

## ACAWA-GR Conference Proceedings

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Papers of the National Associations of E.C.C.O. - Ensuring high quality in safeguarding Cultural Heritage. The vital importance of protecting the title and regulating the profession of Conservation-Restoration in Europe



ΣΥΛΛΟΓΟΣ ΣΥΝΤΗΡΗΤΩΝ ΑΡΧΑΙΟΤΗΤΩΝ  
& ΕΡΓΩΝ ΤΕΧΝΗΣ ΤΡΙΤΟΒΑΘΜΙΑΣ ΕΚΠΑΙΔΕΥΣΗΣ

ΠΡΑΚΤΙΚΑ ΣΥΝΕΔΡΙΩΝ/ΗΜΕΡΙΔΩΝ

### ACAWA-GR CONFERENCE PROCEEDINGS

Papers of the National Associations of E.C.C.O.

# Ensuring high quality in safeguarding Cultural Heritage

The vital importance of protecting the title  
and regulating the profession of  
Conservation-Restoration in Europe

organized by  
A.C.A. & W.A.- GR



with the  
participation of  
E.C.C.O.





**ACAWA-GR CONFERENCE PROCEEDINGS****Papers of the National Associations of E.C.C.O.****Ensuring high quality  
in safeguarding  
Cultural Heritage****The vital importance of protecting the title  
and regulating the profession of  
Conservation-Restoration in Europe**organized by  
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E.C.C.O.



On the day of the Conference. Acropolis Museum, Athens, May 2022

## Disclaimer

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This book contains the papers of E.C.C.O. national member associations that attended the presidents' meeting and conference held in Athens by A.C.A.W.A.-Gr in May 2022.

This publication reflects the current educational level, legal context and working environment of conservator-restorers across Europe at a national level. Focusing on the existing structure, E.C.C.O. members introduce the challenges met in cultural heritage preservation and open the dialogue for a European framework in mutual recognition of the profession and quality standards.

This book has been prepared by A.C.A.W.A.-Gr with the contribution of E.C.C.O. committee 2022. A.C.A.W.A.-Gr and E.C.C.O. assume no responsibility or liability for any errors or omissions in the contents of the papers. The authors are responsible for the content and accuracy of their papers.

These proceedings aim to share the national frameworks in conservation-restoration, and the entire publication is open-access.

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# Preface

On the 16th and 17th of May 2022, E.C.C.O. members gathered in Athens for the first time since the Covid 19 pandemic, resuming the annual General Assembly. The occasion also served to hold our Presidents' meeting and concluded with a conference on the topic "Ensuring high quality in safeguarding Cultural Heritage - The vital importance of protecting the title and regulating the professions of Conservation-restoration in Europe".

This gathering brought continuity to the activities with our member associations, as we shared our national perspectives, challenges and expectations but, foremost, learned from each other's experiences. It was a pleasure to reunite with all Delegates and Presidents, encounter familiar faces as well witness the natural evolution of members' activism as boards are renewed and new generations join our European platform, voicing their insights on conservation-restoration practice.

Under this common theme, we were presented with insights into conservation-restoration frameworks at national levels with regards to our role in society, current legal contexts binding our practice and cultural heritage protection, the status of professional recognition and of our competences amidst other heritage professionals. The occasion revealed distinct realities, showcasing our various expectations and challenges, but foremost our communalities in the shared vision towards safeguarding heritage and common principles in its care. The presentations made evident the diversity in European cultural heritage as in the current situation we find ourselves in each country or region. These are the critical lessons we have to acknowledge and take into consideration in the design of a common European strategy for the regulation of our practice, whilst guaranteeing its applicability in each country.

*"It all starts with education."*

E.C.C.O. stands today on the shoulders of crucial achievements in the definition and recognition of the conservator-restorer competences and its role in safeguarding heritage, epitomized by our vision of protecting cultural heritage for society through high standards in the professional practice of conservation-restoration. In our network we observe different educational pathways within each national reality, from the deliverance of 5 years (3+2) diplomas in conservation-restoration to access the profession while others still strive for the same education and training level to be implemented in their own countries. However, regardless of national education and training standards, the imperative principle is that we all recognize and demand the necessity of specific learning outcomes delivering a discrete set of skills and knowledge governed by ethics and grounded in highly specialized practice at a master's degree level. Moreover, it is evident that such a level of proficiency is today performed in many fields of specialization, covering diverse typologies and materials, and has been able to respond to conservation-restoration technical requisites respecting national heritage diversity.

Our profession has increasingly and steadily evolved beyond its core activities and duties. Currently, conservator-restorers perform and contribute to activities of mediation, research, teaching, planning and managing. Conservator-restorers are key partners in risk assessment and project management, alone or in tandem with other professionals. Notwithstanding, they often remain secluded from quality assurance mechanisms ; more problematic, they may be far removed from decision-making processes in heritage conservation. This undoubtedly hinders the pursuit of our core vision of promoting and guaranteeing high standards in our own professional practice.

However, through E.C.C.O. we witness conservation-restoration practice being performed in a myriad of contexts from centralized public services, national and local level, to self-employed or in medium or small enterprises, in companies exclusively dealing with conservation-restoration or in cross-sectoral reach. These varieties of formats and positions have to be considered in respect of a future strategy for a formal recognition and regulation of our profession. Nevertheless, our role and responsibility must be constant, regardless of our on-the-job context. We advocate for heritage conservation-restoration with quality standards, uphold the preservation of heritage values and meanings for communities and perform our scientific expertise framed by an ethical and humanistic mindset. We stand in the frontline of response in heritage care and maintain a privileged position to engage with all stakeholders, being able to promote interdisciplinary communication between diverse experts, policymakers and citizens.

These are decisive contributions we bring to the fore of any heritage ecosystem, which refers us to the beacon of E.C.C.O. network's strength and cohesion, the discrete competences of the conservator-restorer. They are the cornerstone in any endeavour we might pursue in the pan-European recognition and regulation we aspire to. They embody our ability to deliver quality professional performance in any legal framework, whether national or regional, they inform education and training pathways and outcomes and represent the benchmarking criteria for mobility and mutual recognition for our profession. E.C.C.O.'s competences, along with our Professional Guidelines, are a token of professional quality.

This endeavor remains for us to decide how to embark on as we learn from those ahead and collectively design the next steps to realize our vision and mission for Europe's cultural heritage preservation.

***Elis Marçal, E.C.C.O. President***



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# The regulation of the profession of conservation-restoration in Austria

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## ABSTRACT

The activities of conservators and restorers in Austria are legally considered artistic practice and fall within the scope of the liberal professions. In addition, the Austrian Law for the protection of Cultural Heritage mentions the word “restoration” several times, but it does not specify what conservation or restoration is, nor does it specify the qualification requirements for the implementation of conservation measures. The Berufsverband österreichischer Restauratorinnen und Restauratoren (ÖRV), founded in 1985, is the only nationally and internationally recognized association of qualified restorers in Austria. In a recent statement, the ÖRV has advocated amending the Law accordingly, so that examinations, expert opinions, and conservation advice may only be carried out by persons with a relevant university degree.

## 1. CONSERVATION AS ARTISTIC PRACTICE?

The Austrian tertiary education System offers several specializations in conservation-restoration; therefore, the country can draw on a range of trained, qualified professionals in conservation. Two art universities, both located in Vienna, offer magister's degree study programmes (EQF 7): the Academy of Fine Arts Vienna offers 5 specializations in Conservation (Paintings/Sculptures; Objects – Focus on Wood/ Historic Musical Instruments; Paper/Photographs/Books/Archival Material; Mural Paintings/Architectural Surfaces; Modern and Contemporary Art) and the University of Applied Arts Vienna offers 4 specializations in Conservation (Paintings; Object – Focus on Metal; Textile; Stone). Both Institutions are full ENCoRE Members. Since the programmes are embedded in Art Universities, the activities of conservators and restorers are formally considered as artistic practice.

Carrying out conservation and restoration measures in Austria is exempt from the trade regulation (Gewerbeordnung) as long the restoration requires artistic skills. If the activities of conservators fall within the scope of regulated professions (such as house painters, stonemasons, plasterers, or gilders) and do not require artistic skills, the conservators could come into conflict with those regulated professions. This leads some conservators to register at the Austrian Economic Chamber (WKO), under some of the regulated professions, or otherwise work without a licence under the liberal professions.

The Austrian Economic Chamber describes the difference between the activities of liberal professions and regulated professions: “If only cleaning or conservation work is carried out on the artwork, commercial activity will have to be assumed. If, however, the artwork is to be supplemented or even restored due to severe damage, the activity is considered artistic practice, as long artistic skills are needed for this purpose”[1].

Unfortunately, this definition does not reflect the reality of restoration practice. Restoration and conservation measures often cover a wide variety of activities that are sometimes very hard to predict, so they might include the so called “artistic activity”, or measures within a regulated profession. Although examinations became an integral part of the work on monuments, the actual execution is usually not carried out by that same person but is rather tendered within public calls.

	YES	NO
• Business, trade regulation (Gewerbeordnung)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Legal representation at economic chamber	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Title conservator / restorer regulated, protected	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Mandatory proof of competences/qualification	<input type="checkbox"/>	<input checked="" type="checkbox"/>

→ **no regulation, liberal profession, considered artistic practice**

Image 1: Summary of the legal status of the conservation-restauration profession in Austria

## 2. LAW FOR PROTECTION OF CULTURAL HERITAGE

According to §5(1) of the Austrian Law for the protection of Cultural Heritage: “any alteration that could affect the substance, the traditional appearance, or artistic effect” requires approval of the Federal Monuments Authority [2]. However, it is not necessarily ensured, that restorations are carried out by qualified professionals. The Law theoretically enables public contracting authorities to ensure the quality of conservation-restoration services, within the framework of invitations to tender. In practice, however, it is apparent that this does not necessarily ensure that conservation-restoration work is carried out in a manner appropriate to the monument. Reasons for that are project-specific criteria for treatment, that open conservation projects to unqualified personnel, on top of that the awarded tenderers are sometimes determined by the client. The client may not be interested in awarding conservation-restoration services to the best bidder, which usually leads to higher costs.

Although the current version of the Austrian Law for the protection of Cultural Heritage does mention the term “restoration” a total of eight times (see Image 2.), it mentions the term rather casually, without specifying what restoration or conservation is and without pinpointing which role it plays in the preservation of cultural heritage. It needs to be defined who is qualified for the implementation of conservation measures and how to ensure the quality of the execution measures.

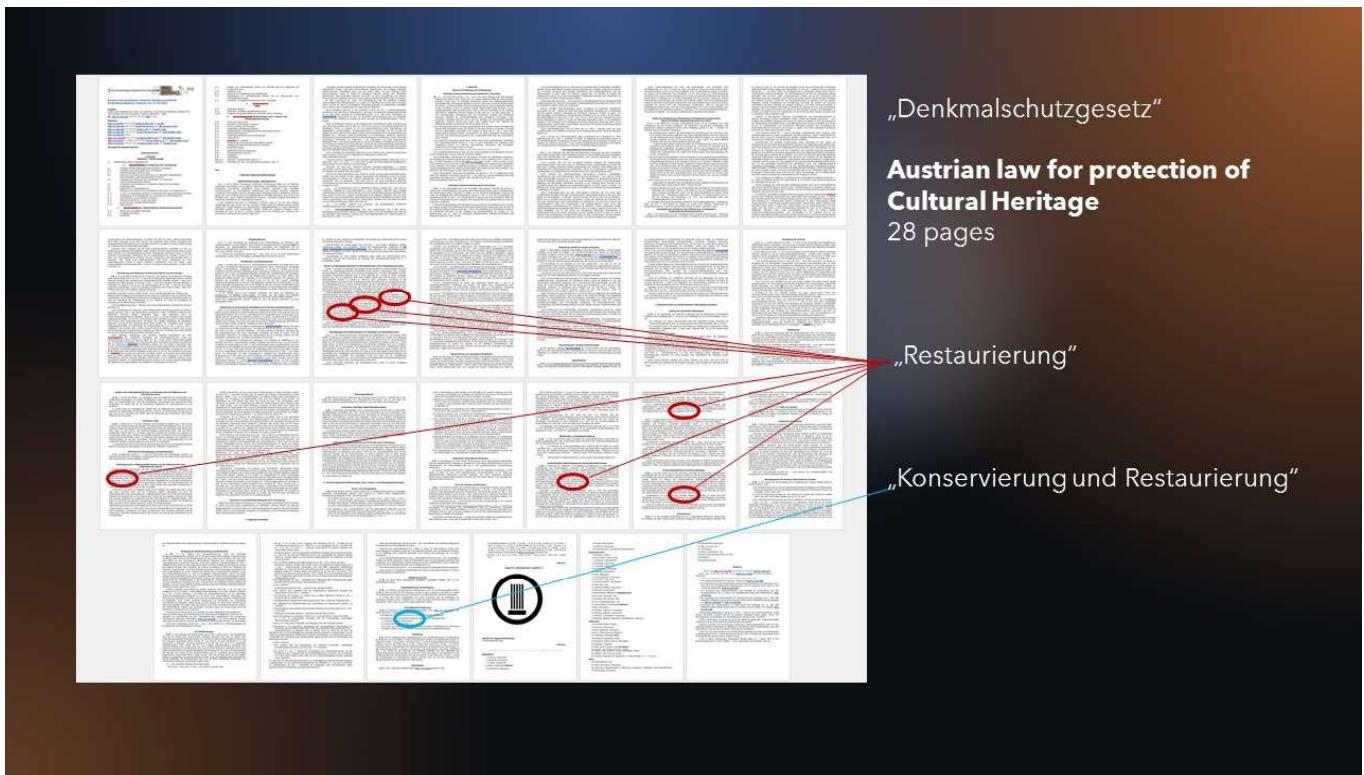


Image 2: Mentions of "Restoration" and "Conservation" in the Austrian Law for the protection of Cultural Heritage

The ÖRV strives for the recognition and implementation of a valid quality standard in restoration and conservation. Efforts have been made for quality assurance: the paper "Standards in the Preservation of Architectural Monuments" [3] was published 2015 by the Federal Monuments Authority. The "Standards" suggest that the performers of restoration examinations should have the following qualification (page 33): "The execution of the restorative examination is only purposeful by appropriately qualified specialist restorers. It requires a scientific-methodical approach. For an assessment of the qualification of the performers, the information on educational background and corresponding references in the field of monument conservation are useful (documentation of comparable services from the last five years)". However, the "Standards" refer only to examinations when discussing the tasks of trained qualified conservators-restorers and it must be emphasized that these "Standards" have no legal validity.

### 3. REQUIREMENTS ACCORDING TO QUALIFICATION

Currently, the Austrian Cultural Advisory Board is preparing to change the Austrian Law for the protection of Cultural Heritage. Reasonably we, the board members of ÖRV, seized the opportunity to have our say on some changes. A specific passage in the law drew our attention: §11 of the Law states, that conservators-restorers who treat archaeological objects, are required to have an academic qualification [2]. This little detail opened the opportunity to argue that this should also be mandatory for other conservation and restoration measures.

Our main proposals to the Austrian Culture Committee are:

- Examinations, reports, and conservation-restoration consultancy may only be carried out by persons who have completed a relevant university degree.

- The Austrian Heritage Advisory Board should include conservators/restorers (so far the following fields are represented: art history, architecture, architectural art, history, archaeology, spatial planning, and business administration).

In conclusion, carrying out conservation and restoration measures is not subject to any legal regulation in Austria; it is a liberal profession. There is no legal representation or a chamber of conservators-restorers in Austria besides the association ÖRV. Furthermore, it is not specified which skills or qualifications must be proven to carry out conservation-restoration work on monuments, and there is no regulation about the use of the professional title conservator or restorer. The published “Standards in the Preservation of Architectural Monuments” prove that the Austrian authorities know and acknowledge the lack of regulation in our profession. Let's hope the Austrian Culture Committee confirms our concerns and adapts the Law accordingly.

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# Regulation of Conservation-Restoration in Bulgaria

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## ABSTRACT

The article presents the regulation of conservation-restoration in Bulgaria. It explores current legislative documents, in particular the Cultural Heritage Act, along with some subordinate normative acts. The legal texts related to conservation-restoration are explained and discussed. The quality assurance issues are also commented on. The current challenges in the profession are reviewed in the context of the local social environment.

## 1. LEGAL REGULATION OF CONSERVATION-RESTORATION

The main legislative regulation of conservation-restoration in Bulgaria at present is formulated in the Cultural Heritage Act, passed in 2009. Chapter 8 of the law is devoted specifically to this subject matter and is entitled "Conservation and Restoration of Cultural Assets"<sup>1</sup>. It provides a definition of conservation-restoration as a "system process of activities, which aim at prevention of the destruction, stabilisation of their condition, as well as facilitation their perception and evaluation in maximum preservation of their authenticity" (Art. 163) [1]. The following Art. 164 contains the most important regulation texts:

Par. 1. (suppl. – SG 54/11) *The activities for conservation and restoration, and also for adaptation of immovable cultural assets, shall be done by persons, or under the permanent direction of persons, entered into the register under Art. 165.*

Par. 2. *The register under Par. 1 shall contain persons who have a Master's degree in:*

1. (amend. – SG 54/11) *a subject in the field of conservation and restoration, and have three years of professional experience in this field;*
2. (new – SG 54/11) *majoring in "Architecture" with specialisation for conservation and restoration in the field of immovable cultural heritage and three years of professional experience in this field or majoring in "Architecture" and five years of professional experience for conservation and restoration in the field of immovable cultural heritage;*
3. (prev. item 2, amend. – SG 54/11) *other subjects with specialisation in the relevant area of conservation and restoration or applicable in the process of conservation and restoration and have minimum five years of professional experience in the same field.*

With the texts thus formulated (as seen above), Par. 2, Item 3 contradicts Item 1 entirely and, in practice, allows persons without any education or training in conservation-restoration to be listed in the Register. In fact, persons having no such education predominate in the Register, and it is really weird to see persons registered as holders of diplomas for higher education in Technology of Chemistry Production, Archaeology, Sewage and Water Supply, Electromechanics, Landscaping, Ecclesiastical Studies, Metallurgy, Indus-

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<sup>1</sup> The term "conservation-restoration" is translated in Bulgarian as "conservation and restoration" („консервация и реставрация“) because of the linguistic specificities.

trial Electricity Supply, Internal Combustion Engine, Dairy Products Industry, etc. Once registered, those people are allowed not only to practise conservation-restoration but to lead conservation-restoration projects and be decision-makers. The very use of the term “specialisation” in Item 3 is incorrect and misleading. Furthermore, it contradicts the definitions in the Higher Education Act: Art. 66, Par. 4 states that “A specialising trainee is anyone upgrading his/her qualifications under a specialised programme of study without seeking a higher degree or a new speciality”. [2]

Art. 165 is focused on the above-mentioned Register. Par. 1 stipulates that “the Ministry of Culture shall create and keep a public register of the persons, who have the right to perform activities on conservation and restoration in the relevant area [...].”

The following Art. 166 specifies that conservation-restoration in museums, universities and other institutions can be carried out “only under the direction of a person, listed in the Register under Art. 165.” The text does not clarify if this can be the full spectrum of activities, nor what kind of supervision is expected and what should be the expected specialisation of the supervisor. In reality, a supervisor can be any person included in the Register, even one with no education in conservation-restoration (Rf. Art. 164, Par. 2, Item 3 above). The text is an “excuse” for some institutions to appoint, as conservator-restorers, persons who do not have formal education in this discipline and in some cases – any experience at all.

Art. 167 deals with the specific administration of conservation-restoration of “movable cultural assets – national wealth”, the highest level of heritage listing and protection by the law.

In the Cultural Heritage Act, there is no distinction between the specialities in conservation-restoration. In practice, everyone listed in the Register under Art. 165 could perform conservation-restoration on any type of heritage objects, both movable and immovable. This is another flaw in the legal regulation.

By August 2022, the Cultural Heritage Act had been amended 26 times in only 13 years. The Association of Conservator-Restorers in Bulgaria (ACRB) has conducted a number of meetings with the state authorities since 2009 and has made several well-grounded proposals for correcting the texts considering conservation-restoration, though with no success so far. In spite of the numerous amendments, the law still lacks proper regulation of the professional discipline of conservation-restoration and generates a significant risk of incompetent work. In fact, ACRB alerted the Bulgarian Ministry of Culture and reported to E.C.C.O. about such cases of destructive practice on listed heritage objects. ACRB finds no serious arguments against the so-necessary amending of the regulatory texts and no arguments for “leaving the door open” to unqualified practice in the conservation-restoration of listed heritage, i.e. there is no deficit of qualified professionals. To date, more than 350 students have graduated with a Master’s degree from the Department of Conservation-Restoration at the National Academy of Art in Sofia<sup>2</sup> plus those who are degree graduates from institutions in other European countries. Regrettably, those who are actively practising the profession constitute less than half of the total number.

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<sup>2</sup> The Department of Conservation-Restoration at the National Academy of Art in Sofia was established in 1973. It provides full-time five-year Master’s degree programme and is the only accredited university programme in Conservation-Restoration in Bulgaria. In 2023, the Department will be celebrating its fiftieth anniversary.

## 2. QUALITY ASSURANCE

The professional title of conservator-restorer is not protected by the Cultural Heritage Act. No explanation is provided on the expected competencies of the practising professionals. A clarification in this respect would positively affect the identification of the roles of different professionals involved in the process of heritage conservation and protection and will have a positive impact towards increasing the quality of their performance. However, quality assurance of conservation-restoration is, in particular, scarcely considered in the Cultural Heritage Act. Article 83a, Par. 3 provisions that the result of the conservation-restoration work should be inspected by a specialised commission which “shall study the submitted project documentation, shall identify the quality of the accomplished conservation and restoration works and shall propose to the Minister of Culture to accept or to refuse with adequate justification the acceptance of the execution”.

Art. 168 of the law addresses the conditions and procedure for performing conservation-restoration on movable cultural assets. It refers to Ordinance 4 of 12 June 2015 on the Conditions and Procedures for the Implementation of Conservation and Restoration Activities of Movable Cultural Assets (SG 46/15, amend. – SG 35/19)<sup>3</sup> of the Minister of Culture about the details in the regulations of this subject. The latter document contains, amongst others, a series of administrative requirements and restrictions when it comes to contracts between freelance professional conservator-restorers and owners or custodians of Cultural Assets – National Wealth. Concerning this type of heritage, however, the Ordinance is very loose on the regulations of the conservator-restorers occupying permanent positions in museums, who sometimes do not have professional education. The Ministry of Culture is required to keep a register of the Cultural Assets – National Wealth, but at the moment it is not publicly accessible.

The Ordinance under Art. 168 defines the aim of conservation-restoration, lists the “main conservation-restoration activities”, formulates the content of the conservation-restoration documentation, and sets out “appropriate conditions” for practising, amongst other requirements. Nonetheless, not all museums are able to meet all the requirements and comply with all the regulations. The Ordinance though does not provide any explanation as to what “appropriate conditions” are<sup>4</sup>.

The profession conservator-restorer is listed in the National Classification of Occupations and Positions, but this in itself does not warrant quality.

Development and introduction of a system for certification and/or accreditation of conservator-restorers, based on periodic assessment of the competence level of conservator-restorers, could have a positive effect on quality assurance. The system should be supported by a clear definition and protection of the professional title conservator-restorer. At this point however, there is no political will or understanding of the necessity for introducing such a system.

## 3. CHALLENGES TO THE PROFESSION

The regulation of the profession of conservation-restoration in Bulgaria faces more challenges than the ones commented on above.

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<sup>3</sup> Bulgarian language version only.

<sup>4</sup> The quotes from the normative act are translated into English by the author of the article.

The national NACE nomenclature of economic activities places conservation-restoration in three different groups with an entirely different focus and subject, while some specific conservation-restoration types of specialisation are not included in the document. At the least, this is confusing—the nomenclature does not correspond to the specificity of the profession and to the objects of the conservation-restoration activity. This specific economic activity should fall under a new, separate category Cultural Heritage Protection, Conservation and Safeguarding. The current situation poses a serious obstacle to proper tax regulation.

Another challenge is the feminisation of the profession due to low pay, which results in gender misbalance. Because of the very low salaries, some museums outside the capital Sofia cannot employ specifically qualified professionals for the position of conservator-restorer. Many Conservation-Restoration graduates change their profession because of the poor perspectives on career development.

Continuing professional development and lifelong learning are not stimulated by museums and other heritage institutions.

Still another challenge is the (mis)communication between conservator-restorers and other professionals in the field of heritage conservation and protection, such as architects and archaeologists. This is probably a result of the misunderstanding of each other's role and expertise. Clear definitions of their professional competencies are important both at national and international levels in order to facilitate the multidisciplinary approach in the process of safeguarding the cultural heritage.

Further on, conservator-restorers should be equal members of interdisciplinary teams and adequately involved in the decision-making, planning and policy-making processes. So far, there is only one conservator-restorer in a permanent position at the National Institute for Immovable Cultural Heritage. This fact indicates the lack of understanding, at both political and administrative levels, of the role of the conservation-restoration profession.

Some particular areas of specialisation are not covered yet in the curriculum of the Department of Conservation-Restoration at the National Academy of Art. Conservator-restorers willing to work in fields such as the conservation of leather, technological objects, furniture, to mention a few, have to specialise further after their graduation. This necessitates the development of more specific education paths within the academic programmes and of closer cooperation with other universities and academies in order to systematically create opportunities for the necessary capacity building and specialisation.

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# Conservation-restoration in the Czech Republic

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## ABSTRACT

This paper briefly summarises approaches to restoring cultural sites and artefacts in the Czech Republic from the establishment of the so-called Czech Restoration School at the Academy of Fine Arts in Prague to the current scientific concept of conservation-restoration based on broader interdisciplinary co-operation. Major universities and schools which teach young conservators-restorers are listed, and the activities of professional associations and methodological workplaces are also described. The paper is centred on an overview of regulatory legislative measures in regard to carrying out restoration work. These measures include the so-called restorer's licence granted by the Ministry of Culture for the restoration of cultural monuments which are works of art or craftsmanship.

## 1. HISTORY AND DEVELOPMENT OF RESTORATION

In the Czech lands, the history of the profession of restoring sites and artefacts is linked to the figure of restorer and academic painter Bohuslav Slánský, who laid the foundations for the so-called Czech Restoration School. In 1946, he established the restoration of artworks as a discipline at the Academy of Fine Arts in Prague, enabling university education in the subject. Slánský was the first to define the skills which a graduate should acquire during their studies. His two-volume publication, *Technika malby* (Painting Technique) [1] shaped the education of generations of restorers, and, to this day, is a coveted source of knowledge about historical techniques and restoration procedures for artworks. The author stresses the importance of understanding the artwork as an integral whole – its physical essence and authenticity, calling for this authenticity to be preserved during restoration [2]. This concept represented an ethical shift away from the interventions of restorers who in the 19th century especially prioritised a work's aesthetic and artistic aspects as the main value which had to be respected and preserved. This perception had led to many bad renovations and repairs to assets which involved considerable interventions in the original appearance of the works and often also resulted in damage.

The development of science and modern technologies led to the next stage in the development of the discipline of restoration, one based on interdisciplinary approaches making use of various sophisticated methods of research and treatment of artefacts. Conservation interventions and a scientific concept of restoration were increasingly prioritised. These aspects lie at the core of conservation-restoration work today, although the objective here is to find compromises and balanced approaches through discussions across humanities and science disciplines, including artisan practice.

Relevant education and professional experience are imperative requirements in order to carry out restoration work. There are currently a number of higher education facilities in the Czech Republic providing diplomas in restoration education. These include the traditional Academy of Fine Arts in Prague, and also the University of Pardubice Faculty

of Restoration, which provides education in different fields, such as restoring paper and parchment, murals, sgraffito and mosaics. Conservation-restoration technologies are a subject of study at the University of Chemistry and Technology Prague and at Masaryk University in Brno. Vyšší odborné školy, or colleges, also provide an important basic education in the field of restoration, providing necessary practical training<sup>1</sup>.

Conservation-restoration approaches are also shaped through the activities of professional associations and a number of cultural organisations. Asociace restaurátorů (the Association of Restorers) was set up in 1990, advocating for establishment of a professional Chamber of Restorers. To the present day, however, these efforts have not achieved success. For many years, the most active association has been Komise konzervátorů-restaurátorů působící v rámci České asociace muzeí a galerií (The Commission of Conservators-Restorers at the Czech Association of Museums and Galleries)<sup>2</sup>, which is also an associate member of E.C.C.O. It includes over 250 members – mostly museum conservators-restorers, but also teachers and scientists. Conservation interventions, ethical matters<sup>3</sup> and legislation are discussed within various working groups. The desire is the overall promotion of the conservation-restoration discipline amongst experts and the general public. The network of museums and galleries also includes methodology centres supported by the Ministry of Culture, which provide help and development in various areas of museum activities. One of these is the Methodological Centre for Conservation<sup>4</sup> at the Technical Museum in Brno, which provides services in the conservation of museum collections, research into materials, testing means and technologies, training conservators and other museum workers, and holding conferences. It also publishes the academic journal, Fórum pro konzervátory-restaurátory (Forum for Conservators-Restorers)<sup>5</sup> and methodology guides. It is also a site of collection rescue in the event of emergency incidents – providing fast aid by treating and storing artefacts which are under threat. The Methodological Centre for Conservation collaborates closely with the Commission of Conservators-Restorers, thus creating an important communication platform for building up and sustaining the restoration community.



Image 1: Members of the committee and council of the Commission of Conservators-Restorers at the Czech Association of Museums and Galleries, 2018.

<sup>1</sup> College in Turnov which focuses on restoring metals and minerals, <https://www.sups.info/index.php/vos>  
Restoration college in Brno, which focuses on restoring furniture and painting, <https://www.ssudbrno.cz/en/hp-school/departments/>

<sup>2</sup> Czech Association of Museums and Galleries, <https://www.cz-museums.cz/web/amg/czech-association-of-museums-and-galleries>

<sup>3</sup> Document about the profession of conservator-restorer, <https://www.cz-museums.cz/UserFiles/file/Komise%20konzerv%C3%A1tor%C5%AF-restaur%C3%A1tor%C5%AF/about-the-profession-of-conservator-restorer.pdf>.

<sup>4</sup> The Methodological Centre of Conservation, <https://mck.technicalmuseum.cz/en/>

<sup>5</sup> Journal FCR, <https://mck.technicalmuseum.cz/en/casopis-fkr/>

## 2. REGULATION OF RESTORATION ACTIVITIES

The previous chapters briefly summarised the historical development and current approach to conservation and restoration within the Czech context. These aspects are also reflected within legislative regulations in force. In the Czech Republic, restoration is a regulated activity, specifically in the following areas:

a) The restoration of artworks which are not cultural monuments or parts of cultural monuments, but which are stored in the collections of museums and galleries, or which are objects of cultural value – qualification requirements are given by the level of relevant education and relevant experience. The responsible authority is the Ministry of Industry and Trade, and the regulatory law is the Trade Licensing Act [3]:

A trade is registered by submitting documents demonstrating the achieved competence level. In this case, this means:

- higher education in a course and discipline focused on restoration or fine arts, or
- college-level education in an education discipline focused on restoration or fine arts, or
- secondary education with a completed final exam (maturita) in a relevant restoration, fine art or craft discipline plus three years of work experience in restoration, or
- secondary education with a vocational certificate (výuční list) in a relevant craft or art discipline plus five years of work experience in restoration, or
- a retraining certificate or other document demonstrating professional qualification for the relevant work activity issued by an establishment accredited according to special arrangements, or an establishment accredited by the Ministry of Education, Youth and Sports, or a ministry whose scope includes the branch in which the trade is being carried out, plus six years of work experience in the field.

b) The restoration of cultural monuments which are works of the creative arts or of artistic crafts (craftsmanship) - qualification requirements are given by the level of relevant education and relevant experience. The responsible authority is the Ministry of Culture, and the regulatory law is the Act on State Monument Care [4]<sup>6</sup>:

Competence is demonstrated by meeting:

- Qualifications for restoring cultural monuments or parts of them which are works of the creative arts are a higher education course in the discipline of restoration, and for restoring cultural monuments or parts of them which are works of artistic crafts are complete secondary vocational education in a relevant field plus 5 years of experience; for specialisations where there is no established secondary school course, apprenticeship in the relevant field plus 8 years of experience in restoring artefacts which are not cultural monuments, and
- Professional skills, which are a collection of knowledge and skills guaranteeing the preservation of the material essence of cultural monuments or parts of them, which are works of the creative arts or artistic crafts while respecting their authenticity; this is demonstrated by submitting documents which show that the individual applying for the granting of permission to undertake restoration has already successfully and independently restored artefacts which are not cultural monuments.

The criteria stipulated for restoring cultural monuments (i.e. objects of cultural value which

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<sup>6</sup> The related law is also the Act on the Recognition of Professional Qualification and other Eligibility and Citizens of Member States of the European Union and Some Citizens of Other States and on the Amendment of Certain Acts (the Act on Recognition of Professional Qualifications).

are on the list of cultural monuments kept by the National Heritage Institute<sup>7</sup>), which are works of the creative arts or artistic crafts (see point 2 b) require the acquisition of a so-called restorer's licence, which is approved by the Ministry of Culture, Monument Care Department. Restorer's licences have become a general standard for demonstrating professional quality, especially in tendering processes, awarding grants for restoration, etc. Nevertheless, restorer's licences are not absolutely essential in regard to the conservation-restoration of artefacts in museum and gallery collections or books and archival documents (as long as they are not on the list of cultural monuments). Conservators-restorers are employed in line with their educational attainment, experience and especially relevant knowledge and skills. This is mainly due to current practical circumstances – restorer's licences are only awarded for a select range of specialisations, and the diversity of museum collections requires much broader material and sector specialisation (e.g. conserving classic vehicles, farming equipment, photographs, archaeological finds, etc.). The ideal case is where conservation-restoration workplaces comprise a team of workers with different specialisations, including conservation scientists, and a restorer with a licence also a member. Such a professional mix allows for professional and diverse conservation interventions and the overall development of the profession. Only a few larger institutions are able to afford this, however, with smaller museums limited by staff available. In such cases, however, the services of external restorers can be arranged, resulting in the necessary development of the private sector and a competitive landscape.

### 3. CONCLUSION

Conservation-restoration is a unique activity which makes high demands in terms of education and experience. Constantly improving methods of researching historical materials, modern technologies and materials of treatment increase study requirements for conservators-restorers. Similarly, however, the preservation of a certain continuity in transferring traditional knowledge and skills of a historic craft, reflected in different specialisations, also plays a major role. Regulatory legislative measures stipulated for undertaking restoration work allow for inspection of restorers' professional competence. This means that restoration in the Czech Republic is one of the "protected professions" which can't be done by just anyone. Equally as important, however, are the moral requirements on conservators-restorers, as formulated in codes of ethics. Humility and a balanced approach in finding the optimal ways of treating cultural heritage based on interdisciplinary discussion represent the foundations for a professional approach. The activities of professional associations are also important in reflecting these aspects, and they also act as a regulatory power overseeing the quality and development of the conservation-restoration profession.

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<sup>7</sup> The Monument Database contains around 50 thousand registration numbers for movable cultural monuments and groups. The other items are protected heritage areas and immovable cultural monuments (there are a total of over 2 million protected objects).

# Protecting cultural heritage by protecting conservators' title

**Clémentine Bolland**

French Federation of Conservator-Restorers (FFCR), former President (2019-2022); Delegate for the national protected title project (since June 2022)

## ABSTRACT

« Art. L. 117-2. - The implementation of conservation-restoration measures and actions, as well as the performance of project management, consulting, and expertise missions in the field of conservation-restoration, fall within the competencies of professionals, known as conservators-restorers, qualified in the fields of preventive conservation, curative conservation, and restoration.

“Only persons holding a Master’s degree, issued by an approved training institution under conditions laid down by regulation, certifying specific cultural, scientific and technical training in conservation-restoration may use the title of “conservator-restorer” in their professional practice. »

These two paragraphs, constituting the article L. 117-2 of the bill [1] tabled by MP Raphaël Gérard<sup>1</sup> on the 25th of January 2022, give substance to the long-standing demand by the profession, in France and in other European Union countries, that a name has to be given to conservator-restorers. It specifies that only natural persons with a Master’s degree in conservation-restoration of tangible cultural heritage could use this protected title.

The explanatory memorandum of this bill summarises the indisputable reasons why cultural heritage must be taken care of by professionals recognised as having the necessary qualifications, recalling the content of the report “Our Creative Diversity”, published in 1996 by the World Commission on Culture and Development, under the aegis of UNESCO, which states that “cultural property is a resource that constitutes a fragile, non-replaceable asset, the risk of loss of which necessitates the implementation of measures commensurate with the stakes involved in safeguarding it for society as a whole”.

The creation of a protected title for conservator-restorers, therefore, represents a major step in the reinforcement of policies for the protection and conservation of cultural heritage since, at present, anyone can call themselves a conservator-restorer, without necessarily having the qualifications or skills. The protection of this title also brings expectations of a social nature since it will undeniably favour the structuring of a profession, 76% of which is currently practiced by self-employed people in France, and which is, after all, a recent profession in the history of cultural heritage conservation.

## 1. SHORT DESCRIPTION OF FFCR

The Fédération française des conservateurs-restaurateurs (FFCR) is a non-profit professional organization, member of the European Confederation of Conservator-Restorers Organisations, which promotes the profession of conservator-restorer.

FFCR’s actions aim at the recognition of their skills and qualifications, the improvement of their working conditions, and at representing them among other cultural heritage professions.

<sup>1</sup> Fourth district of Charente-Maritime

The organisation is managed by a committee of 15 elected members - which further elect an executive office - and employs a part-time permanent member of staff. Its members (approximately 420, among 1300 professionals) graduated from a Master in conservation of cultural heritage or who are state-recognised conservators, for those who started working before the creation of specific trainings.

## 2. CURRENT LEGISLATION REGARDING CONSERVATION-RESTORATION IN FRANCE

In France, the profession is partially regulated by a law that was enacted in 2002 and is commonly referred to as the "loi Musées". In 2004, all the legislative texts referring to cultural heritage were reunited in the "code du patrimoine" (Heritage Code), which contains seven "books": the first gather the common features of cultural heritage, the five following are dedicated to a heritage sector (archives, libraries, museums, archeology, historical monuments) and the last pertains to overseas territories specific arrangements.

In Book IV that refers to museums, its Title V, Chapter II, states that "restoration"<sup>2</sup> of collections pertaining to approximately 1 200 museums qualifying as Musées de France must be performed by "specialists presenting qualifications or a professional experience defined in a decree". The decree lists the qualifications required as follows:

- Holders of a French diploma in the field of heritage conservation, awarded after five years of specialized higher education (or four years if the diploma was obtained before April 29, 2002);
- Professionals whose experience in heritage conservation has been validated through accreditation of prior experiential learning process;
- Persons who, between April 28, 1997, and April 29, 2002, have been authorized by the Ministry of Culture to carry out conservation-restoration activities on museum collections pertaining to a Musée de France.
- Civil servants belonging to bodies with a statutory vocation to carry out "restoration" activities.

Moreover, a specific accreditation procedure from the Ministry of Culture exists for professionals who hold a diploma from, and/or have experience outside of France. It was established with the « arrêté du 3 mai 2016 », in order to respect the February 3, 2016, decree n° 2016-112 which incorporates « into our law the terms and conditions for opening up to these professionals the possibility of permanent (freedom of establishment) or occasional (freedom to provide services) practice, or even partial access, in France »4.[2]

As the practice of conservation-restoration is partially regulated, one might ask whether it is necessary to create a legally protected title. What will be the added value for cultural heritage and for the profession? The answer is to be found in the fragmented and incomplete nature of the French legislation, which in fact, introduces a hierarchy in the care of cultural property: some - those forming part of the collections of the Musées de France - benefit from care by qualified professionals, others - archaeological property, movable property of historical monuments, archives, and property forming part of library collections - may be taken care of by people without precise qualifications.

Moreover, we shall see that creating a protected title meets the expectations of professionals. It will have positive social consequences for a profession that needs to be more

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<sup>2</sup> The word conservation-restoration is, to this date, not mentioned in the French Heritage Code, but in practice this article of law clearly refers to conservation-restoration actions, and not only to restoration

structured around common references established by this very profession since its gradual constitution around the creation of specific training courses in the 1970s.

### **3. TO IDENTIFY AND GUARANTEE SKILLS AND COMPETENCES FOR END-USERS, AT THE SERVICE OF HERITAGE CONSERVATION**

In France, the project to create a protected title takes place in a context of a need to clarify the skills and qualifications required to intervene in all heritage sectors. At present, only Book IV of the Heritage Code, relating to museums, determines the qualifications of the professionals responsible for conservation-restoration work on the collections of Musées de France [3]. As things stand, the contribution of conservator-restorers is therefore strictly recognised in these specific collections (Art. L. 452-1 of the Heritage Code).

It potentially will be recognised for movable objects classified as historical monuments (Art. L. 622-7 of the Heritage Code<sup>3</sup>) but at present, the publication of the decree implementing this law, which should specify the quality of those involved in the conservation of this type of heritage, is still awaited. Regarding archaeology, the Heritage Code only requires "qualified staff" to intervene on archaeological assets (Art. L. 546-1 of the Heritage Code), without any further details on the nature of qualifications. As for libraries, Article R. 311-3 refers to conservation projects for heritage documents in the custody of local authority libraries (municipal, regional, etc.), without qualifying the people who may be put in charge of these projects.

French legislation, therefore, grants only limited recognition to conservator-restorers, since in the fields of archaeological objects, movable objects protected as historical monuments, and heritage documents in libraries and archives, the professional qualification requirements for carrying out conservation-restoration missions are undetermined.

The partial identification of the skills and qualifications required goes hand in hand with the absence of a common name for professionals working in conservation-restoration: conservator-restorer? conservator? restorer of cultural heritage? What are the levels of diplomas, qualifications, and skills associated with them?

The creation of a protected title will clarify and distribute the roles and responsibilities of conservator-restorers among the other professions working in the cultural heritage sector, and will enable the various users of conservator-restorers' services (public and private clients, entities issuing public tenders, etc.) to identify professionals with a high and recognised level of qualification and skills, and whose activity is based on the respect of a code of ethics. This protection of the consumer, or more precisely of the "user" as far as cultural goods are concerned, is, moreover, desired by Article 7 of the European Union directive of 27 December 2006<sup>4</sup>.

The introduction of the term "conservation-restoration" in the Heritage Code will make it possible to integrate this internationally recognised term and thus to name precisely,

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<sup>3</sup> Article L622-7: "Objects listed as historic monuments may not be modified, repaired or restored without the authorisation of the competent administrative authority. Authorised work is carried out under the scientific and technical control of the State services responsible for historic monuments. A decree in the Council of State specifies the categories of professionals to whom the owner or assignee of a movable object classified as a historic monument or a classified organ is required to entrust the project management of the work"

<sup>4</sup> Directive 2006/123/EC of the European Parliament and of the council of 12 december 2006 on services on the internal market.

without any possible ambiguity, a discipline and a field of activity and, in extension, to give an understanding of the origin of the term “conservation-restorer” used to name the professionals who practice it.

As a professional federation, FFCR hopes that the creation of a protected title will not be considered as a corporatist and protectionist approach but rather as a first link at the beginning of a process of defining the roles and responsibilities of each professional in the sector. We strongly advocate that specialists in preventive conservation, registrars, stone masons, etc., i.e., members of professions working in the field of cultural heritage conservation, also need to have their specificity recognised.

## 4. STRUCTURING A PROFESSION AROUND COMMON REFERENCES

Today, the practice of conservation-restoration is nowadays based on the existence of specific training courses awarding a Master's degree and using a common reference frame of skills and competencies<sup>5</sup>, a code of ethics [4] and a body of internationally recognised reference texts [5]. The expertise and the field of action of conservators-restorers are wide: they conceive and carry out conservation-restoration interventions, but they also oversee and manage projects and provide assistance to the contracting authority, perform research and partake in mediation activities around the preservation of cultural heritage. Conservator-restorers constitute a professional population structured on this common base, but whose identity and unity must be reinforced and recognised by public authorities, so that they may be identified by everyone.

A recent study [6], [7] on the future of graduates in conservation-restoration of cultural heritage shows that this profession, which is mainly feminine (83%) and which tends to become more feminised, is practised in 76% of cases under a self-employed status. These figures highlight an asymmetry between self-employment and the status of employees of cultural institutions and a probable desertion of the profession by men caused by the low income generated by the activity. It also underlines the growing difficulty of practicing conservation-restoration in France: the number of businesses that cease their activity for reasons other than retirement has increased over the last five years.

This study also reveals the low economic and statistical visibility of the profession due to the fact that companies are referenced in no less than thirty-four different NAF or APE codes<sup>6</sup>. The Covid-19 crisis has confirmed the need to identify conservation-restoration businesses more easily in order to target financial aid to particularly affected and vulnerable sectors, and the current overhaul of French and European activity nomenclatures gives hope that a specific code for conservation-restoration activity will be created soon. There is no doubt that the creation of a protected professional title for conservator-restorers will support the creation of a specific code in the nomenclatures and will subsequently make it easier to set up socio-economic studies, thus helping to give coherence and visibility to a singular sector of activity.

It, therefore, appears that with the creation of a protected title, a new stage in the process of structuring the profession of conservator-restorer is being played out in the wake of the texts mentioned earlier, which established the discipline and defined the profession.

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<sup>5</sup> The four French programs delivering a Master's degree in conservation-restoration of cultural heritage have drafted a common set of competences, based on the principles laid down by the E.C.C.O. and ENCoRE.

<sup>6</sup> NAF : French Nomenclature of Activities; APE : Company's main activity code

In a collective book [8] the sociologist Léonie Hénaut shows, through an analysis of the relations between the various actors in the sector, how the associations of conservators-restorers, “reflexive actors”, have, through their exchanges with the public authorities, contributed to defining the qualifications required to practice conservation. They have thus created a framework to mark the differences between their peers and the competition - a term that should not be considered solely in its economic sense but also, or even above all, in its social dimension of construction of a profession through the definition of those who are not able to be a part of it, for lack of the required qualifications. Her study shows “what the development of a profession owes to the constitution of a monopoly, and vice versa”, and that the definition of who is a conservator-restorer and who is not ultimately makes it possible to “draw” the profession and “shape [its] boundaries”. Therefore, reserving the use of the name of conservator-restorer to those who have the qualifications and skills by creating a title protected by law - in line with the “*Loi Musées*” regarding the identification of the required qualifications, and with a broader scope since it will concern all professionals and will therefore cover all heritage sectors - will further clarify the contours of the profession.

## 5. AT THE END OF A LENGTHY PROCESS?

Demanded for forty years by the profession, under discussion within international bodies for almost a century [9], identified as imperative by official reports and by the various actors in the heritage chain, including the French Ministry of Culture, the creation of a protected professional title will provide conservator-restorers with professional recognition and coherence in the distribution of responsibilities in order to guarantee the practice of conservation-restoration in the service of cultural heritage.

The tabling of the bill by MP Raphaël Gérard is, therefore an important step in this long process of recognition, and the profession is still waiting for it to become a reality. There are two political avenues. The first is the submission of a new bill by MP Raphaël Gérard, as the text of January 2022 is no longer valid since legislative elections took place in the following month of June. It is, therefore, necessary to submit a new text to the National Assembly, which will have to vote on it before transmitting it to the Senate, which will, in turn, be solicited to adopt the text. In this hypothesis, it is possible that the text of the bill will be slightly modified to take into account remarks that may have been made since the initial submission of the text.

The second option would be for Ryma Abdul Malak, the current French minister of Culture appointed in May 2022, to take up this project for the creation of a protected title on behalf of the government and bring it to the National Assembly for a vote. Since October 2021, a working group has been set up within the Ministry of Culture, to which FFCR has been able to contribute in order to draw up a preliminary draft law. The text is currently being finalised and could be presented to the Minister's heritage advisors soon.

FFCR continues to push the project in these two directions, relying on the European dynamic in favour of the creation of protected titles in all countries of the European Union, the full expression of which we were able to see at the conference “Ensuring high quality in safeguarding Cultural Heritage - The vital importance of protecting the title and regulating the profession of Conservation-Restoration in Europe”.

## ACKNOWLEDGEMENTS

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# On the regulation of the Conservation-Restoration profession in Germany

**Sven Taubert**

President of the German Association of conservator-restorers – VDR

## ABSTRACT

The VDR was founded in 2001. The main concerns of the VDR are the protection and proper preservation of art and cultural assets while respecting their material, art-historical and aesthetic significance. The restorer's association is both a trade association and a professional association as well. It thus stands for the professional interests of its members in all disciplines throughout Germany. As a professional association, we are concerned with raising awareness of the profession of "restorer" in politics and the public, drawing a clear picture of the profession and informing the public about the need for responsible cultural property protection.

We are committed to the recognition of the achievements of restorers with scientific training – nationally and internationally through our membership in E.C.C.O.

The VDR Presidium and the Executive Board endeavour to protect the professional title „Restaurator“ and „Restauratorin“ in Germany.

We fight for better pay for salaried and self-employed freelancers, who were and still are, fixed on 50-year-old remuneration models for far too long and in some cases still are. Successes in the struggle for higher groupings in the last three years give reason to hope that steady improvements will be achieved for the employed restorers.

## 1. INTRODUCTION

The German Association of Conservator-Restorers - VDR for short - currently represents the professional and technical interests of around 3.000 conservator-restorers of all disciplines in Germany, from which are almost 2.000 full members.

**VDR | a specialists-pool.**

 Verband  
der Restauratoren

VDR-Präsidium



**DIPL.-REST. SVEN  
TAUBERT**  
Präsident



**DIPL.-REST. GISELA  
GULBINS**  
Vizepräsidentin und



**REST. DIRK  
STURMFELS**  
Vize-Präsident



**JULIA BRANDT M.A.**  
Präsidiumsmitglied



**DIPL.-REST. NADINE  
THIEL**  
Präsidiumsmitglied

Archaeological heritage  
ethnographic objects  
Photography/Film/Audiovisual Heritage  
Painting  
stained glass  
Graphics, archive and library material  
industrial heritage  
heritage of modernity  
handicraft objects  
Leather and related materials

Metal  
furniture and wooden objects  
modern and contemporary art  
musical instruments  
polychrome sculptures  
preventive conservation  
stone preservation  
Textile  
Theory and history of conservation and restoration  
Mural painting and architectural surfaces

Image 1; The VDR – a specialists pool, board and specialist groups (photos: 1-4 VDR, 5 A. Berger)

Specialists are grouped into 19 material specifications. The main concerns of the VDR are the protection and proper preservation of art and cultural assets while respecting their material, art-historical and aesthetic importance.



Image 2: The VDR – a specialists-pool, profession needs experts (photos: S. Taubert)

Its members – members of liberal professions - are committed to the common good and force overarching ethical goals, anchored in international regulations and charters such as the Venice Charter (1964) and in E.C.C.O.'s professional guidelines.

**VDR | well connected. argumentative.**

**VDR** Verband  
der Restauratoren



Image 3: The VDR – well connected and argumentative (photo: R. Rossner, Deutsche Stiftung Denkmalschutz)

The VDR is also the central contact partner for politics, science, teaching and the public in all questions of conservation and restoration.

**VDR | reliable partner.**

**VDR** Verband  
der Restauratoren



Image 4 The VDR – a reliable partner in society and among professionals

Well – let's go ahead starting some important questions about the situation in Germany concerning the regulation of the profession:

## 2. IS THE PROFESSION OF CONSERVATION-RESTORATION REGULATED IN YOUR COUNTRY?

The profession of conservator-restorers is not regulated by law in Germany - except for 2 out of a total of 16 federal states: Mecklenburg-Vorpommern since 1999 and Sachsen-Anhalt since 2011.

Nevertheless, this is a huge problem - currently with no vision of a solution. The fact that solid training opportunities exist seems contradictory to this.

### **Academic education:**

Studying conservation-restoration in Germany started 50 years ago. In 2018 the VDR celebrated its anniversary in Berlin.

Graduates acquire the academic degrees "Bachelor of Arts", "Master of Arts" or "Diploma" which is equivalent to a consecutive Master. Still, a few years ago, 7 universities offered a 5-year university degree. As a result of the lack of young applicants and fewer students in the fields of conservation-restoration, two university locations have already been closed or restructured and one specialization area has been rationalized away. There is also a tendency for more and more students to finish their bachelor's degree without a master's upgrade.

Another reality in Germany is ...

### **Training based on craftsmanship:**

Due to high demand since the mid-1980s there has been a state-recognized qualification course for master craftsmen to become "restorers in the crafts" in the field of monument preservation. It takes place as additional professional training for the master

craftsmen at so-called "Academies". The final certificate here is called: "Restorer in the crafts". A name suffix designates the specialization – for instance "master craftsman-restorer in the painting trade" or "master craftsman-restorer in carpentry trade" et cetera. There are a total of 19 specializations in the handicraft sector. Here, too, there have been closures of training centres during the recent 10 years.

In general, one could say: The training of academics and state-recognized "restorers in crafts" ensures a certain protection of the profession through the qualifications acquired. Beyond this academic and technical training, however, everyone in Germany can in principle call themselves a "restorer" and work as such, so that highly qualified and non-qualified actors can be found side by side in the field of work.



Image 5 (left): restorers in crafts / carpenters (photo: S. Taubert)

Image 6 (right): academic restorer-conservators / spec. mural painting (photo: S. Fundel)

### 3. IS THE PROFESSIONAL TITLE "CONSERVATOR-RESTORER" PROTECTED IN YOUR COUNTRY?

In Germany, the academic title of conservator-restorer is "Diplom-Restaurator" or "Bachelor of Arts (BA)" and "Master of Arts (MA)". These are protected academic titles in Germany.

"Restaurator", means "conservator-restorer", on the other hand, is still not a legally protected professional title.

We are very happy that professional title protection by law is now existing in two German federal states since 1999. Further advances in other federal states have been made in the meantime - but so far without success.

## **4. IS CONSERVATION-RESTORATION MENTIONED IN THE LAW FOR THE PROTECTION OF CULTURAL HERITAGE?**

Fußnoten sollten In Germany there is not a single law for the protection of monuments and cultural assets. Instead of this, there are a total of 16 laws for the protection of cultural property, because cultural sovereignty lies with each of the 16 Federal states of the Federal Republic of Germany.

Conservation-restoration is not explicitly taken into account in individual state laws. Rather, the law only regulates in general that the monument owner has to ensure the preservation and “professional repair, salvage and documentation” of the monument. The legislature does not provide any further specifications.

## **5. WHAT ARE THE STEPS FOR QUALITY ASSURANCE IN SAFEGUARDING CULTURAL HERITAGE AND WHAT IS THE ROLE OF THE CONSERVATION-RESTORATION TO ACCOMPLISH THIS IN YOUR COUNTRY?**

In general, the laws on the protection of cultural assets in Germany provide a high degree of protection for cultural heritage. We can be proud of that. Of course, you can always do everything better, regulate and qualify more and once more. Conservator-restorers can make an essential contribution to this:

With their expertise they help to influence important decisions on the preservation of cultural assets. With their knowledge and experience they can ensure that the right means and methods are used to protect cultural assets. Finally, they are able to work together with other scientific disciplines on an interdisciplinary basis and can reinforce a holistic view and assessment.

However, conservator-restorers are also able to work in the field of planning and consulting. Here they are going to become important partners in the preservation of monuments, in museum planning or in disaster management concerning cultural objects and sites.

## **6. WHAT ARE THE CHALLENGES FOR REGULATING THE PROFESSION**

An important task during the coming years will be to convince politicians that the protection of the professional title “conservator-restorer” should not only serve to privilege a single professional group within society. Rather, a law to protect the title of conservator-restorer should ensure and improve the professional quality of the preservation of cultural assets for society. Certification, qualification and regulation are important instruments for that.

Further efforts are needed to strengthen the image of conservator-restorers in society. This includes equating academically trained conservator-restorers with other scientific disciplines, such as historians, art historians, natural and social scientists, representatives of the engineering professions and cultural managers.

This goes hand in hand with the performance-related tariff classification and payment in the public sector as well as appropriate remuneration for the self-employed conservator-restorers.

So far – so good. I hope my remarks gave some impressions and deeper information about the special situation in Germany.

**VDR | together to the goal.**

 VDR  
Verband  
der Restauratoren

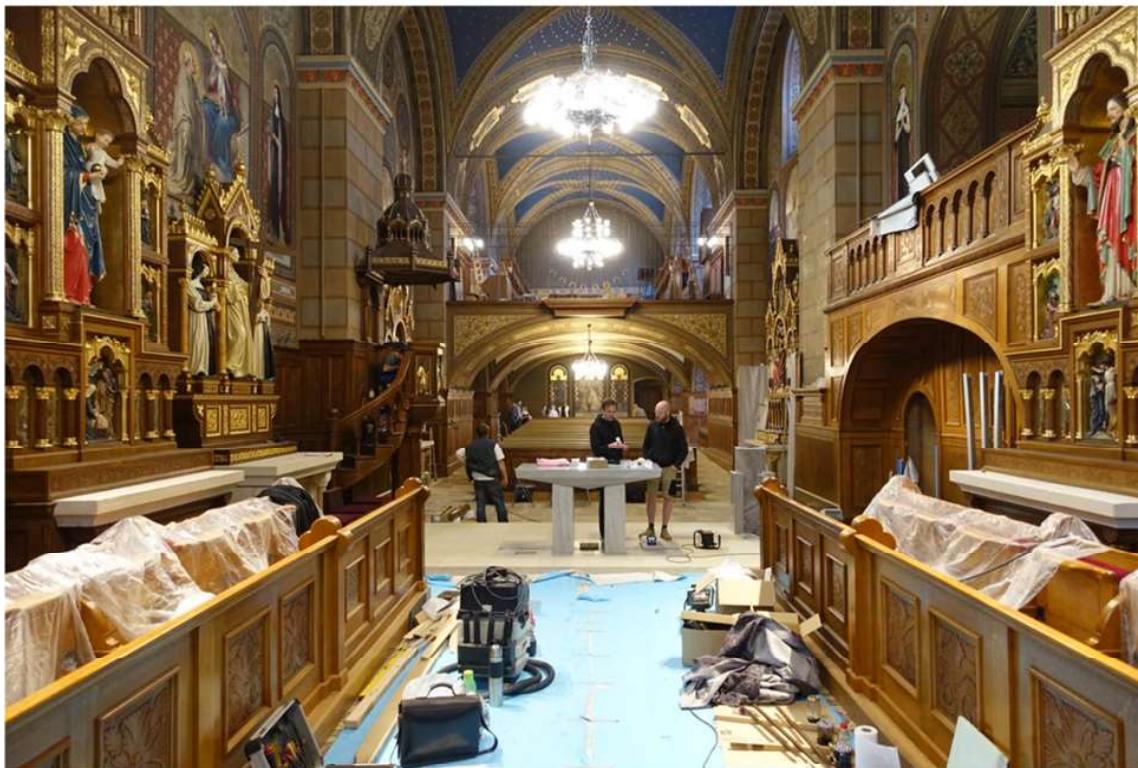


Image 8: VDR – Reaching the goal together (photo: S. Taubert)

# Overview of the issues and challenges for the conservation-restoration profession in Greece

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## ABSTRACT

Considering that conservation-restoration (CR) has been recognised as a profession for the past 25 years, it is still viewed as a new discipline and there is a constant need to communicate the importance of the work we do for the protection of the national Cultural Heritage (CH). There is still little public awareness for the profession and this has, as an indirect result, its disconsideration.

Conservators-Restorers (CRs) are responsible for safeguarding CH, for past and future generations, and the need for acquired competencies has been well documented over the years. In Greece, the professional CRs are the holders of an EQF-6 degree or higher (Masters, Ph.D), however, the national educational system has created discriminations within this level that hinder their accessibility to the work market and professional development. Additionally, the existence of different educational levels is creating inconsistencies in the working environment.

The legislation for the regulation of the CR profession is well established in connection with the law for the protection of CH. Nevertheless, there are issues and challenges that need to be adjusted, revised and reformed. One of the most important limitations of the CH law is that it only protects objects/monuments prior to 1830, therefore not covering contemporary and modern monuments, allowing for interventions on the latter to be applied by non-CRs. Furthermore, parts of our CH that are not under the jurisdiction of the Ministry of Culture and belong to other state or private organisations, remain unprotected and unregulated considering their care and maintenance.

Part of the regulation of the profession is setting the rules and competences for the private sector by appointing a licence to practice CR as a freelancer or contractor. The current version of the law is hindering the accessibility of younger professionals to enter the private sector thus limiting their professional development and requires reformation. Although the legal framework that regulates the CR profession in Greece appears to be strict, it also includes ambiguities and generalities which result in creating significant inconsistencies. These legal, practical, ethical issues, ACAWA-Gr is trying to resolve. Its mission remains the safeguarding of the profession and the promotion of public awareness on the protection of CH.

## 1. A.C.A.W.A-GR PRESENTATION

The Association of Conservators of Antiquities and Works of Art (ACAWA-GR) was established in 1995 by the first tertiary education graduates in Greece. There are also 2 other

unions/associations in Greece, the "Hellenic Association of Conservators of Antiquities", a Trade Union that consists of the permanent employees/civil servants of the Ministry of Culture and employees with indefinite contracts, and the "Association of Freelance CR/Private Contractors".

Members of ACAWA-Gr are the graduates of Greek Conservation-Restoration (CR) tertiary education institutions or of equivalent foreign institutions - recognized in Greece by the respective government agency. Professional Conservators - Restorers in Greece hold a higher educational degree, specialised in the field of CR of antiquities, works of art, ethnological and archival material, equivalent to EQF 6. Tertiary education professionals are represented by the Association regardless of their legal form of employment, i.e., unemployed, working with hourly contracts, fixed time or indefinite contracts, or having permanent positions. Today the Association has over 650 members.

ACAWA-GR's main scope stands in safeguarding the professional, educational and scientific status of CR at a national level, as well as to ensure the legal and ethical rights of its members. Moreover, the Association works in cooperation with the Hellenic Ministry of Culture and Sports, mainly with the Directorate of Conservation of Ancient and Modern Monuments which is the body entitled to oversee the CR activities and set high standards for the professional development. The common goal of the Association and the Directorate is to keep up to date the evolution of the profession in an ethical and scientific manner, as well as to adapt to current CR practices in an effort to set an example at the European level.

## **2. EDUCATIONAL LEVELS IN THE FIELD OF CONSERVATION RESTORATION**

In Greece, there are two levels of professionals working in the field of CR: Conservators-Restorers (CRs) and Conservation technicians (CR technicians).

As mentioned before, CRs hold a higher educational degree equivalent to EQF 6 and are specialised in the field of Conservation and Restoration of antiquities, works of art, ethnological and archival material.

Conservation technicians are the graduates of secondary public education courses or public and private 2-year post-secondary education courses equivalent to EQF 5. According to the Greek legislation, Conservation technicians work only under the supervision of tertiary education CR and have different professional competences.

### ***Issues resulting from the Different Tertiary Educational Backgrounds***

An issue that tertiary level CR graduates are dealing for decades in Greece is the discrimination between tertiary education levels. The first professional CRs with a tertiary education conservation degree from a Greek institution, namely the Technological Educational Institute of Athens (TEI-Ath.) graduated in Greece in the early 1990s. Along with them there were certified CRs who had studied at Universities abroad and had the licence to practice the profession legally. The Greek State considers these two kinds of graduates as having different academic levels thus limiting the access of the latter to work in the public sector, as the educational level is a prerequisite in the job postings published by the Ministry of Culture, and less jobs were advertised for graduates of Universities abroad.

Since 2001, both Technological Educational Institute (TEI) graduates and University graduates are considered to have the same European Educational Level - EQF 6 and 240 ECTS. Despite that, the situation did not change for the Greek legislation and the discrimination between the CR professionals in Greece remained. The situation even worsened

with the abolition of Technological Educational Institutes by law, in 2018, and the establishment of the Department of Conservation of Antiquities and Works of Art of the University of West Attica (UNIWA), which is actually a transformation of the Department of Antiquities and Works of Art of the Technological Educational Institute (TEI-Ath). Since then, the government seems unwilling to resolve this problem by equalizing the different levels and the discrimination remains, along with the problems of CR professionals of tertiary education institutions to access the public sector. Today, professionals licensed to undertake conservation work are CRs with a tertiary education degree in CR equivalent to EQF 6: graduates of TEI-Ath, TEI of the Ionian Islands (TEI-Ion) -a Technological Educational Institute that was active only for a few years-, UNIWA and of Universities abroad. ACAWA-Gr still strives for the right of all graduates to have equal access to work in the public sector.

### **CR professionals**

The main employer of Conservators-Restorers is the Ministry of Culture. We work mainly as employees of the state in permanent or more frequently fixed-term contracts. The private sector occupies a very small percentage in the field, while freelance CR or CR companies are even fewer. There is also another small percentage of CRs who work in public organisations/institutions -other than the Ministry of Culture- such as University Collections and Libraries.

Despite the long-standing presence of the CR profession in the cultural sector and the longtime existence of the legal framework regulating the profession, it is still considered quite a new discipline and there are still many challenges which we have to face as CR professionals over and again.

### **Licence to practice in need of revision**

The tertiary education CR can be freelancers/private contractors only by holding the Licence to practice, and this means that they have legally the ability to undertake and supervise CR practice, conduct surveys, as well as to establish a conservation studio/laboratory, although the law regarding the regulation referring to conservation laboratories is still pending.

Regarding the current law, the prerequisites to have a licence to practice is to:

- i) hold a CR tertiary education degree, with a certain specialisation in CR (e.g., CR of paper, CR of paintings, CR of stone) and
- ii) have a certain amount of proven work experience (volunteer work experience is excluded) in the CR of categories of materials (e.g., paper, paintings, stone) which have been studied according to the curriculum of the holding CR tertiary education degree. The problem in this case is that, if professionals specialise during their studies in CR in more than one material -which is the case in the Greek CR educational institutions-, they cannot acquire one licence for practice for all of them at once. On the contrary, if they want to have a licence for practice for their different specialisations, they must collect proven work experience and respective licences for each material. Particularly,

it is obligatory to have 2-year proven work experience in order to acquire the licence to practice CR work concerning 1 material, and after the acquisition of the first licence one can apply to get licence extension for other materials, having 1-year experience for every new material.

Additionally, due to the change of law over the years - since the current law (law 4152/2013) that regulates the Licence is a revision of an older law (law 2557/1997) - , CRs of tertiary education degree who have acquired their licences in different eras and therefore under the different laws, are dealing with unequal acquisition processes which usually affect their position in the market and the public sector. The previous law considered as prerequisites the tertiary education degree and only a 3-year proven work experience in any material (of those that each one had studied), in order to provide one, unified, licence to practice the total of the materials that one had studied or specialised in. This means that holders of the previous licence (law 2557/1997) have a major advantage against the younger professionals, who are also having difficulties of finding work experience in every material, as the Ministry of Culture advertises jobs that mostly concern certain materials (i.e. conservation of stone, mural paintings). Job postings in CR of other materials like metal or archival material for example are rare and hard to find.

As we can see from all that is mentioned above, the law concerning the License to practise CR in the private sector is in need of revision, as it has created discriminations between professionals and hinders the access of new professionals to the private sector, as long as their professional development. ACAWA-Gr is currently striving to compose a proposal in order to revise the law and address all the problems that are mentioned above, in respect with the Code of Ethics and the Law 4858/2021 for the Safeguarding of Antiquities and the CH in general.

### ***Conservation in private practice***

There is not much public awareness for the work we do, and this has as an indirect result the disconsideration of the profession. Parts of our CH that are not under the jurisdiction of the Ministry of Culture and belong to other State or private organisations, remain unprotected and unregulated considering their care and maintenance. For example, it is a common practice for municipal authorities to call upon a sculptor or a craftsman to "mend" public sculptures that have suffered from the passing of time. This malpractice is directly connected with the protection of the title and has led ACAWA-Gr to publish recently a press release, as we understood that conservators-restorers need to introduce the profession to the wider public audience, in order to understand the importance of our work for the best preservation of the public CH. E.C.C.O. with European days of CR is trying to convey the same message to the European public.

An immediate result of what is mentioned above is the fact that people who are from culture-related professions (artists, craftsmen, ecclesiastical academy graduates et.al.) work privately as CRs and establish what they claim to be "conservation labs". Due to the fact that there is no law to obligate the Revenue Office to request for the Conservator's Licence to practice in order to approve the establishment of a conservation studio/laboratory, this practice continues to happen in the shadows regarding the CR field, and cannot be controlled since there is a lack of connection between the State Officials and the different Ministries.

In all these cases, A.C.A.&W.A-GR and other associations try to intervene in order to protect the heritage and for the legitimacy to be followed.

### 3. GAPS IN THE EXISTING LEGAL FRAMEWORK

#### ***Law for the protection of CH focuses on the archaeological and ethnographic objects/monuments***

The law for the protection of CH is limited to archaeological and ethnographic objects /monuments, not covering contemporary and modern objects/monuments. This means that the law, as it is now, cannot regulate the interventions on the latter, that can be applied by professionals of other specialties besides CRs.

In specific, the movable and immovable monuments till 1830 are considered fully protected. The CH created after 1830 is considered protected only in case specific conditions are satisfied, while artefacts and monuments dated back 100-years from today have to be “characterised” as protected heritage by the State in order to be included in the legislation. Consequently, Greek law for the protection of CH does not cover contemporary and modern monuments.

This fact strongly affects who is responsible to apply interventions in newer, contemporary and modern objects/monuments. Professionals of specialties other than tertiary education CR -i.e. artists, craftsmen, chemists, chemical engineers, graduates from religious schools, or secondary CR education graduates- are not hindered by law to intervene upon objects and monuments which are not considered protected by law.

#### ***The stiff nature of the Archaeological law***

Although the boundaries of the law are established thoroughly, the efficiency is problematic in certain cases. Specifically:

- Conservation of state owned artefacts rarely takes place in private studios/laboratories due to the time consuming procedural bureaucracy for the move of the object. As a result, common practice for CR freelancers/private contractors is the application of conservation treatments in state owned spaces that are usually unsuitable and underequipped.
- Scientific research (including academic projects) is often hindered by the time-consuming bureaucratic processes that are needed to take place in order to obtain permissions.

All that are mentioned above are essential processes that the law ought to find a way to simplify or expedite, as in many cases the fragile objects need immediate treatment. Concluding, even though the legal framework that regulates the CR profession in Greece appears solid, it includes ambiguities and generalities which result in creating significant inconsistencies. The aforementioned legal, practical and ethical issues, ACAWA-Gr is trying to address and resolve.

### **Recent Update:**

As of April 2023, the Law concerning the Licence to practice has eventually changed. The Licence is now given for all specializations based on verified educational proficiency per material (as established in the BA degree) and after 2 years of verified work experience. The Licence can be extended to more materials after acquiring further related tertiary education degree (i.e., a master's degree).

Additionally, the Register of Professional Activity of Conservator-Restorers was founded in order to regulate freelance and contracting work of CRs in Greece.

# History, Challenges and Opportunities of Italy's Transition to a Regulated Profession

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## ABSTRACT

Since 2018 conservator-restorer is a regulated profession in Italy. The article gives a brief recount of the steps that led from a completely unregulated sector through a series of legal provisions to the protection of the title and an obligatory study course at EQF 7 to access the profession. The qualification procedure which signed the passage to a regulated profession is discussed in detail. At the end a short review of the problems of the procedure, as well as the challenges and opportunities of the outcomes is given.

## 1. INTRODUCTION

In Italy the first law on the protection of cultural heritage dates back to 1939 (legge Bottai) and after the 2nd World War in 1948 the protection of cultural heritage is inscribed in the constitution (art.9) of the newly found Italian Republic. In 1985 ARI Associazione Restauratori d'Italia - Association of Conservators-restorers of Italy – is founded with the goal of obtaining a legal regulation of the profession. But is not until the year 2000 that the first law on the professional figure of the conservator-restorer is issued. What follows is an 18-year period, where several laws on the professional figure, its competences and legal standing are issued. While representing huge steps forward, these laws remain only partially applied. Only at the end of 2018, after a lengthy and somewhat contradictory process of qualification this process is concluded with the publication of a list of officially recognised conservators-restorers by the ministry of culture thereby establishing a regulated profession.

## 2. TRAINING OF CONSERVATOR-RESTORERS FROM 1944-2009

To understand the complexities and difficulties in reaching a political consensus for the regulation of the profession it is necessary to do a quick excursion on the professional and vocational training of the personnel working in the field of conservation-restoration in Italy. Since after the 2nd World War up to nowadays professional training in the field of conservation-restoration has been carried out in a variety of ways, by a multitude of institutions on different levels of expertise leading to a wide mix of curricula and experiences.

The oldest and most accredited training courses were those run by the institutions under the direct control of the ministry of culture: *Istituto Centrale per il Restauro* (ICR Rome, 1939), *Opificio delle Pietre Dure* (OPD Florence, 1962) and *Istituto della Patologia del Libro* (ICPAL Rome, 1938), which in their structure and organization are comparable to universities of applied sciences. Alongside these there were specializations and in more

recent years dedicated courses on conservation-restoration at public and private Academies of Fine Arts. Starting from '90s university courses on cultural heritage started to appear, but none of which were specific to conservation-restoration or had practical laboratories. Since 2000 grants obtained from the European Structural and Investment Funds were used to set up regional training courses for restorer technicians with a duration between 1 to 3 years.

### **3. LEGAL REGULATIONS**

After years of lobbying by the national professional association of conservator-restorers (ARI) in 2000 the ministry of Culture issued the first law (DM 294/2000) on the regulation of the profession defining the formal characteristics of the conservator-restorer, of the restorer technician and setting a transition period after which the regulation of the profession should become obligatory. Unfortunately, the deadline of the 31st of December of 2001 was then completely disregarded.

In 2004 the Cultural Heritage Codex (D.Lgs 42/2004 *Codice dei Beni Culturali*) is issued. This fundamental law covers all aspects of Cultural Heritage, its recognition, protection and use. In a specific article the qualification of conservator-restorers prior to the current regulation is specified copying the formal characteristics of law DM 294/2000. Furthermore, it is specified that direct interventions on listed cultural goods had to be carried out exclusively by conservator-restorers with the only exception of the sector of historic buildings. The sector was divided in 12 sectors of specialization (table 1). The codex was integrated in 2009 by two degrees of the ministry of culture defining the competences of the conservator-restorer and of the restoration technician – DM 86/2009 – and the quality criteria a dedicated university course in conservation-restoration of cultural heritage – DM 87/2009 – comprising the syllabus, the required qualification and experience for teaching, the accreditation process and the definition of the academic title. The 5 years, single cycle master level course is organised around 6 different, material specific curricula (see table 1), thereby effectively setting the accesses to the profession at EQF 7 (5 years single cycle Master level).

In 2013 law 7/2013 set the path for the regulation the profession by defining which of the persons already working in the field prior to the introduction of the study course in conservation-restoration of cultural heritage (DM 87/2009) actually were conservators-restorers and which were restorer technicians. This was done outlining a series of steps and formal criteria for the qualification procedures for restorer technicians and conservator-restorers to reach a regulated profession and protected market. The announcement of the qualification procedure (1/2014) defined the formal criteria for the participation and the general rules applied (eligible study courses, vocational training, point system to obtaining the qualification – see below), followed by the guidelines (8/2014) for the evaluation of documents to testify vocational training (work experience). On the basis of these documents the qualification procedures for restorer technicians (11/2014) and conservator-restorers (6/2015) were issued. While the first was concluded rather rapidly the procedure for conservator-restorers took 3 years (12/2018) to conclude due to the large number of participants and documents presented that had to be vetted.

Table 1. Correlation of Study courses and specialisations

<b>PFP</b>	<b>6 study courses – DM 87/2009</b>	<b>sector</b>	<b>12 specialisations</b>
1	<ul style="list-style-type: none"> <li>- stone and derivatives</li> <li>- decorated architectural surfaces</li> </ul>	1	stone, mosaic, derivatives
		2	decorated architectural surfaces
2	<ul style="list-style-type: none"> <li>- easel paintings (wood and canvas)</li> <li>- wooden objects: sculptures, furniture and structures</li> <li>- Composed, worked and/or coloured objects in synthetic materials</li> </ul>	3	easel paintings (wood and canvas)
		4	Wooden objects: sculpture, furniture and structures
		5	composed, worked and/or coloured objects in synthetic materials
3	<ul style="list-style-type: none"> <li>- materials and objects in textile and leather</li> </ul>	6	materials and objects in textile and leather
4	<ul style="list-style-type: none"> <li>- materials and objects in ceramic, glass and organic excavation finds</li> <li>- materials and objects in metals and metal compounds</li> </ul>	7	materials and objects in ceramic, glass and organic materials from excavations
		8	materials and objects in metal and metal compounds
5	<ul style="list-style-type: none"> <li>- books and archive material</li> <li>- materials in paper and parchment</li> <li>- photographic and cinematographic materials and digital media</li> </ul>	9	books and archive materials
		10	photographic and cinematographic materials and digital media
6	<ul style="list-style-type: none"> <li>- music instruments;</li> <li>- scientific and technical equipment and instrumentation</li> </ul>	11	music instruments
		12	scientific and technical equipment and instrumentations

#### 4. QUALIFICATION PROCEDURE

The qualification procedure of the conservator-restorer was based on an evaluation of formal and vocational training. For both a number of points were assigned. The number of points for formal training were based on the type of institution in relation to the duration and qualification of the study course. For vocational training, if considered applicable, it was based on the duration of the documented work experience. To be recognized as conservator-restorer one had to reach a minimum of 300 points.

A completed study at one of the universities of applied sciences run by the ministry of culture (ICR, OPD, ICPAL) was sufficient to qualify, while all other study courses (university courses, academy of fine arts and regional training courses) had to be integrated with qualified work experience to reach the recognition as conservator-restorer. For vocational training to be recognized it had to be carried out on listed heritage under the supervision of the superintendency – the soprintendenza is the territorially organised state office responsible for the protection and conservation of cultural heritage in Italy. An exception to the obligatory of supervision by the superintendency was made for work on contemporary art as it is not listed according to Italian heritage law. If the participant had only vocational training at least 8 years of experience were necessary to obtain the qualification. No distinction was made between self-employed and employed positions. The way the general rules for the application were set especially the requirements to document vocational training were rather vague. This represented the influence of lobby groups, especially the trade unions of the building industry and associations from the arts and crafts sector. This meant that no special requirements were made to document the level of qualification of vocational training as long as it met the formal criteria outlined above. A full summary of the point system is given in table 2.

Table 2. Evaluation of formal and vocational training

Formal / Vocational Training	Evaluation (points)
Diploma ICR/OPD/ICPAL (University of Applied Sciences)	300
Regional training course*	75 / year (max 200)
Diploma of the academy of fine arts**	50 / year (max 200)
University (Bachelor or Master) **	37,5 / year (max 200)
Qualified practical experience***	37,5 / year
<b>Minimum for qualification</b>	<b>300</b>

\* minimum 2 consecutive years;

\*\* courses related to, but not specific for conservation-restoration;

\*\*\* for works on listed CH under supervision of the superintendence;

As the sector had been divided in 12 specializations (D.Lgs 42/2004) the qualification was obtained in specializations: the general qualification comprising one or more specializations was assigned based on the syllabus of the formal training of the participant or, in the case of only vocational training, based on the specialization were the majority of the experience derived from. Beyond this primary qualification it was possible for the applicant to be granted additional specializations on the basis of at least two additional two years of documented work experience.

## 5. OUTCOMES

The not well-defined criteria for eligibility of vocational training led to a flood of documents presented by the participants. In order to analyze the applications in a reasonable amount of time the commission checking the applications ended up applying only formal criteria of validation, without a real analysis of the single documents. This resulted in the approval of 6.162 (97%) of a total of 6.531 applications, which clearly seems a unreasonably vast percentage. Still thanks to the conclusion of the qualification procedure the conservator-restorer is now a regulated profession. A list of all recognized conservators-restorers is held and updated by the ministry of culture. It comprises both the conservators-restorers of the qualification procedure and the graduates of the new study courses with their respective specializations. It is published on the website of the ministry as a (partially) searchable database - <https://professionisti.cultura.gov.it/restauratori>. At the moment of writing it contains about 8.000 names.

## 6. EMERGING PROBLEMS AND OUTLOOK

Now that the system is in place new problems arise on various levels. First of all, having correctly set the entry level to the profession at EQF 7 all continuous professional development is set at university level. But as the vast majority of conservators-restorers resulting from the qualification procedure do not have a university degree, they are cut off from these programs. Considering that the qualification recognizes *de facto* competences and knowledge equivalent to EQF 7 it would be necessary to find a viable solution granting the possibility of access to these programs, including masters, even without a university degree. There is as of now no obligation to continuous professional development, but it is the logical consequence of being a regulated profession. Various requests to the ministry of culture for setting up a table to discuss the issue have been declined.

The educational process for new professionals is far from resolved. After the initial set up of the course several issues became evident, but have not yet been addressed. The study programs of schools of the ministry of culture (ICR, OPD, ICPAL), universities and academies of fine arts are organized differently leading to different curricula in the same specialization. As well as the simple number of schools seems to exceed by far the market needs: by now there are a total of 25 institutions between universities of applied sciences, universities and academies of fine arts offering over 30 study courses in conservation-restoration. Yet there is still not a single PhD in conservation-restoration available in Italy. Making things worse the quality level of the single courses varies dramatically with the quality control mechanisms set up by a joint commission of the ministry of culture and the ministry of education are largely unattended. A reduction in number and maybe at the same time a specialization of some institutions to only offer advanced studies (PhD, specific master, etc.) would be advisable.

To make things worse, at university level due to administrative issues that have not been solved, it is still not possible to become professor as conservator-restorer. This relegates teaching positions in conservation-restoration to year by year contracts.

Furthermore a growing mismatch in competences and market needs emerges due to the changes of concepts around cultural heritage, like community involvement and participatory enjoyment of heritage.

At a level of public tendering the competences necessary for planning and elaboration of projects in conservation-restoration is still not completely clarified, especially in the field of historic buildings, monuments and sites. Especially the question of specializations is often misunderstood or poorly applied.



# Conservator-Restorer | Current Status of the Profession in Portugal

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## ABSTRACT

On the 2022 E.C.C.O. - European Confederation of Conservator-Restorers' Organizations - General Assembly and President's Meeting at Athens, Greece, the cradle of democracy and oratory, the representatives of the European associations of Conservators-Restorers gathered, on the prospect of showing an overview of the current status of the profession in each country. ECCO challenged the professional associations to address the national legal framework of conservation-restoration in each country, debating the "Achievements and directions in the field of Conservation-Restoration for the sustainable development of Cultural Heritage", so we, in behalf of the ARP Board President, Rui Borges, had the opportunity to pinpoint the challenges and future prospects on the profession in Portugal and what has been the evolution of the association's work over the last few years, hoping for a pan European recognition of the uniqueness of the conservator-restorer profession and its important and central role within the cultural heritage sector, not only for its sole benefit but for the benefit of all that it represents. Amidst the evidence that, for the time being, there is no European-wide solution that is applicable in the specific legal and training context of each country, together, the European associations of Conservators-restorers are treading the path of success and, at this moment, everyone counts. The congregating role of E.C.C.O. becomes essential to navigate among the various European legal frameworks and identify the working tools that guarantee the placement of the regulation of the profession in the national and international policy agendas. Working and collaborating in a network, the successes that each association achieves are reflected in a global process. The present paper translates what was presented at the Meeting, to understand the current status of the Portuguese Conservators-Restorers.

## 1. THE PORTUGUESE CONSERVATOR-RESTORERS PROFESSIONAL ASSOCIATION (ARP)

Created on the 15th April 1995, ARP - Associação Profissional de Conservadores-Restauradores de Portugal - is an association governed by private law, whose main objectives are to promote and disseminate the profession of conservator-restorer, and to advocate the quality of conservation-restoration interventions in cultural heritage, aiming for its protection and safeguarding in a scientific and technical manner. Since then, ARP has sought to promote the profession's Code of Ethics (E.C.C.O.'s) and Deontology and to strive for its respect among the professional community in Portugal, to collaborate with organizations, groups or other professional associations, national and international, in advocacy for the profession and cultural heritage, and to achieve the legal recognition of the professional status of the Conservator-Restorer. ARP, as a full member of E.C.C.O. - European Confederation of Conservator-Restorers' Organizations since 2001, subscribes to an understanding of the profession in accordance with the E.C.C.O. "Professional Guidelines" and the definition of "Competences for Access to the Conservation-Restoration Profession".



Image 1: ARP – Associação Profissional de Conservadores-restauradores de Portugal.

## 2. THE REGULATION OF PROFESSION OF CONSERVATION-RESTORATION IN PORTUGAL

Although in the last few years the profession has gained more public recognition and is mentioned in some national specific cultural heritage protection laws, it is still required to establish and promote the legal recognition of the Conservator-Restorer's professional status, its definition, access, and ultimately the regulation of the profession. In Portugal neither the profession of conservation-restoration is regulated, nor the title "conservator-restorer" is protected by law. The existing laws for the protection of Cultural Heritage only set that conservation-restoration interventions must be performed by a professional with "adequate skills and experience". This situation creates a discretionary context where the definition and decision-making of the required skills and competencies are under the responsibility of the owners or caretakers of cultural assets, both in the private and public realms. Despite ARP's 27 years of efforts, the practice of the profession in Portugal suffers from indefinite legislative constraints, misunderstandings by public authorities and private owners, disruptions in the monitoring processes by the competent authorities in complying with legal frameworks, and in general, the lack of awareness from public institutions, Central State to local authorities, transmitting this uncertainty to the private sector, church authorities, etc.

## 3. LAW REFERENCES IN PORTUGAL FOR THE CR INTERVENTIONS

- **Law n.º 107/2001** – Base Law for the Portuguese Cultural Heritage [“Lei n.º 107/2001 - Lei de Bases do Património Cultural Português”, *Diário da República*, n.º 209/2001, Série I-A, 08-09-2001, pp. 5808-5829. <https://dre.pt/dre/detalhe/lei/107-2001-629790> (accessed 16.03.2023)]
- **Law n.º 47/2004** – Frame-Law for the Portuguese Museums [“Lei n.º 47/2004 - Lei-Quadro dos Museus Portugueses”, *Diário da República*, n.º 53/2004, Série I-A, 03-03-2004, pp. 1161-1162. <https://dre.pt/dre/detalhe/lei/47-2004-480516> (accessed 16.03.2023)]

- **Decree-Law n.º 140/2009** – Decree-law that establishes the legal framework for studies, projects, reports, works or interventions on legally protected cultural goods, or in the process of being protected (as a cultural good of national, public or municipal interest). Legally unprotected heritage is not unfortunately within the legal scope of this decree. [“Decreto-Lei n.º 140/2009”, *Diário da República*, n.º 113/2009, Série I, 15-06-2009, pp. 3653-3659. <https://dre.pt/dre/detalhe/decreto-lei/140-2009-494543> (accessed 16.03.2023)]

There are important law references in Portugal for the CR interventions: the Base Law for the Portuguese Cultural Heritage (Law n.º 107/2001), the Portuguese Museum Framework Law (Law n.º 47/2004), and a decree-law that establishes some rules over on legally protected heritage assets (Decree-Law n.º 140/2009). Both overlook the technical framework for heritage interventions, only mentioning that professionals must have the “appropriate qualifications and competencies for this purpose”, but not defining what constitutes these parameters. Although it includes articles on a set of specifications regarding the process of managing interventions (e.g. 5-year of experience in the technical specialization area, on the Decree-Law n.º 140/2009), it is characterized by uncertainty of the profile for those who intervene, as well as for the necessary training for conservation-restoration practice. This creates a foggy situation about who and how can develop these interventions.



Image 2: David Teves Reis – E.C.C.O. Presidents’ Meeting 2022, Athens.

In the Base Law for the Portuguese Cultural Heritage (Law n.º 107/2001), on article 45, one reads that “*physical or structuring interventions in movable property classified under the terms of article 15 of this law, or in the process of being legally protected as such, are obligatorily ensured by legally recognized qualified professionals*<sup>1</sup>”.

The Frame-Law for the Portuguese Museums (Law n.º 47/2004) on point 1 of article 31, states that “*the conservation and restoration of cultural assets incorporated or deposited in the museum can only be carried out by qualified professionals legally recognized, whether they are part of the museum’s staff or are specially hired for the effect*”.

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<sup>1</sup>In the Portuguese legal framework, the word “technician” is used often instead of “professional”. This has to do with the legal terminology of Law n.º 12-A/2008 (see further). For a common understanding of the nomenclature, we opted, in the translation, for the use of the word “professional” instead of “technician”.

As for the Decree-Law n.º 140/2009, in article 18, it is mentioned that the authorship of the preliminary technical report (delineates the conservation-restoration process) which is mandatory beforehand any intervention in classified heritage, is the responsibility of a “qualified professional with a five-year degree in conservation-restoration”. However, article 22 does not state which professionals are legally qualified and recognized for the management and execution of such a conservation-restoration process: “1 - To the management of works or conservation and restoration interventions in movable cultural property, the provisions of article 18 are applicable with the necessary adaptations; 2 - The execution of works or interventions is carried out by professionals with adequate qualification and experience in their respective areas of expertise”.

Despite these references of a “qualified professional legally recognized” current legal framework for Cultural heritage conservation is oblivious of a clear, comprehensive and integrated definition of such professional, leading to misunderstandings and voids in the implementation of legal and administrative procedures.

## 4. THE TITLE OF CONSERVATOR-RESTORER IN PORTUGAL

In Portugal, neither the profession of conservation-restoration is regulated, nor the title “conservator-restorer” is protected by law. The law for the protection of Cultural Heritage only sets that conservation-restoration interventions must be performed by a professional with adequate skills and experience. This situation creates a discretionary context where the definition and decision-making of the required skills and competencies are the responsibility of the caretakers or owners of the cultural assets. However, in 2001 a decree-law was issued - “Decreto-Lei n.º 55/2001”, Diário da República, n.º 39/2001, Série I-A, 15-02-2001, pp. 846–853. <https://dre.pt/dre/detalhe/decreto-lei/55-2001-321289> (accessed 16.03.2023) - that defined clearly the system for museology and conservation-restoration positions in Public Administration. Regrettably, in 2008, the former was revoked, and was implemented new legislation - “Lei n.º 12-A/2008”, Diário da República, n.º 41/2008, 1º Suplemento, Série I, 27-02-2008, pp. 2-27. <https://dre.pt/dre/detalhe/lei/12-a-2008-468663> (accessed 16.03.2023) - which changed the legal system for public positions, establishing three general careers: Senior Technician, Technical Assistant, and Operational Assistant. The previous careers in museology and conservation-restoration in Public Administration were transferred to these new general careers. Undoubtedly, this was a step back for the future protection of the conservator-restorer title. The access to a career as a Senior Technician in the area of conservation-restoration, as a matter of principle, entails a degree of 3 for functional complexity (Article 44 of Law n.º 12-A/2008), which requires as an entry point solely an academic degree of 6 EQF (NQF 6) and eventually higher.

Also in conservation-restoration education programs, the Bologna process allows two cycles of programs leading to a master's degree, enabling students to obtain a three-year degree and enter the market, regardless of the requirements of the above-mentioned article 18, no. 1, of Decree-Law n.º 140/2009 (5-year degree 7 EQF–NQF 7 for listed heritage interventions).

These factors have often permitted inadequate requirements of academic qualifications and failed to comply with the level of competence established nationally and internationally for the professional practice of conservation and restoration.

## 5. QUALITY ASSURANCE IN SAFEGUARDING CULTURAL HERITAGE IN PORTUGAL

In Portugal, the conservator-restorer is rarely involved in the quality assurance of Cultural Heritage interventions, and there is no legal quality surveillance of conservation projects. Albeit there is legislative guidance for the classified heritage works, this does not strictly impose quality criteria for the conservation projects and works, on a daily basis, nor the necessary peer review as, in general, there are no conservator-restorers in public institutions, let alone those who have the necessary specialization to overview all required interventions.



Image 3: Tour to the ancient Agora of Athens.

## 6. CHALLENGES FOR REGULATING THE PROFESSION IN PORTUGAL

In the present time, the main concerns are to increase efforts in policy-making concerning conservation-restoration to influence and mobilize the Portuguese government, professionals, and society, and to develop the necessary supporting work in this matter to encourage legislative action in defining who practices conservation-restoration. Two major initiatives promoted by ARP in 2021 might propel a change in the field. The first one was a petition addressed to the government demanding the definition of the title, qualifications, and competencies of a conservator-restorer; the second was an initiative with an independent deputy with the same goal that was unanimously supported by all parties represented in the Portuguese parliament. Currently, it is expected an outstanding response to ARP's claim made in 2019 to the Portuguese ombudsman (*Provedoria de Justiça*, the state institution that evaluates and oversees the legality of public laws and institutions). One step forward was the recent recognition in the Portuguese tax system of the "Personal Income Tax Code" (CIRS) for the conservator-restorer.

ARP's main goals are:

- To conclude the regulation of the Base Law on Cultural Heritage and the Framework Law on Museums, identifying the profile of the Conservator-Restorer as the professional who most directly acts in cultural heritage;
- The optimization of the synergy between Culture and Education as a quality assurance mechanism in the safeguarding of heritage, which will necessarily have to go through the accreditation of Conservation-Restoration courses;

- The creation of an exception regime in the Public Procurement Code that allows any act in any asset of cultural value to be framed differently from other service provision activities and, as such, the definition of the professionals and respective competences for the purpose;
- A greater associative involvement on the part of professionals and mobilization around the challenges of the profession.

Finally, there is an important legislative contribution, with the publication of the Law nº 2/2021 which established the regime for access to regulated professions (or to regulate) – “Lei nº 2/2021”, *Diário da República*, nº 14/2021, Série I, 21-01-2021, pp. 2-10. <https://dre.pt/dre/detalhe/lei/2-2021-154820683> (accessed 16.03.2023). Applying the EU directive on a proportionality test before adoption of new regulation of professions - “Directive 2018/958”, *Official Journal of the European Union*, 2018-06-28. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32018L0958> (accessed 16.03.2023) - into national law, it is stated in article 6, point 6, that the preservation and conservation of the national historical and artistic heritage emerge as one of the areas subject to an adjustment being an objective of the public interest, for the purpose of access to the exercise of such professions. This aspect comes to recognize, unequivocally, the unique character of the professionals involved in the preservation and conservation of the national cultural heritage, as well as the nature of the practice of conservation-restoration.

# Regulation of the profession Restorer in Slovakia

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## ABSTRACT

The Slovak Republic decided to regulate access to the execution of the profession "restorer" by establishing the Chamber of Restorers (original name in Slovak: "Komora reštaurátorov"). The Chamber of Restorers was established by law in 1994 as a so-called professional chamber with compulsory membership. It gathers physical persons executing the profession "restorer" in Slovakia. As far as we know, it is the only country in the EU where the attempts for self-regulation of the professionals executing the liberal profession "restorer" have been successfully transformed into the creation of a so-called professional chamber. The idea and initiative came from the restorers themselves. At the beginning of the process of preparation of a proposal on how to structure the law, the Slovaks cooperated with their former federal partners from the already split up Czech and Slovak Federative Republic. However, the Czech situation developed differently. The article explains the restorers' chamber system and its historical preconditions in the Czechoslovak organisation of the profession's execution.

## 1. THE HISTORY OF THE PROFESSION RESTORER IN SLOVAKIA

Slovakia practically started to exist within Czechoslovakia 104 years ago, in 1918. After the war in 1945, we became the Czechoslovak Socialist Republic, with its capital in Prague. Let us look at the creation of the official restoration education as it still exists based on the tradition set up after the war. In 1945 the Academy of Fine Arts in Prague established the department of restoration under the auspices of the Prague National Gallery's restorer Bohuslav Slánský and Professor Karel Veselý. Then the establishment of the restoration department followed in the Slovak Republic, in Bratislava, at the Academy of Fine Arts. This was carried out under the leadership of the already mentioned Prof. Karel Veselý. The study was from the beginning set as 6 years with obtaining the Academic Painter or Academic Sculptor title since the studies are based on artistic education. Currently, the title Bachelor or Magister Artis is awarded (4+2 years), or Artis Doctor (equivalent to PhD). To be able to do research, you had to learn natural sciences within the scope of chemistry and physics. One of the courses was of course, photography, containing the processing of photographs on your own. Accompanying special skills could be learned from masters employed at the schools, helping you with woodwork or making casts or moulds of sculptures or even welding.

The socialistic school system supported lower levels of specialised education too. So as a young pupil, you could choose to become an artisan learning the skills required for helping or even becoming an independent craftsman after doing a three-year study. The secondary education level, finishing with graduation at 18 years of age, was also provided for arts and crafts. In 1988 the Bratislava Arts and Crafts Secondary School (which was established by the Chamber of Commerce in 1928, based on the German Bauhaus system) started to offer two-year courses aimed at conservation-restoration. These courses then grew and became a full 4-year study programme called Conservation and Resto-

Restoration which survives until today. There were just two schools in Slovakia offering this program at the secondary school level until the 90ies and the university level for Restorers only at the Academy in Bratislava.

In the 1950ies came three decisive impulses in the field of heritage maintenance and restoration: the first academically educated students graduated from the school of Prof. Veselý, in the year 1951, the Heritage Institute with the restoration and technological department was established, and finally, in the year 1958 the Act on cultural heritage became valid. The Act also dealt with the conservation and restoration of heritage, while besides others, it codified the group of persons and organisations which could perform restoration: "Conservation and restoration of heritage artworks such as painting, sculpting and applied art can be executed only by specialised qualified restorers". This fulfilled the Prof. Slánský's requirement for professional training of a restorer. The restorers of that era performed their work either independently via the Slovak Fund of Fine Arts and its enterprise "Dielo", either within the Heritage Institute or in the ateliers of galleries or museums.

The 1970ies and 1980ies were signed by turbulences in the legislative adjusting the execution of the restoration activity in Slovakia (prohibition of restoration as a freelance profession, establishing of the State Restoration Ateliers and the Centre of Arts and Crafts). This unfavourable situation for restorers and also for the heritage lasted till the year 1990. [1]

In 1989, after the Velvet Revolution, Czechoslovakia left the communist ideology and with the renaissance of the public society and the need for more decision power within the two republics of Czechs and Slovaks, we approached the path to the final split of the Czech and Slovak Federation Republic in 1992.

The change of the system opened the possibility of the reorganisation of the free profession of restorers. Being organised in the Association of Restorers of Slovakia (original name in Slovak: "Obec reštaurátorov Slovenska") helped with the gathering of future members for the Chamber. Knowing the actual situation meant the time was ripe for action. My dear older colleagues, still in cooperation with the Czech partners, started to prepare a proposal to establish chambers of restorers for both the Czech and Slovak Restorers. Using the organisational rules of the American AIC and the kind help of a governmental legislation lawyer, the law proposal for the Chamber was handed to parliament members and delivered for consideration to the Slovak parliament. The Slovaks succeeded, and the Czechs did not. Chamber of Restorers was established by the Act the National Council of the Slovak Republic No. 200/1994 Coll. (Act on the Chamber of Restorers and about the restoration activity of its members) was established on September 1st, 1994.

## 2. THE ACTS REGULATING THE PROFESSION IN SLOVAKIA

### 2.1 Act the National Council of the Slovak Republic No. 200/1994 Coll. on the Chamber of Restorers and about the restoration activity of its members.[2]

This Slovak Act established the Chamber of Restorers and directly regulated the profession Restorer in Slovakia.

## The Chamber of Restorers

The Chamber of Restorers is an independent self-administrative professional organisation, currently associating more than 180 restorers with an active practice. The Chamber of Restorers is a legal entity, a so-called professional chamber with compulsory membership, which has the task of gathering and keeping the list of physical persons executing the profession "restorer" in the area of the Slovak Republic. The seat of the Chamber of Restorers is in the capital of the Slovak Republic, Bratislava, and operates within the whole area of the Slovak Republic.

The essential mission of the Chamber of Restorers is to act as public authority in two main areas.

1. The first area is the authority of the chamber to decide about the ability to execute the liberal profession "restorer" in the relevant specialisation of restoration and, for that purpose, to keep the list of its members. The chamber, in this area of its activity, has the position of public authority, which decides which natural person with which specialisation in restoration will carry out business activities in the Slovak Republic in the field of restoration activity on national cultural heritage and collection items of works of art.
2. The second area is the realisation of the chamber's law duty to continuously monitor that its members carry out their profession in accordance with the professional, expert and ethical principles and rules which are related to the execution of the liberal profession "restorer". For this purpose, the law entrusted the chamber on one side with the authority to issue internal (corporative/professional) rules and regulations which are legally binding for its members and, on the other side, it accredited the chamber with disciplinary authority over its members, which manifests in the chamber's right to impose disciplinary measures on its members (written warning, monetary fine, or deletion from the list of the members of the chamber) in cases when they have committed misconduct fulfilling the features of disciplinary offence.

Besides these two areas in which the Chamber of Restorers as the authority of the so-called interest self-government, fulfils tasks in the field of public administration from the position of its executor. Its duty is also to promote and protect the rights of the professional, social and economic interests of its members, as well as to protect the professional honour of its members.

The task of the Chamber of Restorers is also to cooperate with the providers of university level education with restoration specialisation in the Slovak Republic and to propose measures leading to improvement of the quality of the education in this field and the preparation for the professional restorer.

The Chamber of Restorers, in the interest of providing the highest possible protection and the widest accessibility of the cultural heritage to the public cooperates with the government bodies, local self-government with the domestic and foreign partner professional associations acting in the field of restoration activity and related activities.

# COMPETENCE OF THE CHAMBER OF RESTORERS

a) to determine the conditions for the performance of the restoration activities of its members,	b) to issue certificates of fulfilment of the conditions for the performance of restoration activities of its members,	c) to deal with complaints about the performance of their members	d) to exercise disciplinary authority to the extent stipulated by this Act,
e) to require from its members documents related to the exercise of their profession,	f) to organise specialized and authorized examinations,	g) to issue authorization certificates,	h) to issue binding opinions for Chamber members on the professional problems of restoration activities,
i) to issue opinions on research, education and other issues related to restoration activities,	j) to assess and propose measures in the field of education and training in schools of restoration,	m) to comment on the conditions and the way of further education of restorers,	k) to cooperate with state administration bodies, local authorities and professional organizations in matters related to restoration activities,
m) to fulfil the other tasks stipulated by this Act and carry out further activity, if stipulated by a special regulation (Act).			

The Chamber of Restorers governing bodies are as follows:

- General Assembly
- Managing Board
- Supervision Council
- Disciplinary Committee

Each member of the Chamber is automatically a member of the General Assembly. The members of the Managing Board, Supervision Council and Disciplinary Committee are elected by the General Assembly for a period of two years. In addition to these bodies, there is also an Examination senate, which is the executive body of the Managing board. The Examination senate organizes specialized and authorized examinations.

## The Restorer

Conservation and restoration is a regulated profession whose performance is conditional upon the completion of the qualification requirements of the education and professional practice stipulated in the Act and which, based on the membership of the Chamber, is associated with the use of the title of "Restorer". A restorer is a person who has met all the legal requirements stipulated in the latter Act and has been duly admitted to the Chamber of Restorers.

The restorer is entitled to render conservation and restoration services in the whole Slovak Republic territory

- a) **on the national cultural monuments** and
- b) **on the artworks of painting, sculpture or applied art, which are collection objects in Museums and Galleries.**

Conservation and restoration of national cultural monuments are regulated by Act No. 49/2002 Coll. on the Protection of Monuments and Historic Sites.[3] The scope of this Act is to govern conditions for the protection of cultural heritage monuments, historical sites, archaeological finds and archaeological sites in accordance with scientific knowledge and on the basis of international conventions in the field of European and world cultural heritage to which the Slovak Republic has acceded. This Act further regulates the organisation and competence of state administration authorities, as well as the rights and duties of owners and other legal entities and natural persons, and the imposition of fines for unlawful conduct in the field of the protection of monuments and historic sites which form an important part of cultural heritage and the conservation of which is in the public interest. The state administration authorities for the protection of monuments and historical sites are The Monuments Board of the Slovak republic in Bratislava and Eight (8) Regional Monuments Boards. They shall perform specialised stated administration activities for the protection of monuments and historic sites (for example, they monitor the status and use of monuments and execute state supervision over the protection of monuments and historical sites, take decisions in administrative proceedings on the methodology of conservation and approves Proposals for restoration, monitor compliance with this Act and take measures to remedy deficiencies in the protection of monuments and historic sites - State supervision in the field of the protection of monuments and historic sites, impose fines etc.). For completeness, restoration documentation and the conservation and restoration may be carried out by except Restorers just only University or Academy within the frame of the study program Restoration creation performed in the study specialisation Restoration.

Conservation and restoration of the artworks of painting, sculpture or applied art, which are collection objects in Museums and Galleries, are regulated by Act No. 206/2009 Coll. on Museums and Galleries and on the Protection of Objects of Cultural Value.[4] Museums and Galleries are institutions creating collections. Their role is to collect, preserve and interpret artworks of painting, sculpture or applied art, which are collection objects. For completeness, restoration documentation and the conservation and restoration may be carried out by except Restorers (on the basis of a contract with a museum or gallery) also, museums or galleries workers (employees) and the University or Academy within the frame of the study program Restoration creation performed in the study specialisation Restoration.

The requirements for the practice of the profession of Restorer are defined in the Act of the National Council of the Slovak Republic No. 200/1994 Coll. and in the Chamber's internal rules and regulations. The main requirements are:

- a) education
- b) (professional) practice
- c) specialized examination (authorization)

The minimum requirements for restoration education are a second-degree (MA) university artistic education in restoration graduated with a successful final state examination at a training institution located in a Member State of the European Union, Switzerland, Liechtenstein, Norway and Iceland which has lasted at least five years in a full-time course or at least six years of full-time study, including at least four years of full-time study. Education requirements for restoration education are also fulfilled by university artistic restoration education of second degree (MA) obtained in an educational establishment located in a third country if it satisfies these requirements, and the Applicant has three years of professional experience. In the case of education but not complying with requi-

rements years of professional experience. In the case of education but not complying with requirements, its recognition in the Slovak Republic shall be possible based on the application of the compensation measure (the Adaptation period of up to three years or taking an aptitude test).

Professional practice is the execution of restoration activities after the end of education under the supervision of a Restorer. Professional practice may be carried out in any State. The professional practice must last at least 3 years.

To become a member of the chamber, besides the proof of your education and practical qualification, you must take the specialized examination (authorization). The aptitude examination also contains the test on legislation, which contains questions based on all three of these Acts. The Board of the Chamber decided to add this requirement to the examination procedure since it became obvious that our members many times do not know their rights and duties and are vulnerable if they do not defend themselves or are prone to misconduct, in case they are not well-oriented in the laws. However, this is the least liked and most feared part of the examination. The successful completion of the procedure is followed by the candidate giving the oath on the performance of the profession into the hands of the president of the Chamber. He/she receives decrees on membership and specialisations and a round stamp, which is necessary to mark official documents like invoices.

A special mention deserves the understanding of the term "Conservator". In the current Slovak legislation, only the profession's activity appears, but the qualification requirements are missing or are not equal – meaning much lower than the requirements for a Restorer. This allows for deep misinterpretations. Since we understand how this thread was tangled, we try to get it right, and while relying on the help of European standardisation we point out what is already mentioned in the Act on the Chamber of Restorers: § 4 (1) Restoration activity under this Act means a "specific artistic activity which is a summary of the work performed on national cultural monuments or collection items that are works of art of painting, sculpture or applied arts (hereinafter referred to as "restoration"). The aim of restoration is to avoid material decay of the work as much as possible, making available its spiritual, substantive value, with the utmost respect for its originality and physical, historical and aesthetic integrity of the material nature and art form of the work. Restoration mainly includes research of the work, its conservation, interpretation of the aesthetic value of the work and the documentation".

## **2.2 Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act) [5]**

Besides the execution of the liberal profession Restorer under the Act the National Council of the Slovak Republic No. 200/1994 Coll. where restoration activity means a specific artistic activity, which is a sum of works performed on national cultural monuments or collections' objects, which are artworks of painting, sculpture or applied art, there is also the regulation to perform restoration in the form of a bound trade. It authorizes the restoration of cultural items that are not declared national cultural monuments and are not artworks of painting, sculpture or applied art, which are collection objects in Museums and Galleries. So, it is about the protection of less important objects of cultural heritage or private collections.

The respective Act No. 455/1991 Coll. regulates Bound Trade No. 55. "Restoration, except for national cultural monuments and collection objects that are works of fine art". The legal requirements for the practice in the Bound Trade No. 55 are secondary education in the field of restoration and 2 years of experience in the field of restoration, or complete secondary education in a related field and 4 years experience in restoration, or - university degree in restoration or a related field of study and six months experience in the field of restoration.

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# Diverse and dynamic Slovenia, towards the necessary changes

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**Slovenian Society for Conservation-Restoration**

## ABSTRACT

Cultural heritage is a value in all its forms. As an important and indivisible part of local, regional, national and European identity, it represents the quality of the living environment and is a key source of balanced development. Heritage is the foundation of Slovenia's cultural diversity, which is intertwined with remarkable landscape and biological diversity and the country's attractiveness for living, education, development, artistic creation, tourism and other economic activities. Cultural heritage broadens Slovenia's visibility in the international community. In a Eurobarometer survey (2017), 92% of Slovenians surveyed said that cultural heritage is important for our country, and 76% said they are proud of our common heritage. Naturally, cultural heritage cannot exist without the people who protect, preserve and popularise it. This is precisely where we need to work on the challenges and problems that have arisen as a result of the free movement of labour and the emergence of market activities.

One of the biggest challenges facing the conservation-restoration field is the regulation of the profession. The regulation of the conservation-restoration professions is relevant in Slovenia for the public sector and in the case of persons who independently perform a specialised profession through recognition fees, from the point of view of covering the social instruments in the field of self-employment in the cultural heritage sector. The status of self-employed persons in the cultural heritage sector is granted by the Ministry of Culture. However, the profession isn't regulated on the market since anyone who believes they have sufficient knowledge, even without appropriate education, can create and register a conservation and restoration business in any field without examination by a commission. Conservation and restoration activities in Slovenia can therefore be based on three different starting points: The Public sector (regulated), the Status of self-employed persons in the cultural heritage sector (regulated), and Independent entrepreneurship in the field of conservation and restoration (unregulated).

## 1. INTRODUCTION

Austria and Italy are very important neighbouring countries of Slovenia in terms of conservation and restoration. Slovenian conservators-restorers often refer to the Italian conservation-restoration methods and to the Austrian system of functioning of the broadly organised conservation-restoration field. The latter is even more so since we come from a former common state – the Austro-Hungarian Empire. Taking a step back in history, we know that at the time, the Central Commission for the Study and Conservation of Archi-

tectural Monuments, established in 1850, was in charge of immovable heritage<sup>1</sup>. This has enabled the systematic and professional study of monument protection issues. In 1913, the Austrian Central Commission appointed Slovenian conservator France Stelè as the regional conservator for Carniola. His work in the spirit of the principles of the Austrian founders of monument protection, Alois Riegl and Max Dvořák, with the motto “conservation, not restoration”, triggered a major change in conservation-restoration practice and mentality. The foundation was laid for the development of organised functioning of the profession in Slovenia. The close collaboration between conservator<sup>2</sup> Stelè and painter and restorer<sup>3</sup> Matej Sternen has brought together

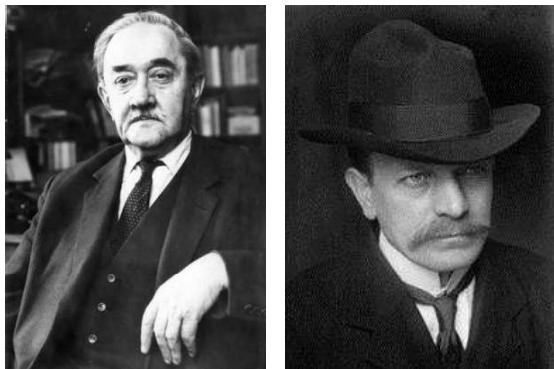


Figure 1, 2: Conservator France Stelè (1886–1972), photo: IFS, ZRC SAZU and conservator-restorer and painter Matej Sternen (1870–1949), photo: Ferdo Vesel, dLib. NUK

different professions in the conservation of cultural heritage. In his conservation memoirs, Stelè writes that Sternen was already considered one of the most skilled conservators in Austria at the time and could have become a court conservator if the outbreak of the First World War had not prevented it (Stelè, 1965). After 1919, when the Monument Bureau for Slovenia was formed within the newly constituted State of Slovenes, Croats and Serbs, both Stelè and Sternen continued their work in monument protection (Kavčič Klančar, 2014).

The monument value system designed by Alois Riegl and other theoretical texts by the pioneers of conservation in the late 19th and early 20th centuries made it possible for art-historical science to assume a leading position in monument protection or conservation, especially in Central European or German countries, meaning also in the countries of the former Austrian monarchy (Peskar, 2014).

In this sense, we can say that Riegel and Dvořák conceptualised a “modern” form of monument protection that also included our territory. Their concept is, therefore, the direct foundation for our (Slovenian) solutions, since Stelè, as the pioneer of monument protection in Slovenia, was Dvořák's student at the Vienna School of Art History and his subordinate in the monument protection service until the dissolution of the Austro-Hungarian Empire (Pirkovič, 1993). These principles gave the profession of conservator-restorer and the collaboration between conservators and conservator-restorers a solid foun-

<sup>1</sup> Kaiserlich Königlich Zentralkommission zur Erforschung und Erhaltung der Baudenkmäle, later renamed K. K. Zentralkommission für Erforschung und Erhaltung der Kunst und historischen Denkmale

<sup>2</sup> Conservator (slovenian: konservator) is specialists in the cultural heritage protection services. They record, evaluate, study and, above all, conserve immovable cultural heritage. They coordinate measures for the protection of heritage and advise owners on comprehensive conservation efforts and promote heritage and integrated conservation. The first professional conservator in Slovenia was art historian Dr. France Stelè.

<sup>3</sup> The title of restorer (slovenian: restavrator) was renamed conservator-restorer (slovenian: konservator-restavrator) in the new rules of the Slovenian Society for Conservation-Restoration from 1996.

dation foundation in the recent past, on which the contemporary monument protection and museum professions stand firmly and draw inspiration even today.

In addition to a brief and summarised overview of the current content, it might also be worth noting the articles dealing with individual critical views on the profession of conservator and conservator-restorer and on the legislation that has been governing the profession for quite some time. In professional publications such as *Vestnik* and *Varstvo spomenikov*, one of the first articles was contributed almost 30 years ago by Dr. Iva Mikl-Curk: "Poklic? Konservator..." (Profession? Conservator...). Both hers and Dr. Jelka Pirkovič's "Osnovni pojmi in zasnova spomeniškega varstva v Sloveniji" (Basic concepts and design of monument protection in Slovenia) are characterised by a desire for a comprehensive presentation of this field of activities. These two works, each in their own way, discuss the state of our monument protection and provide proposals for its further development. The common characteristic of both works is that despite the diversity, extensiveness and increasing interdisciplinarity of the conservation field, they are each the work of a single expert and that, in principle, they do not represent exact analyses of previous conservation work but rather descriptions of the field of work of a certain professional profile and an assessment of the effectiveness and visibility of this work both in the professional and in the general public (Hazler-Papič, 1994/95). The number of such articles is increasing nowadays, which also means a continuation of a critical perspective on the protection of cultural heritage with an emphasis on the profession of conservator and conservator-restorer, where interdisciplinarity still comes first, which is welcome in the search for solutions in the future as well.

## 2. EDUCATION

An important focus on the protection of the profession starts with appropriate education. The Academy of Fine Arts and Design of the University of Ljubljana is the only higher education institution in Slovenia that offers a restoration study programme. The study has a long tradition at the Academy, starting as early as 1954 with a two-year post-graduate programme in fine art restoration. At that time, the postgraduate restoration study programme was intended for academic painters and sculptors who wanted to pursue a career in restoration. The establishment of the Department for Restoration in 1996 marked the beginning of the four-year university undergraduate programme Restoration of Works of Art. In 2009, the programme was transformed into two cycles in line with the Bologna Process, a Bachelor's degree and a Master's degree. The design of the programmes was based on the organisation of the educational institution, national specificities and the recommendations and guidelines of the European Network for Conservation-Restoration Education. Vertically, the programme has two levels: a first-cycle Bachelor's study programme (BA) and a second-cycle Master's study programme (MA). The BA programme has no courses and covers the field of conservation-restoration of works of art, while the MA programme has two courses based on the conservation-restoration of works of art. The collaboration of institutions, private individuals and societies involved in the protection of cultural heritage is extremely important in education. Training sessions and workshops organised at the inter-institutional level ensure quality learning and staying up-to-date with new methodologies and technologies. This allows for the consistent development of a modern approach to cultural heritage conservation for all professionals, regardless of their status.



Figure 3: International workshop organised by DRS and ZVKDS:

“Retouching murals, Methodological approaches, techniques and materials”

The workshop was conducted by conservator-restorer Alberto Felici from the Opificio Delle Pietre Dure institute in Florence. <https://www.slodrs.si/2020/08/05/vabilo-delavnica-retusa/>

Despite its small size, Slovenia's cultural space is extremely diverse and dynamic. Cultural heritage professions are becoming more dynamic every day, requiring more knowledge and transferable skills, the so-called soft skills. Above all, it is important to note that certain skills cannot be acquired through schooling alone, but that there is a need for the establishment of continuously funded lifelong learning where formal or non-formal acquisition of skills would be recognised.



Figure 4: “HAND CARVING NATURAL STONE” stonemasonry workshop organised by the School of Renovation<sup>4</sup> and the Institute for the Protection of Cultural Heritage <https://www.sola-prenove.si/>

### 3. LEGISLATION AND CHALLENGES

As we have seen many times before, the small size of a country can create many advantages over, for example, large and complex countries that are leaders in several fields. For comparison, let us consider Germany, which is divided into federated states with independent state law and their own narrower administrative units, which also means different legislation concerning cultural heritage and, therefore, varying approaches to dealing with the status of conservator-restorer, and, for example, Italy, which is characterised by a division into provinces, also with distinctive policies, where the north and the south of the country are particularly distinct. While Slovenia is small but diverse, both in biological and regional terms, it is also divided into individual regions, but because of its small size, it is uniform in its legislation. The laws are the same for the whole of Slovenia,

<sup>4</sup> The “School of Renovation” is a project of the Association of Historic Towns of Slovenia, which started in 2000, when the first expert meeting on raising awareness about quality renovation of buildings was organised. <https://www.sola-prenove.si/>

which greatly facilitates the operation and implementation of the regulations in practice. The Cultural Heritage Protection Act<sup>5</sup> is the foundation for the legal regulation of cultural heritage in Slovenia.

The cultural heritage protection issue is a category in the Slovenian Constitution. According to the Cultural Heritage Protection Act (2008), integrated heritage conservation is implemented through spatial planning: respecting the importance of heritage, the competent authorities incorporate it into sustainable development. Heritage of higher value – national or local monuments – are protected by local and national acts. The Slovenian public protection service counts on interdisciplinary experts (technical, natural sciences, social sciences, human sciences, arts). Through its constructive cooperation with other institutions, national administrative bodies and heritage owners and managers, it aims to turn from a preventive into a co-creative heritage conservation.

For its part, the heritage protection policy until 2019 establishes the following Strategic goals:

- ensuring both the protection and the inclusion of heritage in modern life,
- ensuring stable financial resources to the national public service,
- improving its organisation, working practices and homogeneous activities,
- preparing public service expert standards,
- raising awareness on heritage and its protection and
- ensuring a larger role of Slovenian heritage at the international level.

The enforcement of the Heritage Protection Strategy constitutes a further step in order to ensure the key role of the heritage within the development's strategies. At the national level, the government is in charge of approving acts on both monuments of national importance and funds for their conservation-restoration.<sup>6</sup>

In Slovenia, the regulation of the profession begins with appropriate education and the acquisition of a professional title, which is regulated by the Rules on professional exams in the field of heritage protection<sup>7</sup>. In recent years, due to increasing market demand, we have been grappling with the problem of regulating the profession in cases where individuals carry out their activity as sole traders. For this purpose, the Ministry of Culture has recently commissioned the Institute for the Protection of Cultural Heritage of Slovenia (in which the Slovenian Society for Conservation-Restoration (DRS) is also involved) to draft the Regulation on the list of qualified providers of specialised cultural heritage protection works, the legal basis of which is the above-mentioned framework law. Looking at the state of regulation of the profession in the wider European area, we note that we have a well-organised system of professional examinations and promotions to titles<sup>8</sup> awarded by the Ministry of Culture, which means protection of the profession at the highest national level, but the matter is flawed market-wise, as we have already mentioned several times. The Ministry is responsible for ensuring that laws and regulations are properly implement-

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<sup>5</sup> Cultural Heritage Protection Act. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4144>

<sup>6</sup> HEREIN is a European Cultural Heritage Information Network developed within the Council of Europe which brings together European public administrations in charge of national cultural heritage policies and strategies to form a unique cooperation network in the domain of Cultural Heritage. <https://www.coe.int/en/web/herein-system/slovenia>

<sup>7</sup> Rules on professional exams in the field of heritage protection. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12745>

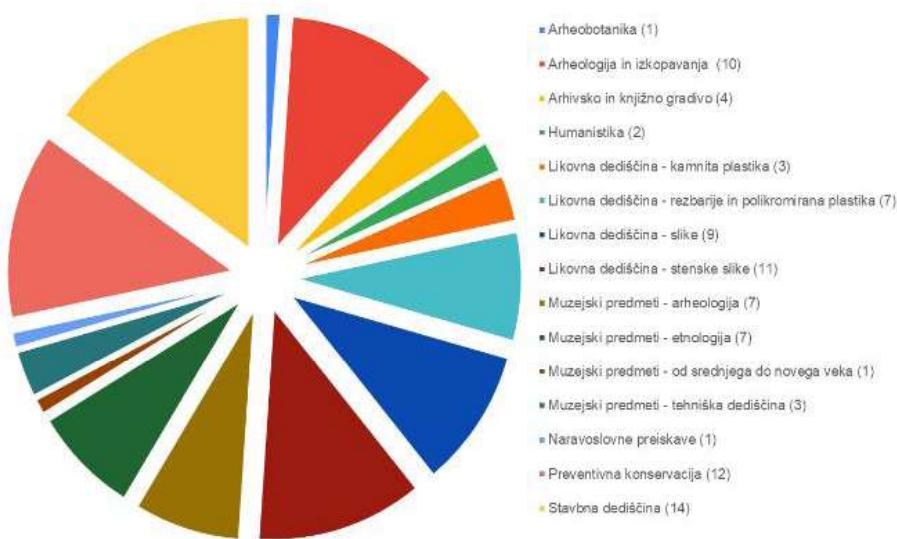
<sup>8</sup> Rules on the acquisition of titles in the field of cultural heritage protection. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV13229>

ed and has thus set up various expert commissions<sup>9</sup> comprising experts from different fields. Members of both the Professional Examinations Commission and the Titles Commission, on the basis of laws and regulations, as well as internal rules of procedure, work in favour of the heritage professions and place them in an important strategic position. Most European countries do not have a system for awarding professional examinations and titles.

However, since professional examinations in Slovenia are only required in the public sector and perhaps within well-organised public tenders, but there is no legal basis for such requirements prior to starting a sole proprietorship on the market, we still have not solved the biggest problem of uncontrolled work. The profession in Slovenia is therefore regulated within public service but not on the market, as anyone who feels they have enough knowledge can open their own conservation-restoration business for any heritage material. This is, therefore, what we consider the biggest challenge, which could be partly solved by the aforementioned list of qualified providers of specialised cultural heritage protection works through awarding and, in the future, the establishment of a licence. These are two extremely important tasks for the future that will regulate the activities of individuals on the market.

Helping young conservators-restorers on their career path is also a major challenge. It is important to provide them with a degree of security on the market and to devise a system for them whereby they can continue to work in the profession even as sole traders. It is also important to advocate for much-needed changes related to obtaining the status of self-employed in culture, as the current requirements for obtaining and maintaining this status do not encourage individuals to be successful but rather restrict them through outdated rules.

Table 1: Lifelong learning questionnaire<sup>10</sup>; graphical representation of a broad range of expertise/fields and the finding that 30 respondents are involved in art heritage, 18 in museum objects



<sup>9</sup> Rules on expert commissions. <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2020-01-3020? sop=2020-01-3020>

<sup>10</sup> Lifelong learning questionnaire, Matija Strlič, Martina Lesar Kikelj, Lucija Močnik Ramovš; E-Rish.si, Slovenian Society for Conservation-Restoration

The Slovenian Society for Conservation-Restoration provides assistance by drawing attention to mistakes and proposing certain changes that would systemically address the creation and functioning of conservator-restorers in their work.

However, many other shortcomings come to light when we compare, for example, the profession of conservator-restorer with that of a doctor, an architect or even an archaeologist. A rethinking of the related professions and highlighting relevant examples that might also be relevant to the profession of conservator-restorer would further refine the fairly well-written laws.

## 4. CONCLUSION

The Slovenian Society for Conservation-Restoration was founded in 1993 with the purpose of assisting professionals from the field of conservation-restoration in promoting the profession and their views and approaches regarding the preservation of cultural heritage. The Society is a voluntary, professional association of conservator-restorers who have completed the necessary training and passed a state-recognised professional examination for the field of conservation-restoration. Associated members are those individuals who support the activities and objectives of the Society owing to their educational, amateur, commercial or similar professional interests and therefore wish to participate in the activities of the Society.

Regarding the status of the profession of conservator-restorer, the Slovenian Society for Conservation-Restoration, as well as other professional institutions, have been following the problem of the regulation of this profession in various countries for several years. While the issue that E.C.C.O has been facing for many years remains unresolved, Slovenia has presented itself to other countries through various consultations and projects and has ranked quite high in terms of the regulation of the legislation governing the profession of conservator-restorer, which can also be considered to some extent as a model example.

Slovenia is also actively dealing with the issue of the protection of the profession of conservator-restorer through the European Charter project<sup>11</sup>, where the Society and the Institute for the Protection of Cultural Heritage of Slovenia work together as partners, and within which we are regulating and keeping track of attempts to improve access to the protection of the profession, and we are actively participating, both with ideas and with the legislative acts that have already been drafted. There is certainly room for improvement in Slovenia in the form of, as already mentioned, licences with proper legislation that would cover and regulate both public tenders (with the construction sector predominating) and the whole policy concerning the provision of conservation-restoration work on the market. It is very important to note that the state needs to support this field through legislation; otherwise the relevance of the profession can be diminished in the very process of acquiring competencies<sup>12</sup>.

We understand that we need to continuously ensure and verify the correctness and relevance of the competencies that best serve the preservation of Slovenia's cultural heri-

<sup>11</sup> Charter; Cultural heritage actions to refine training, education and roles. <https://charter-alliance.eu/>

<sup>12</sup> COMPETENCES FOR ACCESS TO THE CONSERVATION-RESTORATION PROFESSION, © E.C.C.O. 2011 – European Confederation of Conservator-Restorers' Organisations A.I.S.B.L. / Confédération Européenne des Organisations de Conservateurs-Restaureurs A.I.S.B.L.E.C.C.O. European Confederation of Conservator-Restorers' Organisations, 2nd Edition pdf version ISBN 978-92-990010-7-3 Layout by Sebastian Dobruskin (SKR-SCR, Switzerland)

tage and its specificities. However, by having an established and controlled system of appropriate legislation and lifelong education, which is the responsibility of each individual country, we can consistently provide the essential foundations for the protection of the profession of conservator-restorer.

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# A brief look at the conservation-restoration profession in Spain

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## ABSTRACT

This paper summarises the current situation of the conservation-restoration profession in Spain. Firstly, a brief look at professional regulation is made, paying attention to both private and public spheres and freelance professionals. Secondly, a description of all the official degrees in conservation-restoration is made, including pre-Bologna and current qualifications. Finally, Cultural Heritage legislation is analysed.



Since its creation in 2011, ACRE, the Association of Conservators-Restorers of Spain, has carried out various actions following its strategic plan. The main blocks of this plan are the recognition and the regulation of the profession, the educational homologation, and the denunciation of cases of professional intrusion.

## 1. THE REGULATION OF THE CONSERVATION-RESTORATION PROFESSION

Access to a regulated profession may require a certain degree, having passed special exams (for example, state exams), or may need registration with a professional body to exercise it [1]. The regulation of a profession is the responsibility of each country. The objective is to guarantee the protection of citizenship for certain professional services.

In Spain, Royal Decree 1837/2008 defines regulated professions [2]. Conservator-restorers do not appear in the different development regulations, nor is any reference to any occupation related to the study, research, conservation, dissemination, or management of Cultural Heritage. Health sciences and engineering/architecture include the majority of regulated professions.

Professional practice in Spain has three main areas. Firstly, freelance workers. Another large group includes employees who provide services to a natural or a legal person. In the latter case, we distinguish two groups, on the one hand, workers for private companies, and on the other, workers for Public Administration.

## 1.1. Conservation-restoration professionals in the self-employment regime

One of the main problems in the conservation-restoration profession as a freelancer is that public administrations do not properly classify the sector.

Conservator-restorers in the self-employed regime must first go to the State Tax Administration Agency (hereafter the Treasury) to register in the IAE (Tax on Economic Activities). It is a tax for classifying all economic activities in Spanish territory. The Treasury assigns the heading 862 to self-employed professionals in Conservation-Restoration

IAE Classification of Group 862 [3].

- Section 2: Professional Activities
- Division 8: Professionals Related to Other Services
- Group 86: Liberal, artistic, and literary professions
- Group 862: Restorers of works of art

Once registered in the Treasury, the worker will go to Social Security to register. This procedure is one of the biggest obstacles to statistical recognition and to defining occupational risks for self-employed conservation-restoration professionals.

Although the Treasury acknowledges in IAE classification the profession of Restorers of works of art, Social Security makes the classification according to the NACE codes. Social Security makes a conversion of IAE to NACE based on pre-established tables. Thus, IAE 862: of professional activities: Restoration of works of art, passes to CNAE 9003: Artistic and literary creation. The assignment of this NACE does not reflect the current situation, as artistic and literary creation does not encompass the functions and professional risks of conservation-restoration. In practice, not all conservators-restorers use the same NACE code. To assess the economic impact of Covid 19 in our sector, ACRE surveyed its associates. The result on the most used CNAE was as follows [4]:

- 9003 Artistic and literary creation (68.7%)
- 7490 Other professional, scientific, and technical activities (17.2%)
- 9102 Museum activities (11.1%)

In addition, the National Statistics Institute prepares statistics on employment sectors based on NACE. Our profession does not have a NACE code and uses different ones, so it remains invisible as an economic and productive force.

## 1.2. Conservation-restoration professionals hired by private companies

A large percentage of professionals in the conservation-restoration sector in Spain work as employees in private companies dedicated to Cultural Heritage interventions. They fall under the General Social Security Scheme.

Royal Legislative Decree 2/2015 of the Statute of Workers contains the applicable legislation to this type of contract. Furthermore, according to article 3b of this law, a collective agreement will apply if it exists. This agreement depends on the activity of the contracting company, which is also classified using a NACE code.

### **1.3. Conservation-restoration companies**

Determining the NACE code of a company in the Conservation-Restoration sector is complex since the activities described in this classification are generic and limited. The Treasury facilitates companies with a search engine that helps them find the NACE code that best defines their economic activity.

As previously mentioned, there is no specific NACE code for the Conservation-Restoration sector. This fact is an obstacle to bargaining a conservation-restoration collective agreement since a precise percentage of the conservation-restoration companies must gather for the constitution of the collective bargaining table. As a cause of the lack of a NACE code for the professional sector, it is impossible to measure this percentage [5]. In addition, for the time being, companies are reluctant to this initiative.

It is important also to point out that there are some companies that do not work in the field of conservation-restoration but hire conservators-restores. Most of these companies are related to museum exhibitions and the transportation of works of art.

### **1.4. Conservation-restoration professionals in Public Administration**

In Spain, public employees can provide services to state, regional, or local bodies. There are the following types of public employees:

#### **a. Civil servant career**

Public officials have to pass a selective process. They work for the Public Administration by providing functions that involve direct or indirect participation in the exercise of public powers or in safeguarding the general interests. Administrative law applies to them.

#### **b. Interim civil servant**

They provide services of a transitory nature and occupy posts reserved for career officials. Administrative law applies to them.

#### **c. Contract staff**

Contract personnel is those who, under an employment contract, in any hiring modality in labour legislation, provide professional services in Public Administration. Depending on the contract duration, it may be fixed, indefinite or temporary.

#### **d. Temporary staff**

They occupy job posts of personnel of confidence.

There is no specific legislation for the exercise of the conservation-restoration profession in the Administration, but depending on the public institution in question, the casuistry can vary. In the National State Administration conservators-restorers are hired as labour personnel, either temporary or permanent [6]. On the other hand, other administrations hire conservators-restorers as career civil servants [7]. In addition, some Administrations are carrying out the process of making full-time staff civil servants in the conservation-restoration sector [8].

Belonging to the body of career civil servants has certain advantages compared to labour staff. In the first place, labour personnel is subject to Labour Law regulations, spe

cifically the Statute of Workers and the Collective Agreements that apply to them, while Administrative law applies to civil servants.

Remuneration is another point that marks the difference between civil servants and labour personnel. There are complementary remunerations (destination complement, specific complements, and productivity complements) that differ between labour personnel and career civil servants.

## 2. THE CONSERVATOR-RESTORER DEGREES

Currently, in Spain, there are several degrees in the field of Conservation-Restoration: some issued before the University Reform (until 2014), and post-Bologna degrees, which have MECES 2 recognition.

### 2.1. Pre-Bologna qualifications

- Degree in Conservation and Restoration of Cultural Assets from the Superior Schools of Conservation-Restoration of Cultural Assets
- Bachelor of Fine Arts with a specialty in conservation-restoration of cultural assets.
- Bachelor of Fine Arts with a curricular itinerary in conservation-restoration of cultural assets.

A Bachelor's degree in Fine Arts falls within a MECES 3 level, but the specialty in conservation-restoration does not have equivalences or homologations corresponding to the rest of the degrees.

### 2.2. Post-Bologna degrees

- Higher degree in conservation-restoration of cultural assets, Superior Schools of Conservation-Restoration of Cultural Assets.
- University degree in Conservation-Restoration of Cultural Assets.
- University degree in Conservation and Restoration of Cultural Heritage

These degrees fit into a MECES 2 level, but the different specialties are not recognised.

This diversity of degrees and academic levels is an obstacle to professional regulation.

A Royal Decree could be the way to professional regulation by establishing a single official decree. Nowadays, this is impossible because of the diversity of pre-Bologna degrees and the academic institutions that issue a degree in conservation-restoration.

On the other hand, the disparity in qualifications has produced a disorder in the labour supply, especially in the public sphere. Qualifications required in public employment calls may differ depending on the convening Administration (state, regional, or local). Since 2017, ACIRE has appealed twenty-four public job offers with a conservation-restoration profile, seven of them for not admitting all the degrees mentioned above and seventeen calls for not requiring any degree in conservation-restoration. In addition, at present, ACIRE has two legal proceedings opened against two public competitions of the Ministry of Culture.

In addition, there is an invasion of educational competencies by Workshop Schools and by Vocational Training, which offer degrees outside the university sphere and at a lower level. In these training cycles, some content invades the skills of the conservator-restorer. Master degrees in conservation-restoration come to increase the disparity of titles.

Below, as an example, a couple of cases are presented that exemplify the invasion of the conservation-restoration competencies:

- Course taught at the School of Training in Crafts of Albayzín: Restoration and rehabilitation of historical, artistic, and cultural heritage: "ARTR01EXP: Recovery, repair, and maintenance of immovable art". ACRE proposes that the last module: "Repair and restoration of immovable goods" invades the competencies of the sector. In addition, the 320 hours of training do not qualify for these tasks [9].
- There are also professional certifications endorsed by the Ministry of Labour that invade Conservation-Restoration competencies. For example: "Works of craftsmanship and restoration in natural stone" within the professional family of Extractive Industries. These schools issue a certificate in which a competence appears as "restoration and maintenance on buildings and construction or decorative elements in natural stone" [10].

### **3. CONSERVATION-RESTORATION IN CULTURAL HERITAGE LAWS**

Cultural heritage is protected by Law 16/1985 on Spanish Historical Heritage and by the corresponding laws in each autonomous community. All legislations are limited to setting the authorisation regime to carry out interventions in Cultural Heritage. However, none specifies the competent professions to intervene in cultural heritage. Most laws only point out that the interventions in Immovable Heritage have to be executed by "legally qualified professionals" [11] or "competent technicians". In the case of Movable Goods, there are few laws that make any allusion in this regard.

In Spain, despite having seventeen Heritage Laws, none of them explicitly contemplates the figure of the conservator-restorer in conservation-restoration activities or any other activity that intervenes on cultural property. Given this situation, ACRE carried out the following actions:

- Contributions to four Preliminary Projects of Cultural Heritage Laws (Canary Islands, Castilla y León, Madrid, Valencia). These preliminary projects intend to update the different regional laws. ACRE has requested in all cases the inclusion of the conservation-restoration professional for the intervention in Cultural Heritage, indicating the official studies for the exercise of the profession.

The simplest way to regulate the exercise of the profession would be through a regulation subordinated to Law 16/85. These regulations have never addressed the professionals who can intervene in Cultural Heritage. This Decree would not be valid in the Autonomous Communities but could serve as a text for them to draft a decree for the same purpose.

### **4. ENSURING HIGH QUALITY IN THE SAFEGUARDING OF CULTURAL HERITAGE**

#### **4.1. Actions to ensure the safeguarding of cultural heritage**

One of the fundamental steps for protecting Cultural Heritage would be an amendment of the current Law on Spanish Historical Heritage and, consequently, the regional laws in this regard.

It is necessary to reformulate the classification of Cultural Heritage, including new typologies and modifying the traditional division of Cultural Heritage into Immovable and Movable Cultural Assets. Also, there must be harsh penalties for attacks against Cultural Heritage, especially concerning looting and loss of its values.

Furthermore, there is a requirement for a better definition of the professions involved in Cultural Heritage so that the interventions are carried out by qualified personnel, with official titles. In this sense, it is necessary to put attention to the assignment of competencies to each profession.

#### **4.2. Role of the conservation-restoration in safeguarding Cultural Heritage**

Conservation-Restoration is not an artistic career, nor a craft. It is a profession that encompasses science and humanities, with an empirical and skills component. This compendium of qualities provides conservation-restoration professionals with the necessary knowledge and experience to act on Cultural Heritage to transmit it to future generations [12].

However, currently, there is no legislation to regulate quality criteria in interventions. To this fact, we may add the shortage of qualified personnel in public institutions to guarantee a proper application of standards and methods in interventions on Cultural Heritage. In addition, legislation, in the majority of cases, grants the power to the administrations to inspect the interventions but does not ensure the obligatory nature of the same.

To ensure the quality of interventions on Cultural Heritage, ACRE acts around two axes. First, denouncing professional intrusion. Secondly, through the promotion of conservation-restoration before public and private entities.

### **5. FUTURE CHALLENGES**

The main challenge for ACRE is to achieve the objectives of defending the profession, homologation of degrees, and professional regulation with the scarcity of resources of the Association (both human and financial). Moreover, public administrations show no interest in our sector's situation.

There is no doubt that the regulation of the profession in Spain can only materialise through a dialogue between the agents involved, specifically the professionals and the companies in the sector, the Ministries of Culture and Education, the Autonomous Communities, and the entities that issue the official titles of conservation-restoration.

It would also be necessary to achieve homogeneous training in conservation-restoration at a state level, based on an agreed map of competencies, as well as the homologation/qualification of the degrees. Following European suggestions, this training must reach the master level (7 EQF) and be specialised.

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# The Current Situation in Switzerland Concerning the Regulation of Professions in “Conservation-Restoration” and the Protection of the Title “Conservator-Restorer”

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## SHORT INTRODUCTION OF THE SWISS ASSOCIATION FOR CONSERVATION AND RESTORATION

The Swiss Association for Conservation and Restoration (SKR/SCR) was founded back in 1966. It supports all efforts to protect and professionally preserve the art as well as cultural assets and acts for the interests of its member conservators and restorers. These members are employed and self-employed professionals of all disciplines from all cultural and linguistic regions of Switzerland. They represent the vast majority of conservators-restorers working in Switzerland. In 1991, the SKR/SCR was a constituent member of the European Confederation of Conservator-Restorer's Organisations (E.C.C.O.). It works closely with national and international associations in the field of cultural property conservation. The SKR/SCR is based on its professional profile, its code of honour, and E.C.C.O.s internationally recognised ethical documents “Professional Guidelines”.

## ABSTRACT

The following article aims to depict the current legal background for conservators-restorers in Switzerland. It does not claim to contain all information on the subject.

The introduction in chapter one describes that neither the professions in “Conservation-Restoration” are regulated nor the professional title “Conservator-Restorer” is protected. Chapter two deals with the working life of conservators-restorers in Switzerland, which is often affected by various difficulties, like employment insecurity or lack of approval. Nonetheless, the role of conservators-restorers to accomplish quality assurance in safeguarding cultural heritage is partially established. As a federal state, Switzerland is organised on a federal, cantonal, and communal level. There are many laws, political agencies, and public institutions dealing with cultural heritage and its protection on these three levels. Chapter three will take a look at the federal regulations first. Afterwards, it continues with a focus on the cantonal regulations of the exemplary canton Bern. Communal law will not be discussed. In summary, conservation and restoration are mentioned only seldom and unspecific in federal and cantonal laws. Additionally, up to this date, a general law for the protection of explicitly all Swiss cultural heritage does not exist.

This article closes with a summary in chapter four and with an outlook in chapter five on the challenges of regulating the professions and protecting the title. There are a lot of questions and tasks, which will keep the SKR/SCR occupied for the next years.

## 1. INTRODUCTION

In Switzerland, there is no legislative or administrative regulation of professions in the field of "Conservation-Restoration" [1]. Therefore, also the professional title "Conservator-Restorer" is not protected. Generally speaking, even someone without any training can call him- or herself a "Conservator-Restorer" and work on cultural heritage without legal consequences.

Nevertheless, federal law protects titles gained through higher education like "Bachelor of Arts in Conservation" and "Master of Arts in Conservation-Restoration" [2]. Furthermore, conservators-restorers with an active working life and a master's degree or an equivalent education have the option of becoming full members of the SKR/SCR and of adding the abbreviation "Konservator-Restaurator SKR/SCR" to their title [3]. Emphasising the titles of higher education and membership in the SKR/SCR are two practices of showcasing professional qualification.

However, confusion about the title "Conservator-Restorer" is added by related professional groups. On the one hand, there are several professions in the field of cultural heritage with vocational and/or academic training which integrate restoration into their field of work [4] or include the term "Restorer" in their professional title [5]. Moreover, in Switzerland, the term "Conservator" is occupied by historians and art historians curating exhibitions in museums. For this reason, members of the SKR/SCR favour the twin title "Conservator-Restorer". On the other hand, after additional training of two years and a final exam, craftsmen and -women in monument preservation are called "Handwerker/in in der Denkmalpflege mit eidgenössischem Fachausweis (FA)" [6]. While this degree is clearly differentiated from the title of the "Konservator-Restaurator" in the German language, the French version of the degree "Artisanes/artisans en conservation du patrimoine bâti avec brevet fédéral (BF)" [7] is partially similar to the title "Conservateur-Restaureur" in the French language.

All in all, the knowledge about the distinctions between these differently trained groups is not spread widely in public, universally accepted definitions of competencies and responsibilities are missing, and there is a certain lack of quality assurance.

## 2. CONSERVATION-RESTORATION IN SWITZERLAND

### 2.1. Different Fields of Work

Institutions taking care of material cultural heritage can theoretically be divided into the following fields of work: archives and libraries, museums and collections, preservation of monuments including historical buildings, as well as archaeology. Conservators-restorers working in these fields protect and preserve movable objects and immovable monuments with significant historical, cultural, and aesthetic value. They usually do not take care of immaterial cultural heritage. The different fields of work often exhibit different starting points concerning valid legislation and existing institutions with inherent guidelines.

## 2.2. Education and Training

The academic path of education is covered by the "Swiss Conservation-Restoration Campus" with four places of study and eight specialisations. The Bachelor's program usually requires three years of education, and the Master's program two. The "Abegg-Stiftung" in Riggisberg provides education in textile conservation and restoration [8]. At the "Haute Ecole Arc Conservation-restauration" in Neuchâtel students specialise in archaeological and ethnologic objects or scientific, technical, and horologic objects during Master studies [9]. The "Hochschule der Künste Bern" offers four directions: architecture and furnishing, paintings and sculptures, graphics, written materials and photography, as well as modern materials and media [10]. In the "Scuola universitaria professionale della Svizzera italiana" in Mendrisio all students specialise in the conservation and restoration of wall paintings, stucco works, and architectural surfaces [11].

The professional training of craftsmen and -women in the field of monument preservation is supported and partly organised by various institutions related to the preservation of monuments and arts and crafts [12]. The training lasts two years and is targeted at already trained craftsmen and -women with experience in the cultural heritage sector [6]. There are eight specialisations again: gardening, timber work, painting, masonry and plastering, furniture and interior work, natural stone, paving and dry masonry, as well as stucco [6].

## 2.3. Employment Conditions

At first, it can be recorded that within the members of the SKR/SCR, the representation of professionals working in employment and in self-employment is approximately equal. A survey among the members of the SKR/SCR was carried out in 2020 and 152 addressees filed the survey [13]. 72 participants of the survey work as employees (47,4%) and 80 participants as freelancers (52,6%).

Secondly, there are differences in wages in the community of conservators-restorers. For many, the earnings in the private sector are less than in the institutional sector. However, the salary grades of the federal, cantonal, and communal institutions show that the occupational group of conservators-restorers normally is classified closer to craftsmen and -women than to employees with an education in science or humanities.

Thirdly, employment security largely varies in the private and institutional sectors. In the institutional sector employment security is usually much better, at least for those with a permanent position. A traditional lifelong career is then possible. In the private sector, generally speaking, many employees have a very unstable perspective. Workshops, working with movable objects, usually operate under a constant workload over the whole year. Workshops, specialised in fieldwork, are usually faced with lesser employment opportunities during the winter months. Unfortunately, again and again, conservators-restorers with a good education are not able to earn their living off of work in their profession.

At last, it is important to look at the gender gap in the professions of academically educated conservators-restorers. There is a much bigger number of women than men studying and working in conservation-restoration. In SKR/SCRs survey of 2020 [13], almost two-thirds of the participants identified as female (62,5%) and almost one-third as male (28,3%). The rest of the participants made no statement on their gender (9,2%). Furthermore, 73,6% of the participants working in employment identified as female. The number of women and men working in self-employment showed to be more balanced with 52,5% of confirmed women among the participating freelancers.

## 2.4. Lack of Approval

Often, conservators-restorers of the association SKR/SCR are confronted with a lack of knowledge or disregard towards their skills and expertise in their working life. By word of mouth, many conservators-restorers in Switzerland have the perception of not being at eye level, for example, with historians and art historians in the field of museums and collections or with architects in the field of monument preservation. The most common professions in the departments of monument preservation actually are architects, historians, and art historians. Conservators-restorers are hardly represented.

## 2.5. Quality Assurance

There are two very important tools for all conservators-restorers in quality assurance: the condition reports and the intervention reports on movable objects and immovable monuments. They are generally required and usually generated by conservation professionals. Additionally, conservators-restorers in museums and collections influence the loan agreements for movable objects concerning terms and conditions for handling, transport, and exhibition. Another quite common instrument for conservators-restorers is the annual reports of institutions. Thus, conservators-restorers do have a partial impact on achieving quality assurance in the preservation of cultural heritage.

# 3. FEDERAL AND CANTONAL REGULATIONS

## 3.1. Introductory Words

Switzerland, officially named Swiss Confederation, is a democratic, constitutional, and federal state. It consists of 26 cantons, which are sovereign in part. The capital Bern is the seat of the legislative authority, the parliament, and of the executive authority, the government. Within the "Federal Constitution of the Swiss Confederation", the responsibility for the protection of nature and heritage as well as for culture is assigned to the cantons [14].

Nevertheless, many laws, contracts, institutions, and guidelines deal with Swiss cultural heritage and its protection on different levels of competence.

On the one hand, there is the international level. As a signatory state of various international treaties, for example, "The World Heritage Convention" of UNESCO from 1972 [15] or "The Granada Convention" of the Council of Europe from 1985 [16], Switzerland is integrated into an international legal system.

On the other hand, in Switzerland, there are the federal, cantonal, and communal levels and within these, there are superior and subordinate laws. The wording of these laws is not always clear concerning cultural heritage. This difficulty already appears in the most important legal document, the federal constitution. Article 78 on the protection of nature and heritage, for example, determines the protection and preservation of landscapes, townscapes, historic sites, natural monuments and cultural monuments [14]. The German equivalent of the last keyword, "Kulturdenkmäler", is not a clearly defined term. The term "monument", something immovable by trend, could be replaced by the term "memorial", any object bearing witness of a former culture, movable or not. In any case, with the attribution of responsibility for the protection of nature and heritage to the cantons, the responsibility for the preservation of monuments and archaeology explicitly lies to a large extent with the cantons. Consequently, there are 26 different concepts of mo-

nument law in the Swiss legal system, depending on the respective canton. Incidentally, article 69 of the federal constitution on culture mainly enables the Confederation to support various cultural efforts in the public interest [14].

## 3.2. Regulations on the Federal Level

### 3.2.1. Existing Federal Laws

On the federal level, there is a superior law on the protection of cultural property in the event of armed conflicts, disasters, and emergencies [17]. It states the possibility for the Confederation to demand the preservation of cultural heritage assets in such cases. The terms "conservation" and "restoration" are not mentioned. Another superior law deals with the transfer of movable cultural heritage items [18]. This law allows the export of Swiss cultural heritage items for reasons of conservation treatments as well as financial support of such treatments on foreign cultural heritage items, being located in Switzerland.

Coming to the different fields of work for conservators-restorers, on the one hand, there are superior federal laws on very specific institutions, like the museums and collections of the Confederation [19] and the "Swiss National Library" [20]. These laws include single statements about preservation, but do not imply statements on conservation or restoration. A subordinate federal law on the promotion of museums, collections, and third parties concerning the preservation of cultural heritage does not mention conservation or restoration in particular either [21]. However, the subordinate federal law on the "Library at the Guisan Square" mentions at least the task to take care of professional and competent conservation and restoration [22]. One superior law and one subordinate law on archiving regulate the archiving of documents of different institutions, all with federal tasks. The former law enables the government to commission one specific institution, the "Federal Archive", with works of conservation-restoration for third parties [23]. The latter law limits the reproduction of documents due to conservation reasons [24]. On the other hand, in the fields of monument preservation and archaeology, a superior law and its corresponding subordinate law on the protection of nature and heritage are generally applicable and essential at the federal level [25], [26]. Again, both laws include the terms "protection" and "preservation" of townscapes, historic sites, and cultural monuments several times, but not the terms "conservation" and "restoration".

To conclude, the representation of conservation-restoration in this collection of federal laws is meagre. Only a few federal laws on specific institutions and subjects mention the terms "conservation" and/or "restoration".

### 3.2.2. Federal Political Agencies

The most important agency on the federal level is the "Federal Office for Culture" (BAK). It aims to protect and preserve the material and immaterial Swiss cultural heritage and manages museums, collections, libraries, and archives owned by the Confederation. Also, it helps other institutions of the same kind financially [27].

The "Federal Commission for Monument Preservation" (EKD) inside of BAK is an independent, advisory committee of experts [28]. It supports the federation, cantons, and communes with the protection and preservation of townscapes, monuments and archaeological sites, for example with its "Guidelines for the Preservation of Built Heritage in Switzerland" [29]. Nonetheless, the main responsibility for monument preservation as well as for archaeology still lies in the hands of cantonal and communal departments.

Also important for the protection of Swiss cultural heritage is the “Department for the Protection of Cultural Property” [30] inside of the “Federal Office for the Protection of the Population”. It deals with this subject in close collaboration with BAKs “Specialised Body for the International Transfer of Cultural Property” and BAKs “Section Built Heritage” [31].

### **3.2.3. Public Institutions in Switzerland**

An important public institution for Swiss cultural heritage is the “National Information Center about Cultural Heritage” (NIKE). It aims to anchor cultural heritage deeply into Swiss society and politics and comprises 41 member organisations from all sectors of cultural heritage [32]. Exemplary members of NIKE are the “International Council of Museums Switzerland” and the “Swiss Museums Association” [33]. They provide information and guidelines for their members concerning a wide range of themes, which apply to conservation-restoration, too. Fortunately, the vast majority of museums acknowledge the importance of hiring conservators-restorers with a master’s degree.

### **3.2.4. Federal Legislative Procedures**

In Switzerland, the regulation of professions and the protection of professional titles takes place via legislative procedures. In SKR/SCRs opinion the protection of Swiss cultural heritage should be a federal competence and should be regulated on a federal level.

A new federal law is usually drafted by the government, but it can also be initiated by members of parliament, a parliamentary group, and a commission or be proposed by a canton [34]. Before a law reaches the federal parliament, where the dialectic discourse of its two chambers begins, a consultation takes place on the cantonal level and by civil society, modifying the draft in detail [34]. Additionally, during the discourse of the federal parliament, citizens with voting rights and eight cantons can seize a facultative referendum and enforce a popular vote [34]. Overall, passing a new federal law is a complex and tedious procedure, which takes at least one year up to more than ten years.

Interestingly, at this very moment, a legislative procedure on the preservation of Swiss cultural heritage is taking place. A motion by the “Commission on Science, Education, and Culture of the Council of States” demands a draft law on this subject by the end of 2022, which should comprise all cultural sectors, and therefore enable a superordinate strategy for the preservation of Swiss cultural heritage [35].

## **3.3. Regional Regulations in Canton Bern**

### **3.3.1. Existing Cantonal Laws**

First of all, in chapter 3.1., the “Constitution of the Canton Bern” [36] refers to article 78 of the federal constitution. Here, the word of law speaks of the protection of the environment, landscape and heritage. The subject is separated into two articles, 31 on the environment and 32 on landscape and heritage. Latter finally uses the term “cultural assets” alongside land- and townscapes and natural monuments deserving protection. A superior cantonal law on the promotion of culture in Bern sets the preservation of cultural heritage as a goal but does not include the terms “conservation” and “restoration” [37]. Article four specifies that cultural heritage should be preserved according to certain legislations, which are not further specified. A subordinate law on the same subject at least lists several museums and libraries as cultural institutions of national significance, which can be supported financially by the canton [38].

A superior law on archiving also strives for the protection of cultural heritage [39]. It gives conservation reasons reasons for restricting the public accessibility of archival materials.

Furthermore, it determines that the State Archive must run a restorer's workshop and fulfil tasks of preservation and restoration.

Since the cantons must include objectives from federal law in their cantonal legislation, in legislations of Canton Bern, the terms "conservation" and "restoration" most often occur in the context of the preservation of monuments. A superior law in this field of work, for example, mentions the terms "conservation" and "restoration" concerning scientific examinations of movable archaeological findings [40]. Moreover, the preservation and restoration of monuments are identified as reasons for financial support from the canton, as long as the monuments are under official declarations of protection. A corresponding subordinate law mentions the latter terms multiple times, mainly also concerning financial support for such treatments [41]. Furthermore, it deals with an official register on movable monuments and with official declarations of protection for immovable monuments. Unfortunately, the situation for conservators-restorers in Canton Bern is not enhanced by cantonal laws. Just like the federal laws of Switzerland, cantonal law in Bern rarely explicitly deals with conservation and restoration.

### **3.3.2. Political Agencies in Canton Bern**

The political agencies in Canton Bern are to a great extent responsible for the practical implementation of the openly formulated laws on the preservation of cultural assets. As relevant political agencies in Canton Bern the "Directorate for Education and Culture" and therein the "Office for Culture" with its "Promotion of Culture", its "Archaeological Service", and its "Preservation of Monuments" are to be mentioned [42].

### **3.3.3. Legislative Procedures in Canton Bern**

The "Grand Council of Canton Bern" is responsible for the legislation of new laws [43]. Its members can bring up subjects, initiate the drafting of laws and place orders with the "Council of Government", the executive authority, with several parliamentary instruments. Even though federal regulations for the protection of Swiss cultural heritage and the professional field of conservation-restoration are desirable, it would be reasonable to take into account that the path of legislative procedures on the cantonal level might be more promising. Members of cantonal parliaments might be more approachable and their instruments might be easier to apply.

## **3.4. Concluding Words**

In Switzerland, the laws on the federal and cantonal levels are often unspecific about the regulation of responsibilities in the protection and preservation of Swiss cultural heritage. Neither the role of conservation and restoration in general nor the role of the differently trained specialists in this professional field is defined in detail.

Legal background and the requirements for conservators-restorers may differ, depending not only on the canton, but also on the field of work, the specialisation, and the institutions within which one is active. All in all, the practical implementation of this legal and administrative background is rather difficult and complex.

## **4. SUMMARY**

To sum up, this article reflects how little support conservators-restorers get through political and public acknowledgement at the moment. They can hardly lean on legislative regulations when they argue for their expertise, their working conditions, and their wages. The present federal and cantonal laws do not shed much light on how to protect and

preserve cultural heritage exactly, on who is qualified to carry out these works, or on how quality assurance could be accomplished.

In this respect, it would be helpful to have a general and consistent law on the protection and preservation of all Swiss cultural heritage. This law and corresponding regulations should cover all fields of work in conservation-restoration and define the qualifications, competencies, and responsibilities of the differently trained specialists in detail.

If more positions in the cultural heritage sector open up for conservators-restorers, invaluable expertise could be added to the preservation of Swiss cultural heritage.

## 5. OUTLOOK

A lot of conservators-restorers are united in seeing the need for improvement in different aspects of their working life. This could be achieved by changes in the legislative and administrative regulations. The SKR/SCR strives for consistent and universally accepted regulations of the protection of Swiss cultural heritage as well as of the indispensable role of conservation-restoration in it. Another goal of the SKR/SCR is to improve public knowledge about the different professions in conservation-restoration, with their different titles and different competencies. While, in monument preservation and archaeology, co-operation between supplementary trained craftsmen and -women and academically trained conservators-restorers is encouraged or even requested in bigger projects, there is much space to further increase synergies between the two groups.

Following the path of federal and/or cantonal legislative procedures will be challenging for the SKR/SCR regarding resources like the amount of time and financial investment. Nonetheless, a federal legislative procedure on the preservation of Swiss cultural heritage is on its way right now (see chapter 3. 2. 4.) and might still be a good opportunity for the SKR/SCR to jump into the discussion. As a preliminary step for further proceedings, it would be beneficial to collect and analyse different institutional attachments, comparable with the "Professional Guidelines" by E.C.C.O. or with the "Guidelines for the Preservation of Built Heritage in Switzerland" by Swiss EKD (see chapter 3. 2. 2.). These guidelines could offer a basis for appropriate and consistent legislative regulations in the future. As another step, the SKR/SCR will organise a round table in Spring 2023 to gather more information on challenges, strategies, and common procedures. For this occasion, the SKR/SCR would like to invite representatives of different professions in health care [44] and of the professional groups of psychologists [45] and patent attorneys [46]. All these groups recently went through the federal legislative procedures regarding professional regulation and/or title protection successfully. Additionally, the SKR/SCR would like to welcome colleagues with experience on this topic from the European conservation-restoration environment.

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