – The great majority of Malta's marine archaeology is actually located within the Islands' enclosed harbour waters, rather than in the open seas. Over the centuries, large quantities of archaeological materials have been trapped, often in high densities, in the heavy silting that occurs over the beds of enclosed harbours. The combined action of shipwreck, dumping off anchored ships and off the mainland has resulted in considerable archaeological material becoming embedded in the harbour bed silts.

It is characteristic of archaeological materials recovered from harbour beds to emerge in a good state of conservation, due to the undisturbed conditions existing in such situations. Indeed, it is not unusual for complete ceramic pots to be recovered off harbour beds - unlike the generally fragmented remains usually encountered on dry land conditions.

Although of primary scientific value, archaeological sites in harbour conditions are however most inappropriate locations for cultural or tourist sightseeing. Harbour waters are characteristically very murky and frequently highly polluted. Diving operations in these enclosed waters also have to take account of the dangers posed by the constant passage of sea craft. The busier industrial ports of Marsaxlokk and the Grand Harbour clearly present the greater dangers.

Harbour spaces are limited resources that are being constantly contended for by an aggressive range of competitive users - heavy industrial concerns, fishing, and amenity services such as yacht marinas. All these activities involve a heavy disturbance of the seabed deposits and of the littoral conditions through such subsidiary activities as dredging, anchorage and land reclamation for the creation of berthing facilities. The loss of archaeological material to this type of activity must be considerable, but it passes largely unnoticed.

The number of archaeological sites located in open sea conditions is considerably less than those found in harbours. The constant erosive action of the open sea and the great spaces over which ancient wrecks might be located mean that archaeological sites are actually rather sparse on the sea bed and may be badly conserved.

On the other hand, diving in open sea conditions to visit submerged sites, even if only a few meters off the shoreline, is both feasible and highly rewarding. The damage, dangers and pollution encountered within enclosed harbours are practically inexistent along the open shoreline. The only exception to this rule consists in the industrial activities of off-shore fish farms. Archaeological sites in shallow, open waters are in fact so accessible and visible, that they are constantly targeted by sport divers and stripped of any portable antiquities. A large number of wreck sites and ancient anchorage have been entirely wiped out in this way, without any official record having ever been taken. Furthermore the ability of sport divers to access ever deeper waters is resulting in the progressive degradation of deep water sites which were up to now protected by their very remoteness.

Issues and Stakeholders

The need to develop a comprehensive inventory of underwater sites and other cultural assets is a high priority. The inventory of these submerged assets must include classes of sites which have hitherto received scarce academic attention, such as underwater geological features and 20th Century wreck sites. The inventory of sites will become an essential tool in protecting these sites. The inventory will allow better policing of known sites, and provide the authorities with the data to plan appropriate protective measures.

Another high priority is the need to develop a standing public research programme on marine cultural assets. Without such a program Malta's ability to manage its cultural resources at sea will remain a purely reactive one. It is essential that the necessary human and logistic capability is built-up to transform current practices into a forward planned program of research, resource monitoring, and management.

Such a program and the associated capability build-up must take a multi-disciplinary and inter-departmental approach. The public stakeholders who directly or indirectly share the responsibility of marine cultural heritage at sea, both with respect to regulation and enforcement, include the following entities and departments:

Superintendence of Cultural Heritage
Malta Environmental and Planning Authority
Maritime Authority
Armed Forces of Malta – Maritime Squadron
Malta Police
Department of Fisheries
Malta Tourism Authority
Department of Health (St. Luke's General Hospital) – Hyperbaric Unit

Furthermore, a successful public program of heritage management at sea would equally be of benefit and of importance for the private, volunteer and sport sector. Indeed any initiative by public stakeholders for the care and management of the marine cultural resources, must try to achieve as broad a base of public consensus and support as possible to ensure both its long term success and effectiveness.

It is important to recognise the fact that the local diving community, fishermen, boating enthusiasts and marine commercial entities are important agents that have an impact on the care and appreciation of Malta's marine cultural landscapes and assets. Communication and outreach initiatives are needed to integrate these stakeholders into the vision and objectives of the public management program. Equally important is the need to provide private and volunteer operators with necessary information, and venues for discussion and problem solving associated with their daily dealings with the marine environment.

2.9

Military Heritage



Malta's long history of involvement in the military events of the Mediterranean has resulted in the creation of a large body of historical and cultural heritage on the Islands. Most of this heritage consists of architectural creations, mainly for defensive purposes. Other forms of military heritage may however be found within museum collections, archives and even in archaeological contexts both on land and at sea.

Most impressive of Malta's military heritage are the harbour defences, centred on the Renaissance and Baroque fortifications of Valletta and of the Three Cities. Yet the list of military and defence architectural heritage is far more extensive than those elements contained in the Grand Harbour region.

Malta still possesses important traces of its medieval defences, especially in the towns of Mdina, Birgu (Fort St. Angelo) and the Cittadella (Rabat, Gozo). The Hospitaller period fortifications are particularly vast, including town defences, harbour and coastal defences, as well as inland lines of defence. Further important additions to the system of defences were added in the British colonial period. These included the 20th Century defences and military infrastructure erected in response to the international situation developing between the First and the Second World Wars. Military architectural heritage may be quantified as follows:

Medieval Fortifications

Mdina, Fort St. Angelo and the Cittadella (Rabat, Gozo)

Hospitaller Fortifications

- Valletta Harbour defences including 25 kms of bastions & ramparts, three fortified urban centres, four forts and three concentric lines of fortifications
- Three additional fortified foci namely Mdina, the Cittadella (Rabat, Gozo) and Fort Chambrai (Gozo)
- 22 gateways
- 51 towers & coastal batteries
- 10 Sets of coastal entrenchment walls, involving around 4 km of defences

British Fortifications

- The Victoria Lines that include 12 km of infantry walls
- 31 British forts & batteries
- Over 100 concrete pillboxes, field defences and other WWII emplacements (to be fully identified and catalogued)

The overall state of the military architectural heritage is one that is characterized by a widespread state of abandonment, misuse, and an accelerating deterioration of the architectural fabric.

The absence of dedicated mechanisms and adequate resources, compounded by the sheer scale, magnitude, and diversity, of the military architectural heritage, has to date prevented the formulation and implementation of an ongoing conservation programme of restoration and rehabilitation of historic fortifications.

A programme for the conservation of the fortifications now needs to be designed to deal with both short-term and long term issues, mainly the:

- the creation of a basic infrastructure and resource base necessary to implement and co-ordinate the restoration effort and undertake regular maintenance and repair
- the implementation of a series of 'rescue interventions' aimed at repairing neglected and badly decayed areas of fortifications, particularly those considered to constitute a source of danger
- the design and implementation of conservation projects aimed at the restoration, rehabilitation, and interpretation of specific forts and systems of fortification chosen for their important historical, architectural, cultural and economic potential
- the creation of an interpretational and educational programme aimed at increasing public awareness of the value and importance of the defence and military heritage

2.10

The Movable Cultural Heritage



Movable heritage includes works of art and cultural heritage artefacts owned by the state and the individual citizen. Some of these are grouped or form part of collections entrusted to state agencies and non-governmental organisations or else privately owned.

Standards

Standards regulating the protection and accessibility of our movable heritage include international conventions, charters and standards that have been signed, ratified or adopted by different states or by particular institutions. Many Maltese museums follow these international benchmarks. However, compliance with internationally recognised standards remains uneven. A registration scheme for museums is currently being explored by the Superintendence of Cultural Heritage. The implementation of such a scheme will provide the sector with effective benchmarking through which to increase professionalism in the sector. The implementation of an effective registration scheme in Malta will positively ensure that museums, whether public or private, meet approved standards in certain key areas of museum management, collection care and public services. It will effectively promote an acquisitions policy through which potential donors of objects to a registered museum are confident that the museum of their choice is a suitable repository. This will also be in line with measures announced in the Government Budget aimed at increasing the number of donations to state museums. Such a system would also be in line with current Museum Registration Schemes that have been successfully implemented world wide. The aims of this system are threefold:

- To encourage museums to achieve an agreed minimum standard in museum management, collection care and public services
- To foster confidence in museums as repositories of our common heritage and as managers of public resources
- To provide a shared ethical basis for all bodies involved in the preservation of the heritage that meets the definition of a 'museum' as outlined in the Cultural Heritage Act 2002.

The local situation requires specific measures that have to take into account the differences in budget, structure and work practices applicable to all museums. It might therefore be feasible to introduce such a scheme in stages over a set period of time with commitment for improvement being taken as a positive approach if the required standards are not being met.

Export and Movement from National Territory

The issue of movement and export from national territory for the purpose of exhibition, restoration and study has been positively tackled during the current year. Policy guidelines have been established by the Superintendence of Cultural Heritage and have been formulated on the following principles.

- The potential risks inherent in the movement of cultural heritage items have to be adequately assessed in order to minimize the potential damage or loss.
- An overriding consideration for the granting or refusal of a temporary export or movement permit is the state of conservation of the chosen artefact. In the case of export or movement of works of exceptional cultural heritage value, a clear definition of an appropriate scientific context is mandatory.
- The temporary export or movement of cultural heritage artefacts is permissible by law in situations where the potential benefits for the research and presentation of Malta's cultural heritage are clear and within reach. In the case of export, the waiving off of duty fees has to account for this potential benefit and its gain to the cultural heritage sector itself.
- The movement of artefacts from one location to another has to be as clear and transparent as possible. Records have to enable clear audit trails that can account for the location and state of conservation of the artefact or artefacts.

Standing procedures will in the near future also have to take account of scientific methods of analysis such as risk factor assessments. Current discussions at European level are indicative of the possible implementation of common European standards in this area. This discussion is starting off with the document entitled 'General Principles on the Administration of Loans and Exchange of Works of Art between Institutions' defined in 1992 by an international group of organisers of large scale exhibitions. Malta's participation in the formulation of European standards should ensure exposure of the local situation and its requirements on a European level.

As from 1st May 2004, Malta as a European Union member forms part of a single common market that promotes free movement of goods and services. Export from the European Union is regulated by Council Regulation 3911/92. Member states nonetheless have the authority to regulate movement of cultural property from national territory to that of other member states under Article 30 of the Treaty of the Union. EEC Directive 93/7/EEC empowers member states to retrieve cultural objects unlawfully removed from their national territory through legal proceedings in the courts of the hosting member state.

Permanent movement or export of cultural heritage artefacts from national territory can represent a potential loss of heritage items for Malta. The present situation is a cause of concern whereby shippers, packers and other stakeholders dealing with the movement of goods appear to be unaware of existing EU regulations on cultural heritage items. The largest percentage of customs documentation being forwarded to the Superintendence for endorsement relates to export. Particular packers have recently also resisted inspection of goods being moved to the European Union on the grounds that customs are not requesting endorsement of related documents by

the Superintendence. Attached packing lists submitted with this documentation are often unclear and in most instances, goods are described in generic terms.

Malta has so far given effect to the provisions of Directive 93/7/EEC through L.N. 246/03. Three other legal notices have been drafted and submitted to the respective Directorate within the European Commission and to the Office of the Attorney General for endorsement and subsequent publication. These will provide the adequate legal framework through which to regulate the movement of cultural goods from Maltese national territory to the European Union and the export of cultural property outside the European Union. The setting up of a cultural heritage appeals board will also address a legal requirement included under article 51 of the Cultural Heritage Act 2002.

The proposed legal framework still falls short of regulating Malta's internal art and antiques market. There is as yet no regulatory framework covering the movement, exchange and export of antiques and historic objects. There is a concern whereby reproductions of Maltese antique furniture might be sold off as historic artefacts. It is imperative that reproductions are clearly identified as such. It should be standard policy for Malta not to accept the importation of cultural property if this is not accompanied by a recognised export license issued by the country of origin.

The proposed national legal framework still requires ratification of the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (Rome, 24 June 1995). During the current year, the Superintendence has initiated the final proceedings to sign and ratify this convention as indicated under article 50 (1) of the Cultural Heritage Act 2002.

It is being recommended that a more effective package of legal regulatory tools should in the future include the signature and ratification by Malta of four other UNESCO conventions. These are the following

- Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, (1970)
- Convention for the Protection of Cultural Property in the Event of Armed Conflict. (The Hague, 1954)
- 1st protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict, (the Hague, 1954)
- 2nd protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict, the Hague, 1954

At European level it is being constantly pointed out that co-operation between customs administrations, cultural heritage operators and national police is of vital importance on both national, European and international level. Close co-operation and information exchange between the various authorities of the member states is crucial to the implementation of effective control measures. Malta still lacks such a national framework although co-operation between the national institutions involved does exist. The resources allocated to the Superintendence of Cultural Heritage to address this obligation are however far from satisfactory.

2.11

The Intangible Cultural Heritage



Cultural Heritage is made up of a number of components including tangible or monumental heritage, as well as intangible heritage. While harder to define, Intangible Cultural Heritage involves many different aspects of life. These aspects form part of culture and the particular way of life of different societies.

Intangible cultural heritage involves different local practices, customs and beliefs and is often expressed in, and through, language, social, political and economic activities, and via the symbolic representations and activities of different groups and communities. Local knowledge and skills are often transmitted from generation to generation, and they could also be (re)created by communities and groups in response to their environment and their interaction with nature.

Furthermore, heritage implies a historic dimension whereby people often legitimize and interpret their existence via their connection and appropriation of time and place. Intangible heritage provides people with a sense of identity and continuity, and its safeguarding promotes, sustains, and develops cultural diversity, human creativity while contributing to people's sense of belonging.

Intangible heritage is an important sector of our cultural heritage. The Superintendence of Cultural Heritage has focussed on a number of traditional areas including the following:

- A comprehensive business plan adopted by the Crafts Council for 2003 has outlined various levels of outreach at both national and international level.
- Alongside this process at institutional level, a number of Local Councils, entities and private individuals have been involved in this process of outreach.

Intangible heritage broadly encapsulates every aspect of human social life including family histories, memories, political events, economic activity, religious practices, everyday life and performance, oral history, community activities, collective representations, local identity, and local attitudes towards cultural heritage in general. The following are a few examples of Maltese intangible heritage:

- Cultural expressions such as Maltese traditional song (għana) as well as traditional Maltese dance are finding their roots again thanks to initiatives being taken at Local Council level. Other sectors of Malta's intangible heritage where music takes centre stage are to be found in musical archives, band clubs, and festivals (from Jazz to Maltese folk music). A few

music groups as well as individual researchers and performers are trying to revive traditional folk music and instruments and so on and so forth

- The performing arts, together with other social practices, rituals and events that include village carnivals, are a clear indication that intangible heritage is varied, creative and of interest to many. Alongside the performing arts we need to give careful consideration to national and local theatre, street performances, processions and mass manifestations etc.
- Religious activities are extremely popular on the Maltese Islands and often involve a religious and a secular component. These include the Parish festi, the majority of which are held in summer to celebrate the titular saint, as well as activities on the liturgical calendar such as Christmas, Easter and Holy Week celebrations. Numerous activities are organised around these events that are as diverse as crib making, processions, and religious self-sacrifice, as well as events such as the bonfires lit to celebrate the feast of St. John the Baptist (24th June).
- Everyday life and popular customs also form part of a society's intangible heritage and it can take on different flavours, from family recipes, family traditions and customs, legends, myths, folklore, family histories and so on. The notions of myths, legends and traditions can be extended into the areas of agricultural traditions and trade related lore and superstitions that include expressions dealing with the weather for instance, and popular ways of forecasting.

While it is interesting to look at the different categories, several activities are often linked to each other. One example would be the traditional foods produced and consumed on certain feast days and celebrations, for example, the *prinjolata* for carnival, and *figolli* for Easter.

A number of national and private entities are directly concerned with Maltese Intangible Heritage. Some examples include the following:

- The Superintendence of Cultural Heritage
- Heritage Malta, particularly through its curatorial role of the Ethnographic Collection
- The National Archives
- The Cathedral Museum
- The Manoel Theatre
- St James Cavalier Centre for Arts and Creativity
- Several small private museums that offer interesting exhibitions that throw light on life and intangible heritage in the recent past and present. Their enthusiasm is to be commended.

- FUKLAR, a new NGO set up to promote research and education on Maltese cuisine, food production and consumption practices
- Research activities such as the various Euromed Heritage projects that are currently running, for example The Mediterranean-Voices Project and the Delta Project.

3

The Management of Malta's Cultural Heritage

3.1

Legal Framework



Malta's cultural heritage sector is governed by a series of legal instruments. The most recent development has been the enactment of the Cultural Heritage Act in 2002. However, the protection and conservation of Malta's cultural heritage has a long history. Over a span of just under a century, a number of legal instruments were enacted at different stages. Often these developments were very isolated in time. As a result, legislation often became isolated from contemporary developments in other socio-economic sectors.

1910 Preservation of Antiquities Ordinance

1925 The Antiquities Protection Act

1991 Environment Act

1992 Planning Development Act

2002 The Cultural Heritage Act

It was during the first three decades of the 20th Century, that the first legal framework for heritage evolved. This period was paralleled by the pioneering work of Sir Temi Zammit in the field of cultural heritage. Innovation, discoveries and the establishment of displays are accompanied by the creation of an institutional framework. Foremost among these was the establishment of the Museums Department as the entity that collected, managed and displayed items of cultural heritage.

In 1910, a Preservation of Antiquities Ordinance was enacted. The Ordinance provided a simple framework for the protection of antiquities. It was inspired in the main part by the Italian legislation, which had just been freshly enacted in 1909. Following amendments and improvements in 1922 and 1923, a final Antiquities Protection Act was enacted in 1925. The 1925 Act provided for the establishment of an Antiquities Committee which, before being disbanded in 1992, assessed and advised government on the protection of heritage assets.

It was only after 66 years had passed that two new legal instruments, having bearing on heritage issues, were enacted. The first of these acts was the Environment Act of 1991. This law served to focus on environment protection, with provisions for the safeguarding of cultural heritage. The Act was not designed to replace the Antiquities Protection Act (1925).

The Planning Development Act (1992) was then enacted to regulate and establish modern planning procedures. The act established a central Planning Authority as an autonomous agency to regulate development. The authority has recently been transformed into the Malta Environment and Planning Authority. This important act established critical principles of scheduling and grading of historic buildings. The act also introduced the concepts of urban conservation areas and protective zoning.

Malta now has a composite framework of institutions and legal instruments that in varying ways govern the protection and conservation of the cultural heritage. No single legal instrument has sole jurisdiction over heritage issues. Legal action in heritage protection matters can be initiated under any active law.

3.2

Organisations And Operators



The Cultural Heritage Act 2002 has radically changed Government's philosophy and strategy for the management of the cultural heritage sector in Malta. The new legislation was designed to replace the Antiquities (Protection) Act of 1925, which it formally superseded in January of 2003.

Key changes introduced by the Cultural Heritage Act include:

The creation of an autonomous regulator for Malta's cultural heritage sector.

The introduction of a 'level playing field' philosophy for all operators in Malta's cultural heritage sector, be they publicly or privately owned.

Provisions for major administrative and operational changes in the public cultural heritage sector of Malta.

Government commitment for the reform of the cultural heritage sector gained momentum in 2003 with the replacement of the former Museums Department with a number of new autonomous public entities. This was further emphasised in April of 2003 with the creation of a Ministry responsible for Youth and the Arts.

Furthermore, the need for change has gone beyond the sphere of the public sector and must affect operations within the private and non-governmental sectors.

The main entities and organisations involved in the management, study and protection of Malta's cultural heritage management are the following:

Ministry responsible for Culture

The role of the Minister responsible for Culture is more fully and more precisely defined by the Cultural Heritage Act than in the earlier legal set up. This new role now includes various measures aimed at overseeing the smooth interfacing of the various entities falling within his portfolio. The new legislation also introduced key innovations in the way in which the Ministry and the general public can interface on matters relating to the Cultural Heritage sector. In particular the Ministry is now responsible for the preparation and implementation of:

The National Strategy for the Cultural Heritage

Art.12 of the Cultural Heritage Act requires the Minister to prepare a policy document outlining a National Strategy for Cultural Heritage. This document is meant to provide a general framework for the performance of the various entities operating within the Cultural Heritage sector. It should also provide clear national objectives for the cultural heritage sector. This document is to be reviewed as often as may be necessary, and in any case not less than once every five years.

The National Forum

The Forum is to be convened by the Minister once a year, for the specific purpose of discussing the state of cultural heritage. The President of the Forum is to be nominated by the Minister. The proceedings of the Forum are to be published and communicated to the Minister and to the Committee of Guarantee.

The Superintendence of Cultural Heritage (Ministry for Tourism and Culture)

The Superintendence of Cultural Heritage has been established by virtue of Article 7 of the Cultural Heritage Act, with the mission of ensuring the protection and accessibility of cultural heritage, as defined by the Act. The Superintendence started operating in January of 2003. The main functions of the Superintendence are outlined in Articles 7 and 40 to 48 of the Cultural Heritage Act. These include:

The setting-up and management of a national inventory of cultural property. This is a core function to the entire legal and operational remit of the Superintendence. The Inventory of cultural property is an essential tool both for the assessment and for the surveillance of the Malta's cultural heritage patrimony. It is also an essential tool for the promotion of scientific research and public appreciation of that same patrimony.

- The exercise of surveillance on behalf of the State over the protection, conservation, restoration, maintenance, exhibition and accessibility of cultural property;
- The promotion of research in the field of cultural heritage;
- The regulation of archaeological excavation and other interventions on cultural property;
- The development, promotion and implementation of best policies, standards and practices in the cultural heritage sector.
- The exercise of the Right of Preference on behalf of the State;
- The regulation of the export and re-export of cultural heritage property;
- The need to collaborate with the Malta Environment and Planning Authority to ensure the protection of cultural property. The legal mechanisms in this area including the Superintendent's power to make

recommendations to MEPA for the Scheduling of cultural property as defined in the Development Planning Act.

- To enter into a Guardianship contract, whereby the custody and administration of immovable cultural property is passed on to a Local Council or to a Non-Governmental Organisation in order to ensure the improved preservation and public access to the said immovable property.

Religious Cultural Heritage Commissions (Ministry for Tourism and Culture)

Article 52 of the Heritage Act makes provision for the creation by religious denominations of autonomous superintendence authorities to be governed by a religious heritage commission. Such commissions are to be appointed for a duration of two years by the competent religious authority. Each commission shall include one expert to be appointed after consultation with the Minister responsible for culture.

Once constituted, Religious Heritage Commissions have the same powers and responsibilities as of the Superintendent of Cultural Heritage. Should religious denominations opt not to create such a Commission, the regulation and protection of the heritage under their care will be vested in the Superintendent of Cultural Heritage.

In 2003 the Catholic Church has appointed such a religious heritage commission. To date no interfacing mechanism has been created between the Catholic Cultural Heritage Commission and the Superintendence of Cultural Heritage. Furthermore it should be noted that as from December 2001, the Maltese Diocese has undertaken a systematic compilation of inventories of its cultural heritage in churches and other related institutions. A number of parish and filial churches, confraternities and collections have so far been included in inventories.

Heritage Malta (Ministry for Tourism and Culture)

Heritage Malta has been established in January 2002 by virtue of Article 8 and 9 of the Cultural Heritage Act. The Act establishes the mission of ensuring that those elements entrusted to it are protected and made accessible to the public as defined in the Heritage Act. Heritage Malta took over the principal operational functions that were previously carried out by Museums Department. This includes responsibility for the care and management of the following sites and collections:

Megalithic sites:

Hagar Qim, Mnajdra, Tarxien, Ggantija, Ta' Hagra, Skorba.

Classical Sites:

Roman Villa and Museum, St. Paul's Catacombs, Tad-Dejr Catacombs, Ghajn Tuhfiehha Roman Baths, Tas-Silg, San Pawl Milqi, Ta' Cacciatara.

National Collections:

Fine Arts, Archaeology, Palace Armoury, Maritime, Ethnography, Natural History, War Museum.

The functions of Heritage Malta as defined by the Cultural Heritage Act include the duty of:

- Ensure that cultural property entrusted or acquired by them, including museums, collections, sites and buildings, are conserved, restored, managed, operated, marketed, studied and presented for exhibition in the best way possible;
- Perform or commission, under the surveillance of the Superintendent, the restoration or conservation of cultural property owned or held or administered by them;
- Promote public knowledge, education, appreciation and enjoyment of cultural heritage.

Malta Center for Restoration (Ministry for Tourism and Culture)

The Malta Center for Restoration was originally set up in 1999 as a joint undertaking between the Ministry of Education and as the University of Malta. However Article 10 and 11 of the Cultural Heritage Act re-established the Center as a body corporate under the remit of the Minister responsible for Culture. The Center also includes an Institute for Restoration Studies established by statute to promote and co-ordinate the pursuit of interdisciplinary training at professional, technical and craftsman levels in all aspects of conservation and restoration.

The mission of the MCR is to become a centre of excellence for the teaching, training, research and practice of conservation and to provide services and consultation to public and private entities. The functions of the Centre:

- To act as national consulting agency on matters relating to conservation and restoration;
- In consultation with the Superintendence of cultural heritage, advise Government on a policy of conservation and restoration;
- To advise and arrange for restoration outside Malta for such artefacts which cannot be restored locally;
- To undertake conservation projects;
- To promote and organise teaching and certification activities within the parameters of the Malta Professional and Vocational Qualifications Regulations.

The following is a quantitative analysis of conservation and restoration projects undertaken by the Malta Centre for Conservation from 2000 till 2004:

	2000		2001		2002		2003		2004	
	Compl.	In Prog.	Compl.	In Prog.	Compl.	In Prog.	Compl.	In Prog.	Compl.	In Prog.
A	17	-	15	1	23	1	16	6	14	27
B	41	-	11	-	15	4	19	4	7	11
C	12	1	5	-	6	-	-	2	8	2
D	20	1	17	-	25	-	36	1	44	6
F	-	-	5	1	6	1	4	5	4	6

N.B.: The absence of totals for the year 2000 is due to the fact that Area F had not been established.

Totals To Date	Projects Completed	Projects In Progress
A	85	35
B	93	19
C	31	5
D	142	8
F	19	13

A	Area A: Paintings & Polychrome Sculpture Conservation Department
B	Area B: Ceramics, Glass, Metals & Stone Conservation Department
C	Area C: Textiles Conservation Department
D	Area D: Book & Paper Conservation Department
F	Area F: Architecture Conservation Department*
Compl.	Project completed
In Prog.	Project in progress

Projects in progress refer to projects that are currently underway. It should be noted that each project number is assigned to either one artefact or to an entire collection of artefacts.

Completed projects refer to

- conservation and restoration projects completed on works of art / artefacts from public [church / state] as well as private collection carried out on a commercial and didactic basis;
- consultation for preventive conservation measures;
- first aid treatment;
- dissertation projects undertaken by the Institute for Conservation & Restoration Studies.

The Committee of Guarantee (Ministry for Tourism and Culture)

The Committee of Guarantee has been set up by virtue of Article 14 of the Cultural Heritage Act. The Committee of Guarantee has the important role of providing a focal point for the various agencies working directly or indirectly in the cultural heritage sector.

For this reason, the membership of the Committee is composed of the key persons in the relevant organisations, and is formed as follows:

- a Chairperson appointed by the Minister responsible for Culture;
- a person appointed by the Minister responsible for tourism;
- a person appointed by the Minister responsible for the environment;
- a person appointed by the Minister responsible for Gozo;
- the Superintendent ex officio;
- the Chairperson of the Agency ex officio;
- the Chairperson of the Centre ex officio;
- the Chairperson of the Planning Authority ex officio;
- a member of the Catholic Cultural Heritage.

The functions of the Committee include the duty to:

- Co-ordinate the entities established under the Heritage Act, namely the Superintendence, Heritage Malta, the Malta Center for Restoration, as well as other agencies with direct or indirect responsibility for the protection and management of the cultural heritage sector;
- Advise Government on the National Strategy for Cultural Heritage and subsequently oversee its implementation;
- Draw the attention of government on any organisation on any urgent action that may be required in the field of cultural heritage;
- Maintain ongoing consultation processes with non-governmental organisations and persons working in the field of cultural heritage;

According to Article 15 of the Heritage Act, the Committee is also responsible for the administration of the Cultural Heritage Fund, which is to be set up for the purpose of funding research, conservation or restoration in the cultural heritage sector.

Fondazzjoni Patrimonju Malti (Ministry for Tourism and Culture)

Fondazzjoni Patrimonju Malti was formed in 1992 by a group of private enthusiasts on Maltese cultural heritage with the backing of Government. Patrimonju is currently within the portfolio of the Minister responsible for culture. The aim of Fondazzjoni Patrimonju Malti is to spread awareness of the islands' cultural heritage, through exhibitions, study, research and publications. These cultural products are designed in a manner to be enjoyed both by Maltese and by foreign visitors.

Malta Environment and Planning Authority (Ministry for Rural Affairs and the Environment)

The Planning Authority was originally set up by virtue of the Development Planning Act of 1991. In 2002 the Authority's portfolio was enlarged to include the administration of the former Environment Division. The functions of the Authority include:

- The promotion of proper planning and sustainable development on land and at sea, both public and private;
- The control of such development in accordance with approved development plans and planning policies
- The execution of a national mapping program and the updating of the national geographical database
- MEPA executes its functions in the cultural heritage sector through a number of policies and programmes as laid out in the Structure Plan for the Maltese Islands.

These policies contemplate the protection and conservation of the Built Heritage, through:

- the creation of Urban Conservation Areas, defined as 'areas of special architectural or historical interest, the character and appearance of which it is desirable to preserve or enhance'.
- the listing of buildings of architectural and historical interest on a National Protective Inventory
- the scheduling of such buildings at an appropriate level for their protection
- the application of Conservation Policies for the protection of buildings, streetscapes etc in UCAs
- the regulation of conversion on buildings of architectural or historical interest
- the regulation of traffic and telecommunications equipment in UCAs
- the promotion of public awareness on conservation

Structure Plan policies also contemplate the protection and conservation of Archaeology, through

- the identification and designation of Areas and Sites of Archaeological Importance
- the scheduling of such areas and sites at an appropriate level for their protection
- the regulation of applications for planning permission for development affecting ancient monuments and important archaeological areas and sites. Depending on the circumstances, such applications will normally be refused, or provision will be made for adequate archaeological documentation
- the adoption and extension of the National Protective Inventory by initiating a programme of further investigation for ratings of archaeological areas and sites

Other Structure Plan policies are intended to protect and conserve Rural areas, Areas of Scenic Value, Ecology, Sandy Beaches and Dune Areas, Valleys, Marine Conservation Areas, Coastal Zones,

The Restoration Unit, Works Division (Ministry for Resources and Infrastructure)

The Restoration Unit operates within the Works Division, and falls within the portfolio of the Ministry for Resources and Infrastructure. The Unit operates entirely in the field of architectural conservation, tackling specific projects related to the conservation and restoration of historic buildings and monuments. The Unit also includes an important Fortifications Conservation Programme aimed at the specific problems of Malta's vast military and defence architecture.

In 2004 the Restoration Unit undertook various different projects involving architectural restoration, documentation, research, maintenance, as well as works aimed at improving the working conditions of historic structures. The range of projects by the Restoration Unit in 2004 include works on fortifications or defence related structures, ecclesiastical structures, monuments and statues. Most of these projects were carried out by the pool of skilled workers of the Restoration Unit.

The Rehabilitation Committees, Works Division (Ministry for Resources and Infrastructure)

Works Division also incorporates within its structures three Rehabilitation Committees that operate entirely in the fortified urban centres of Valletta, Cottonera and Mdina. The committees have broad functions related to the embellishment of urban centres, the upgrading of standards of living within the same centres and the conservation or restoration of specific architectural monuments.

The Valletta Rehabilitation Project is responsible for Valletta and Floriana. It has been functioning since 1987 and has performed projects in major buildings. Some of the projects have had foreign participation and support. Major environment improvement projects include the upgrading of gardens and pedestrian areas, and floodlighting of the impressive fortifications.

The Mdina Rehabilitation Project is responsible for the old capital of Malta since 1998. In its fourth year the project has seen major restoration work on some important buildings, the removal of overhead wiring and upgrading of other areas. A project for the paving of Mdina's streets is currently underway.

The Cottonera Rehabilitation Project is responsible for Birgu, Bormla, Isla and Kalkara. It was started in 1992 and has been responsible for major projects in all areas including fortifications, buildings and pedestrian areas.

Local Government (Ministry for Justice and Home Affairs)

Local Government was established and is regulated by means of the Local Councils Act of 1993. The principal of Local Government has been entrenched into the Constitution of Malta by virtue of Act No. XIII of 2001. Currently 68 Local Councils are in existence, of which 54 are in Malta and 14 in Gozo.

Local Councils have become a critical factor in the effective maintenance and upkeep of urban and rural localities. They are therefore influential players in the upkeep of historic neighbourhoods, cultural landscapes as well as of local monuments. Furthermore Local Councils often prove to be sensitive partners in issues directly effecting the conservation of local cultural heritage assets. Such assets are in fact often a source of local pride and of local identity building, and may become highly prized landmarks in the locality's landscape.

Yet the Local Councils Act does not clearly establish the status of these entities as "cultural operators" in their own right. A number of measures introduced in the Cultural Heritage Act of 2002 started addressing this legal lacuna. In particular Article 49 of the Heritage Act empowers Local Councils to enter into Guardianship Deeds with the Superintendence of Cultural Heritage for the care and management of items of immovable cultural property. Article 16 of the Heritage Act also identifies Local Councils as one of the principal participants within the National Forum for Cultural Heritage. This is a means of formally recognising the importance of Local Councils as an operator in the cultural heritage sector.

The University of Malta (Ministry of Education, Youth and Employment)

The University of Malta is the principal provider of educational services at tertiary level. University offers variety of courses which have a direct and indirect effect on the cultural heritage sector. These include the following Faculties and Institutes:

Faculties:

Architecture and Civil Engineering / Arts / Economics, Management and Accountancy / Education / Science / Theology

Interdisciplinary Institutes:

Anglo-Italian Studies / Baroque Studies / Masonry and Construction Research / Mediterranean Institute / Foundation for International Studies

Assessing the full impact of the University of Malta on the cultural heritage sector has not been carried out. It is important that this contribution be properly assessed, particularly in view of its impact on the employment levels of new graduates in the heritage sectors and on the level of their professional preparation.

Non-Governmental Organisations

A wide variety of Non-Governmental Organisations have a significant, but as yet unquantified, impact on the cultural heritage sectors. A number of these NGOs are specifically constituted to cover aspects of the cultural heritage sector. Some of these NGOs have come to take over in trust a number of important cultural heritage sites, fortified structures, ecclesiastical sites and archaeological monuments. These NGO's are responsible for funding and organising conservation and maintenance works at the sites entrusted to them, as well as for providing educational and public awareness activities.

A large number of such NGOs are however only peripherally involved in heritage issues. This notwithstanding, even small NGOs may be custodians in their own right of significant archives, collections or historical structures.

The introduction of the Cultural Heritage Act has provided NGO's with formal recognition as cultural operators in their own right. As for Local Councils, the Heritage Act introduces provisions empowering Local Councils to enter into Guardianship agreements with the Superintendence and to be represented on the National Forum for the Cultural Heritage.

There is a growing need to improve the level of networking between NGOs, public entities and local government. To this end, a register should be developed of those NGOs involved in Cultural Heritage sectors.

3.3

Reforming the Cultural Heritage Sector



During the last fifteen years, a number of important developments have influenced changes in the governance of Malta's Cultural Heritage sector. Today, no single institution has sole responsibility over the entire repertoire of cultural heritage. While some diffusion still persists, the general trend has been towards the creation of improved institutions and mechanisms. More focused organizations can direct their energies towards specific tasks of either a regulatory or an operational nature.

A broad framework of government organisations now covers such vital aspects planning and the protection of the cultural and natural heritage, the surveillance and superintendence of activities taking place, restoration and conservation as well as the operation of sites, monuments buildings, museums and collections. In addition a number of NGOs are actively pursuing conservation and presentation projects at various sites, most of which are of a military nature.

Date	Document / Initiative	Source	Organisational Structure proposed
1995	Operational Review of the Museums Department	Ministry for Justice & the Arts MSU	Museums Department to be restructured; public program and Finance & Administration functions in preparation of eventual migration into a Government Agency.
1995 - 1996	Change Management Team Status Reports	Ministry for Justice & the Arts MSU	Heritage Agency to take over operations of Museums Department.
1996	Heritage Bill (First Reading September 1996)	Ministry for Justice & the Arts	A Government Agency, Heritage Malta, to replace the Museums Department and superintend Malta's cultural heritage. A Heritage Committee to be set up as the formal interface between Heritage Malta and the PA to grant permits and make recommendations for the inclusion of cultural heritage in the PA's list of scheduled properties.
1997	Strategic Review of the Museums Department	Ministry for Education MEU	Assessment of situation following change of government. Identified critical functions in Museums Department which needed immediate

			re-engineering. Reiterated view that Department should migrate to an agency.
1997	Human Resources Audit	Ministry for Education MEU	Assessment of Change Programmes to date and proposals for improvement within parameters of new Government policy.
1998	Policy Direction for new reform process	Ministry of Education	Assessment of situation following change of government. Resumption of reform process & consultation.
1999	Heritage Seminar	Ministry of Education	Proposal to divide heritage functions into Regulatory - Centralized functions and Operational - Decentralized functions.
1999	Cultural Heritage Committee	Ministry of Education	Drafting of new draft legislation.
2000-2002	Cultural Heritage Act 2002	Ministry of Education	Final drafting process of the Cultural Heritage Act.
2002	Cultural Heritage Act 2002	Ministry of Education	Enactment of the Cultural Heritage Act 2002.
2003	New Entities	Ministry of Education	Setting up of the Superintendence of Cultural Heritage and of Heritage Malta in replacement of Museums Department.

These organizations use a broad consultative process to address specific issues. Broader strategic issues related to cultural heritage are however dealt with through planning documents and planning policy instruments, strategic plans for tourism and specific financial and business plans for the individual organizations established by the Cultural Heritage Act, or those adopted by individual NGOs.

The absence of a clear strategy for cultural heritage will hopefully be addressed by the workings of the national Forum established under the Cultural Heritage Act. The Ministry responsible for Cultural Heritage as well as the Committee of Guarantee are key players in the development and management of a National Heritage Strategy.

The enactment in 2002 of the Cultural Heritage Act launched a number of important reforms. The Cultural Heritage Act 2002 was in fact a milestone in a series of developments that spanned almost seven years:

The Culture Heritage Act 2002 establishes a number of autonomous organizations. The creation of these entities follows very closely the consultative process that was undertaken between 1998 and 2002, that is, the period during which the stakeholders within the cultural heritage sector and the drafting of the new heritage

act took place. Broadly speaking, these organizations fall into two main categories – a regulator, or superintendent, and operators. The Act however has additional provisions that enable non-government organizations to play a more active role in the management of the cultural heritage sector.

Organizations established by the Cultural Heritage Act 2002:

The Committee of Guarantee

The Superintendence of Cultural Heritage

Heritage Malta

The Malta Centre for Restoration

The Act establishes a number of other operational possibilities. Article 48 introduces the concept of Guardianship, whereby NGOs or Local Councils can become operators of certain sites and monuments. Article 15 establishes a special fund which is to be managed by the Committee of Guarantee for the specific purposes of research and conservation.

The above stages are mere milestones in the establishment of legal and operations structures. The special provisions of the Cultural Heritage Act must be allowed to unfold in order that the full potential of the reform process would be reached. Various provisions of the Acts still need to be put into full force in order that the fullest possible value of the Cultural Heritage Act can be achieved.

4

Social Economic Aspects

4.1

Investment and Costs



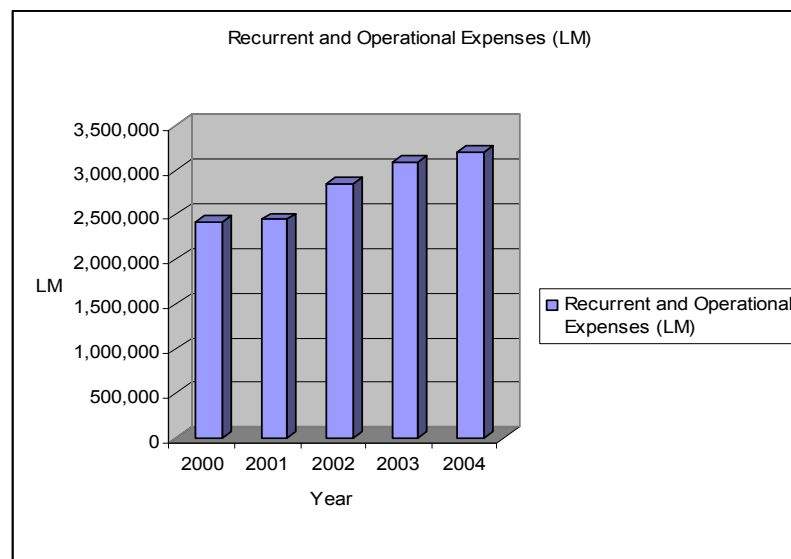
Assessing the full impact of the cultural heritage sector on Malta's economy is a priority issue.

There exists no comprehensive assessment of the sector's total economic turnover, its effect on employment levels or its full financial cost. Even more elusive is the sector's economic impact on such areas as social inclusion, education, improvement to living and working conditions and environmental conservation.

One well-documented aspect of the cultural sector's economic aspect may be gleaned from the figures published annually by government in the Financial Estimates.

These publications include detailed accounts of government's entire yearly expenditure and revenues. Therefore figures published in the Estimates provide a clear idea of how much government spends and earns on a yearly basis in the cultural heritage sector.

The expenditure figures reported in the Financial Estimates are identified under two principal headings: Recurrent Votes (which includes salaries, rent, services, maintenance) and Capital (which include expenditure on construction and major infrastructural changes).



Source: Financial Estimates

ESTIMATES OF RECURRENT AND OPERATIONAL EXPENDITURE (in Malta Liri)

Entity	2000	2001	2002	2003	2004	2005
Office of the President – improvements to Presidential Palaces	3,000	3,000	15,000	20,000	7,000	25,000
Museums Department	1,118,000	1,170,000	1,320,000	Nil	Nil	Nil
Superintendence & Heritage Malta & Committee of Guarantee	Nil	Nil	nil	1,342,000		
Superintendence of Cultural Heritage	Nil	Nil	Nil	Nil	145,000	130,000
Heritage Malta	Nil	Nil	Nil	Nil	1,190,000	1,150,000
Committee of Guarantee	Nil	Nil	Nil	Nil	15,000	15,000
Malta Centre for Restoration	50,000	150,000	300,000	500,000	500,000	500,000
Department for Cultrure & the Arts	842,000	723,000	662,400	Nil	Nil	Nil
Malta Council for Culture & the Arts	Nil	Nil	nil	649,000	600,000	570,000
Fondazzjoni Patrimonju Malti	30,000	30,000	30,000	30,000	50,000	50,000
Manoel Theatre Management Committee	130,000	130,000	130,000	130,000	120,000	110,000
National Orchestra	200,000	200,000	230,000	250,000	235,000	290,000
St.James Cavalier, Center for Creativity	30,000	30,000	150,000	150,000	150,000	135,000
Ministry for Gozo - Subsidies to Cultural Organisations & Cultural Council	13,000	13,000	14,000	14,000	14,000	14,000
TOTAL	2,416,000	2,449,000	2,851,400	3,085,000	3,206,000	2,989,000

Source: Financial Estimates

These figures indicate the minimum government spends on the cultural heritage sector. Various relevant fields of expenditure are in fact not specifically identified in the Estimates, and therefore could not be reported. The figures here reported are however strongly indicative of the significance of public expenditure in maintaining the cultural heritage sector in Malta

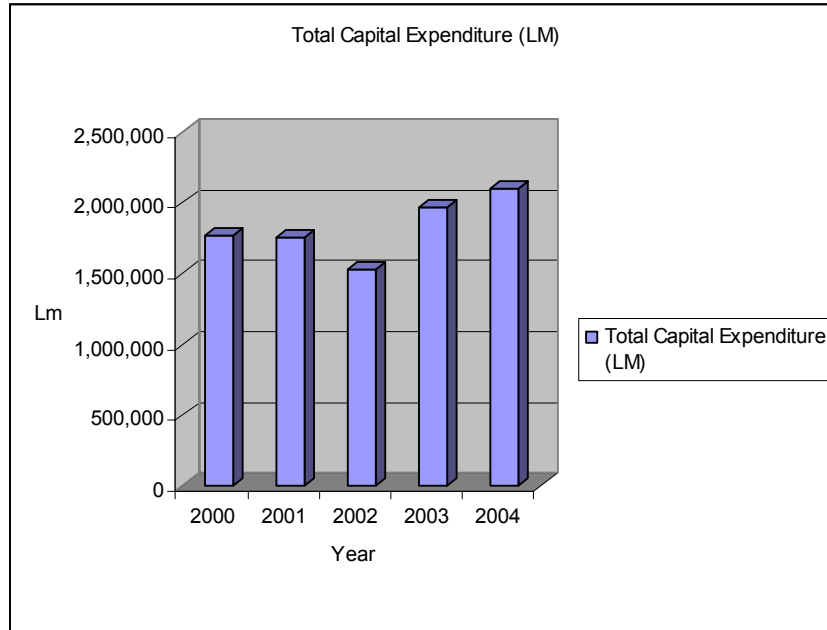
Understanding the economic role of the private sector is altogether much more difficult. Published data on this aspect is widely dispersed, and much information must still be collected. Establishing these facts is of great importance in the planning of cultural heritage activities in the future.

Capital Expenditure (in Malta Liri)

Entity	2000	2001	2002	2003	2004
Improvements at Museums & historical sites, and restoration works	250,000	400,000	300,000	550,000	330,000
Surveillance, Security and Automated Ticketing System	100,000	100,000	100,000	100,000	100,000
Restoration of Forts, Fortifications and historical places	630,000	530,000	500,000	500,000	650,000
Restoration of the Auberge d'Italie	150,000	75,000	50,000	50,000	10,000
Restoration and improvements to historical sites – Gozo	20,000	25,000	30,000	20,000	30,000
Superintendence of Cultural Heritage - Cultural Heritage Information Management Systems	Nil	Nil	Nil	Nil	70,000
Restoration Works Vth Italian Protocol	Nil	Nil	Nil	Nil	140,000
Rehabilitation of St. James Cavalier	Nil	Nil	Nil	Nil	10,000
Upgrading of Manoel Theatre	20,000	25,000	Nil	150,000	150,000
Rehabilitation Projects	600,000	600,000	550,000	600,000	613,000
Total	1,770,000	1,755,000	1,530,000	1,970,000	2,103,000

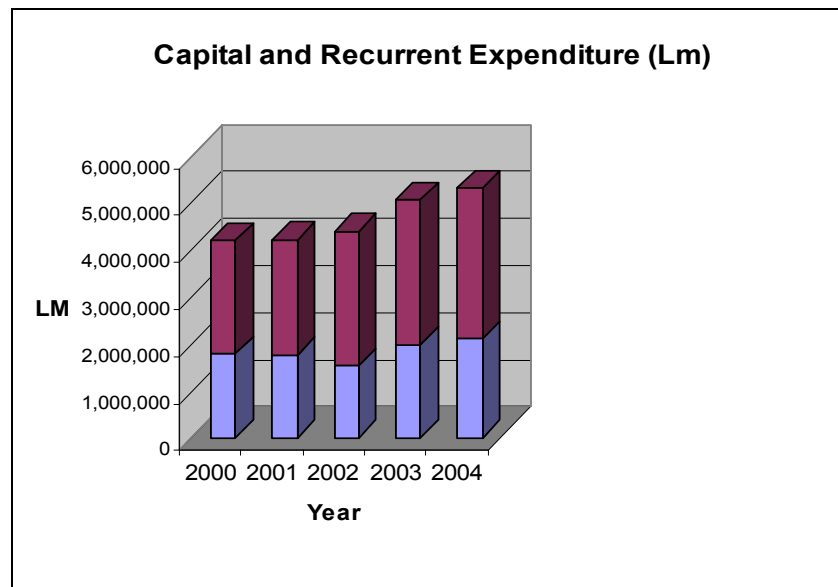
Sources : Financial Estimates

The table entitled Total Capital Expenditure sums up the total allocation of capital funds over the period under review.



Source: Financial Estimates

The table below describes the sum total of capital and recurrent expenditure over a five year period. Total investment in the cultural heritage sector has been on the increase since 2000 and capital funds as a percentage share of total amount of funds allocated has also increased.



RECURRENT
CAPITAL

Revenue in the Public Cultural Heritage Sector

The table below describes revenue in the cultural heritage sector. 2003 registered a slight increase of some Lm, 10,000 in revenue by Heritage Malta over the previous year. This is a slight increase after a gradual decrease in revenue registered by the Museums Department since 1999.

Revenue	1999	2000	2001	2002	2003
Museums Department admission fees	879,953	882,952	886,144	840,061	Nil
Heritage Malta Admission Fees	Nil	Nil	Nil	Nil	850,000

4.2

Cultural Heritage And Sustainable Development



There are many definitions of 'sustainable development', including this landmark one which first appeared in 1987:

"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

from the World Commission on Environment and Development's (the Brundtland Commission) report *Our Common Future* (Oxford: Oxford University Press, 1987).

Issues of what, where and how much to preserve by way of Maltese cultural heritage are inevitably linked to issues of sustainable development in a small island territory. The geographic limitations of the Maltese islands have conditioned the way that the conflict between development and heritage preservation has developed since the end of the Second World War. The archipelago's development has been characterized by urban spread, quarrying, industrialization, the construction of a tourist infrastructure and other forms of land use. The transformation of Maltese landscape has been dramatic. It is not unusual for the general public to look upon the historic and cultural environment as one that is degraded beyond repair. Increasingly, public perceptions question the way that our environment and cultural heritage fail to attract adequate resources. The magnitude of conservation priorities, the restoration and rehabilitation of Malta's walled cities, as well as the need for upgrading museum and site presentation is eclipsed by what are often perceived to be more pressing national priorities.

The relationship between economic development at a national level and heritage management has been antagonistic. The same factor applies to the environment. The enforcement of heritage protection principles and policies are often perceived as being a detriment to development and economic progress. The regulation and superintendence of cultural heritage attract uneven receptions. Heritage protection interest groups support state organized regulation. Such groups advocate a wide spectrum of ideologies. On the other hand, several development-driven sectors have yet to integrate cultural heritage in a broader long-term economic strategy. The paradoxes of tourism for instance, where coastal development and visitor impact on historic sites and monuments have to coexist with the idea of cultural tourism, can easily be replicated for other sectors.

Indeed, an argument has yet to be articulated to support the view that Malta's economic development has much to gain from enhanced protection and management of the cultural heritage. Economic performance can be improved if the cultural heritage sector is provided with the right resources to develop in a proper way. In essence, economic performance can be enhanced if images of the decay of our heritage are replaced by perceptions of conservation and a general care of the cultural environment.

Sustainable development dictates a close relation between development and the preservation of the natural and cultural environment. Such a relationship is however not a simple one. There is in fact a great deal of unevenness in the manner in which cultural values are supplanted by a modernist misconception of what courses development should take.

The economics of cultural heritage is a discipline that requires greater attention. A foremost economic concern is tourism, which is increasingly trying to project Malta as a cultural destination. In this regard, it is imperative that tourism does not become a commercial entertainment reducing the cultural heritage into a mere decoration. The commercialisation of access to cultural heritage risks leading to an over exploitation of the same heritage. This might cause its degradation and its depreciation through overuse in the process.

Another economic concern is provided by the role of Valletta as a business centre. A degraded capital will simply create a vacuum that can be easily filled by new business centres. The recent attempts at rehabilitating the Birgu and Grand Harbour water front have, on the other hand, shown that the rehabilitation of historic centres has a number of economic gains.

In addition, many of Malta's towns and villages still possess historic centres. The loss of these centres will lead to a further degradation of the quality of life of the archipelago's population. The same applies to the degradation of Malta's cultural landscape and the country's cultural heritage.

Having a relatively new heritage organisation, much more attention should be focused on the evaluation of the sustainable use of heritage. Based on adequate indicators, evaluation should address macro and micro dimensions, such as landscapes preservation, the rehabilitation of historic centres and the proper use of monuments, sites, buildings and collections.

The introduction of conservation performance indicators will help national government and non-government organisations assess the state of the heritage against parallel indicators related to the country's economy and infrastructure development and land use. The benefits of introducing conservation performance indicators are several and essentially important for risk management at various levels of heritage assets.

Seen in these contexts, the sustainable use of the cultural heritage can become less of a 'conflict sector'. A basis for the sustainable use of cultural heritage and

environmental resources can be adopted if the conservation of heritage is tied to development. In this regard, several socio-economic models have been explored or adopted world wide with varying results. In the European framework, the concept of Integrated Conservation, as developed by the Council of Europe, has become a milestone in the development of conservation principles. Integrated Conservation proposes to re-position heritage preservation and conservation by linking it to existing social dimensions. In doing so, Integrated Conservation establishes a useful mechanism for managing change in a sector whose survival depends on stability and preservation of the cultural fabric through time.

The management of change in terms of cultural heritage thus becomes the essence of sustainable use of cultural and environmental conservation. Without change, development will be doomed. Without change, cultural heritage can become susceptible to decay and destruction. Change must allow a considered use or re-use of heritage assets, without necessarily leading to irreversible transformations of the cultural heritage. By integrating the demands and timeframes of heritage preservation with social and fiscal policies, a framework for managing change can be developed to truly meet "...the needs of the present without compromising the ability of future generations to meet their own needs."

In this regard, the Council of Europe has led the way in promoting cultural heritage as a basic human need. It is in fact the re-positioning of the human dimension at the centre of conservation needs that has given strength to the principle of Integrated Conservation and the need for a sustainable use of the cultural heritage. Among other important documents, the Council of Europe has developed a trilogy of European conventions in support of heritage preservation. The Granada Convention (1985), the Valletta Convention (1992) and the Florence Convention (2000), together provide a framework within which protection and integrated conservation policies can be applied to architecture, archaeology and landscape.

Heritage management can therefore become an essential part of development. Preservation requires its own economic components based on human resource development, research and development, the development of necessary science and technology, national and regional fiscal policies, regulation and financing. Where such elements have not been properly developed, heritage assets have been allowed to decay. The lack of a suitable economic dimension to heritage management has been used against heritage preservation by broader economic sectors that see heritage as a limitation to production and development.

The sustainable use of the cultural and environmental heritage requires a leap of faith by political classes, developers and, equally, by heritage practitioners and environmentalists. Sustainability requires consensus, understanding and commitments towards how and where change of the historic and environmental heritage can be managed for the benefit of present and future generations.

4.3

Tourism And the Cultural Heritage

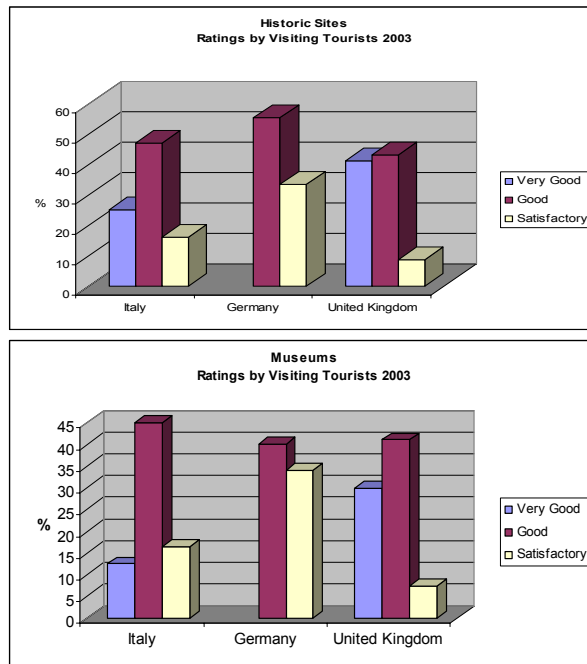


It comes as no surprise that the perception of the Maltese public in general is, unfortunately, that cultural heritage is of interest largely to tourists. This is due to the fact that it is particularly tourists who visit heritage sites and museums rather than the Maltese public. Whereas heritage managers should try to address this problem in trying to attract the Maltese public to our heritage, initiatives to promote the Islands' cultural heritage for Tourism are to be acknowledged and encouraged.

There has been a distinct increase in the number of cultural tourists in Europe over the past 25 years. Culture is often far more important as a secondary motive for tourism than as a primary motivation. In Europe, there is a growing interest in heritage, a desire to travel to historic places, and a wealth in history which allows this. Demand to visit historic cities can be closely associated with the demand for holiday/city breaks and culture holidays. In 1999, holiday/city breaks accounted for 17% of the total European outbound holiday travel, and thus rated as the third most popular type of holiday in Europe.

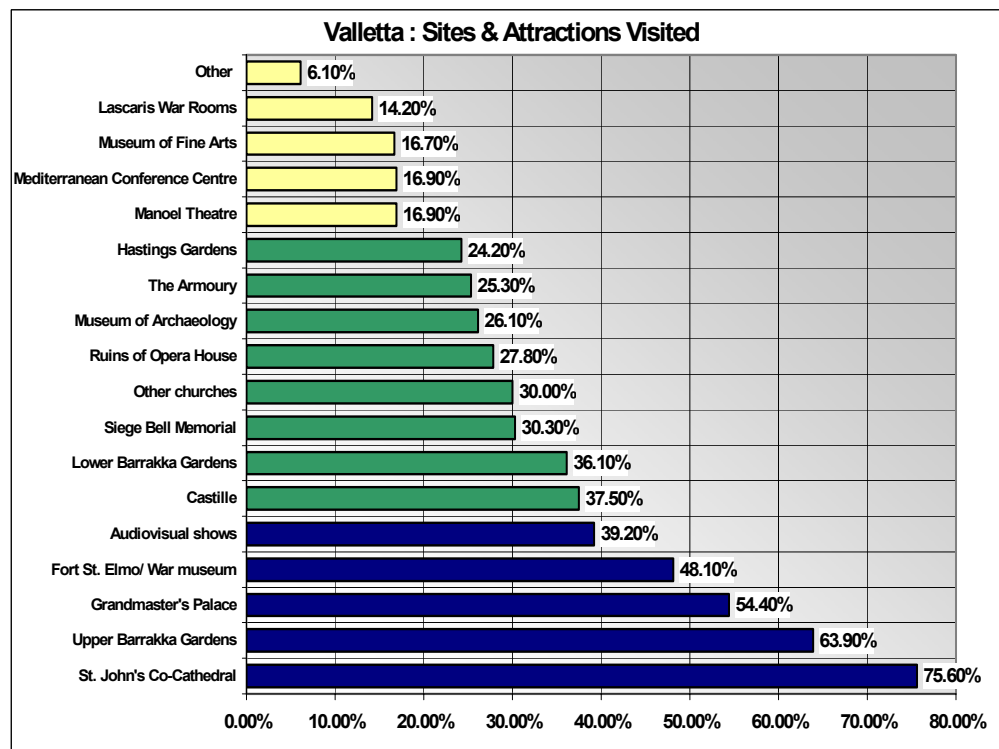
Research carried out by the Malta Tourism Authority provides an indication of current tourist perceptions towards Malta's cultural heritage. During 2003 a relatively high percentage of visiting tourists chose Malta as their destination because of its history and culture. Percentages vary from market to market. An approximately equal percentage (22%) of German tourists chose Malta for its climate and for its heritage. The prime reason quoted by Italian tourists for choosing Malta was as a new destination. However, an approximate 20% chose Malta because of its culture. Roughly the same percentage of English tourists chose Malta for its history, its climate and for their second or third visit. The quoted figures are only approximate and are based on surveys amongst tourists in Malta carried out by the Malta Tourism Authority (MTA). However, they are indicative of the fact that Malta's cultural heritage is a major asset in the tourism industry.

Tourist perceptions towards cultural heritage sites and museums vary. In 2003, high percentages of visiting tourists rated museums as good and satisfactory. The tables included below provide an approximate summary of three major markets. There appears to be higher ratings for heritage sites by Italian tourists. This is also applicable in the case of tourists from the United Kingdom.



Source: MTA Culture Statistic Reports by Market (Unpublished)

Available statistics indicate that in general museums are not attracting an acceptable share of tourists. A case study of tourists visiting Valletta provides a more detailed picture as to their preferences for sites and attractions in the city. This case study identifies those historic sites and museums that are not popular with tourists in spite of their high value and potential as tourist attractions. The attached table summarises the situation in respect of sites in Valletta visited by tourists.



Source: The Significance of Valletta as a Tourism Product: Findings of a Tourism Survey, MTA, 2001.

The largest percentage of visiting tourists was registered at St. John's Co-Cathedral and the Grandmaster's Palace. It is however a cause of concern that the major museums and other heritage sites in the city registered a low percentage of visiting tourists. Important historical sites in Valletta also registered an uneven performance. The churches most visited in Valletta were St. Paul's Shipwreck church, the church of Our Lady of Mt. Carmel and the church of the Franciscan Conventuals in Republic Street. Other churches of prime historical importance registered a low percentage of visiting tourists. These include the churches of Our Lady of Victories and the Jesuit church both of which are of historical importance and have key works of art. Positive action has already been taken to address this uneven visitor flow to these churches. However, most of the churches in Valletta remain closed throughout the day and are therefore not accessible. This is also the case for museums and churches in Cottonera. A high percentage of visiting tourists to this area considered the lack of accessibility to these sites in the afternoon as a lack of sufficient service.

It is significant to note that the percentage of tourists that make use of audio visual shows in Valletta is higher than that registered for national museums. This high percentage is also applicable in the case of Mdina. According to MTA statistics, audio-visual shows in Mdina attract 42% of visitors on guided tours but only 20% of individual tourists.

Cottonera does not present a popular catchment area for tourists although a number of projects currently underway might lead to its becoming one. Birgu is by far the greatest tourist attraction in the area with 91% of tourists visiting this city either exclusively or in combination with Senglea and Cospicua. The architecture, the typical Maltese character of the area and the system of fortifications themselves were the three elements that tourists were most interested in. Operators have complained about the fact that most historical attractions and resources are closed, inaccessible or underutilised. These include Fort St. Angelo, the Armoury in Vittoriosa and the Macina. Fort St. Angelo itself is visited by some 52% of tourists in the area notwithstanding the fact that it is not clear whether the fort is open or closed to tourists. The fort still lacks interpretation panels although minor restoration works have been undertaken during the current year within the remit of the Cottonera Rehabilitation Project. Popular literature on the Cottonera area is still lacking although publications on its history and culture do exist, some of which have also been recently published.

The potential of the Cottonera area as a tourist attraction remains largely untapped. A number of projects launched during this year and aimed at addressing this shortfall include a museum of the Maltese language at the Auberge de France, Vittoriosa. However, it is the overall effect that best attracts tourists to the area. These generic characteristics require a measure of protection and any potential development aimed at improving the area as a tourist attraction should strive to achieve an acceptable *modus vivendi* with the intrinsic environment and way of living in the area. The desired widespread flow of tourists in the area rather than a concentration of tourists in one particular developed zone can be achieved by means of a tourist itinerary thanks to which the general feeling of the Three Cities is experienced in a holistic manner. It is also positive that tourism is being viewed by operators as an instrument to overcome social problems in the area.

Tourists visit Mdina primarily for sightseeing and touring although 59% of these are also motivated by cultural enrichment. Yet again, the architecture, peaceful and quiet atmosphere and the views from the fortifications were the three most quoted reasons by visiting tourists. The Cathedral Museum registered 23.2% of visiting tourists whilst the Natural History Museum registered around 6.7%. The difference in numbers accounts for the specialised nature of the Natural History Museum. Other museums in the area, such as the Roman Domus are undergoing major restoration and refurbishment works and thus no statistics could be compiled. The two museums in Mdina carry out minimal marketing and advertising initiatives which are rather sporadic and are not part of a comprehensive marketing plan. However, positive feedback has been forthcoming when marketing initiatives were carried out. Mdina lacks, for example, art galleries and this is also the case of the Three Cities. Cultural heritage projects in Mdina are however on the increase. It is envisaged that in 2005, Palazzo Falson will become the third museum in Mdina. The scope of this project is in line with the promotion of a greater emphasis on the historic character of Mdina and will hopefully provide a well researched attraction with a professional display.

It appears that a holiday in Malta might not necessarily translate in the tourist visiting major museums and important historic sites. The potential of these museums and sites for the tourism sector remains largely untapped and more can be done to exploit their potential. Planners and cultural heritage managers should strive to preserve the character of historic cities which remain by large the core tourism product.

5 **Education, Research And Access**

5.1

Education and Cultural Heritage



Malta's educational system promotes cultural heritage from primary to tertiary level. The quality and extent of exposure to cultural heritage subjects relates to Malta's own heritage as well as to cultural heritage in general.

At primary level, students are exposed to cultural heritage through the social studies syllabus that covers the geographical, social and historical environment of the Maltese islands. Students are also introduced to issues and cultural sites indirectly through other subjects, through set textbooks and also through a choice of texts on cultural heritage subjects. The social studies syllabus covering the historic environment for years 4 and 5 includes a general approach to key personalities in Maltese history, an introduction to the Norman and Arab periods, an overview of Maltese traditions, an appreciation of the local community concept and an introduction to Mdina and the Cittadella (Gozo). The topics covered in year six include

- Prehistory and the early settlements in Malta
- St. Paul's shipwreck in Malta
- The Great Siege of 1565
- The building of Valletta
- Malta and the Second World War
- Malta's National Days

Archaeology is approached through the material evidence with emphasis being laid on Ggantija temples, the Hypogeum and Ghar Dalam. Fortifications are also discussed indirectly. Students are also introduced to the Grandmaster's Palace, St. John's Co-Cathedral, the Auberges of the Langues within the Order of St. John and the Holy Infirmary.

The examination questions prepared for the Junior Lyceum Entry Examination 2003 reflect these benchmarks. The examiner's report on this examination highlights students' performance in these examinations. Students responded well to the set questions that included one on the Hypogeum and another one on the protection of cultural sites. However, many students found difficulties in expressing geographic concepts and terms and some confused toponyms and place locations. Others found it difficult to come up with concrete proposals when answering a question on the protection of Malta's cultural sites. It is also a cause of concern that the 'Denfil'

is still cited as the standard textbook for this syllabus. The necessity for textbooks on cultural heritage subjects at primary level appears to be a priority.

During the first nine months of the current year, a total of 23,203 schoolchildren under 12 years of age have visited Heritage Malta museums and heritage sites. The highest number of visiting schoolchildren has been registered at Ghar Dalam (2,474 schoolchildren). The Museum of Natural History and Hagar Qim megalithic site have registered 1,815 and 1,715 visiting schoolchildren respectively. The National Museum of Fine Arts and the Palace State Rooms registered 443 and 744 visiting school children respectively. Statistics covering ecclesiastical and private museums and heritage sites are not available.

The discrepancy between the number of visiting school children in different museums and cultural heritage sites may be related to current teaching approaches to our cultural heritage. Cultural heritage is being promoted by primary school teachers in line with the current primary level syllabus. However, greater commitment is necessary in order to attract more school children to those museums and heritage sites that have registered low attendance.

Cultural heritage subjects at secondary education level are in general terms studied within a selective choice. This makes an analysis of student exposure to cultural heritage rather difficult. Students are nonetheless exposed to cultural heritage topics during their first years at secondary school. Students follow an art appreciation course through which they are introduced to different media used in artistic expression, the use of light, techniques, basic painting skills and art history.

The performance of students in cultural heritage related SEC examinations provides an indication of student's knowledge on cultural heritage subjects and related topics. The examiners' report on the History SEC Examination for 2003 commented on the fact that the 19th century is the preferred period for the subject. It also commented on the type of literature consulted in preparation for the Maltese history sections. There are, in fact, no adequate books for the levels to which students are being prepared and thus candidates study on books that are too advanced for them. Some of the literature available is also rather 'colonial' in nature. At secondary level, the need for adequate books on cultural heritage subjects speaks of urgency and their lack could possibly also reflect in the performance of students at examinations. During the current year, one such publication has been produced to address this lacuna. Yet, more still needs to be done. Internet can provide acceptable solutions to this lacuna. Internet penetration is on the increase with over 80,000 users in June 2004 which means an increase of 12.7% over the past year. Children are amongst the fastest growing audience of Internet users and are spending more time accessing the internet for informational, educational and entertainment purposes. The survey on the use of internet currently being conducted in schools will provide a clear picture of the situation and identify fully its potential as a learning tool for primary and secondary students.

A total of 40,633 students visited Heritage Malta museums and heritage sites during the period January to September 2004. The highest number of visiting students has been registered at Ggantija megalithic site (5,770). St. Paul's Catacombs also registered a high number of visiting students (4,452). The museum registering the

lowest number of visiting students is the National Museum of Fine Arts (762). Students also show a marked preference for particular sites when compared to school children. The state rooms registered 2,701 visiting students when compared to 744 visiting schoolchildren. The Museum of Natural History registered 839 visiting students. This means 976 less than the number of visiting school children.

A general overview of the quality and degree of exposure to cultural heritage at Junior College remains to be quantified. Systems of Knowledge is provided as a subject at intermediate level and student performance in the 2003 examination session gives an indication of current perceptions. The examination included generic questions that did not focus specifically on Malta's cultural heritage. Two out of four sections dealt with Antiquity and the Renaissance. The examiner's report commented that candidates rarely ventured beyond the mere description of quoted classical texts only listing the factual and historical. Many candidates showed knowledge of artistic terminology, but constant and repeated incorrect spelling of this terminology is evidence of little reading.

The same situation is also applicable to the Malta Council for Arts, Science and Technology. This institution includes 10 institutes two of which provide course on cultural heritage subjects. The Institute of Art and Design grants diplomas in Printing, Design Crafts and Art and Design. The Institute of Building and Construction Engineering provides courses in masonry heritage skills including a foundation course, a certificate course and a technical diploma granted according to the chosen course. These are specialised courses that provide training for a career in cultural heritage.

At tertiary level, cultural heritage remains much of a specialisation. Courses covering cultural heritage related subjects are provided by the University of Malta and the Malta Centre of Restoration. At University, all students follow a compulsory subject on the history of Mediterranean culture and civilisation. However, exposure to cultural heritage in general terms remains limited. The Institute of Restoration Studies, Bighi runs a number of courses aimed at the professional formation of the restorer-conservator. The Bachelor in Conservation and Restoration Studies (Honours) is a four year programme leading to a B.Cons. (Hons.) degree awarded by the University of Malta. The Institute also offers a Masters in Applied Conservation. The issue at stake is whether stakeholders in the sector can provide working opportunities for young graduates specialising in cultural heritage subjects.

5.2

Research in Cultural Heritage



Legal Background

The Antiquities (Protection) Act 1925 only provided limited guidance and regulation on the matter of research in the various fields of cultural heritage. The main points raised by the Antiquities Act concerned the obligation to report the discovery of any antiquities, and the need to obtain a written approval from Government to carry out searches for antiquities.

These basic legal measures were greatly expanded by the Cultural Heritage Act 2002. A key innovation in the Cultural Act is the provision for a definition of the concept of 'investigation' in cultural heritage:

'any activity for the purpose of obtaining and recording any information relating to cultural heritage and includes any works for the purposes of identifying, discovering, excavating, revealing, recovering and removing any object or material situated in, on or under any cultural property'

Likewise, the definition of the principle of 'accessibility' (Art 3.5) is made to include the notion of the right to 'research' and to 'study' cultural heritage.

On an operational level, the Act identifies the Superintendence of Cultural Heritage as being the public entity entrusted with authorizing and monitoring archaeological excavations both on land and at sea (Art 43). This responsibility is to be read in close conjunction with the other key responsibilities of the Superintendence in the area of heritage data management.

Beyond the responsibilities of the Superintendence, the Minister responsible for Culture also has the authority to make provisions for the regulation of excavation and exploration (Art 55).

The Cultural Heritage Act also provides for the constitution of a Cultural Heritage Fund under the administration of the Committee of Guarantee (Art 15), and which may be used solely for the purpose of research, conservation or restoration of the cultural heritage.

Regulation and Operational Issues

Implementing the changes required by the Cultural Heritage Act in the way research is conducted will require (1) the introduction of a necessary body of regulation and (2) the establishment of accepted standards of practice and data management.

These changes are aimed primarily at those forms of research which have a direct physical impact on the cultural resources they are applied to. This includes those forms of research which require physical removal or destruction of the cultural resource itself or part thereof, for purposes of excavation, sampling or scientific analysis.

Other Issues

The promotion of good standard research in Malta's cultural heritage requires much more than a simple change in the legal framework. The research sector suffers from under-funding and from a lack of opportunities for individual researchers to further their activities.

Some of the major issues involved in the reform of this sector may be defined in the following points:

- The right to access properly archived data relevant to the study, protection and management of cultural assets;
- The conservation of data and of cultural resources affected by research activity, including on-site arrangements, archiving and clean storage facilities;
- The establishment of minimum acceptable standards in research practices, documentation, professional ethics and techniques;
- The identification of National Priorities in the area of cultural heritage research.
- The full public accountability of researchers and of research activity and the monitoring thereof;
- The implementation of measures aimed at promoting more quality research.
- Development of research funding programmes.
- The development of a better research and laboratory capability for Maltese researchers, and for foreign researchers working in Malta.
- Creation of synergy on research matters between the major stakeholders in the sector, to include the University of Malta, the Superintendence of Cultural Heritage, Heritage Malta, the Malta Centre for Restoration and the Malta Environment and Planning Authority.

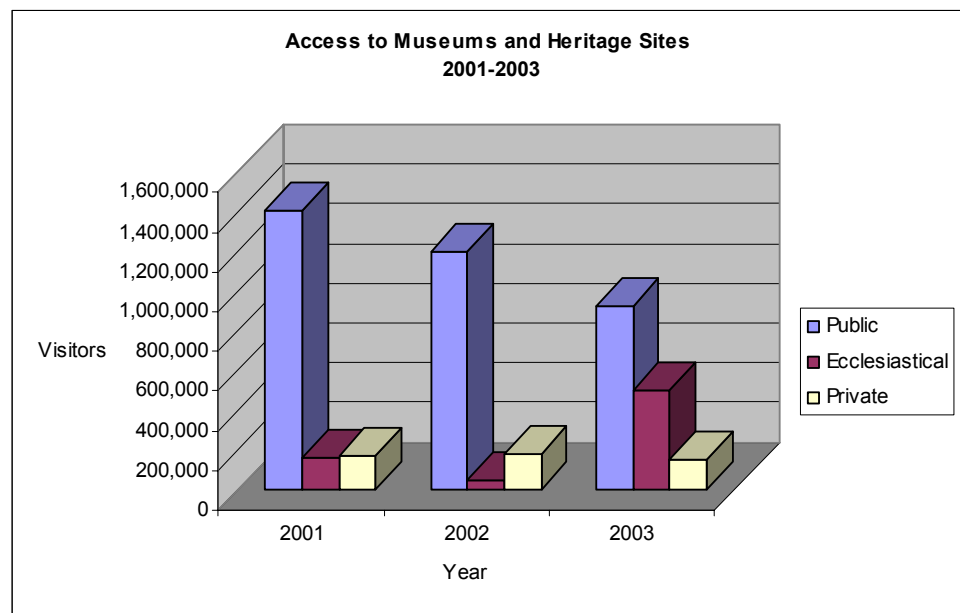
5.3

Public Access To Cultural Heritage



The Cultural Heritage Act 2002 promotes wider access to cultural heritage. The Act refers to the right of “every citizen of Malta as well as every person present in Malta” to “benefit from this cultural heritage through learning and enjoyment”. The entities established by the Cultural Heritage Act 2002 do not only have the duty to conserve and protect our cultural heritage, but also to manage the care, exposition and appreciation of heritage.

The latest available statistics compiled by the National Statistics Office quote figures for 2003. Around 50% of surveyed museums and historical sites are owned by the state. 30% are church owned and 20% are private. These percentages have been roughly applicable since 2001. In 2003, museums and heritage sites were accessed by 1,577,074 persons. This figure means a significant increase in visitors of 146,376 persons from figures quoted for 2002. The chart included below quotes separate figures for public, private and church museums.

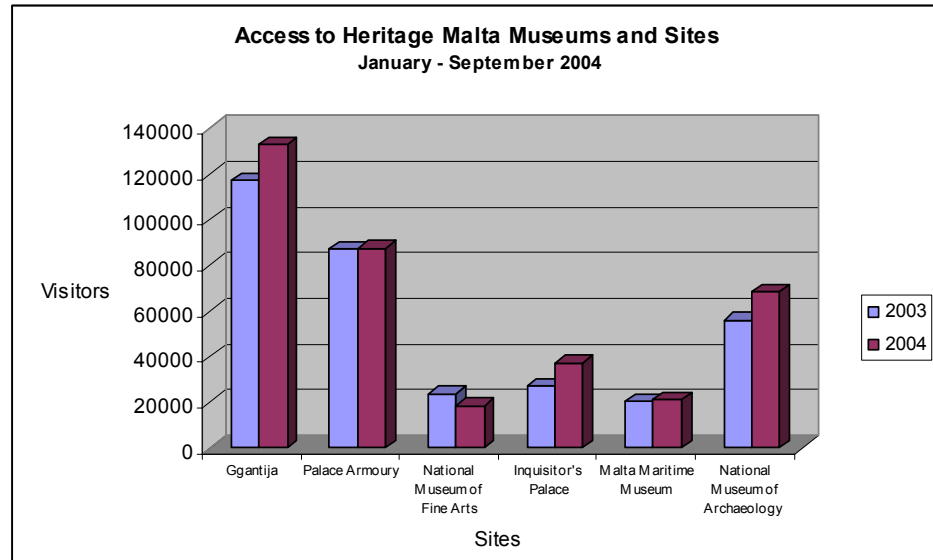


Source: NSO Statistics 2001-2003

It is a cause of concern to note a drop in visitors to state-owned museums and heritage sites. Access to private museums also registered a slight decrease. Ecclesiastical museums have registered a significant increase in 2003. This increase accounts for the overall increase in visitors to museums and heritage sites.

Statistics for 2004 have yet to be published. However, statistics compiled by Heritage Malta for the first nine months of the year provide an indication of visitors to those museums and sites currently under its management. During the first nine

months of 2004, Heritage Malta museums and historic sites have registered a significant increase of 146,790 visitors over the same period for 2003. The table below provides a brief overview of the performance of some of the major museums and heritage sites.



Source: Heritage Malta Statistics 2004

The museums and sites under review have registered a significant increase in visitors for the period under review. Ggantija temples have registered an increase of 15,932 over the same period for 2003. The National Museum of Fine Arts has registered a slight decrease of 5,212 visitors over the same period for 2003.

In October 2004, new entrance fees to museums and heritage sites have been introduced through Legal Notice 446/04. Fees for visitors between 18 and 60 years of age have been increased by 100% for a number of heritage sites and museums including the Inquisitor's Palace, the Maritime Museum, Hagar Qim and Mnajdra prehistoric temples and others. Entrance fees to particular sites such as Ggantija in Xaghra (Gozo), has been increased to Lm 1.50 and access to the Roman Domus, currently undergoing a restoration and renovation project, will be Lm 2.50. Group tickets have been retained and improved upon.

Admission fees have also been introduced for children and youths visiting Heritage Malta museums and sites. It is still unclear whether Heritage Malta will be charging admission fees in the case of visiting schoolchildren as this measure remains at the discretion of the agency. Moreover, it does not appear that the introduction of admission fees for visitors under 18 years of age is linked to the introduction of new educational services and programmes by Heritage Malta catering specifically for children and youths. During the period January to September 2004, 70,000 visitors accessed Heritage Malta museums and heritage sites free of charge. The percentage of schoolchildren and youths is however not known.

Accessibility to works of art in museums is regulated through standing curatorial policy. The choice of what is permanently exhibited largely depends on the museum setup, its concept and targeted audience. Choices dictated by these parameters

often reduce access to numerous works of art that are usually placed in reserve collections. The extent of accessibility to works of art in national museums is not known. The only data available concerns the National Museum of Fine Arts (Heritage Malta) with roughly 81% of works of art in its collection having limited access. Data related to other state owned museums is not available although it is known that many have large reserve collections. The situation in church and private museums remains to be assessed and quantified.

Besides, there is still a lot of state owned heritage that is not accessible to the general public. The inventoried portion of the national collection located in government departments, historic buildings and other national institutions has a high percentage of works that have limited access. This accounts for 78% of the total number of works located in these premises. Some of these works are of high artistic merits that also have a valid context in Malta's art history. Works of art located in such premises should be reviewed and key works that do not have a historical provenance linked to their present location removed to public museums.

Public programmes organised by national institutions and non-governmental organisations promote wider accessibility to cultural heritage. The European Heritage Days promoted by the Superintendence of Cultural Heritage is one such campaign that is increasingly targeting local heritage. This campaign has developed into one of the major awareness campaigns organised locally with this year registering some 8,000 participants including schoolchildren. The participation of other stakeholders such as national institutions and non-governmental organisations is crucial to the success of this campaign. However, wider participation by local councils should be the goal of forthcoming European Heritage Days. Accessibility to heritage sites is also promoted amongst Maltese citizens by Din I-Art Helwa, Fondazzjoni Wirt Artna and other NGOs. Heritage Malta also participates in the Spring of Museums Campaign and promotes free access to museums and heritage sites. This year's participation was linked to Malta's entry into the European Union.

It is increasingly becoming a priority to make cultural heritage accessible to all. The focus is largely on making heritage accessible to people with special needs. Earlier this year, a seminar on this issue organised by Heritage Malta put this problem in the limelight. The recent guidelines for designing buildings that are accessible to all published by MEPA as part of its consultation process with major stakeholders is also a further positive step to be commended. Wider access to cultural heritage can be achieved thanks to technology, internet and through the provision of published material. However, this measure should not be seen as a replacement for the physical experience of the artefact.

Cultural heritage should also be accessible to different groups within society, namely to people with different levels of education and interests, different ages, and different financial resources. Culture has nothing to do with being elite and should reflect the parameters of an all inclusive society. In this respect, local councils can promote such access through exhibitions and cultural events. In 2003, 18.5% of activities organised by local councils out of a total of 1,208 events were cultural activities. This is the third highest percentage share after social activities (27%) and educational activities (25.6%). The percentage of cultural activities quoted is slightly less than that quoted for 2002 (23%). However, in 2003, participation in cultural

activities organised by local councils has increased substantially by 7% points over the percentage figures quoted for 2002 (30.5%).

6

Issues And Opportunities

6.1

Issues and Opportunities

The drafting of the National Strategy for Cultural Heritage is clearly one of the most pressing priorities for the coming years. In this regard, important work has already been done by the Committee of Guarantee. In addition, other policy developments on the part of the Maltese government, have contributed to the strategic development of the sector. NGOs, Din l-Art Helwa among the more prominent, have already made contributions to future development of this vital document.

The 2004 National Forum on the Cultural Heritage, will launch a wider process of debate, consultation and drafting of the policy document. Apart from the legal obligations for the Ministry to draft and publish such a central policy document, the need for broader strategic thinking at a national level is essential. At a time of continuing reform in Malta's cultural heritage sector, the successful achievement of common objectives will require strategic thinking and operability at a broad level. Heritage is ever present in our landscape. It is not limited to collections or museums. Monuments, whether state-owned or otherwise, are probably at a greater risk, primarily because they are more vulnerable to natural and human impacts. More than ever, the protection of our heritage requires strategic thinking that can embody public support and interests. Stakeholders are many, while institutions are few. Public heritage thinking should take high priority. Indeed, a successful national strategy on cultural heritage can only be guaranteed if an adequate level of stakeholder and public participation are allowed during the drafting of the national policy on cultural heritage. The concern with public heritage should be the management and care of important community assets.

The National Strategy for Cultural Heritage should help identify and highlight sustainable management solutions involving different sectors of society. Public heritage action thinking should be proactive and positive at every conceivable level. State institutions and NGOs must do everything possible to increase public support and participation in cultural heritage matters. The sharing of common objectives and principles by as wide as possible an audience will in the long run increase the successful implementation of strategic principles.

The document will outline policy principles and objectives as well as time-frames for the achievement of these objectives. Having articulated stakeholder input, the finalized document will serve as a measure against which the State of the Heritage can be assessed on an annual basis. This annual evaluation will serve to create a focused set of shared objectives and priorities.

The first version of the National Strategy for Cultural Heritage Some will be covering a number of major themes including the following:

1. Operational frameworks
2. Capacity building
3. Intra-departmental consultation
4. Role of Local Councils and NGOs
5. Monitoring of national strategy for cultural heritage
6. The identification and protection status of heritage assets
7. Scheduling of monuments and inter-departmental measures in planning and land use issues
8. Planning, land use and heritage asset preservation
9. The treatment of cultural heritage assets
10. Guidance policy development
11. Urban, Rural, Coastal Cultural Landscapes
12. Archaeological, Architectural, Geological Monuments
13. Historical Fortifications
14. Museums and Collections
15. Religious Cultural Heritage
16. Intangible and Ethnographic Heritage
17. Archives and Databases
18. Local Councils and NGOs
19. Research
20. Conservation and Restoration
21. Cultural Tourism
22. The Role of Private Enterprise
23. Education and Cultural Heritage

The National Strategy for Cultural Heritage is by definition a public document and is therefore also an instrument of public policy.

The idea of 'public heritage' is increasingly taking root in many countries. Stakeholders have a greater role to play in the way that their cultural heritage is managed. The policy document will serve as a public document against which an important community asset - cultural heritage - can be assessed. The policy is therefore aimed at promoting the sustainable use of cultural heritage for the public.

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