



International Conference on Cultural Heritage Protection (CHP) in Crisis Areas

27-29 September 2023

Concise Report

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Abstract

In today's complex and multi-faceted, multi domain, and multi-dimension environment, the protection of Cultural Property contributes to the fight against Serious and Organized Crime and Terrorism, as often the illicit trade of works of art finances criminal group worldwide.

Protecting Cultural Heritage falls under the wider remit of Human Security; indeed our shared centre of gravity sees a relevant role in Stability Policing, a cutting-edge deployable tool to face Law Enforcement-related threats below and above the threshold of war.

Cultural Heritage preservation can assist in rebuilding a society and in upholding the legitimacy of a local Government in the aftermath of a conflict.

Introduction

The Conference, held at the Center of Excellence for Stability Police Units on the 28th-29th of September 2023, focused on the role of the Military, Police, Stability Police Units and Civilians in the Cultural Heritage Protections in crisis areas.

The Conference developed in three Panels, saw a final harmonization roundtable that highlighted the viewpoints, study findings and experiences of the different contributors and speakers.

A common and central theme focused on elaborating concrete findings to be potentially used and implemented by the International Organizations, relevant practitioners and actors as well as CoESPU, to enhance Cultural Heritage Protection.

There is an urgent need to raise awareness and seek ways to bring together the vast technical and professional civilian, military, and police experience available worldwide to inform mission mandates and, as a result, tailor the International Community's Cultural Heritage Protection response within the Law Enforcement remit, with a strategic perspective.

The introduction by the Director of Cultural Entity and Emergencies (UNESCO), Ms. K. Pikkat, highlighted numerous critical topics concerning Cultural Heritage Protection in crises areas. She underlined the value of culture as a vital instrument for sustaining peace, creating resilience, and supporting long-term healing in times of crisis, emphasizing how cultural legacy can help rebuilding communities after wars and catastrophes by providing hope, identity, and dignity.

The relevance of normative tools such as the 1954 Hague Convention in safeguarding heritage and UNESCO's role in teaching military and Law Enforcement officials to appropriately enforce these legal documents was also highlighted.

UNESCO's efforts took place in several emergencies, including hostilities in Afghanistan, Iraq, and Syria. In this vein, the significance of culture in fostering social cohesiveness and personal well-being is crucial as well as the relevance of the new technologies. In fact, capabilities such as satellite imagery and digital monitoring and training of military and security actors can strongly improve the effectiveness in preserving cultural treasures.

Moreover, the need for practical action, also from the funding and financial point of view was underlined, citing the establishment of over 100 interventions in more than 80 countries through the UNESCO Heritage Emergency Fund.

Ms. Pikkat also mentioned climate change and natural disasters-related challenges, both calling for an enhanced cooperation worldwide aimed at saving heritage sites and assisting affected populations.

The increase of awareness at all levels is paramount; military commanders have to deal with dilemmas arising from the concurrent but contradictory needs to safeguard their personnel on the one hand and cultural property on the other. The desired outcome is to develop strong doctrinal tools geared at systemically protecting and preserving Cultural Heritage assets.

Each of the three working panels analyzed one specific aspect of the subject matter with the purpose of sharing best practices.

Panel I - Military and Cultural Heritage Protection in Crisis and War

The first panel examined Cultural Heritage Protection in times of crisis and war from a military standpoint. It emerged that there is a need for more support for Cultural Protection implementation at the highest levels, for Command as well Political Leaders; by the same token, the need to increase and enlarge the training capabilities and programs is pivotal to enhance the awareness and the effectiveness of the upcoming generation of military personnel.

The long-lasting process of implementing a Convention was explained analysing the case of the United Kingdom, which, despite being an early signatory to the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, ratified it only in 2017. Commander Roger Curtis, UK Cultural Protection Units, 11th Brigade, analysed the UK's response to Article 7 of the Convention insofar, emphasizing the incorporation of provisions into military regulations and establishing services or personnel for Cultural Property Protection (CPP).

In 2017, the military directive for CPP entered into force in UK with the creation of a CPP Unit comprised of Reserve Officers. CPP falls within the broader theme of Human Security at the strategic level, aligning with NATO's crosscutting topics. The British Army Doctrine, articulated in a 2019 note, emphasizes adherence to international law and underscores the benefits of the right approach to Cultural Heritage.

In delivering CPP, UK Defence is also aware of UNESCO and NATO's guidance; UNESCO helps providing a good framework from a civilian standpoint, while NATO is aware of the requirement for CPP and the Bi-Strategic Directive of 2019 clearly states that CPP should be a factor in the planning and delivery of exercises and operations.

Furthermore, the recruitment and development of UK CPP Officers began in 2018, with training emphasizing their role as military officers first. The training involves classroom work, practical drills, and collaboration with foreign militaries.

Therefore, stabilization and reconstruction efforts, also in potentially unstable environments, see dedicated Officers championing CPP perspectives. Obviously, the stabilization phase will focus on security aspects, particularly supporting the rule of law, pivotal for a safe and secure environment.

Past experiences suggest close collaboration with host-nation cultural institutions including the reintroduction of local guides and security personnel on sites. Assistance to the UK War Crimes Network can be provided in case of CPP-related war crimes.

A dedicated CPP capability is a strategic asset that improves mission success by giving an in-depth understanding of the environment in which military operations occur. In fact, CPP contributes to a comprehensive approach to security, encompassing broader Human Security concerns. The UK CPP unit improved its performance thanks to dedication and applying real-world experiences.

A different perspective was given by the representative of the Croce Rossa Internazionale (CRI) Veneto, Dr. Comunello, who underlined that, in the event of armed conflict, national societies do not have the authority to collect evidence of International Human Rights' (IHL) violations perpetrated by conflict parties. When possible, national staff augmentees and eventually volunteers should cooperate in activities such as discovering evidence of suspected IHL violations.

Then, National Staff should notify the International Committee of the Red Cross (ICRC), which may raise relevant issues in their confidential engagement with the pertinent States, release agreed statements and remind all parties to the armed conflict of their obligations under IHL.

The ICRC and UNESCO Memorandum of Understanding signed in 2016 allows the first to play an effective role in the rescue and evacuation of cultural property at imminent risk in conflict situations through the exchange of information and assistance (for example, by "*providing supplies and equipment needed to undertake emergency safeguarding measures*"). Furthermore, the ICRC has a consulting status with the Committee for the Protection of CP in the Event of Armed Conflict.

Specific CPP Campaign targets for 2022-2025 were outlined: first and foremost, establishing specialized individuals and a dedicated Working Group; the establishment of a Subject Matter Experts network to help national authorities, as well as the publication of a CPP process manual for local committees. A key objective seeks the creation of a database of CP marked with the Blue Shield and the promotion of providing CP sites marked with that same label. Doctrinal goals include the publication of a CPP handbook and the implementation of thematic activities for schools.

Panel II - Cultural Heritage Protection and Stability Policing - Lessons learned and future strategies.

The second panel addressed the CHP strategy from a Stability Policing perspective; identified issues include the absence of a common legal framework and the lack of standardized procedures and terminology. Inter alia, the consideration to assess the need to establish a CHP Center of Excellence as well as the need to introduce innovative and better tailored training programs have been recommended.

Mr. Purbrick, UNESCO - CPP Projects for the Ukrainian Armed force and former peacekeeper in Africa, highlighted the necessity of investigating the education and training of CPP experts inside police and military organization; he underlined the essential role of CPP within the Law of Armed Conflict (LOAC).

He listed different elements to consider while developing CPP trainings such as CPP officers' recruiting criteria, policy and doctrine, ideas for their employment, job characteristics, and available resources. He focused on the British Army's experience with the CPP Special to Arms course and its subsequent development via the Defence Systems Approach to Training (DSAT).

Moreover, a diversified CPP delivery offer for defense organizations, both through full-time and reserve officers, individual abilities, remit-specific knowledge and an understanding of the applicable regulations were mentioned. Mr. Purbrick explained his experience in creating a CPP training based on UNESCO guidelines for the Ukrainian Armed Forces and its adaptation to various military organizations.

In the following, Chief Warrant Officer in the Italian Carabinieri S. Bergonzini, from the NATO Stability Policing Center of Excellence, outlined NATO's perspective on Cultural Property Protection. He stated that the 1949 established Alliance is a political-military organization that has been dealing also with policing since August 1998 [first deployment of a Multinational Specialised Unit, the forefather of a Stability Policing (SP)].

He noted that all NATO Nations are signatories of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted in 1954. The Alliance has taken steps to protect Cultural Property, including the approval of a Bi-Strategic Command Directive and the 2022 Strategic Concept, fully in line with mayor international treaties, such as the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property. NATO does not consider policing the public as a primary task, but recognizes that situations may arise in which no other actor can intervene quickly enough to counter terrorism and maintain stability. During crises and armed conflicts, in the absence of

effective Host Nation Law Enforcement agencies, NATO SP assets can be deployed as a military capability to perform policing functions. These support the rule of law, public order and security, as well as the protection of Human Rights also through Cultural Property Protection. In fact, SP practitioners can investigate and arrest criminals and terrorists, including when they attack CP. Using non-lethal weapons SP assets can reduce collateral damage and therefore improve the image of the force and the battle of narratives.

Many executive policing SP tasks can significantly contribute to the protection of Cultural Heritage including border control to stop traffickers and the illegal export of antiquities as well as performing crowd and riot control to keep sites of cultural significance safe from looting and pillaging. Criminal investigations and Law Enforcement Intelligence (LEINT) are crucial executive SP tasks; they focus on understanding and identifying who threatens cultural property, where and when relevant attacks and crimes happen or how they are performed.

Surveillance and Biometrics are essential for locating perpetrators, crime scene management is conducive to forensic activities leading to the arrest, also through an international legal warrant, of perpetrators of crimes against Cultural Property. Conducting searches and seizures seek to locate and recover illegally held Cultural Property for its restitution.

Counter Terrorism, Counter Organized Crime, Counter Smuggling, and War Crime Investigations are also important SP CPP tasks.

The non-executive policing mission to reinforce and strengthen indigenous Police Forces includes monitoring, mentoring, advising, training, partnering and reforming them to improve their performance, also to protect CP.

SP Law Enforcement assets specialized in CHP bring their invaluable expertise and experience to tackle terrorist and criminal networks attacking CP. In an SP perspective they offer a reforming capacity that involves analysing existing CHP structures and organizations, assessing gaps and suggesting relevant changes. They may suggest the modification of existing laws, adopting new criminal provisions protecting CP, but also support training to address human resources shortcomings in the Host Nation while seeking the latter's self-sufficiency.

The Carabinieri Unit for the Protection of Cultural Heritage has been spearheading these activities and is the globally recognized epitome of the specialized asset dedicated to the prevention and fighting of CP related crimes. The "Blue Helmets for Culture" task force is the first structure uniting specialized Law Enforcement and experts of the Ministry of Culture to intervene worldwide in permissible environments where CP is in danger.

As threats to CP have increased and diversified, so must responses to them; in this view, Stability expands the reach of NATO through Legal Operations, by conducting Legal targeting, namely enforcing international and applicable Host Nation law to create effects against adversaries, including those who attack CP.

Panel III: Cultural Heritage Protection and International Legislation. The Italian model in crisis areas.

The third panel discussed the Comando Carabinieri per la Tutela del Patrimonio Culturale (TPC) intervention in Iraq and the establishment of a European Cultural Heritage Protection Task Force (Blue Helmets of Culture). The latter should have the tutelage of UNESCO and the European Council, and be inspired by the European Civil Protection Task Force or FRONTEX. Developing a Stolen Works of Art Detection System (SWOADS)-like digital app for EUROPOL was suggested to access the various national databases; the Italian TPC model stands out as best practice.

LTC in the Italian Carabinieri TPC G. Marseglia presented his ground-breaking field experience as he was deployed in 2003 following the plunder of the Iraqi National Museum after coalition forces had omitted to properly protect it.

Then the damage and looting were not only motivated by religious or iconoclastic sentiments but also and mainly by criminal and economic motives. The museum's exhibition rooms and restoration laboratories suffered significant thefts and relevant pieces of art disappeared. Singular initiatives preserved some valuable pieces ingeniously, hiding and concealing them.

The TPC mission saw the rotation of two officers as expert advisors from June 2003 to January 2004. In collaboration with local authorities they created a catalogue of what had been stolen from the Museum making the information internationally available. This allowed to effectively counter the clandestine market of stolen cultural items, saving and recovering about 1.200 pieces. The methodical cataloguing of missing and stolen artefacts originated a digital archive that proved its value beyond the immediate crisis allowing the fast sharing of detailed information on the archaeological items.

While the Italian Ministry of Culture utilizes an indexing system with 242 entries for archaeological artefacts, the Carabinieri TPC adapted a lighter but still effective cataloguing based on pictures and supported by a brief narrative, since saving time is key when operating during crises. This significantly affected the evolution of Carabinieri's operational standards.

This database holding approximately 3,000 records remains the most significant data repository of archaeological artefacts stolen in Iraq to this day.

Prof. Romano of the University La Sapienza in Rome focused the attention on her experience in Iraq and its richness in the Cultural Heritage, including UNESCO-recognized sites like Ashur, Erbil Citadel, Hatra, Samarra Archaeological City and Babylon and losses due to violent crises and wars. The 2003 Iraq War registered a limited destruction during the conflict and damages and looting in its aftermath such as the looting of the Baghdad Museum in April 2003. Organized and opportunistic pillage of museums and sites saw precious artefacts and archaeological pieces, but also computers and electrical appliances, disappeared. Several indirect effects such as the shortage of energy, the lack of crucial chemical components, and the full absence of dedicated personnel in times of crises also impacted the preservation of Cultural Heritage.

Recently, despite the numerous challenges faced, Iraq has experienced a remarkable resurgence, with efforts made by the international community and archaeologists to recover stolen artefacts and restore its Cultural Heritage.

The archaeologists' role in raising awareness about Iraq's heritage was limited during the war, but their collaboration with the military proved fruitful, particularly data and information sharing, when the crisis evolved from war to a less violent stage. Archaeological cooperation in Iraq inaugurated a new era during the Provincial Reconstruction Teams' (PRT) activities and the excavation of Abu Tbeirah.

Since 2012, 23 Italian archaeological missions have been active on Iraqi territory to re-establish working protocols with the Iraqi State Board for Antiquities and Heritage and to resolve issues related to object movement, cataloguing, and material management. Italian Cooperation and the Italian Ministry of Foreign Affairs supported courses on archaeological methods and related subjects, involved local stakeholders such as cultural associations, educational institutions, and media.

In northern Iraq and Syria Daesh's actions in 2012 caused significant damage to Cultural Heritage; satellite-based archaeological studies suggest that significant harm resulted from illicit excavations. However, Iraq has made progress in stabilizing the country, and the preservation and protection of antiquities and archaeological sites are improving. Looking ahead, the global archaeological community will play a crucial role in helping Iraq address new challenges, particularly in the realm of tourism.

Major Salvatore Rapicavoli of the TPC talked about his unit's initiatives protecting cultural assets since 1969, starting with a paper-based archive for tracking stolen art. The initial database was based on pictures and paper folders, the introduction of personal computers in the 1980s enabled elaborating textual data, the digitalization of images and the construction of a centralized computer repository. This "Database of Illicitly Stolen Cultural Heritage", authorized by legislative decrees, occurred in the 1990s. The "Leonardo" sophisticated computer system connecting the data on stolen

cultural objects, criminal occurrences, and TPC activities, marked the highest point of this growth in 2015.

The TPC operates as a central hub for Law Enforcement agencies, reports concerning thefts, recoveries, and attacks on national cultural heritage flow ensuring timely and comprehensive information exchange with other police forces and institutions. “TPC Event Cards” are filled out by owners of stolen cultural heritage and feed the system as does data about foreign cultural products; this all facilitates international collaboration by allowing TPC operators to recognize works during research operations. The Stolen Works of Art Detection System (SWOADS) is a cutting-edge project of autonomous data collection from the web, deep web, and social media strengthening the fight against illicit cultural product trafficking by comparing gathered data to the contents of the Leonardo database.

Major Meleleo, the Commander of the TPC in Venice, addressed other international aspects of CPP, stating that the TPC has implemented international conventions, including the 1954 Hague Convention, the 1970 UNESCO Convention, the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, and the 2017 Nicosia Council of Europe Convention on Offenses relating to Cultural Property.

He underlined the role of the “Blue Helmets for Culture”, a task force designed to intervene in situations affecting cultural heritage following armed conflicts and calamities in Italy and abroad. The TPC established the task force in October 2015 and enhanced its employability through an agreement signed between the Italian government and UNESCO in April 2016.

Dr. Cassio, superintendent for archaeology, fine arts, and landscape for the metropolitan area of Rome and the province of Rieti, spoke of natural disasters and how they impacted on heritage and cultural identity in Lazio. A severe earthquake struck the central section of Italy seven years ago killing people, damaging and destroying cities and Cultural Heritage. Immediately, rescue squads were formed to recover cultural items, particularly those housed in the civic museum in Amatrice and various churches in the area. The Ministry of Culture, Fire Brigades, and the Carabinieri Command for the Protection of Cultural Heritage scrambled and managed the recovery effort on the ground with efficient operating emergency procedures.

Many restorations had been carried out at a Rieti laboratory open to citizens from the affected areas so that they may touch “The art itself”. In numerous instances people cried or displayed pathos in front of the most revered sacred pictures while others narrated facts or occurrences of their ancestors’ lives, including some who perished in the earthquake. These aspects were carefully preserved in the interior of “the art’s material”.

Such experiences explain the value of art as “living instrument”, as a resource and element of inclusion and diversity. He emphasized Italy’s foresight in creating the TPC in 1969 ahead of the 1970 UNESCO Convention as well as art. 9 of the Italian Constitution, which underscores the link between Cultural Heritage, society and homeland.

In fact, the national and regional administrations, local institutions, and all residents are urged to maintain “their” Cultural Heritage.

The perspective of the African Union, through Ms. Martins, provided a totally different perspective; she deeply concerns for the protection of Africa’s Cultural Heritage. The continent has suffered significant losses of heritage resources through colonialism and suffers from ongoing illicit trade, with many of these resources illicitly acquired or stolen still held outside Africa.

The “Charter for African Cultural Renaissance” policy emphasizes the need to stop the illegal trafficking of African Cultural Property and encourages the return to the continent of all illicitly gathered or stolen legacy items. This declaration is consistent with the overarching purpose of maintaining and promoting African Cultural Heritage via preservation, restoration, and rehabilitation.

Restitution is an intrinsically linked topic, a subject of debate since the colonial period and has gained prominence recently as Africa seeks to redefine its future in alignment with the aspirations of the AU Agenda 2063 to build a solid cultural identity. Despite past initiatives, the restitution rate of Africa’s heritage resources has been minimal and often met with resistance.

Establishing the Great Museum of Africa, planned in 2023 as part of the First Ten-Year Implementation Plan of Agenda 2063, will showcase, protect and promote the rich cultural heritage of the continent. The Museum to be hosted in Algiers, on behalf of the continent, should inspire a new spirit to conserving, maintaining, and promoting cultural property all around the world.

Some additional activities were mentioned, including a high-level session on the restitution of heritage resources, a workshop on the AU Model Law for specific regions, a Continental Workshop on the Plan of Action on Cultural and Creative Industries, and the sixth Pan-African Cultural Congress.

Conclusions.

Prof. Rush, archaeologist for the US Army; Prof. Higgins, archaeologist Director of the Sustainable Cultural Heritage Program of the American University of Rome; and Col. Gaeng of the French Gendarmerie, Advisor of CoESPU Director, were the three-

panel chairs, whom Dr. J. Alberoth, Folke Bernadotte Akademy Deputy Director, Principal Senior Adviser moderated.

They offered some shared deliverables and future outcomes on the closing day of the Conference in order to successfully implement and strengthen CHP in crisis zones, such as enhancing the support for the implementation of rules and procedures at the national level; establishing CHP posts in Headquarters; increment awareness of heritage and CHP across the region and for future generations, i.e., creating an inventory of available networks for the CHP application and agreements that provide Academic Expertise for Specific Regional Deployment as well to develop a regional information network to speed up dissemination and data sharing.

The keynote speaker, UNICRI Director, Ms. De Meo, after having recognized the paramount role played by the Carabinieri TPC, emphasized that Cultural Heritage speaks a universal language, being a testament to the collective memory and identity of peoples and nations as well as educating and depicting values and beliefs. Long before television and social media existed, people communicated through art, telling the stories of their civilizations; artists have special insights into life as it unfolds and through them we witness the intellectual, artistic, and spiritual achievements of countless generations, having a window into new dimensions of our present and future through their creative interpretations. Therefore CP should not be just considered commodities to be traded for profit on illicit markets as many do. The retail value of trafficking in cultural property quotes about \$1.2 to \$1.6 billion annually. Criminal activities encompass a range of illicit actions, including the theft of CP from museums, illegal excavation and looting of archaeological sites, and fraudulent transfer of ownership. Legal measures to address ongoing threats to CP, particularly in conflict zones, are imperative. Illicit trafficking, theft, and destruction of CP have become rampant, underscoring the urgency of collective efforts to protect, investigate and prosecute perpetrators and recover the treasures.

Ms. De Meo also listed damages occurred to the Cultural Heritage in the Libyan crisis and listed the following six recommendations that, in UNICRI's view, are required for a stronger international response to various illegal crimes:

- establish comprehensive databases of cultural assets that use cutting-edge technologies for their protection and documentation. Countries need modern inventory systems, such as digital cataloguing;
- use satellite imagery to monitor heritage sites and prevent theft and damage;
- enact national import/export regulations that align to international standards;
- research documentation of origin and provenance of works of arts and antiquities to combat the increase in falsified and fraudulent certificates;

- improve coordination between source, transit, and destination countries;
- develop bilateral frameworks between requesting and requested states – *i.e.*, states of origin and market states – to incentivize and expedite repatriation processes.

A common general outcome of the Plenary Session is that among the different national and international bodies, police and more in general in the Criminal Justice System should collaborate to strengthen legal frameworks, improve investigative capabilities, and provide necessary resources to protect and recover CP as a source of knowledge, inspiration, and pride for the generations to come.

At the conclusion of the International Conference, then Col. Giuseppe De Magistris, Director of CoESPU, took the floor to thank everyone for their participation and efforts and briefly summarized the outcomes as follows.

There is an urgent need to develop and raise awareness about CPP in order to prevent destruction and contribute to the mission's success. Additional factors are resilience, *i.e.*, the ability to react to shocks, Law Enforcement, *i.e.*, the first line of defence in any society, interoperability, and training. Such subject matters squarely fall within CoESPU's remit, which will keep striving to progress ongoing work strands, advance terminology and its standardization, inventories, and digitalization. Moreover, significant efforts are also carried out from a Human Security perspective, fully in line with the UN guidance, which advocates for many cross-cultural topics such as anti-corruption, crime, and human trafficking, as well as the protection of civilians, including vulnerable groups and gender, and the protection of children in armed conflicts. They are conducive to preventing ethnic cleansing, to acquiring the population's trust, to strengthening the institutions' legitimacy and to winning the battle of narrative.

In light of the above, Cultural Heritage Protection should stay at the top of our agendas and not be overlooked since the beginning of any operations, by including relevant considerations in the planning process, being culture the heart of any civilization.