

The **CoESPU MAGAZINE**

The online Journal of Stability Policing

ADVANCED
STUDIES



PROCEEDINGS OF THE INTERNATIONAL CONFERENCE ON CULTURAL HERITAGE PROTECTION IN CRISIS AREAS

VICENZA (ITALY), 27 - 29 SEPTEMBER 2023

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**Center of Excellence
for Stability Police Units**



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

Vicenza (Italy), 27 - 29 September 2023

ADVANCED STUDIES

**PROCEEDINGS
OF THE
INTERNATIONAL CONFERENCE
ON
CULTURAL HERITAGE PROTECTION
IN CRISIS AREAS**

VICENZA (ITALY), 27 - 29 SEPTEMBER 2023

Edited by Lt. Col. Diego D'Elia

FOREWORD



Dear Readers,

In this third issue of our journal, "The CoESPU Magazine – Advanced Studies," we present the proceedings from the International Conference on Cultural Heritage Protection in Crisis Areas. This significant event took place in Vicenza from September 28th to 29th, 2023, organized jointly by CoESPU and the Carabinieri Command for Cultural Heritage Protec-

tion. Our collaboration extended to high-level partners such as UNESCO, OSCE, NATO, the African Union, the European Union External Action Service, the US Army, and several prestigious international Universities and Organizations.

Allow me to highlight the importance of this collection of speeches for several reasons: Cultural Heritage is not merely a collection of artifacts; it is intertwined with our collective identity. It reflects our history, traditions, and shared experiences. The protection of Cultural Heritage is not a luxury, it is a fundamental duty because it is essential to keep our identities and histories alive, nowadays too often threatened in current, unfortunately war-like, international scenarios.

Our conference brought together almost 150 participants at the historic, marvelous Confindustria palace in Vicenza, with hundreds more joining virtually and engaging through our social channels. The vibrant exchange of ideas, the synergy of minds, and the commitment to cultural preservation, created a truly thrilling atmosphere throughout the event.

Therefore, among the worth pieces composing this Jour-

nal, I would like to mention the presentations delivered by the three panel chairs of the event, namely Professor Laurie Rush, senior archaeologist at the US Army Monument Office, who eloquently discussed "Military and Cultural Heritage Protection in Crisis and War"; Professor Valerie Higgins, archaeologist program director for sustainable Cultural Heritage at the American University of Rome, who shared valuable lessons and future strategies related to "Cultural Heritage Protection and Stability Policing"; Colonel Fabrice Gaeng, from the French National Gendarmerie, my advisor for francophone studies, who shed light on "Cultural Heritage Protection and International Legislation: The Italian Model in Crisis Areas."

Moreover our journal proudly features a collaborative article by Professor Gabriele Cifani (from Rome Tor Vergata University) and Professor Massimiliano Munzi (from Rome's Superintendence for Cultural Heritage). Their joint expertise enriched our understanding of cultural preservation.

Dear Readers, I invite you to dive into these proceedings because the protection of Cultural Heritage is crucial in contributing to the reconstruction of a society and in upholding the legitimacy of a local Government in the aftermath of a conflict. In many cases, it can give a tremendous help to the economic revival, to the overall security and it is also crucial in preventing ethnic cleansing as well as, ultimately, in contributing to long-term peace, stability and development.

*Giuseppe De Magistris
Brigadier General
CoESPU Director*

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International Conference on the Protection of Cultural Heritage in Crisis Areas - CoESPU - Two Pages Paper

The conference, held at the Center of Excellence for Stability Police Units - Caserma Chinotto, Vicenza - on the 28th-29th of September 2023, focused on the role of the Military, Police, Police Stability Units and Civilians in the Cultural Heritage Protections in crisis areas, as well in conflict times aiming to a specific outcomes geared towards this subject.

The event, officially inaugurated by the Director of COESPU, Col. Giuseppe De Magistris, and Carabinieri Cultural Heritage Protections Commander, was among others joined by UNESCO with the contribution of Ms. K. Pikkat that stressed the vital importance of establishing and preserving peace as part of global security strategy conditions that are inextricably linked in safeguarding the cultural legacy and identity. The conference was developed through three dedicated panels addressing a list of action items, deliverables, and future action points to be undertaken. The central theme focused on findings that could be used and implemented by CoESPU and other Cultural Heritage Protections international organizations to effectively improve the capability to protect and preserve cultural heritage.

The first significant action item included the integration of new technologies or methods that can be used or more broadly shared across different Cultural Heritage Protection organizations, such as standardization of terminologies, common practices and policies to achieve significant interoperability.

The second action item focused on capturing usable and measurable data that can be utilized to improve Cultural Heritage Protection operations globally.

The third action item was using CoESPU's cutting-edge facilities for future courses centered on best practices and first responders' capabili-

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ties in case of intervention in crisis area and/or environmental disaster activations.

A specific common highlight across the three panels was on the establishment of a common network across various Cultural Heritage Protections actors. This included establishing a consistent and universal “elevator pitch” for CPP that can be utilized effectively. It also included strengthening networks for the purpose of cross-organizational training and dialogue that can be used to enhance items recovery and heritage investigation in areas of crisis.

Furthermore, the collaboration and contributions from all the experts involved, from a variety of different fields, created a fruitful and productive conference that paves the way forward for the actionable improvement of the protection of cultural heritage in crisis areas.

The discussion also covered to the Cultural Heritage Protections standards and practices that are used by different police and security agencies across Europe and the Americas. The panel reviewed Italian TPC standard, the UK cultural property protection, the United States Army AMOT program, the Dutch military CPP training program, and finally, the French National Army CPP branch. The panel participants reviewed the tasks, doctrine, history, training programs, and cross-cutting CPP initiatives in their organizations for each military entity.

In a concise summary the achieved deliverables pertain the:

Enhance support for the implementation of Cultural Heritage Protections at the national level;

Establishing of Cultural Heritage Protections posts in Head Quarters

Propose updated training of specialist personnel and education, followed by exercise and implementation of Cultural Heritage Protections by all ranches;

Increment awareness of heritage and Cultural Heritage Protections across the region and for future generations;

Increase capacity for coordinated capacity response;

Create an inventory of available technological tools and networks for the Cultural Heritage Protections application;

Agreements that provide Academic Expertise for Specific Regional Deployment and increase regional information training material for ready distribution;

Institutionalization for common standards and procedures to become policy (putting the 30+ NATO Nations on the same CHP page);

Standardization for terminology and policies;

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Create a Center of Excellence for Cultural Heritage Protection (not only CPP);

Develop a European task force (Blue Helmet of Culture) on the model of the European Civil Protection Task Force under the supervision of UNESCO and the European Council or FRONTEX;

Propose a training course in the CoESPU catalog and CEPOL «First responders in cultural heritage protection » for police officers and MPs;

Bring into being an International Cooperation to develop the SWOADS app in EUROPOL in order to be able to access the different national databases;

The event was, so far, a general occasion to emphasize the need to develop and raise a new awareness about Cultural Heritage Protection; acknowledging at the same time that additional factors are required to be successful in this mission accomplishment, such as resilience and technical capabilities, not disjoint from a sounded cultural knowledge and dedicated legal framework.

Speech of the Carabinieri Deputy Commander

29 September 2023

Distinguished Authorities, dear Guests,

First of all, let me convey to all of you the regards of the Carabinieri Commanding General, Lt. Gen. Teo Luzi.

My gratitude goes to the Minister of Culture Gennaro Sangiuliano, the Prefect of Vicenza, Doctor Salvatore Caccamo, the Major of the city of Vicenza, Doctor Giacomo Possamai, and the other local and international authorities I see in front of me for honouring us with their presence today.

Then, a big thank you to both the Commander of the Carabinieri Cultural Heritage Protection, Brigadier General Francesco Luigi Gargaro, and to the Director of the Centre of Excellence for Stability Police Units, Col. Giuseppe De Magistris, for this joint effort, which gathered today such a large group of international experts.

Cultural Heritage is a vital part of everybody's identity; by the same token, the protection of cultural and natural heritage is critical in preserving a country's identity. Not only, in fact, do wars result in the tragic loss of human life, but also they lead very often to the mindless destruction of Cultural Property, as demonstrated by recent conflicts, which are seriously threatening Cultural Heritage, both material and immaterial, including religious monuments, archaeological sites, libraries and many others. In an era characterized by the "weaponization of everything", deliberate and systemic attacks on Cultural Heritage have become a common feature of contemporary warfare that put in jeopardy both the peoples directly concerned and the humankind: Cultural Heritage is indeed a common good.

In this vein, it is crucial to identify preparatory, emergency and recovery measures to preserve cultural property during conflicts, being culture, security, and peace strictly intertwined. To this aim, the relevance of a mutual knowledge of the strengths, weaknesses, threats and opportunities related to Cultural Heritage Protection in crisis areas constitutes the

1st Panel

common basis for the Military and Law Enforcement, with the support from Academia, to uphold such a universal patrimony.

Hence today's Conference, to emphasise the extraordinary value of culture for humanity and raise awareness about what threatens its preservation, but also to promote worldwide peace and prosperity, for Cultural Heritage Protection is not only a fundamental human activity per se, but it is also a vital element of any peacebuilding vision. In other words, the integration of Cultural Heritage Protection in crisis and post-conflict areas should get the primacy, since it is conducive to sustainable long-term peace and development. Similarly, the protection of the Cultural Heritage squarely falls into the Stability Policing's remit, being Stability Policing pivotal to ensure Human Security and resilience in any society.

The German philosopher Hans-Georg Gadamer once said: "Culture is the only good of humanity which, divided among all, becomes greater instead of decreasing". To safeguard Cultural Heritage and protect memories from our past, we must enrich our methodology, from the sphere of single, separated initiatives into an inter-operable and interdisciplinary Military – Civilian – Law Enforcement approach, based on an effective system of mutual knowledge and unity of purpose.

I trust that thanks to today's Conference we will identify the tools we need, in order to turn what we have identified as critical issues into points of strength.

In light of the above, I hereby declare opened the 2023 CoESPU's international Conference on "Cultural Heritage Protection in crisis areas".

Thank you very much for your time, for your commitment and your efforts.

LTG Riccardo Galletta

Carabinieri Deputy Commander

Speech of the Director of the Centre of Excellence for the Stability Police Units

28 September 2023

Ladies & Gentlemen,

As your host, I would like to welcome you to the International Conference on Cultural Heritage Protection in Crisis Areas, held in cooperation with the Carabinieri Command for the Protection of Cultural Heritage, in Vicenza, our UNESCO's site.

Your presence here is already a success, helping to increase awareness and promote new efforts in the field of the Cultural Heritage Protection.

These two days will start with the analysis and the discussions developed by different key stakeholders divided in three panels. Panel 1 will consist of experts from Military Units and Academia; Panel 2 will be made up of experts from Stability Policing entities and Training Centres, whilst Police and Legal Subject Matter Experts will populate Panel 3, with the common aim to identify best practices and possibly a common approach to enhance Cultural Heritage Protection. Only by constantly and proactively seeking the best-possible level of interaction can we hope to generate an inter-national, inter-agency, inter-operable military – civilian – law enforcement approach that, I believe, is key to success in upholding Cultural Heritage Protection.

Ladies and gentlemen, I trust today you will do your best to identify Strengths, Weaknesses, Opportunities and Threats to Cultural Heritage Protection in Crisis Areas. By the same token, I am convinced that we are offering you a terrific networking opportunity. Indeed, I see in front of me an impressive line-up of practitioners from the Military, Law Enforcement and Academia, who in turn will have the crucial duty to inspire their leadership worldwide.

Tomorrow morning, in a plenary assembly, the results achieved during the Panels' sessions will be presented and, all together, we will proceed with the identification of action points about Stability Policing in Cultur-

al Heritage Protection in crisis areas. The results of our efforts will be collected and published in the proceedings of this extraordinary event, as an actionable, concrete, inter-disciplinary and multi-level reference tool, seeking to maintain and encourage the capabilities of all the actors operating in a crisis area.

Inspired by the remarks by US President John Fitzgerald Kennedy in 1961 to the Graduating Class of the US Naval Academy, "You must know everything you can know about military power, and you must also understand the limits of military power. You must understand that few of the important problems of our time have, in the final analysis, been finally solved by military power alone", please allow me to showcase Stability Policing as a cutting-edge instrument which might be used to face current and future threats also in Cultural Heritage Protection.

Large scale operations, low and high-intensity conflicts, and all-domain warfare against all kind of adversaries, as well as instability situations are the today's realities and so will be in the future. These events are being increased and fuelled especially by the deterioration and eventually by the destruction of the Cultural Heritage: sometimes, this means to annihilate populace's memories in a broader, heinous "ethnic cleansing" strategy.

Protecting Cultural Heritage is therefore very relevant and falls under the wider remit of Protection of Civilians and Human Security, cross-cutting different areas: because of that, Cultural Heritage Protection activities that should be performed on the ground are therefore a major component of the Stability Policing toolbox. But what is Stability Policing? We do have only a one agreed definition, which comes from NATO: indeed, the Alliance defines SP as police-related activities intended to reinforce or temporarily replace the indigenous police in order to contribute to the restoration and/or upholding of the public order and security, rule of law, and the protection of human rights.

These are not combat activities, but they might be the only solution to address the police-related security needs of the populace where the Alliance is called to operate. But historical and recent evidence have shown that they may be necessary when other actors such as the indigenous police forces, other international organizations, or even combat-oriented instruments of power are unable, unwilling and/or unprepared to intervene.

In this vein, Cultural Heritage Protection is a broad cross-cutting topic under the overarching Human Security remit, and encompasses a host of activities and actors, many derived from the Hague Convention of 1954 applicable in armed conflict. Stability Policing is and wants to be one of these contributors. In fact, on the one hand it can act in a police capacity building, allowing Host Nations to create or improve the performance of their law enforcement, also to protect Cultural Heritage. On the other hand, Stability Policing assets specialised in Cultural Heritage Protection can be deployed to detect, stop and investigate crimes and attacks against Cultural Heritage, generate Law Enforcement Intelligence, search and seize cultural property and illicit funds, generated by trafficking Cultural Heritage, for their restitution to the lawful owners and to the local population. This indeed fosters the battle of narrative and upholds the legitimacy of the mission mandate and of the local Institutions alike.

Thanks again for your participation.

I wish you a fruitful conference and a pleasant stay in Vicenza.

*BG Giuseppe De Magistris
CoESPU Director*

Speech of the Director of the Centre of Excellence for the Stability Police Units

29 September 2023

Distinguished Authorities,

Dear Colleagues,

Ladies & Gentlemen,

Welcome to the the International Conference on Cultural Heritage Protection in Crisis Areas, held in this fabulous building of Confindustria, the UNESCO Heritage Vicenza's General Confederation of the Italian Industry.

First and foremost, I would like to thank His Excellency the Minister of Culture Gennaro Sangiuliano, for honouring us with his presence, which underlines the importance the Centre of Excellence for Stability Police Units has in Italy and in the world.

Then my heartfelt gratitude goes to the Deputy Commander of the Carabinieri, General Riccardo Galletta, and to the Commander of the Carabinieri Command for the Protection of Cultural Heritage, Brigadier General Vincenzo Molinese, which is co-hosting the event.

I would also like to thank the local Authorities, namely the Prefect of Vicenza, Doctor Salvatore Caccamo, and the Mayor of the city of Vicenza, Doctor Giacomo Possamai. Moreover, my heartfelt gratitude goes to the Questore of Vicenza, doctor Paolo Sartori, to the Carabinieri and Guardia di Finanza Provincial Headquarters Commanding Officers, respectively, Col. Giuseppe Moscati and Col. Cosmo Virgilio, to the European Gendarmerie Force Commander, Colonel Hans Vroegh, of The Royal Netherlands Marechaussee, and to the NATO Stability Police Centre of Excellence, Col. Luigi Bramati.

Finally, I would like to express my sincere gratitude to my CoESPU's team involved in this event and, last but not least, to our host, the President of Confindustria in Vicenza, Ms Laura Dalla Vecchia, without whom all of this would have not be possible.

Thanks to the works carried out yesterday, the experiences gained both in Operative Theaters and during interventions in the event of more recent natural disasters, domestically and abroad, have been compared, analysed and elaborated, in order to identify how best Stability Policing can rapidly and effectively ensure the Protection of Cultural Heritage.

In addition to the dire consequences for the civilian population, armed conflicts have always had an impact on Cultural Heritage, either in the form of damages caused during their kinetic phase, or because of looting, theft or vandalism (to say the least, when such misbehaviours are not aimed at Ethnic Cleansing). In today's complex and multi-faceted environment, the protection of Cultural Property is also linked to the fight against Serious and Organised Crime and Terrorism, as often the illicit trade of works of art, which derives from crimes against Cultural Property, finances criminal groups world-wide.

Legally speaking, there are a number of instruments that specifically address Cultural Property Protection, during peacetime and in conflict, in the form of international treaties, International Humanitarian Law, International Human Rights Law and Customary International Law. Notwithstanding, despite the best efforts of the international community, recent history has shown how Cultural Heritage is still targeted in the course of conflicts, either with a purely destructive purpose, such as the pounding of two Bamyan Valley Buddha statues in Afghanistan by the Taliban in March 2001, or as a result of vandalism, pillage and illicit trade, like the so-called DAESH did, in its efforts to establish itself throughout the Middle East. Sometimes, like I said, it is a means to annihilate populace's memories in broader, heinous "ethnic cleansing" strategies.

Protecting Cultural Heritage is therefore still relevant and falls under the wider remit of the Protection of Civilians and Human Security, indeed our shared centre of gravity, as epitomised by UN Security Council - Resolution 2347 (2017), as well as the doctrine connected to the UN Agenda 2030 for the Sustainable Development relating to the field of Cultural Heritage, which established the Blue Helmets of Culture via the Unite4Heritage Task Force.

The CoESPU centres its remit on policing, and therefore takes a specific stance towards the protection of Cultural Heritage: in both replacement and reinforcement missions, Stability Policing in fact may be the only

actor which carries out a policing function in an area of operations. This means that Stability Policing is often the only counterpart to those national and international authorities world-wide, who are challenged by complex trans-national investigations, and are looking for reliable partners to bring culpable offenders to justice, to dismantle organised crime and terrorist groups and to sever the financing streams of those organisations behind the illicit trade of cultural goods.

Stability Policing, however, can go even further. It is a fact that in situations of conflict, indigenous police forces and, in the wider sense, national relevant authorities are often unable or unwilling to manage their cultural goods in an efficient and appropriate way: thankfully, Stability Policing assets specialised in the Cultural Heritage Protection have the skills and expertise to step up to this challenge. This has taken place in Iraq and in many other theatres of operation, and the results have been very positive both in terms of operations and of capacity building.

The preservation of Cultural Heritage can assist in rebuilding a society and in upholding the legitimacy of a local Government in the aftermath of a conflict, and in many cases it can give a tremendous help to the economic revival, to the security and, eventually, to the stability of a Country.

We are looking forward to the outcomes of this Conference, which certainly will constitute a precious reference and a significant help to all practitioners who may be called to operate in crisis areas in such remits.

BG Giuseppe De Magistris

CoESPU Director



**Center of Excellence
for Stability Police Units**

Panel 1

**International Conference
on Cultural Property Protection:
Action Items and Deliverables**

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

Vicenza (Italy), 27 - 29 September 2023

Panel 1

International Conference on Cultural Property Protection: Action Items and Deliverables

Professor Laurie W. Rush

Introduction

It was an honor to work with the distinguished Panelists of Panel One, Military and Cultural Heritage Protection in Crisis and War. The purpose of the panel was to combine an international panel of experienced military officers with scholars who have specialized in the history of heritage protection along with military heritage applications. Professor Mondini set up an historical foundation for the discussion, beginning with examples of Italian heritage protection dating back to the World Wars. Professors Cifani and Munzi then added the dynamic example of Art as a component of hostility between the Austrians and the Italians. They also demonstrated how effective academic and technological partnerships can build military capacity for heritage protection. Dr. Comunello expanded the partnership theme by sharing a new Red Cross Blue Shield signing program. Military representatives including Commander Curtis, UK, Captain Peterson, Netherlands, Major LeBerre, France, and Colonel DeJesse, US, contributed information describing their respective Nations' Cultural Property Protection initiatives and capabilities. Each presentation prompted lively discussion enabling the panel to propose ideas for consideration by CoESPU leadership. CoESPU has the capability and vision needed for building military and policing capacity for increasingly effective heritage protection at the global level.

Panel One, Action Items and Deliverables

"Elevator Pitch"

From the time General Eisenhower issued his famous cultural property

protection order to the World War II Allies preparing to invade the European continent, we have all known that implementation of cultural property protection as a component of military operations requires support at the highest levels. Action item one was to develop an “elevator pitch” that makes the case for heritage protection when high ranking military personnel and political leaders are the audience. For high-ranking military personnel, compelling “pitches” often include clear cases where identification and respect for cultural property contributed to mission success. In his comments, Colonel Daniel reinforced this concept, reiterating the importance of making sure heritage protection education reaches the widest possible range of military and policing personnel who are facing challenging deployments. The associated deliverable would be increased support for military and policing cultural property programs among military, policing, and political leadership.

Survey CoESPU Students for CPP Training Needs

When working with the participants of the CoESPU September course, it immediately became clear that the room was filled with brilliant students who had brought with them years of education and deployment experiences. Future students could be an excellent source of case studies along with ideas for the kinds of training and education that would apply to the kinds of deployment challenges they have faced and are likely to face in the future. The associated deliverable would be additional training options and topics that CoESPU could deliver.

Student Sourced Graphic Training Aides

As the challenges for cultural heritage protection in crisis and war shift away from narrowly defined military responses to crisis situations toward a focus on building capacity at the community level with respect for local heritage values and priorities, it is increasingly important for deploying military and policing personnel to be able to “read” cross cultural landscapes and for them to know as much as possible about the history and heritage of their deployment destinations before they arrive on mission. One idea that emerged from Panel One discussion was to ask incoming students to CoESPU to prepare graphic training aides that illustrate history, heritage and cultural property from their home communities and regions. These documents could be similar to the UNESCO Passeport pour le Mali which features images and descriptions of cultural property keyed to maps. Implementation of this

action item could deliver an inventory of training and resource materials for future educational events, exercises, and deployments.

Messaging Package for Nations

As mentioned above, CoESPU attracts extraordinary students from all over the world. Many of these students have experience with multiple deployments bringing back examples of challenges posed by the need to navigate cross cultural landscapes. Professional soldiers and deploying police often come home with a commitment to use their experiences to train their colleagues so that mistakes are not repeated. Students who choose to travel to CoESPU, especially for a course in cultural heritage protection may already be passionate about the topic. Several of the participants in the September course expressed interest in encouraging leadership in their home countries to establish similar training courses back at home. CoESPU graduates are in an excellent position to assist with a “train the trainer” approach to global implementation of heritage protection in conflict zones and for disaster response. The “Nation Package” concept would be designed to support student efforts to build support and build courses for their home units. The “package” could contain guides for organizing courses, curriculum materials, case studies, and ideas for hands on workshops. The deliverable would be additional opportunities for deploying military personnel and stability police to learn about heritage protection at the global level.

Building National, Regional, and Local Networks

As Dr. Comunello described the regional Red Cross Blue Shield signing initiative, Panel One began to realize that there are many well intentioned heritage protection projects unfolding around the world where participants could benefit from increased communication and cooperation. Establishing networks enables military, policing, cultural, heritage, civil defense, fire brigades, academics and other responding organizations to identify professionals, volunteers, and capabilities in their communities, regions, and nations. Networks could facilitate collaborative workshops that would not only offer educational programming but also create response teams who would already have experience working together. Dr. Anna Kaiser at Donau University has created hands on courses that model methods for creating partnerships and networks. Effective heritage protection ultimately depends on community stewardship and response. Meaningful response from military and policing

agencies is about empowering and capacity building rather than high profile rescues.

Develop a Didactic Training Framework for Military Personnel in Specific Regions

The suggestion for a didactic training framework came from a panel audience member, Samer Abdel Ghafour. His suggestion was for the Middle East, but as the group discussed the idea, there was consensus that a didactic CPP training framework could be adapted for use in communities and regions around the world. The framework could include questions for student engagement, suggestions for developing case studies, lesson plans and workshops. Once a framework is in place, the courses could be adapted into any language and delivered by local community members who share a passion for heritage and preservation. Samer pointed out that in countries with required military service, introduction to CPP and the resulting awareness has the potential to influence entire future generations.

Identify Potential University Partners

One of the strengths of CoESPU is its robust program of university partnerships. The presence of interns and guest faculty provide diverse points of view, expertise, and life experience. As the interns emerge into the profession, the influence of CoESPU increases worldwide. However, our profession continues to change, especially where technology is concerned, so perhaps identification of and reaching out to university partners whose faculty specialize in technological solutions might make sense. This idea also leads to another action item.

Create a Technology Working Group.

During the course of the day, members of Panel One and participants referred to a wide range of technological solutions with potential applications for identification, documentation, protection, and recovery of cultural property. Satellite imaging, lidar, radar, magnetometry, 3-dimensional documentation, geographic information systems; all of these tools are becoming more sophisticated and powerful every day. As an action item, forming a technology working group could help CoESPU develop a list of available technological tools for potential application in the cultural property component of stability policing. The associated deliverable of increased access to technology perhaps in the context of

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university partnerships could enhance the tool kit potentially available to CoESPU and deploying stability police.

Develop Customized Training for Military Police for Forensic Data Collection at Cultural Property Crime Scenes

As we think about stability police deployments, we think about the deployed environment and who the response team members might be. As the MP training idea came up at the very end of our day's discussion, enthusiastic support for the idea as an action item quickly emerged. Training other police professionals for cultural property risk assessment, crime documentation and other associated skills could dramatically increase capacity for collecting the evidence required to literally 'make the case' for cultural property war crime prosecution at the international court level.

Summary

All of the participants in Panel One genuinely appreciated the opportunity to participate. They also embraced the concept of a conference as a beginning for meaningful initiatives.

Professor Laurie Rush
US Army Monuments Office

Notes on Preventive Survey of Cultural Property in Crisis Areas: Methodological Problems and Best Practices

Prof. Gabriele Cifani - Dr. Massimiliano Munzi

The paper discusses some of the critical issues inherent in a documentation of areas at risk which arises from archaeological and historical data which have been only obtained from satellite or aerial images.

As a matter of fact, increased availability of free-of-charge satellite data has allowed the study of many natural and human-made processes at low cost and has boosted research in many fields, among which the detection of archaeological sites, thus offering a useful tool for the protection of cultural heritage in risk areas¹.

But in satellite images or aerial photos, ground features are not easy to identify or interpret and are often obscured by other ground detail as, for example: hills, buildings, wooded areas. Furthermore, many other data are collectable only from the ground (see below).

A more organic approach may instead envisage the pre-eminent role of professional archaeologists specialised in ground reconnaissance (field survey) capable of correctly assessing possible cultural heritage evidence as inferable from aerial photographs, satellite images or geophysical data.

¹ We thank the organisers of this conference, particularly Lt. Col. Diego D'Elia, Ph.D., Carabinieri Corps. For a recent overview of remote sensing for archaeological research: J. Casana, *Archaeological Remote Sensing*, In A.M. Pollard, R.A. Armitage and C.A. Makarewicz (eds), *Handbook of Archaeological Sciences*, II ed., New York 2023; for a preliminary discussion of remote sensing data for cultural heritage protection: E. Cunliffe, *Remote Assessments of Site Damage: A New Ontology*, in *Journal of Heritage in the Digital Era* 3, 2014, 453-473; examples of application: E. Bjørge et al., *Satellite-based Damage Assessment to Cultural Heritage Sites in Syria*, Florence 2014. See also a specific conference on the topic at Paris: *L'imagerie spatiale au service du patrimoine culturel. Spatial Imagery at the Service of Cultural Heritage* 2-3 Novembre 2023, Paris, organised by CNRS and CNES.

When reconnaissance on the ground is not feasible, it is desirable to set up teams of specialised archaeologists who draw up archaeological or monumental maps of areas at risk, based on a critical assessment of the data inferable from the scientific literature. Here some basic lessons from our experiences²:

1. Concept of archaeological visibility: need for maps of visibility windows

Central to the strategy of archaeological reconnaissance is the concept of visibility³. The landscape is not static and the surface exposed today is a palimpsest of exposed surfaces from various eras, showing only a part of what existed in a given age. Therefore, the cadastre of a survey is a limited tool if there is no certainty that the apparently empty areas are really such.

Visibility: is the sum of vegetation cover, geopedological accumulation-erosion phenomena and land use. For this last aspect, factors are represented by type of crop and type of soil tillage: ploughing cycles, for example, disperse and enlarge the halo of the site. It is therefore necessary to draw up a visibility map prior to land operations. On this by means of a numerical scale it is possible to classify increasing levels of visibility⁴.

It is evident, therefore, that there is a direct proportionality between archaeological visibility and the hope of finding sites.

2. Boots on the ground is a merit also for from the archaeological point of view

In Jordan, Zarqa region, the 120 sq. km territorial study carried out by University of Rome La Sapienza in the years 1993-2002 (Fig. 1) was initially guided by high resolution aerial photography at a 10:000 scale.

2 The authors of this paper are both professional archaeologists with long experience of fieldworks (survey and excavations). Regarding archaeological survey, experiences start for both in the 80s of last century in the ager Faliscus (Central Italy). Then in the 90s in Basilicata (Grumentum) and, outside Italy, in Libya (territory of Lepcis Magna). One of author (MM) also conducted spatial archaeology researches in Jordan (Zarqa region) between 1993 and 2002. The other co-author (GC) was also involved in the Lidar Survey Project of the University of Cambridge and NERC of the ager Faliscus (2004-2006) and was the co-director of many surveys in central Italy (Civita di Grotte di Castro, Colle Rotondo and Montelabate, 2007-2014).

*3 For the concept of archaeological visibility: F. Cambi, N. Terrenato, *Introduzione all'archeologia dei paesaggi*, Roma 1994, pp. 151-158.*

*4 E.g. A. Casarotto, T. Stek, J. Pelgrom, R.H. van Otterloo, J. Sevink, *Assessing visibility and geomorphological biases in regional field surveys: The case of Roman Aesernia*, in *Geoarchaeology* 33, 2018, pp. 177-192 with bibl.*

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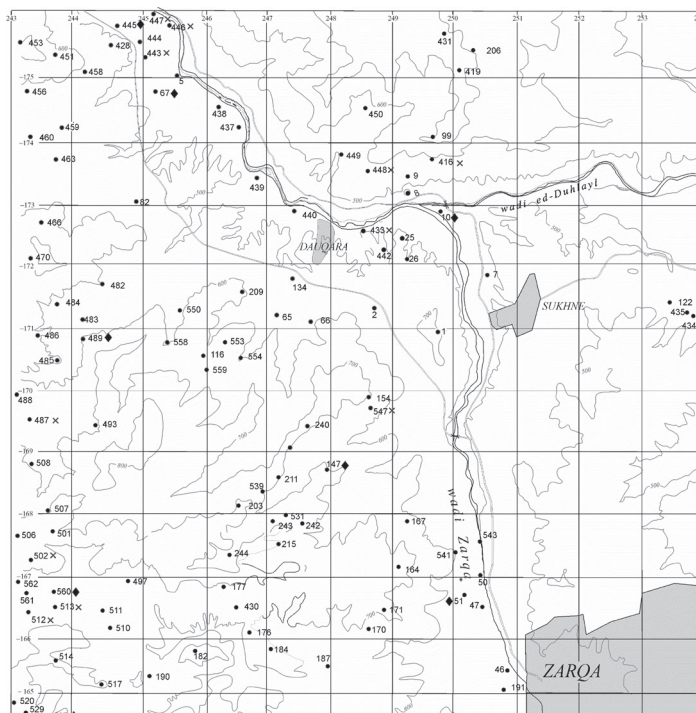


Figure 1

Archaeological surveys in the wadi Zarqa region (University of Rome La Sapienza, 1993-2002): map of settlements populated in the 4th-5th centuries AD (from M. Munzi, F. Felici, A. Ciotola, Moneta e ricognizione: riflessioni sulle esperienze in Tripolitania e in Giordania, in G. Pardini, N. Parise, F. Marani (eds), Numismatica e Archeologia. Monete, stratigrafie e contesti. Dati a confronto, Roma, 2017, pp. 617-636, in part. p. 632, fig. 25).

Close analysis of the photographs allowed the team to target structural remains (Fig. 2) and to implement a detailed GIS map. When the survey began, the field walking generated an enormous quantity of new information about less visible sites, such as flint scatters or ploughed-out or deflated settlements. If the scant vegetation was particularly advantageous for the identification of sites with structures on the photographs, once in the field the surveyors found this clearly produced a bias, as there were innumerable low-level sites which could only be located by field reconnaissance. It became clear that characterisation of these 'background' sites could only be achievable after several campaigns of intensive ground survey⁵.

⁵ G. Palumbo, M. Munzi, S. Collins, F. Hourani, A. Peruzzetto, M.D. Wilson, *The Wadi az-Zarqa / Wadi ad-Dulayl Excavations and Survey Project: Report on the October-November 1993 Fieldwork Season*, in *Annual of the Department of Antiquities of Jordan*, XL, 1996, pp. 375-427; Z. Kafafi, G. Palumbo, F. Parenti,

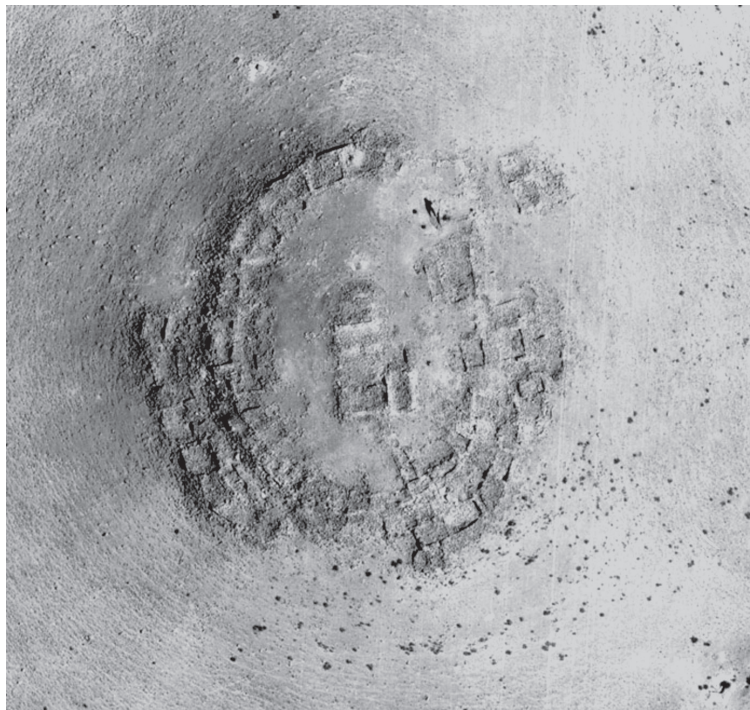


Figure 2

Archaeological surveys in the wadi Zarqa region, the structural remains are perfectly visible on high resolution aerial photography at 10:000 scale: the medieval village of Khirbat al-Makhul (from M. Munzi, F. Felici, A. Ciotola, Moneta e ricognizione: riflessioni sulle esperienze in Tripolitania e in Giordania, in G. Pardini, N. Parise, F. Marani (eds), *Numismatica e Archeologia. Monete, stratigrafie e contesti. Dati a confronto*, Roma, 2017, pp. 617-636, in part. p. 633, fig. 28).

In the last decade, Lidar (Laser Imaging Detection and Ranging) data survey have become even more popular in landscape archaeology, thanks to availability of free data from national agencies and last but not least by the recent diffusion of drones equipped with laser scanner

M. Hatamleh, M.D. Wilson, M. Shunnaq, E., Santucci, A.H. Al-Shiyab, *The Wadi az-Zarqa/Wadi edh-Dhulayl Archaeological Project. Report on the September-October 1996 Fieldwork Season*, in *Annual of the Department of Antiquities of Jordan*, XLI, 1997, pp. 9-26; M. Munzi, B. Bianchi, A. Peruzzetto, M.D. Wilson. *Ricognizioni nella valle del Wadi az-Zarqa, Giordania centro-settentrionale: dall'età romana all'Islam*, *Archeologia Medievale*, 27, 2000, pp. 377-390; I. Caneva, M. Hatamleh, Z. Kafafi, M. Munzi, G. Palumbo, F. Parenti, A.H. al-Shiyab, M.D. Wilson, B. Bianchi, P. Conti, N. Qadi, *The Wadi az-Zarqa / Wadi ad-Dulayl Archaeological Project Report on the 1997 and 1999 Fieldwork Seasons*, in *Annual of the Department of Antiquities of Jordan*, XLV, 2001, pp. 83-117; G. Palumbo, Z. Kafafi, F. Parenti, M. Munzi, F. Benedettucci, B. Bianchi, I. Caneva, A. Peruzzetto, M.D. Wilson, *The Joint Italian-Jordanian Project in the Zarqa Valley: Results of the 1993 – 2002 Seasons*, in *Civiltà del passato, dialogo del presente. Missioni di ricerca italiane in Giordania*, Amman 2002, pp. 131-152.

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for Lidar surveys. As a matter of fact, Lidar data are very useful for landscape modelling and to investigate forest covered areas, thanks to the possibility of removing vegetation from images, as shown by the brilliant results of many surveys, above all in central and northern America, and Europe, where the forests of high trees such as birches, oaks and firs offered an ideal context for this kind of survey.

However, in the Mediterranean basin, the coastal areas, which are often characterized by the typical “Mediterranean scrub”, made of dense bushes and small trees, Lidar data result much more difficult to interpret without a previous, direct, knowledge of the ground.

In southern Etruria, a pioneering Lidar survey was carried out in 2005 in an area of 70 sq. km north of Rome by the University of Cambridge and the NERC (National Environment Research Council) (Fig. 3).

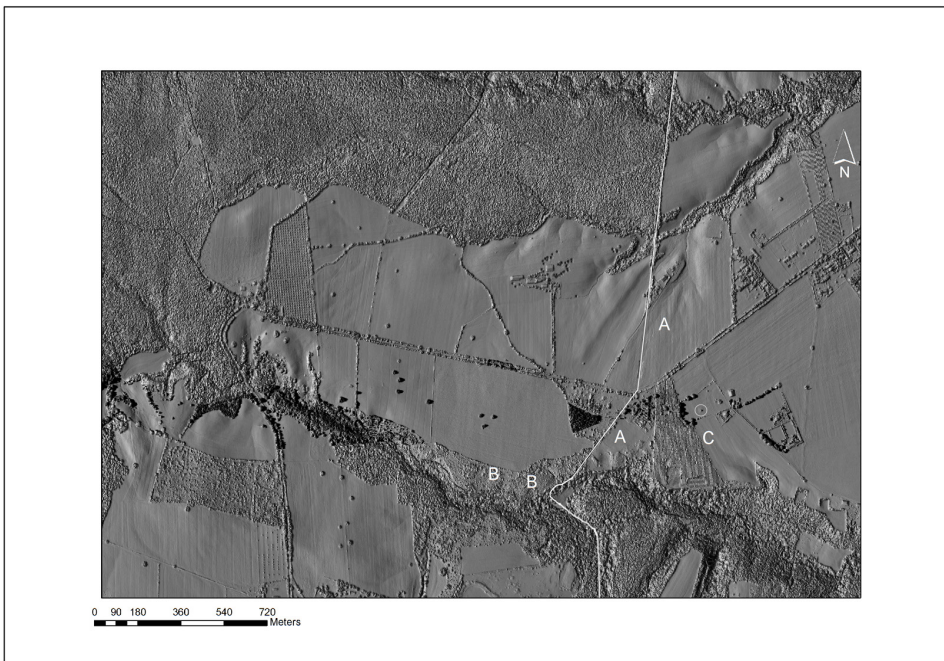


Figure 3

LiDAR map filtered from vegetation; A: via Amerina rock cut way; B: pre-roman rock cut way; C: Final Bronze Age and medieval settlement of Torre dell'Isola. (from G. Cifani, R. Opitz, S. Stoddart, Mapping the *ager faliscus* road system: the contribution of LiDAR survey, in *Journal of Roman Archaeology*, 20, 2007, pp. 165-176).

Such a survey permitted the identification archaeological features on the surface and also under dense bushes, but only after a careful comparison with data previously acquired through surveys on foot⁶.

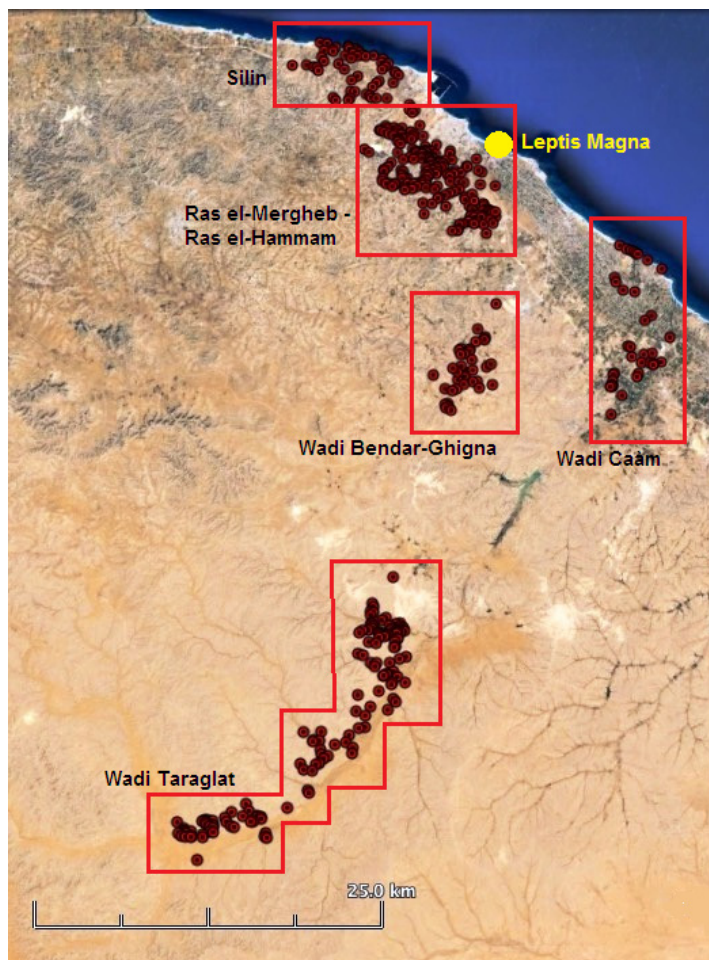


Figure 4

Archaeological surveys in the territory of Leptis Magna (University Roma Tre, 1995-2013): map of the settlements (from M. Munzi, F. Felici, I. Sjöström, A. Zocchi, *La Tripolitania rurale tardoantica, medievale e ottomana alla luce delle recenti indagini archeologiche territoriali nella regione di Leptis Magna*, in *Archeologia Medievale*, 41, 2014, pp. 215-245, in part. 216, fig. 1).

⁶ G. Cifani, R. Opitz, S. Stoddart, *Mapping the ager faliscus road system: the contribution of LiDAR survey*, in *Journal of Roman Archaeology*, 20, 2007, pp. 165-176.

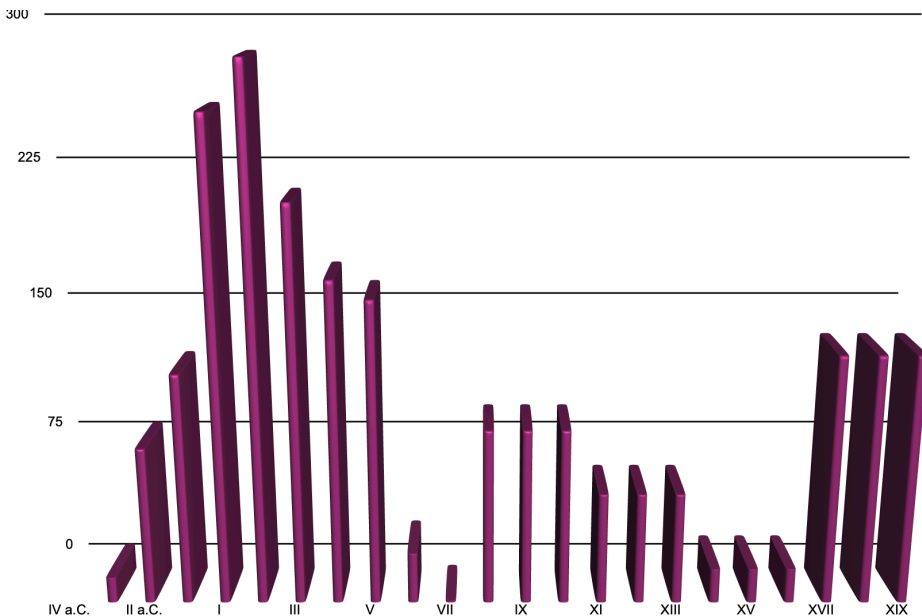


Figure 5

Archaeological surveys in the territory of Leptis Magna: diachronic evolution of the rural settlement (from M. Munzi, F. Felici, I. Sjöström, A. Zocchi, *La Tripolitania rurale tardoantica, medievale e ottomana alla luce delle recenti indagini archeologiche territoriali nella regione di Leptis Magna*, in *Archeologia Medievale*, 41, 2014, pp. 215–245, in part. p. 216, fig. 2).

3. The establishment of site chronologies is critical: this is possible only by surface artefact collection

It is just from the set of numismatic and ceramic materials collected on the field that can be drawn correct chronological information, related to the history of each site. In the topographical contexts the latest materials provide the terminus post quem for the abandonment, the oldest allow us to formulate hypotheses about the formation, intermediate data inform if the life continued with or without substantial interruptions. Incidentally, it is worth mentioning that sites chronologies are crucial for reconstructing the diachronic development across the ages of the cultural landscape, which is one of the priority objectives of topographical researches.

For example, in the fieldwork conducted by the mission of University Rome Tre in the territory of Leptis Magna in the period 1995-2013 about 104 sq. km have been surveyed and more than 450 settlements and infrastructures have been documented (Fig. 4). Critical to



Figure 6

Suburbium of Leptis Magna, Roman mausolea reused by Italian soldiers, 1912 ca. (from M. Munzi, F. Felici, A. Zocchi, E. Cirelli, *Combattere a Leptis Magna: archeologia della Guerra di Libia*, in *Archeologia Postmedievale*, 14, 2010 (2013), pp. 11-40, in part. p. 28, fig. 18).

the aims of the project was the establishment of chronologies for the sites, which were for the most part of multi-period use/occupation/frequentation. Once on site the pottery and other diagnostic material (particularly coins) was systematically collected from the surface, by selecting the significant identifiable parts. Then pottery was washed, marked, classified and counted in the laboratory; all the data were registered using sheets specially created with preset fields. Finally, the study of the pottery and numismatic evidence from site surfaces, made it possible to reconstruct the diachronic development of the cultural landscape of the Leptitanian countryside with a good chronological reliability⁷ (Fig. 5).

4. Collateral advantages of archaeological documentation survey after destructions: e.g.: survey of occasional stratigraphies from trench fields

4.1. Libya 1911-1912

To address this issue, let us take a step back in history, remembering the case of the Italo-Turkish war in Libya of 1911-1912.

Upon landing on African soil, the Italian soldiers found two of the most

⁷ M. Munzi, F. Felici, I. Sjöström, A. Zocchi, *The Leptitanian Landscape Across the Ages: the Survey Between Ras el-Mergheb and Ras el-Hammam* (2007, 2009, 2013), in *Libyan Studies*, 47, 2016, pp. 67-116, in part. 68-70; see also M. Munzi, F. Felici, A. Ciotola, *Moneta e ricognizione: riflessioni sulle esperienze in Tripolitania e in Giordania*, in G. Pardini, N. Parise, F. Marani (eds), *Numismatica e Archeologia. Monete, stratigrafie e contesti. Dati a confronto*, Roma, 2017, pp. 617-636.

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Figure 7

Military topographical documentation of ancient ruins: Istituto Geografico Militare, Lebda – Leptis Magna, 1: 10.000, 1914 (from M. Munzi, F. Felici, A. Zocchi, E. Cirelli, *Combattere a Leptis Magna: archeologia della Guerra di Libia*, in *Archeologia Postmedievale*, 14, 2010 (2013), pp. 11-40, in part. p. 26, fig. 15).

backward provinces of the Ottoman Empire, the vilayets of Cyrenaica and Tripolitania, both also extremely rich in history and archaeology. During wartime operations, Libyan antiquities became familiar to Italian soldiers, who continually came across them while advancing in the terrain or building roads, trenches and fortifications, often re-using monumental tombs and ancient farmsteads (Fig. 6).

While military activities may have damaged or destroyed some monuments – on the Tripolitanian coastal strip ancient monumental tombs and fortified farms were often reused for military purposes – the topographical documentation (even if with a military angle) of ancient ruins



Figure 8

Remains of the military radar station at Ras el-Mergheb after the airstrike, 2013 (from M. Munzi, A. Zocchi, The Lepcitanian Territory: Cultural Heritage in Danger in War and Peace, Libyan Studies, 48, 2017, p. 62, fig. 11).

certainly took a step forward: indeed the ancient cities of Sabratha and Leptis Magna were for the first time accurately surveyed and mapped by military topographers in 1913 and 1914⁸ (Fig. 7).

4.2. Recent crisis begun in 2011.

In Libya the heritage losses increased significantly during recent years when a military and political crisis hit the country. In the suburb of Leptis Magna, for example, three basic kinds of losses and damages have been registered⁹:

- a) War crisis in 2011, NATO strikes. It is appropriate to remember that in the first phase of the Libyan crisis an important site of the territory around Leptis Magna was directly involved in the war: the Roman (and colonial) site on the hilltop of Ras el-Mergheb, which hosted a military radar station, was bombed by an airstrike in spring/summer 2011 (Fig. 8). Luckily, the accuracy of the bombardment was able to target only the military facilities leaving intact the adjacent Roman

⁸ M. Munzi, *L'epica del ritorno. Archeologia e politica nella Tripolitania italiana*, Roma 2001, pp. 30-34.

⁹ M. Munzi, A. Zocchi, *The Lepcitanian Territory: Cultural Heritage in Danger in War and Peace*, *Libyan Studies*, 48, 2017, pp. 51-67; see also M. Munzi, *Tripolitanian Cultural Heritage in Danger*, in *The CoESPU Magazine*, 2019, 2, pp. 44-49.

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arch, but damaging the surviving remains of the Italian fort, built re-using part of the ancient structures¹⁰.

b) Ideological and religion based deliberate destructions. The monuments of African Sufism were considered targets to be destroyed from Tunisia to Mali; in Tripolitania the Salafist movement seems to have systematically destroyed the Ottoman marabouts in 2012-2013¹¹. These are two of the most serious losses in local cultural property:

- the Sidi Zaid el-Garib marabout, one of the most ancient and well preserved of Tripolitania which was mentioned already in a seventeenth century literary source, was completely erased (Fig. 9).



Figure 9

Sidi Zaid el-Garib marabout in 2009 (from L. Musso et alii, *Missione archeologica dell'Università Roma Tre, 1998-2007*, in *Libya Antiqua*, n.s. V, 2010, pp. 49-78, in part. p. 55, fig. 6).

¹⁰ Regarding the Italian fort (Forte Italia, Ridotta Mondovì, Ridotta Genova) on the Mergheb hill cfr. M. Munzi, F. Felici, A. Zocchi, *Combattere a Leptis Magna: archeologia della Guerra di Libia. II. Nuove ricognizioni archeologiche* (2013) e ricerche di archivio, in *Archeologia Postmedievale*, 21, 2017, pp. 11-56, in part. 19-27, 30-35.

¹¹ On the Ottoman marabouts in the territory of Leptis Magna: M. Munzi, F. Felici, I. Sjöström, A. Zocchi, *La Tripolitania rurale tardoantica, medievale e ottomana alla luce delle recenti indagini archeologiche territoriali nella regione di Leptis Magna*, in *Archeologia Medievale*, 41, 2014, pp. 215-245, in part. 236-238.



Figure 10

The semi-destroyed mosque of al-Saba, with the late Roman and medieval gasr in the distance (from M. Munzi, F. Felici, J. Matoug, I. Sjöström, A. Zocchi, The Lepcitanian landscape across the ages: the survey between Ras el-Mergheb and Ras el-Hammam (2007, 2009, 2013), Libyan Studies, 47, 2016, pp. 67-116, in part. p. 99, fig. 39).

- the eighteenth-nineteenth century Ras el-Hammam mosque was almost completely demolished using an excavator and leaving the majority of the ancient building material on the site. Our survey after the destruction revealed that this mosque/marabout reused as part of its main walls the external enclosure in limestone ashlar blocks of the nearby Roman gasr (Fig. 10).
- c) Uncontrolled overbuilding by decrease of control. The last but not less serious type of losses is that represented by uncontrolled overbuilding caused by a substantial decrease or even by an absence of government controls. Also in these cases, the full understanding of the effects of such demolitions was just partial if limited to the satellite data, but it could only be fully assessed thanks to a direct survey on the ground, carried out by professional archaeologists, in collaboration with locals.

5. Conclusion: Field walking and/or satellite remote viewing

According to our perspective, it should be emphasised that the evidence of satellite and photographic mapping needs to be interpreted by the work of archaeological experts in situ.

Two cases, depending on the level of crisis, may be envisaged:

- a) Before crisis, the cultural data of territories that could be exposed to future risk should be evaluated by a team of experts; collection of available documentation and field reconnaissance could usefully help to define a preliminary knowledge framework.
- b) In 'normal' crisis situations, such as natural disasters or in the context of peacekeeping missions providing stability policing functions, one can imagine that it is in principle possible for the international community to send a team of experts to the interested territory to carry out field reconnaissance (documentation, surveys) of the cultural data.
- c) In high-intensity crisis situations (open conflict/war), which implies that it is impractical to send a team of experts on the field, the methodological approach must provide for careful mapping in advance, starting with the analysis of scientific literature, alongside remote reconnaissance on satellite images. In such case, the extreme ratio and best practice is therefore the interpolation between satellite data and assessments deduced from the scientific literature.

In any case, it is essential that a team of experts on cultural protection, with a professional background of archaeological fieldwork, should be foreseen as a minimum at a level of any Field Army or Corps, as part of the complex strategy of contemporary wars.

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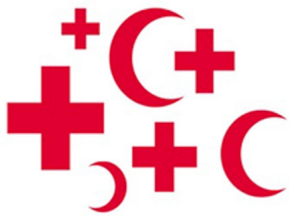
Dr. Massimiliano Munzi
Rome Superintendence for Cultural Heritage

The International Red Cross and Red Crescent Movement Role in Implementing Peacetime Measures under the 1954 Convention

Dr. Gian Diego Comunello

THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

The International Red Cross And Red Crescent Movement is composed of:



» National Red Cross and Red Crescent Societies
- 191 "National Societies"



» International Federation of Red Cross and
Red Crescent Societies "IFRC"



» International Committee of the Red Cross
"ICRC"

INTERNATIONAL LEGAL FRAMEWORK

The International Humanitarian Law is a set of rules that seek, for humanitarian reasons, to limit the effects of armed conflicts accordingly, it is also known as the Law of Armed Conflict (LOAC) or *jus in bello*.

To be effective in times of armed conflicts, International Humanitarian Law must be properly implemented in times of peace and this is a primary objective of the International Red Cross and Red Crescent Movement.

The International Committee of the Red Cross directs and coordinates the international activities conducted by the Movement in armed conflicts and other situation of violence.

National Societies have a key role to play in this field promoting, the national implementation and dissemination of International Humanitarian Law, and in particular, of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two protocols.

THE 1954 CONVENTION AND ITS PROTOCOLS

Entry in force of the Convention on 7th August 1956;

Depositary of the Convention: UNESCO;

States parties to the Convention: 134;

States parties to the First Protocol 1954: 111;

States parties to the Second Protocol 1999: 87.

Source consulted on the 20th Sept. 2023: <https://en.unesco.org/protecting-heritage/convention-andprotocols/states-parties>.

SCOPE OF APPLICATION

The 1954 Convention applies in the event of:

IAC - International Armed Conflict, including cases of partial or total occupation of the territory of a state, even if the said occupation meets with no armed resistance;

NIAC - Non International Armed Conflict.

PREAMBLE OF THE 1954 HAGUE CONVENTION

The great importance of ensuring cultural heritage international protection is highlighted in the preamble of the convention: “... *the preservation of the cultural heritage is of great importance for all the peoples of the world that it is important that this heritage should receive international protection*”.

PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT

The protection can be implemented through two fundamental pillars:
In peacetime, safeguard.

An effective safeguard of cultural property must be implemented in times of peace although, after the outbreak of an armed conflict, it is possible to put in place emergency safeguard measures with a particularly high risk of not being able to protect properly the cultural property.

In times of armed conflict, respect:

Respect for cultural property must be implemented by complying with treaty-based and customary law rules.

SAFEGUARDING OF CULTURAL PROPERTY

The concept of Cultural Property safeguard is enshrined in Article 3 of the Convention: “*The High Contracting Parties undertake to prepare in time of peace for the safeguarding of cultural property situated within their own territory against the foreseeable effects of an armed conflict, by taking such measures as they consider appropriate*”.

PEACETIME MEASURES

Red Cross and Red Crescent National Societies have a paramount role in cooperating with their governments to implement the following preparatory measures:

- Introduction of provisions into military regulations to foster in the members of their armed forces a spirit of respect for the culture and cultural property of all peoples (Conv. Art. 7 - Prot. 2 Art. 30);
- Establishment of services or specialist personnel within their armed

forces to secure respect for cultural property and to cooperate with the civilian authorities responsible for safeguarding it (Conv. Art. 7);

- Dissemination of the convention and regulations for its execution as widely as possible, in particular through training and education of armed forces and also by raising awareness among the general population (Conv. Art. 25 - Prot. 2, Art. 30).

Red Cross and Red Crescent National Societies' lines of action in promoting compliance with the 1956 Convention and its Protocols are the following:

- Advocacy in the public and private sectors;
- Dialogue and cooperation with other relevant organizations;
- Dissemination among the general public;
- Assistance to their governments in dissemination among the armed forces as well as in education and training of military specialist personnel.

IN THE EVENT OF ARMED CONFLICT

National Societies do not have a mandate to collect evidence of International Humanitarian Law violations nor to publicly condemn IHL violations committed by the parties to the conflict.

If National Societies volunteers or staff come across evidence of possible International Humanitarian Law violations, the NS should report these to the ICRC so that the latter can raise the points diplomatically in their confidential dialogue with the relevant States.

In coordination and in agreement with the ICRC, National Societies may issue a statement reminding all parties to the armed conflict of their obligations under International Humanitarian Law.

The Memorandum of Understanding agreed in 2016 between the International Committee of the Red Cross and UNESCO allows the ICRC to potentially play an operational role in the rescue and evacuation of cultural property in some conflict situations through the exchange of information and assistance aimed at protecting cultural property at imminent risk (for example by *“providing supplies and equipment needed to undertake emergency safeguarding measures”*).

In addition, the International Committee of the Red Cross enjoys an advisory status before the Committee for the Protection of Cultural Property in the Event of Armed Conflict, established by the Second Protocol of the 1956 Convention.

ITALIAN RED CROSS ACTION WITH RESPECT TO CULTURAL PROPERTY PROTECTION

In the framework of the Memorandum of Understanding agreed between Croce Rossa Italiana and ANCI (Associazione Nazionale Comuni Italiani), the Croce Rossa Italiana has launched in 2022 a four-year national campaign to promote, in particular, the marking of cultural property with the distinctive emblem (the “*Blue Shield*”) under the 1954 Convention.

The marking process entails a synergy between the promoting entity and the local authority (the municipality) in whose territory the cultural property is located, in coordination with the competent territorial office of the Italian Ministry of Culture (Soprintendenza per i Beni Culturali).

Below, you can identify the logo and slogan of the Italian Red Cross campaign:

2022-2025 CULTURAL PROPERTY PROTECTION CAMPAIGN INTERNAL GOALS

- Formation of specialized personnel;
- Establishment of a dedicated Working Group;
- Development of a Subject Matter Experts network to assist national authorities;
- Publishing a Cultural Property Protection procedure manual for local committees;
- Creation of a database for Cultural Property marked with the “Blue Shield”.

2022-2025 CULTURAL PROPERTY PROTECTION CAMPAIGN EXTERNAL GOALS

- Mapping existing Cultural Property;
- Promotion of Cultural Property marking with the “Blue Shield”;
- Publishing a Cultural Property Protection handbook;
- Implementation of thematic activities for schools;
- Becoming a Cultural Property Protection leading actor in situations of conflict, crisis, and emergency.



**croce rossa italiana
tutela dei beni culturali
in conflitto armato ed emergenza**

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Italian Red Cross Veneto

Cultural Property Protection – The UK Approach

Commander Roger Curtis

Background

The United Kingdom was an early signatory to the 1954 Hague Convention on the Protection of Cultural Property in the event of armed conflict (HC54), on 30 December 1954, but it was not until 12 September 2017 that the UK Government ratified the Convention and its two protocols. The political background to this long delay is complex and will not be examined here. In this paper the UK's response to the obligations under Article 7 of the Hague Convention are considered, following the instruction: "to introduce in time of peace into their military regulations or instructions such provisions as may ensure observance of the present Convention, and to foster in the members of their armed forces a spirit of respect for the culture and cultural property of all peoples" (Art. 7.1) and "to plan or establish in peace time, within their armed forces, services or specialist personnel whose purpose will be to secure respect for cultural property and to co-operate with the civilian authorities responsible for safeguarding it" (Art. 7.2).

Establishment of a UK CPP Capability

Legal Framework

In tandem with ratification of HC54, those parts of the Convention that necessitated changes in domestic law were enacted by means of the Cultural Property Protection (Armed Conflicts) Act 2017: these established relevant offences and put in place protection for the Convention's Blue Shield emblem¹. Responsibility for adhering to HC54 obligations

1 Cultural Property (Armed Conflicts) Act 2017, passed 23 Feb. 2017, commencing 12 Dec. 2017. Schedules 1-4 recite HC54 and its protocols. Ratification was formally complete on the Act's commencement day.

rests with Department of Culture, Media and Sport (DCMS); this Department of State is therefore the reporting body back to the sponsors of the Hague Convention, UNESCO, and fulfils the duty on all HC54 signatories to report every four years on the state of their compliance with Convention obligations².

Military directives

Independently of the 2017 Act, moves by the UK Ministry of Defence towards fulfilling the Article 7 (military) obligations were already under way, with the Army Command Plan 2017 mandating creation of a Cultural Property Protection Unit, formed of Reserve Officers with experience of heritage matters. The directive was passed to the Field Army in 2018, and an establishment order was issued regarding the formation of the Unit, which came into being on 1 September 2018. The Unit was directed to deliver a CPP capability to the Armed Services and across Defence. Initially the Unit was to number 15 Officers from all services; this has subsequently been reduced to 6 Officers from the British Army Reserve.

Policy Framework

At Ministry or strategic level, CPP is considered to sit with the protection of the civilian domain, termed Human Security, alongside such themes as modern slavery and human trafficking, conflict-related sexual violence and the use of child soldiers. This approach is outlined in the Ministry of Defence publication JSP 985, Human Security in Defence. This complements, without precisely mirroring, NATO approaches where CPP is considered a cross cutting theme in military planning.

British Army Doctrine

To develop the application of CPP in the British Army, a Doctrine Note was published in 2019³, setting out the requirement to adhere to HC and other obligations of the law of Armed Conflict (LoAC), including customary obligations. Importantly, the doctrine note articulates the benefits deriving to the mission if the right approach is taken to cultural

² HC54, Art. 26. The UK's first report (covering the period 2017-2021) is at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999942/UK_Government_Periodic_Report_UNESCO_1954_Hague_Convention_7_July_2021.pdf.

³ British Army Doctrine Note 19/05: Cultural Property Protection.

heritage. In addition, the Army Field Manual: Tactics for Stability Operations 2017 addresses CPP in an Annex⁴. From these texts, and international material, the actual tasks of a UK CPP Officer have been developed, primarily to advise the commander on approaches to CPP that keep them within the law while fulfilling the mission.

Overall, CPP should not be viewed as merely another compliance obligation (although it is that), but as a way of understanding a physical and emotional environment where military activity is taking place; this is sometimes called 'human terrain analysis' (HTA), which as a mission tasking is delivered by reconnaissance forces. The information from this will assist commanders in understand the environment in which they are operating in and in making the right calls regarding planned and reactive activity across the spectrum of military options, from the kinetic to the influence.

Other CPP Guidance

In delivering CPP, UK Defence is also cognisant of the guidance published by UNESCO, whose Military Manual on CPP gives a good framework seen from a civilian standpoint⁵. NATO has been aware of the requirement for CPP for some time, and the Bi-Strategic Directive of 2019 clearly states that CPP should be a factor in the planning and delivery of exercises and operations. How this is delivered will be discussed later in this paper.

Other doctrine frameworks

In delivery on the ground, the process of CPP has many overlaps with the discipline of Civil-Military Co-Operation (CIMIC), where military operatives engage with civilian authorities concerning a range of aspects of local administration and provision of services where there is military activity or presence. In the United States military, Civil Affairs Officers (among them the US Army's Monuments Officers) operate in this area. In NATO the CIMIC Centre of Excellence (CCOE) takes a lead on CPP training for the alliance, with courses and publications, as well as the Centre of Excellence for Stability Policing Units (CoESPU) also delivers CPP training and activity. While CPP is a cross cutting theme in

⁴ Army Field Manual: Tactics for Stability Operations (2017), Annex D to Ch 10.

⁵ UNSECO (R. O'Keefe et al.), Protection of Cultural Property: Military Manual (2016).

NATO, the delivery mechanisms on the ground are generally within a CIMIC framework.

Building CPP Capacity

Recruitment and development of UK CPP Officers

Recruitment of UK Reserve Officers with the right mix of experience progressed from 2018, with initial 'special to arms' training delivered in late 2019. Some Officers were already serving in the Reserves, while others were civilians recruited specifically for the role as Specialist Reserve Officers. In recruiting and training the approach is that while CPP Officers will always be in a specialist role, they will be required to operate as part of a wider force; they must be regarded as military officers first, and CPP / Human Security practitioners second. This is to ensure that CPP personnel are mindful of the wider context of factors when giving support and advice to the commander. Therefore, much initial training is concerned with integration into a military environment and aligning their civilian heritage skills into those of a professional military force, followed by the detail of how CPP is carried out with UK and allied forces. This is achieved through classroom work, practical drills and procedures, and where circumstances permit, CPP training with foreign militaries. This has so far happened with the US Army, the Austrian Armed Forces and the French Army. To consolidate learning and commence the practitioner phase, Officers will participate in national and allied exercises as part of a headquarters staff. In all, development of CPP Officers can take around two years, depending on the availability from regular employment.

Feedback and development

In developing a UK CPP capability there is a feedback loop - in a new discipline how you train a capability will be shaped by how the capability is actually used, and this will shift and evolve as experience is acquired and requests for tasking, support and advice comes in. This was evident in what has been learnt by the Unit since its establishment in 2019, when the first special to arms course was run, to the latest iteration in Winter 2023, when a better appreciation of what a UK CPP Officer will do has been learnt after 4 years of activity and support to

UK forces. The course now features a greater emphasis on the training and preparation of CPP material in order to give support to deploying forces.

How CPP is delivered

The outputs of the CPPU are varied, but are best described in thematic areas where the unit has been active since its formation: training and awareness for individuals; exercise design; input to training in advance of operations; supporting operations; and advice to commanders. These themes are discussed below:

Individual Training

A significant element in the HC54 requirement is to train your own military in the correct legal approach to the protection of cultural heritage – in the Convention’s words, to ‘foster ... a spirit of respect for the culture and cultural property of all peoples’ in the nation’s armed forces. At the most basic level this is delivered with annual mandatory core training to all military personnel in modules on values and standards, where international law and HC54 are introduced. These themes are developed in a classroom environment as part of further training for junior and senior leaders.

Exercise design and delivery

An Army maxim is ‘you train as you fight’, so if CPP is not practised in exercises, it will not be delivered on operations. Many national and allied exercise series adopt CPP in the design and detail of the storylines and events. These storylines often involve developing a scenario with a full or partial timeline of a conflict, evolving through the cycle of tension, crisis, conflict, stabilisation and return to post-conflict stability. The Hague Convention has applicability in all these phases, and exercise events are configured and designed to test commanders, their staff and exercise participants on the handling of cultural heritage matters. In many cases this overlaps with other training objectives. The CPPU has assisted with storyline creation and development with CPP themes as part of BALTOPS 22 and 23. In the scripting for this joint land and sea exercise, basic scenarios were developed to test various aspects of

HC54 and international law regarding cultural heritage, with serials covering CP on land and under water. Examples include an amphibious landing where pre-landing activity will involve mine clearance operations, potentially interacting with underwater heritage; or the landing force having to engage with an insurgent force in the vicinity of a CP refuge.

Training for Deployments

More in-depth teaching on the understanding of CPP is approached through targeted training for specific operations. In this case classroom and scenario-based training is delivered to personnel as part of their pre-deployment training (PDT) package. This is normally at Company level, with in-person briefings to key staff on CPP and scenarios relating to expected conditions in theatre. Briefings cover the history and context of a country and region, notable CP and specific areas, as well as an introduction to the types of buildings, objects and intangible cultural heritage they might encounter, and most importantly, how they might make inferences from what they see; all contributing to the HTA approach mentioned above. A written brief is also provided to the deploying unit, with further details of the cultural heritage in their AOR. Some operations have an inherent focus on CPP, with the built environment and its expression of perceived cultural, ethnic, religious or other social divisions being a key element in the circumstances addressed by the deployment. Thus in Kosovo, where the UK contributed a HTA reconnaissance component to the UN Mission, the sensitivities surrounding CP (including a UNESCO World Heritage Site) were central to the very instabilities that the mission is intended to address.

Preparation for Operations

Proper delivery of CPP requires dialogue and planning in advance of military activity. Such preparation will allow a military force to understand where they might operate with or without limitations. It will also prevent missteps in logistics and other areas where facilities have been placed on important physical or spiritual sites in ignorance. To this end the Hague Convention encourages links and relationships to be forged with host nation heritage ministries and agencies, as well as academics and others in the area concerned in advance of military activity. Furthermore the domestic UK academic sector has historically been, for a

range of reasons, markedly international in outlook, recruitment and network-building capability, and this applies with particular force to relevant fields such as archaeology, geography, history, economics, anthropology and sociology. British archaeologists, ancient historians and human geographers have longstanding links with their counterparts all over the world, not limited to those parts where 'British Schools' have been set up overseas – though such institutions are a clear manifestation of the phenomenon and continue to play a vital role. Engagement with academics can contribute to a practical understanding of what constitutes the cultural heritage of a specific nation or region, where it is, and who values it. Ideally, the outcome of such engagement is an essential corrective to the simplistic idea that CPP in preparation for operations simply means getting the right heritage sites on the no-strike lists. While this is an important element of the task and ensuring that those in the field have the right CP laydown or data feed for their combat systems is the central objective, it is clearly insufficient. There is no operational area where all significant CP is listed or recorded. Understanding the character and social role of what is valued locally as heritage will enhance the likelihood of extending respect and protection beyond what is explicitly recognised to CP that is not listed or recorded nationally but may be equally significant.

Evidently this applies to the CP of potential adversaries as well as to allies; cultural property must be protected and respected regardless of whose it is. Engagement with subject-matter expertise – in the host nation, domestically or wherever it is to be found – is one way to improve the likelihood of an impartial approach to CP in theatre.

Support to Operations

As the Hague Convention requires, CPP should be part of the military staff planning process, and the CPPU will have input into the Combat Estimate, the UK military planning process, allowing shaping of the options that are prepared for consideration by a commander. Once a force is deployed, with a confirmed mission and plan, support on CPP is also given, using links developed during the PDT phase. The in-theatre Operations cell can call on advice from the UK should a CP situation develop in their area of operation. In most cases the full-time presence of a CPP Officer is not justified in theatre, and the on-call service is de-

scribed as 'reachback'. This has been used successfully by UK forces in Mali on two occasions.

Advice to Commanders

While the Hague Convention seeks to ensure the protection of cultural heritage in conflict, it acknowledges that the military mission requirements are likely to come first, and this might raise the possibility of military activity that causes damage to CP. The CPP Officer must advise commanders of the requirement to minimise damage, explore options to do so, and ensure robust justification is made and recorded if damage or destruction of CP is unavoidable. In this role the CPP officer will work with the Staff Legal Advisor (LEGAD). More generally, the two will work together to ensure that UK forces are following the spirit and letter of the convention and international law. This may be done in theatre, or via reachback. The LEGAD may also advise on the rules of engagement (RoE) related to combatants and the protection of cultural heritage. Whether lethal force is permitted to protect CP, for instance, will depend on the mission – though in general UK forces on operations lethal force is not permitted to protect property, unlike for instance US forces who will be so permitted. Different approaches such as this, in a coalition environment, can give rise to RoE issues and advice to operations staff and commanders on CPP will take this into account.

Security and Protection of Cultural Heritage

CPP clearly has applications beyond the kinetic phase of a campaign and will also play a major part in the stabilisation and reconstruction effort. That is, indeed, part of the theme of this Conference. The UK recognises this and the location of CPPU within a Brigade tasked specifically with 'Security Force Assistance' emphasizes that often CPP will be delivered by host nation forces in a non-kinetic but still potentially unstable environment; the role of the CPP Officer in such circumstances will be to assist the proper appreciation of the role of CP – for good and bad – in the stabilization process. HC54 covers these areas in some detail, under the duties of an occupying power, or in more currently applicable terms, the duties of an ally to the host nation to safeguard CP. In this phase there will be a different emphasis, more on security and establishment of the rule of law and a secure and stable environment. In this the prevention of looting and illegal excavation will be part of the role; not providing direct security but advising those with responsibility

in the area or district on what may need protecting, and how that may be achieved. Close working with the host nation heritage institutions will be important, and lessons learnt from the experience of the British Army in the North Africa Campaign in 1942 are especially applicable, notably the re-instatement of local guides and security staff on sites. In some circumstances, support will be given in the collection of evidence and information if a war crime is believed to have been committed in relation to CP, and to this end CPPU works together with the UK War Crimes Network.

Conclusion

The UK Ministry of Defence has required the creation of a CPP capability within the UK Armed Forces to fulfil its obligations under HC54. In addition to these requirements, the appropriate use of CPP in tension, crisis, war and return to normality can improve mission success and improve dialogues with allies, hosts and other stakeholders. The UK has developed this capability and it is utilised in support to exercises and operations. The CPP capability gives additional understanding, which along with other HS related actions can ensure that the commander has the best understanding of their environment to achieve tactical and mission objectives.

Commander Roger Curtis
UK Cultural Property Protection Unit, 11th Bde

Cultural Property Protection: Putting the 'Necessity' into Military Necessity

Col. A. Scott DeJesse

Every individual from the highest commander to the lowest private must always remember that inaction and neglect of opportunities will warrant more severe censure than an error of judgment in the action taken. The criterion by which a commander judges the soundness of his own decision is whether it will further the intentions of the higher commander.

*FM 100-5, Tentative Field Service
Regulations, Operations (1941)*

Introduction

Cultural property protection (CPP) experts and advocates seek to motivate military organizations to meet the obligations of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. Their motivation strategies involve stating the value of cultural heritage in terms of history, age, authenticity, artistic quality, and cultural context. In their attempts to put a military spin on CPP, advocates continue to provide the same repeated examples of violent extremist organizations (VEO) targeting cultural heritage. They also try to "sell" cultural heritage to military commanders as a cross-cutting domain in the operational environment (OE). Others attempt to relate how military unit's awareness of the cultural heritage in an area of operations (AO) prevents of military caused damage and thus, will reduce threats to the force.

The above approaches have merit and should resonate, but to date, attempts to "sell" CPP has fallen on deaf military ears. Those that believe

they have actually “sold” CPP should only look at the U.S. military professional military education curriculum, mission essential task requirements, readiness priorities, security cooperation activities and operations, geographical combatant commands’ (GCC) posture statements and GCC lines of effort (LOE), and representations of commanders’ common operational picture (COP). What they will find is a resounding absence of CPP in operations, activities, and investments.

The objective of this paper is to provide an alternate CPP advocacy strategy. A hint about this alternative is found in this paper’s opening quote from a 1941 U.S. Army field manual (FM). This World War Two FM speaks of avoiding the loss of operational opportunities due to inaction and neglect, and the necessity to support the higher commander’s intent. This provides insight that it is through their doctrine the military express what is a necessity and its priorities. The same is true today in current U.S. military doctrine.

Advancing the notion of doctrine informed advocacy, this paper describes the approach taken by the U.S. Army Civil Affairs and Psychological Operations Command (Airborne) (USACAPOC(A)) to rebuild the Monuments Men and Women and reintroduce CPP capabilities to the operational force. This paper will explore integration of CPP into military commander priorities and integration through the concepts within Mission Command, mission analysis processes, and operational design. Such approaches provide military institutionalize process to operationally integrate CPP as a tactical, operational, and strategic necessity.

Monuments Men and Women and the USACAPOC(A) Mission

The success of the Monuments Men and Woman of WW2 has been heralded in books, documentaries, and film. Between 1943 to 1947, the U.S. Army’s Monuments and Fine Arts program protected and rescued major works of art and heritage sites in Europe and Japan. Immediately following the end of the war, the U.S. Army’s CPP capabilities dwindled. For the next 75 years, the Army placed little to no resources towards CPP functions. Serendipity was the driving force for the few times that CPP was considered by the military. These instances were localized, personality driven, and failed to re-institutionalize CPP as a capability.

Since I took the lead in 2019 to launch the U.S. Army 38G Heritage and Preservation Officer program, the number of Army Monuments Men and Women has grown from a few Officers randomly serving in positions unrelated to CPP across the Army to 50 cultural heritage experts assigned to or processing for appointment into USACAPOC(A). This achievement makes the number of today's Monuments Men and Women higher per capita than in WW2. Such a rapid growth of CPP expertise in the U.S. Army Reserve is a shock to many as the Army Monuments Officer program lied virtually dormant for generations.

The reason for the re-establishment of the Monuments Men and Women in this form and size is not the result of the Army buying in to become a CPP-focused organization. The Army maintains its same priorities as it had when the Monuments Men and Women numbers were in the low single digits. So how and why have Monuments Men and Women resurfaced with such zeal? This how and why question was asked during the Center of Excellence for Stability and Policing Unit's (CoESPU) 2023 Army Monuments Officer Training (AMOT) course. The how part of the question was relatively easy. It was due to the marketing approach for seeking experts who want to be the new Monuments Men and Women. To the credit of today's generation of cultural heritage professionals, many have stepped forward to lend their expertise in service of their nation. Another part of the how is owed to USACAPOC(A)'s official partnership with the Smithsonian Institution. The team at the Smithsonian Cultural Rescue Initiative, led by Corine Wegener, have been committed partners who are in strong support for rebuilding a modern version of the Monuments Men and Women.

As for the 'why' behind the success, that is trickier to answer. To my own surprise, reflecting on the question made me realize that I never attempted to 'sell' CPP. Not to my own Commanding General nor to other military audiences. I never discuss the value of CPP for the purposes of 'winning over' military staff nor to gain the USACAPOC(A) Commanding General's support and organizational resources. While discovering what I have not said, I realized the actual language that I was using to gain support and resources to rebuild Monuments Men and Women. The language I spoke was that of the priorities of my Commanding General and the priorities of the U.S. Army. The idea of prioritizing the priorities of your boss sounds obvious, but the majority of cultural her-

itage experts spend their waking hours speaking and obsessing about cultural heritage. In military circles, CPP experts cannot speak and obsess in those terms. The required terms in which Monuments Men and Women speak and obsess about is their assigned units' mission. How do CPP experts do that when the stated mission does not appear to relate? An example of a CPP disconnected mission is USACAPOC(A)'s mission statement:

*USACAPOC(A) is manned, equipped, trained, organized, and led to provide strategic, operational, and tactical Civil Affairs, Psychological, and Information Operations capabilities to enhance the lethality of the conventional force commanders to deploy, fight, and win across the full range of military operations*¹.

To most, a mission statement describing the enhancement of lethality; and deploying, fighting and winning across the full-range of military operations does not speak to CPP considerations, and it certainly does not direct the rebuilding of the Monuments Men and Women. But when the statement is re-read through an operational lens, enhancement of CPP capabilities and the rebuilding of the Monuments Men and Women becomes a tactical, operational, and strategic necessity to achieve mission success. The next section takes up the operational design lens to visualize pathways nesting CPP into military requirements and objectives.

Seeing Necessity of CPP through the Operational Design Lens

There are countless military doctrinal references to guide the planning and execution of military operations. Each job (military occupational specialty) and military operation type has a doctrinal reference. This is also true for CPP. GTA 41-01-002: Civil Affairs Arts, Monuments, and Archives Guide provides information to military personnel about cultural property descriptions, the reasons for CPP, CPP risk assessments, salvage techniques, protected target planning, and other CPP considerations². In FM 3-57 Civil Affairs Operations culture is described as an aspect of civil military operations (CMO) and is referenced over 60 times. CPP advocates often quote the Department of Defense Law of

¹ USACAPOC(A) Strategic Plan: 2019-2026. 2019. U.S. Army Civil Affairs and Psychological Operations Command (Airborne) 5.

² Department of the Army. 2023. GTA 41-01-002 Civil Affairs Arts, Monuments, and Archive Guide. Headquarters, Department of the Army.

War Manual definition of military necessity as the justified “use of all measures needed to defeat the enemy as quickly and efficiently as possible that are not prohibited by Law of Armed Conflict”. The problem with the military necessity approach is it has the opposite effect as military planners utilize the military necessity concept to remove protective status from cultural heritage sites to achieve tactical successes. These three references should be adequate to inform military planners about CPP requirements, but this is not the case. The problem is that these references speak of CPP tasks, cultural considerations, and operational restrictions. They do not drive military commanders and staff to operational integrate CPP. This requires looking into the doctrine that dictates military decisions.

With the enormous amount of U.S. military doctrine available, it can be confusing about where to begin CPP’s operational integration as a military necessity. The operation design lens proposed in this paper starts where U.S. Army’s command doctrine starts: ADP 6-0 Mission Command. The mission command concept is the combination of “the art and science of command and control to understand situations, make decisions, direct actions, and lead forces toward mission accomplishment”. Since CPP requires the dedication of military capabilities, CPP advocates must gain understanding about how mission command concepts direct commanders’ reasoning behind operational priorities and resource allocation.

Operational design simultaneously incorporates numerous analytic and planning processes. Figure 1. CPP Operational Design Integration Framework (CPP-ODIF), designed by USACAPOC(A) 38G Program, consists of three simplified segments for CPP experts to visualize operational integration opportunities. Please note: this is an abridged version of operational design to match the limited size and scope of this discussion. The first segment of CPP- ODIF consists of mission command and mission analysis activities. The second segment transitions to the operational designing of LOEs; and the third incorporates measuring performance and effectiveness (MOP and MOE) of LOEs. The following is a list of U.S. Army and Joint doctrinal references support the CPP-ODIF:

- ADP 6-0 Mission Command, Command and Control of Army Forces, 2019.
- ADP 5.0 The Operations Process, 2019.

- FM 3-57 Civil Affairs Operations, 2019.
- ATP 2-01.3 Intelligence Preparation of the Battlefield, 2019.
- JP 5.0 Joint Planning, 2017.
- FM 3-05.401 Civil Affairs Tactics, Techniques, and Procedures, 2007.
- FM 3-07 Stability, 2014.
- GTA 41-01-022 Civil Affairs Arts, Monuments and Archives Guide, 2023.
- ATP 3-07.5 Stability Techniques, 2012.
- ATP 3-57.60 Civil Affairs Planning, 2014.
- Guiding Principles of Stabilization and Reconstruction, 2009.
- Measuring Progress in Conflict Environments, 2010.

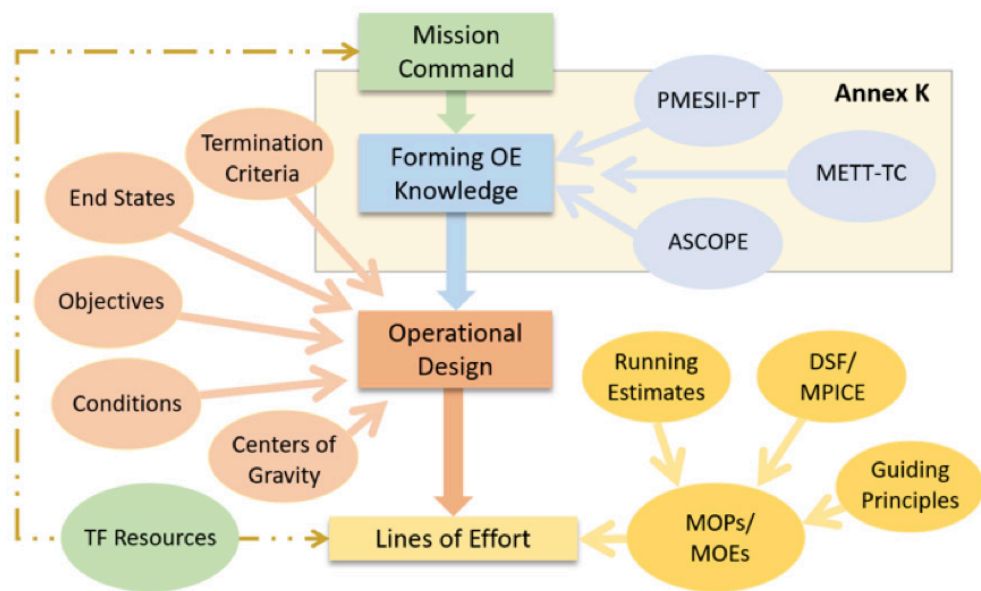


Figure 1. CPP Operational Design Integration Framework

CPP-ODIF Segment 1: Mission Command

ADP 6-0 highlights the need to understand the nature of operations and the fundamental concepts of unified land operations. Commanders and staff must gain understanding of the OE through data, information, and knowledge to ensure resources are effectively applied to operational requirements. ADP 6-0 defines data is unprocessed ob-

servations detected by a collector of any kind (human, mechanical, or electronic)³. Conversion of data to knowledge provides commanders and staff with understanding and context of the OE. Mission command's concepts about knowledge offers the first doctrinal entry point for advocates to elevate the necessity of CPP. Mission command describes two types of knowledge: tacit and explicit. Tacit is individual knowledge gained by personal experience and connections to knowledge networks. This form of knowledge is nuanced, adaptive, and cognitively diverse. Explicit knowledge is organized for sharing situational awareness through doctrinal publications, orders, and databases. While leadership and staff may have general knowledge of the AO, cultural heritage experts have unique and in-depth knowledge about the OE and for many in the field, their knowledge networks the reach into AO institutions and communities. Such knowledge can inform commanders about local specific drivers and nature of the conflict, and types of cultural heritage domains that offer traditional means for resilience and opportunities for reconciliation.

It is a fundamental requirement for commanders to identify problem sets and understand them in the situation context of the OE. Such efforts are defined as the act of visualizing operations⁴. Accurate visualization is attained through understanding the conditions of the current situation, envisioning future conditions to achieve desired end states, and conceptualizing the tasks, and actions to accomplish the mission. Again, here is another opportunity to join vital aspects of the OE to CPP activities. CPP advocates must connect CPP tasks and actions directly to the commander's desired end states. When connections between CPP to desired end states are made, commanders can employ the concept of control to attain a realistic appreciation of key factors to initiate, complete, and assess directed actions. U.S. Army identification of key OE factors related to CPP can be found in military processes to understand civil considerations as the following operational variables: political, military, economic, social, information, infrastructure, physical environment and time (PMESII-PT). Key factors associated with civil considerations are captured in the Annex K of operations orders. Variables are doctrinally defined in ADP 5.0 The Operations Process and FM 3-57 Civil Affairs Operations. The variables are associated with areas,

³ Department of the Army. 2019. *ADP 6-0 Mission Command, Command and Control of Army Forces*. Washington, DC: Army Headquarters. 2-4.

⁴ *Ibid.* 2-14.

structures, capabilities, organizations, people, and events (ASCOPE). Annex K is dependent on mission variables, enemy, terrain and weather, troops and support available, time available and civil considerations (METT-TC)⁵. CPP tasks must fit into the context of METT-TC and with doctrinal definitions PMESII-PT and ASCOPE. The following are examples of CPP considerations matched against PMESII-PT and ASCOPE:

- Political variable: describes the distribution of responsibility and power at all levels of governance - formally constituted authorities, as well as informal or covert political powers.
- CPP and the political variable: the actions of political factions to protect or target cultural heritage (tangible and intangible) domains of cultural groups; cultural heritage domains utilized to advance and counter political narratives or disputes; governance functions adhering to internationally accepted CPP activities; number and types of CPP normative instruments supported by each political faction; cultural heritage institutions supported by political factions; level of citizen participation and disenfranchisement towards heritage stewardship.
- Military variable: capabilities of all relevant actors (enemy, friendly, and neutral).
- CPP and the military variable: actors' willingness and degree of adherence to the 1954 Hague Convention; targeting and protection activities; covert activities targeting cultural heritage; external actors' targeting and protection activities.
- Economic variable: individual and group behaviors related to gaining access to, producing, distributing, and consuming resources.
- CPP and the economic variable: macroeconomic conditions relating to legislative and regulatory frameworks for property rights and commerce functions; trade of cultural property types to inform about capabilities and willingness to comply with property rights laws and regulations, and accepted commerce practices; identification of criminal and unethical actors trade in objects without 'clear title' of ownership and/or cannot provide descriptions of where and how objects came to market; identification of illicit materials' source communities; illicit and unethical behavior indicators to inform about the condition of control over illicit economy; conflict's effect on employment generation is fractured due to the loss of cul-

⁵ *Ibid.* 3-5.

tural heritage of a targeted group is a loss of economic means of tourism, trade, and education.

- Social variable: describes the cultural, religious, and ethnic make-up within an OE and the beliefs, values, customs, and behaviors of society.
- CPP and the social variable: CPP advocates should explore this variable in terms of ASCOPE, diminishing drivers of conflict, and strengthening institutional performance.
- Information variable: describes the nature, scope, characteristics, and effects of individuals, organizations, and systems that collect, process, disseminate, or act on information.
- CPP and the information variable: OE actors' narratives related to their own and opposition's cultural heritage; actors' information operations (IO) target audiences; match narrative to audience; external actor's IO utilization of cultural heritage; target audiences' receptivity to IO narratives; IO use of cultural heritage to advance political and social narratives; IO platforms to project cultural heritage messaging.
- Infrastructure variable: composed of the facilities (buildings and equipment), personnel, and services needed for the functioning of a community or society.
- CPP and the infrastructure variable: identification of cultural heritage institutions (traditional and non-traditional); identification locations that cultural heritage domains co-associated with political, economic, rule of law, security infrastructure.
- Physical environment variable: includes the geography and man-made structures, as well as the climate and weather, in an AO.
- CPP and the physical environment variable: identification of natural heritage, historic districts and cities, and other immovable cultural property; identification civilian routes and wider areas to access heritage sites; identification of criminal actors' preferred terrain/locations cross-border smuggling activities.
- Time variable: describes the timing and duration of activities, events, or conditions within an OE, as well as how various actors in an OE perceive the timing and duration.
- CPP and the time variable: CPP advocates should explore this variable in terms of ASCOPE, diminishing drivers of conflict, and strengthening institutional performance.

PMSEII-PT/ASCOPE methodologies allows for the inclusion of CPP into key influential variables in the OE. While this informs commanders and staff cultural heritage's cross-cutting attributes, it does not elevate CPP to the status of military necessity. For CPP to approach this status, it must be incorporated further into the operational design process.

CPP-ODIF Segment 2: Operational Design

Joint Publication 5-0: Joint Planning defines operational design as follows: the combination of art and science to describe the ways the force employs its capabilities to achieve desired end states, and understanding of unacceptable consequences⁶. Operational design is an extensive methodology the incorporates various analytical concepts.

The purpose of operational design is to generate an operational approach through understanding OE complexity. This design methodology fosters dialogue among military staff about core problem sets that drive conflict and how best to achieve the desired objectives. It is important to note the operational design phase is extremely crucial and challenging phase for elevating CPP as a necessity. While PMSEII-PT and ASCOPE are vital considerations in the planning process, it is still only the opener for understanding the OE. CPP advocates should think of PMSEII-PT and ASCOPE as inputs to inform commanders about how the unique aspects of CPP relate to operational consequences, opportunities, and risk.

There are six key elements of operational design that are rarely spoken in CPP circles. They are termination criteria, military end states, objectives, conditions, centers of gravity (COG), and LOEs. These operational design elements offer direct means to nest CPP activities into military operations. The first element, termination criteria, supports the establishment of military end states. Termination criteria describe the conditions that must exist in the OE for mission success. The term 'termination' may not resonate to many, but most have heard the phrases 'exit strategy' or 'conditions-based approach'. U.S. military operations in Iraq and Afghanistan achieved quick tactical successes but ill-defined termination criteria led to hasty conclusions for both military operations. Termination criteria are essential for the identification of op-

⁶ Department of Defense. 2017. *Joint Publication 5-0: Joint Planning*. Washington, DC: Joint Chiefs of Staff. IV-1.

erational and strategic end states, so therefore, their establishment is among the first steps of operational planning. The criteria should account for operational tasks of disengagement, force protection, transition to post-conflict and stability operations, and reconciliation efforts. The second element, military end state, is defined as “the set of required conditions that defines achievement of all military objectives”⁷. Military end states are included in the commander’s intent statements as it specifies the conditions that unify and synchronize efforts. As the third element, objectives are clearly defined, decisive, and attainable set of operational goals. Objectives establish results, link directly or indirectly to end states, are specific and unambiguous, but are different from tasks⁸. The element of effect is a condition resulting from an action or set of actions. Desired conditions support achieving objectives or other conditions by synchronizing diplomatic, informational, military and economic instruments of power to affect OE actors across PMESII-PT. Commanders need to consider undesired conditions’ effects on tasks assigned subordinate units. CPP will never serve as termination criteria, military end states, military objectives nor condition, but it can support transition into post-conflict and stability operations, and reconciliation activities and the measuring if the criteria, end states, objectives, and conditions have been met. Examples of CPP supporting these elements include OE actors’ cultural heritage stewardship capabilities and activities. CPP activities offer tangible and intangible indicators of post-conflict societies’ capability for governance, peaceful political discourse, rule of law, social cohesion, and civil security.

While CPP considerations can support the first four operational design elements, CPP will never be one of those elements. The same is not true for the fifth element: COG. The COG is defined as friendly and adversarial sources of power “that provides moral or physical strength, freedom of action, or will to act”⁹. Both friendly and adversarial forces have multiple COGs nested across strategic, operational, and tactical levels of warfare. At the strategic level, a COG could be a military force, an economic capability, an alliance, senior civilian and military leadership, a critical capability, or national will. An operational COG can be a force’s most critical and powerful capability.

⁷ *Ibid.* IV-20.

⁸ *Ibid.* IV-21.

⁹ Department of Defense. 2017. *Joint Publication 5-0: Joint Planning*. Washington, DC: Joint Chiefs of Staff. IV-23.

COGs are linked to objectives and military end states. The following statement from JP 5.0 Joint Planning offers CPP advocates a pathway to assign CPP as a military necessity:

*COGs are framed by each party's view of the threats in the OE and the requirements to develop/maintain power and strength relative to their need to be effective in accomplishing their objectives. Therefore, commanders not only must consider the enemy's COGs, but they also must identify and protect their own*¹⁰.

Directing that commanders “must identify and protect” their COGs speaks directly to military necessity. To be clear, CPP advocates should not simply declare the protection of cultural heritage is a COG. Operational design requires that before COGs are incorporated into planning, they must be validated through wargaming. The validation of a COG during wargaming scenarios occurs when the defeat, destruction, neutralization, or significant weakening of the COG causes a change a course(s) of action or deters reaching objectives. If this fails to validate, it is not a COG.

Accurate identification of COG is critical to military planning. And once identified, a COG's validity must be continuously assessed in term of critical capabilities, requirements, and vulnerabilities. Critical capabilities are essential for accomplishing objectives. Critical requirements are the COG's vital conditions, ways and means to act as critical capability. Critical vulnerabilities are the critical requirements that are deficient or vulnerable to direct or indirect attack in a manner achieving decisive or significant results¹¹.

To support COG identification and analysis, (Figure 2). Characteristics of Centers of Gravity presents the necessary COG attributes. CPP experts must relate cultural heritage to these attributes. PMESII-PT/ASCOPE attributes can assist with identifying CPP to COG characteristics relationships. To explore COG characteristics, lets utilize CPPs relations to the Russian-Ukrainian conflict. Starting at the top of Figure 2., the COG ‘exists at each level of warfare’, Russia has aggressively promoted Russian heritage over Ukrainian long before the 2014 annexation

¹⁰ *Ibid.* IV-23.

¹¹ *Ibid.* IV-25.

of the Crimea and the 2022 invasion¹². At operational and tactical levels, Russia has purposely and selectively targeted Ukraine's museums, museum staff, cultural centers, archives, libraries, churches, monasteries, and other cultural institutions. At the same time, Russia leverages cultural heritage in IO campaigns through narratives stating Ukrainian cultural identity and history does not exist and the true Ukrainian culture and history and Russian¹³. The acceptance of this narrative in eastern Ukraine allowed Russian forces greater freedom of movement and operational success than other parts of the country¹⁴. As Russian forces took cities and towns, its forces concentrated on heritage sites and looted cultural property where they could. Russia's systematic destruction, damage, and theft of Ukrainian cultural property is designed to eliminate the types of cultural heritage that Ukrainian people rally around and fight for. These actions directly endanger Ukraine's mirroring COG of CPP. In the battle of over cultural narratives, Russia's and Ukraine's abilities to protect and promote their versions of the country's heritage

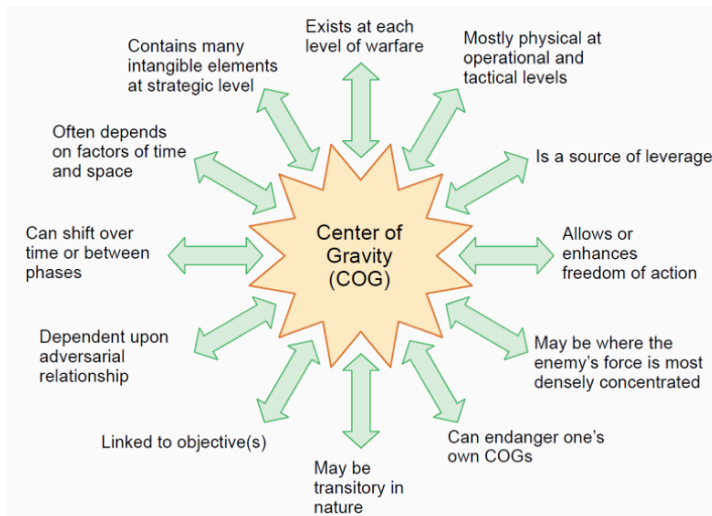


Figure 2. Characteristics of Centers of Gravity¹⁵

12 Shulzhenko, D. 2023. "How Russia has attempted to erase Ukrainian language, culture throughout centuries". *The Kyiv Independent*. Accessed at: <https://kyivindependent.com/how-russia-has-attempted-to-erase-ukrainian-language-culture-throughout-centuries/>

13 Organisation for Economic Co-operation and Development. 2022. "Disinformation and Russia's war of aggression against Ukraine". Accessed at: <https://www.oecd.org/ukraine-hub/policy-responses/disinformation-and-russia-s-war-of-aggression-against-ukraine-37186bde/>

14 Mirovalev, M. 2022. "What's behind pro-Russian attitudes in eastern Ukraine?". *Aljazeera*. Accessed at: <https://www.aljazeera.com/news/2022/4/21/whats-behind-pro-russian-attitudes-in-eastern-ukraine>

and identity is critical. This makes CPP key strategic, operational, and tactical COGs, so therefore, a military necessity for both Russia and Ukraine.

As COGs are linked to objectives and end states, the force's LOEs are designed to drive conditions towards objectives and end states. LOEs consist of activities to establish operational and strategic conditions for achieving mission success. Progress or regression of LOEs is the operational 'so what' as commanders need to know if courses of actions are meeting mission requirements or are alternate approaches necessary. The next segment explores how cultural heritage domain can serve as a means for making these determinations.

CPP-ODIF Segment 3: Measuring Performance and Effectiveness

Once the LOEs are established, there must be means and ways to measure their performance and effectiveness. Measures of performance (MOP) track the implementation of activities. Measures of effectiveness (MOE) informs about the activities' effects on conditions. The more complex the operations are the more complex forms of assessments are required. Segment 3 presents three assessment methodologies and frameworks with the incorporation of cultural heritage indicators and measures.

The first framework for discussion is the running estimate. The running estimate is a standard doctrinal tool that utilizes area studies as baseline information for assessing. Running estimates provide information, conclusions, and recommendations and supports refining of the common operational picture. This framework supports evaluating and synthesizing information to assist commanders gain situational understanding. Running estimates consists of a restatement of the mission; the situation in terms of areas of interest (ASCOPE); areas of operations in terms of weather, terrain, enemy forces, friendly forces, civil considerations, and assumptions; courses of actions; and analysis. This framework matches earlier referenced discussions in the paper, so further CPP examples will not be explored.

The second assessment tool is the District Stability Framework (DSF). DSF provides interagency teams with a common framework for under-

¹⁵ Department of Defense. 2017. *Joint Publication 5-0: Joint Planning*. Washington, DC: Joint Chiefs of Staff. IV-24.

standing the OE through a stability-operation focus. Assessments center on local populace perceptions to identify sources of instability. The DSF assessment methodology incorporates the design of activities to address sources of instability, and MOPs and MOEs to assess designed activities. DSF analysis opens with PMESII-PT/ASCOPE methodologies then explores cultural groups, their interests and traditions, their tradition means for conflict resolution, traditional authorities, and societal disruptors and spoilers. DSF then moves into identifying factors of instability and stability. Sources of instability are then matched with root causes and grievances for the purposes of designing activities to generate stability. DSF has numerous points where analysts can inject CPP considerations¹⁶.

The third assessment tool is the Measuring Progress in Conflict Environments (MPICE) matrix framework. MPICE was jointly authored by the U.S. Army Corps of Engineers, the U.S. Institute of Peace, the U.S. Army Peacekeeping and Stability Operations Institute, The Fund for Peace, the U.S. Agency for International Development, and the U.S. Department of State. MPICE utilizes outcome-based goals, indicators, measures, and trends to inform stakeholders about the progress of efforts¹⁷. MPICE generated information can inform on how to implement strategies and operational plans for stabilization activities. Noting that this a valuable MOP/MOE tool, the 38G Heritage and Preservation Officer program adapted the framework into the Measuring Progress in Operational Lines of Effort through Cultural Heritage (MPLOE). MPLOE borrows and modifies MPICE metrics and is designed to supplement MPICE or act as a stand-alone document. MPLOE uses tangible and intangible societal indicators to measure MPICE's drivers of conflict and institutional performance. Since cultural heritage spans multiple MPICE "sectors", "indicators", and "measures", MPLOE looks beyond the mission of protecting cultural property from illicit trafficking, damage, and destruction. Instead MPLOE assesses cultural heritage's full potential to benefit the entire stability operations community by examining the civil sectors of security, rule of law, political capacity and stable governance, sustainable economy, and social well-being. The definitions and characteristics of these sectors originate from the Guiding Principles for Stabilization and Reconstruction.

¹⁶ U.S. Agency for International Development. 2009. *District Stability Framework*. Washington, DC.

¹⁷ Agoglia, J., Dziedzic, M., and Sotirin, B. Eds. 2010. *Measuring Progress in Conflict Environments (MPICE) A Metrics Framework*. Washington, DC: United States Institute of Peace Press.

These tools offer CPP advocates several military doctrinal processes to inform military audiences about the value of CPP as a military necessity and a means for understanding the OE. Each can provide commanders with unique and critical information about the OE and the effectiveness of their LOEs. As illustrated CPP-ODIF (Fig. 2), from the knowledge gained about CPP, commanders utilize the tenants of mission command to adjust unit resources to effectively address the treats and overcome the challenges they face.

Conclusion

Attempting to 'sell' the military on the relevance of CPP in CPP terms has had extremely limited effect. Commanders are seeking to achieve mission success. If CPP advocates attempt to take commanders away from or delay them from achieving their desired end states, CPP goes to the bottom of a very long list of priorities. Advocates must understand that there will never be a CPP objective, a CPP end state, nor a CPP LOE. The key for CPP advocacy is not getting stuck in the 'CPP silo'. U.S. military doctrine informs stakeholders about commanders' priorities and processes. CPP integration strategies like CPP-ODIF can assist cultural heritage professionals with identifying those priorities and processes. CPP-ODIF is an initial look into opportunities for integrating CPP in meaningful ways. Done effectively, CPP advocates will discover that military commanders and staff will become CPP champions, and CPP capabilities become critical operational capabilities. All the required ways and means to validate CPP as a military necessity is available at our fingertips.

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«To Protect is not a Mission»

Reflections on the French Approach to the Military Protection of Cultural Property

Capt. Timothée Le Berre

The notion of cultural heritage in France, from its genesis to its contemporary evolution, is a protean concept with many meanings, as described by André Chastel¹, Françoise Choay² and Jean-Michel Leniaud³. In France, this solidifying of the past through meaningful material productions has found a particular sensitivity, allowing certain singular assets to benefit from a dedicated term, consideration and legislation. This material heritage of the past, passed down from generation to generation, is the bearer of an identity, a culture and a memory, all of which are firmly rooted in the long term. What happens when this heritage is confronted by man's military and warlike activities? If the threats posed by conflicts to these material assets are a reality, the question of the irruption of what is now recognized as cultural heritage as a new signifier in theaters of military operations is open to question. Is it possible to reconcile the long-term sedimentation of heritage with the dynamic, maneuvering nature of military operations? Ultimately, to raise the question of cultural heritage as an operational possibility is to question its recognition, value and use in

1 André Chastel (1912 - 1990), French art historian. A specialist in the Italian Renaissance, he was elected Director of the *École Pratique des Hautes Études* in July 1955, then Professor at the *Collège de France*, where he held the chair of Art and Civilization of the Renaissance in Italy from 1970 to 1984. In 1975, he was elected to the *Académie des Inscriptions et Belles-Lettres*. A close friend of André Malraux, André Chastel, along with historian Marcel Aubert, was behind the creation of the *Inventaire Général des Monuments et des richesses artistiques de la France* in 1964.

2 Françoise Choay (1925 -), French historian of architecture and urban planning. Since 1980, she has taught at the *École de Chaillot*, focusing on the notion of heritage and conservation. A critic of urban theories, she seeks to reconcile humane urban planning with respect for heritage. She translates Aloïs Riegl's work into French. On the history of the notion of heritage, see her book *L'allégorie du patrimoine*, Paris, 1992.

3 Jean-Michel Leniaud (1951 -), French art historian, senior civil servant and researcher. Inspector of *Monuments Historiques* from 1977 to 1990, he also devoted himself to research into the history of monument protection. A lecturer at the *École Pratiques des Hautes Études* and the *École du Louvre*, he was also director of the *Ecole National des Chartes* between 2011 and 2017.

the spectrum of military operations. This possibility is realized through operational integration, with the aim of enabling the transmission of cultural property, in other words, genuine military protection of cultural heritage. It is through this prism that the author proposes to consider the renewal of France's military heritage protection capability.

I. "To protect is not a mission"

Throughout the 19th and 20th centuries, the definition, scope and recognition of heritage in French society evolved. Today, it covers a polysemy for which the term "patrimoine" or its plural form "patrimoines" alone seems only partial⁴. However, in France, the term "patrimoine" is generally sufficient to express "*a set of assets inherited from ancestors and preserved for transmission to descendants*"⁵. The cultural dimension attached to this term was enshrined in 2004 with the publication of the "code du patrimoine"⁶. This code brings together the provisions of French law relating to "*all property, real or movable, in public or private ownership, which is of historical, artistic, archaeological, aesthetic, scientific or technical interest*"⁷. Rather than focusing on provisions relating to culture, this code concentrates on provisions relating to archives, libraries, museums, archaeology, historic monuments and remarkable sites. From the very first destructions of the Revolution, and throughout the 19th century, the press and literature provided a powerful echo for the emergence of this new perception of heritage in the country. This new perception gradually spread throughout public opinion. With the ode *La Bande noire* (1823 - 1824)⁸ and the pamphlet *Guerre aux démolisseurs!* (1825 - 1832)⁹, Victor Hugo denounced heritage vandalism and called for a law to protect historic monuments. The State headed the call, drafting appropriate legislation. Hitherto driven by individual initiatives, heritage conservation became a public cause. Victor Hugo's protest against the looting of the Summer Palace in Peking in 1860 also helped lay the foundations for a broader consideration of heritage in French society. As the typo-chronological notion of heritage expanded, so did its geography. From an ethno-centric vision of heritage focused on Antiquity, religion and then the Nation, the second half of the

4 Leniaud, J. (2002). *Op. cit.* 18-19.

5 Heritage: Definition of Heritage. (n.d.). Center National de Ressources Textuelles et Lexicales. <https://www.cnrtl.fr/definition/patrimoine>

6 Juridique, L. B. (2020). *Code du patrimoine (France) (January 2020) unannotated.*

7 Code du Patrimoine, article L1.

8 Hugo, V. (1912). *Oeuvres complètes de Victor Hugo: Odes et ballades, La Bande Noire, Ollendorf, 99-104.*

9 Hugo, V. (2020). *Guerre aux démolisseurs. Editions Allia.*

20th century, with its wave of decolonization, saw the full international recognition of non-European heritage, giving it a global dimension.

There is a difference between the terms "culture" and "heritage", as well as between the terms "heritage" and "cultural property". When it comes to the protection of heritage, the latter term is regularly associated with its use in a legal context, notably that of international law. The latter refers in particular to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. While there is much debate about the use and definitions of the term¹⁰, particularly in English, the use of the terms "patrimoine" or "bien culturel" remains largely interchangeable, with the term "patrimoine" being the most commonly used in France.

In the event of armed conflict and the interplay between the application of violence and its interaction with cultural property, the question of threat, risk and vulnerability arises¹¹. As part of the scope of military operations, they are more or less fragile in the face of the effects of violent combat or the consequences of a military operation. This potential vulnerability of cultural property is a factor in several respects: on the one hand, it depends on the location of the various items concerned (close to a combat zone or a military objective), and on their capacity to be moved (sites, movable or immovable property) or protected. It is also a factor of the nature of the materials that make up cultural property, and their reaction to the stresses (blast, mechanical and thermal effects) resulting from the use of violence. Cultural property is therefore intrinsically vulnerable, to a greater or lesser degree, and can be considered in the light of the threats and risks associated with armed conflict. Peter Stone describes seven main risks¹²:

10 On questions of definition and use of terms, see : Przyborowska-Klimczak, A. (1989). *Les notions de 'biens culturels' et de 'patrimoine culturel mondial' dans le droit international*, *Polish Yearbook of International Law*, 28, 51; Pratt, L., O' Keefe, R. (1992). *Cultural heritage' or 'cultural property'?*, *International Journal of Cultural Property*, 1, 307; O' Keefe, R. (1999). *The meaning of 'cultural property' under the 1954 Hague Convention*, *Netherlands International Law Review*, 46, 26; Blake, J. (2000). *On defining the cultural heritage*, *International and Comparative Law Quarterly*, 49, 61; Frigo, M. (2004). *Cultural property v. cultural heritage: A "battle of concepts" in international law?* *Revue Internationale De La Croix-Rouge/International Review of the Red Cross*, 86 (854), 367-378. Kila, J. D. (2017). *The wicked problem of cultural heritage and conflict: Military involvement in the protection and devastation of cultural property*. Colonel Publishing, 36-37 and 49; Berends, J., (2020), *Cultural Property Protection Make Sense*, 2, 7-8.

11 Le Bouclier Bleu International defines these terms as "A threat (or hazard) is something that has the potential to cause damage or loss of value (here to cultural property), Vulnerabilities are weaknesses that threats can act on. The risk is how likely the threat is to occur and how great the consequence would be if it occurs, given the vulnerability"; *Threats to heritage*. (2022, February 16). Blue Shield International. <https://theblueshield.org/why-we-do-it/threats-to-heritage/>

12 Stone, P. (2019). *The seven risks to cultural property in armed conflict*. *British Army Review*, 2, 102-113.

1. *it is not regarded as important enough to include in pre-conflict planning*
2. *through pillage/"spoils of war";*
3. *through lack of military awareness;*
4. *as the result of collateral damage*
5. *through looting;*
6. *through "enforced neglect";*
7. *as the result of specific targeting.*

However, these seven generic risks in armed conflict can also be defined according to the actors involved and their potential responsibilities: armed forces, state or population, with direct and induced risks. As far as the armed forces and the application of violence are concerned, they could then be reduced to these three factors alone:

1. *as result of specific/direct targetting;*
2. *as result of collateral damage;*
3. *through pillage/"spoils of war".*

The two factors mentioned, *"it is not regarded as important enough to include in pre-conflict planning"* and *"through lack of military awareness"*, while certainly aggravating the risks to cultural property during armed conflict, come down to finding the cause of the three points mentioned, where violence ultimately applies. As for the other risks *"through looting"* and *"through", enforced neglect"*, these apply as incidental factors of armed conflict resulting from a drop in the level of security or the absence of personnel or means to offset the structural deterioration of cultural property. Furthermore, in the event of armed conflict, and quite apart from legal considerations, the question of the intention behind the application of violence towards an objective may be raised, and the causes may be numerous. This is a question of responsibility, ethics and "military necessity"¹³. Protection is defined as *"the action or fact of removing someone or something from a danger or risk that could harm them; the fact of*

¹³ On the question of intentions in the destruction of cultural property in the event of armed conflict, see: Baker, R. W., Ismael, S. T., & Ismael, T. Y. (2010). *Cultural cleansing in Iraq: Why museums were looted, libraries burned and academics murdered*. Pluto Press; Brosché, J., Legner, M., Kreutz, J. & Ljla, A. (2017). *Heritage under Attack: motives for targeting cultural property during armed conflict*. *International Journal of Heritage Studies (IJHS)*, 23(3), 248-260; Danti, M. (2015). *Ground-Based Observations of Cultural Heritage Incidents in Syria and Iraq*. *Near Eastern Archaeology*, 78(3), 132-141.

protecting oneself or being protected"¹⁴. In a military context, this is first the responsibility of those involved (military, civilian, various groups). The responsibility of the latter can also vary according to the type of conflict and its phases. The action of "avoiding danger" can be carried out using different methods, distances and timeframes.

We observe these nuances in the terms used for implementation: protection, securing, safeguarding, preservation, and defense. Ultimately, all of these terms reflect a particularly static conception of cultural property, such as the quest to keep it under wraps during a conflict. The protection of cultural property in zones of armed conflict thus covers a particularly wide range of meanings, methods, actors, resources and mechanisms, making it a difficult subject to grasp.

Heritage protection, as it may be generally perceived (particularly by civilian professionals), often presupposes the integral physical conservation of artifacts, monuments or sites, i.e. the absence of physical degradation between them and their environment. Here too, the mechanisms of integral conservation (or conversely, the elimination of degradation factors) depend on the inherent characteristics of cultural assets, their constituent materials and their creation techniques. When it comes to the protection of cultural property in the event of armed conflict, the action of "protection" can therefore be defined in a number of different ways, and above all implies the absence of damage. Finally, in military terms this could be described as a delaying maneuver as *"a defensive combat in which we accept the loss of all or part of the assets with a view to either slowing down the risks and thus gaining time, or bringing these threats into a situation or onto terrain deemed more favorable for suppressing them"*¹⁵.

This is why there may be a lack of understanding or at least a lack of mutual knowledge, between civilians and the military when it comes to the role the military should play in protecting cultural property during a conflict¹⁶. While the civilian professional would foremost consider that cultural prop-

¹⁴ Protection: Definition of protection. (n.d.). Center National de Ressources Textuelles et Lexicales. <https://cnrtl.fr/definition/protection>

¹⁵ For a definition of the delaying maneuver, see : Armée de Terre (2013). E.M.P. 60.641 Glossaire Français/Anglais de l'armée de Terre, compendium of conventional military terms, acronyms, signs and symbols, 313.

¹⁶ Amaan, J.-L., Leturcq, J.-G. (2018). *The Soldier and the Curator: The Challenges of Defending Cultural Property in Conflict Areas*. EDA Working Papers.

erty should not be damaged, the military would tend to consider it only as an element of an operational environment that could, if necessary, contribute to the desired success. Is it possible to reconcile these two concerns?

II. For a «military protection of cultural property»

Over and above a conflict of temporalities - the short time of military maneuver and the long time of the transmission of cultural goods - these two worlds - the world of culture and the military - have different organizational cultures, vocabularies and interests, which need to be brought together when armed conflict erupts in order to protect, or better protect, cultural goods. Unlike other areas of military life (politics, diplomacy, health), the encounter between organized military action and cultural assets is essentially confined to the active phases of an operation. In peacetime, there is little or no link between these two domains. Therefore, also a cultural problem needs to be resolved¹⁷. As Isabel Hull writes, "*organizational culture is more likely to determine action than explicit doctrine or ideology*"¹⁸. Three factors make it possible for this culture to evolve in the military: history, geography and changes in the operational environment, thus maximizing the effectiveness of the organization¹⁹.

Considering the protection of cultural property through a military prism would thus enable us to better appreciate its effects and limitations. In order to avoid the pitfalls we have mentioned, but above all, to propose a more effective use of the military tool in the preservation of cultural property within an operation, it therefore seems important to us to propose a clear distinction between "the protection of cultural property in the event of armed conflict" and "the military protection of cultural property in operation".

This being the case, the mission of the military players involved in an operation in a patrimonial environment remains first and foremost to contribute to the success of the operation. In other words, at every level (strategic, operational and tactical), to seek effects that will contribute to the end state sought by the operation's commanders. The image of the Heritage Protection Officer would then change from that of Indiana Jones discovering treasures and protecting humanity's property be-

17 Alvesson, M. (2012). *Understanding organizational culture*. SAGE, 3-4.

18 Hull, I. V. (2013). *Absolute destruction: Military culture and the practices of war in imperial Germany*. Cornell University Press, 92.

19 Mansoor, P. R., Murray, W. (2019). *The culture of military organizations*. Cambridge University Press, 5.

cause "this belongs in a museum"²⁰ to that of an officer promoting respect for and protection of cultural property within a military operation.

As we understand it, military protection of cultural property covers the use of military processes, people, resources and methods that contribute directly or indirectly to the physical preservation of cultural property. As the main actor in an armed conflict, it therefore involves, voluntarily or otherwise, interacting with an object of which it is not, *a priori*, the owner, if not the ordinary manager, and a fortiori a connoisseur.

That is why we are proposing a new vision of this mission, from one that can be perceived as generally negative, to that of a new operational opportunity offered to operations commanders.

The aim of military heritage protection (i.e. to prevent damage) may be perceived by the military commander, first, as a constraint. Indeed, taking account of cultural property and respecting international commitments, for which the operational legal advisor is the guarantor, could be seen as an obstacle, if not a hindrance, to military action.

A large part of the body of literature, and particularly the French doctrinal corpus on the protection of cultural property in the event of armed conflict, justifies the intervention of military actors in this field, above all in order to respond to a "legal risk", identified following the ratification of the Convention and its second protocol in 2017²¹. It is hardly surprising, then, that the essential action of the military commander and the chain of command, when it comes to heritage, is first and foremost to protect themselves in the face of this risk. In this case, by entrusting legal experts with the responsibility of ensuring that the Convention is not violated. This risk of legal violation could lead to direct prosecution as a war crime. The object of this protection is therefore imposed on military commanders during operations, even though the beneficiaries of this protection do not fall within the military sphere. Perhaps this is why the justification of legal risk, combined with a perceived lack of direct benefit to the armed forces, has prompted them to design their actions, resources and partnerships in this field, above all to avoid the risk of legal proceedings.

²⁰ *Indiana Jones and the Last Crusade*, 1989.

²¹ *Assemblée nationale, Avis sur la protection des biens culturels en cas de conflit armé, Journal Officiel de la République Française*, 166, 28, July 21st, 2015.

On the other hand, devoting time, means or resources to protect cultural heritage, and thus obtaining a *status quo* concerning it, would seem all the more difficult given that this vision resembles that sometimes shared in anti-terrorist missions. In other words, the mission of protecting people and property is fulfilled if nothing happens. How, then, can we convince people to take this factor more fully into account, when it is only one of the priorities of military commanders? In addition, if the mission is accomplished, what are the tangible signs of success?

Developing a positive approach to military heritage protection would therefore be a prerequisite for armed forces to take better account of this factor.

It would be a mistake for the various players (military, promoters of operational heritage protection, heritage professionals) to work on the assumption that application of the 1954 Convention automatically aligns with the aims and concerns of the other players. In military terms, compliance with obligations to protect cultural property is established in a balance with military necessity. This is the result of a doctrinal analysis based above all on a legal approach: the operational protection of cultural property results from international and national law, and any violation will be subject to individual criminal prosecution. In contrast, the reasons given by those in favor of heritage protection are based above all on the spirit of the preamble to the 1954 Convention:

"Recognizing that cultural property has suffered grave damage during recent armed conflicts and that, by reason of the developments in the technique of warfare, it is in increasing danger of destruction. **Being convinced** that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world. **Considering** that the preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection".

It would appear that these two justifications are mutually exclusive, and do not contribute to a broader consideration of cultural heritage as an element in the understanding of the operating environment. This contribution, in turn, makes it possible to better respond to the spirit of the Convention. It therefore seems urgent and imperative to rethink this ap-

proach and this dialogue, in order to make the operational protection of heritage a fully-fledged factor contributing to the success of operations. Since the protection of cultural property has failed to align itself with military issues and the means available to circumvent them (military necessity), the only justification in legal terms appears unconvincing, and results in a wait-and-see attitude towards actions aimed at fully complying with the requirements of the Convention. The operational protection of cultural property does, however, offer an advantage that seems to have been overlooked: that of contributing to the understanding of the human environment. It's up to the players in charge of proposing this protection to align their proposals, not on explanations based on their justifications (legal, heritage, symbolic), but on arguments based on their contribution to the efforts of the military leader contributing to the success of the mission. Thus, when military heritage protection is considered, it must be fully aligned with the different phases of a conflict (intervention, stabilization, normalization), as well as with the changing operational environment. It is this integration within a continuum of operations which, in turn, defines the possibility of devoting resources (temporal, human or material)²². The more intense the conflict and the more limited the resources, the more difficult it will be to acquire these resources for heritage protection. For the military leader, it will be a question of winning the battle rather than leading the peace.

The benefits of this validation can be sought through the support of a method of reflection and elaboration of operational decisions integrating heritage. The development of this approach for the protection of heritage in operations makes it possible, on the basis of generic elements of tactical and operational reasoning, to lay the foundations of a concept of operation²³: to identify the problem and the acquisition of the information required to solve it, to define a research process to discover goals and formulate precise objectives, and to define then select options to achieve these objectives²⁴.

22 Rush, L. (2017). *Cultural Property as a Force Multiplier: Implementation for all phase of Military Operation*, NATO.

23 Ministry of the Armed Forces, *Joint Doctrine (DIA) No. 5(B), Anticipation et planification stratégiques*, CICDE, 2013; and *Joint Publication (PIA) No. 5(B), Planification du niveau opératif : guide méthodologique*, CICDE, 2014.

24 Clee, F. (Colonel) (2019). *Les fondements de la culture de prise de décision opérationnelle en France*, *Revue militaire générale, La prise de décision opérationnelle dans l'armée de Terre*, 53, Paris, 36.

Military heritage protection can thus act as a revealer of the obstacles to peace, of the actors in the conflict, or as a means of conflict resolution. Its analysis can reveal certain enemy objectives (trafficking, propaganda, etc.), but also identify opportunities, both in terms of the possible effects of operations, and as an indicator of the operational environment.

By integrating heritage protection into strategic thinking, we are able to shed additional light on, and gain multiple insights into, the operating environment²⁵. By integrating these factors into the operational design phase, which defines objectives, desired end-state, risks and approaches, it is possible to define operation orders and establish specific missions based on this analysis. As an integral part of companies, cultural heritage therefore covers the entire operational environment. Its integration enables us to define specific operational protection missions designed to help achieve the objectives of peace and the desired end-state.

It is this approach by effects that enables military protection of cultural property to have an effect on operations, and which contributes directly or indirectly to a better protection of the latter.

III. France's experience in protecting cultural property in operation

Heritage and cultural property, whether they be UNESCO World Heritage sites, national museums or local vernacular heritage, have one thing in common: the vast majority of them are located within populations in a terrestrial environment. Although underwater heritage is also protected²⁶, above all an element presents a challenge to the terrestrial environment. As the use of force is essentially applied in the field of human societies, in which heritage is located, it is also in the terrestrial environment that it finds its main field of application. Even if forces use and exploit all environments, both tangible and intangible, it is on the ground, physically, and in contact with the protagonists, through a lasting presence, that the action undertaken bears fruit²⁷. Although they do not form a category in their own right, the inclusion of heritage sites in the *No Strike List* enables the air component to meet most of its obligations by identifying and not targeting these sites, unless militarily necessary. Since we can only protect what we know, the

25 Cunliffe, E., Fox, P., Stone, P. (2018). *The protection of cultural Property in the Event of Armed Conflict: Unnecessary Distraction or Mission-Relevant Priority?*, NATO Open Publications, 2.

26 UNESCO (2001). *Convention on the Protection of the Underwater Cultural Heritage*.

27 Armée de Terre (2007). *Les forces terrestres dans les conflits aujourd'hui et demain*, Paris, 26.

question of identifying heritage sites is a central issue when it comes to establishing, locating and communicating these lists²⁸. If they are to be taken into account in the process of targeting by armies, and thus categorized in the *No Strike List*, they need to be validated and transmitted. Heritage, as an integral part of the operational environment of land forces, is nothing new. However, over the course of recent major conflicts, the protection of these goods has become an imperative for the land forces, particularly as they have a certain freedom of action and movement in operational zones, which is no longer available to civilian personnel normally in charge of heritage. Above all, it has skills that are directly relevant to its participation in operations to protect, safeguard or evacuate cultural property. Already during the First World War, three "sections for the protection of works of art in army zones" were created within the army.



Soldiers of a Section de Protection des oeuvres d'arts in the rubble of the Musée de Boulogne, 1918.

In the 1930s, a "Monuments Commission" was set up within the Grand Quartier Général. Working in conjunction with the Ministry of Fine Arts, the Commission was responsible for preparing the necessary measures to safeguard France's heritage in peacetime²⁹. Thanks to the energetic action of officers seconded to major national museums such as the Louvre, as early as 1938 they took part in the protection and evacua-

²⁸ On the issue of site identification, see: Cunliffe, E. (2021). *No Strike Lists, from use to abuse*, online: <https://www.heritageinwar.com/single-post/2020/01/24/trump-and-iranian-cultural-property-heritage-destruction-war-crimes-and-the-implications>, accessed April 19, 2021.

²⁹ On the work of the Commission des Monuments and the *Equipes Mobiles de Réparation*, see : Le Bris, C. (2022), *Les unités militaires françaises pour la protection du patrimoine : le cas du Service des Monuments au Grand Quartier Général, 1936-1940*, mémoire d'étude de l'École du Louvre sous la direction de Camille Morando.

tion of works of art. During the Second World War, and following the creation in 1943 by the *US Army of the Monuments, Fines Arts and Archives Program*, the "Monuments Men" were joined by 24 French civilians and soldiers. They were quickly integrated into the 1st French Army, and were involved until the 1950's in the restitution of works looted during the conflict. Captain Rose Valland became an iconic figure. Her actions not only helped France recover part of its looted heritage, but also ensured a French presence on Allied restitution commissions. She was also the French representative in the preparatory work for the *Convention for the Protection of Cultural Property in the Event of Armed Conflict*, and for its ratification by France in 1957.

Today, like no other army in the world, the French Army has a team of military heritage specialists, recognized curators and graduates of the most prestigious cultural institutions (École du Louvre, Institut national du Patrimoine)³⁰. Under the aegis of the Délégation au patrimoine de l'armée de Terre, they preserve, promote and enhance the army's cultural property through their work in 16 museums. The latter have both a military culture and a heritage culture. They therefore have the ideal profile to provide the French Army with specific skills for heritage protection missions in armed conflict zones³¹.



Liaison with the heritage officer in Gao, Mali, in front of the Tombeau des Askia, UNESCO World Heritage Site, 2019.

30 Cour des Comptes (2021). *La politique muséales du Ministère des Armées, hors établissements publics, exercice 2014-2019, rapport d'observations définitives S2021-0586*, Paris, 35.

31 Aubagnac, G. (Lieutenant-Colonel) (2014), *Participation des forces armées à la protection du patrimoine*, in: *Musées et collections publiques françaises, revue de l'association générale, des conservateurs des collections publiques de France*, 271, 8.

Several missions were held in 2018 and 2019, with two of them deployed on operations. The first is in the Central African Republic as part of a civil-military action and contributed to the rehabilitation of Bangui's national museum³². The second will be in 2019, as a command advisor to the Barkhane operation³³. The results of these two missions³⁴ validate the hypothesis of a useful heritage and operational approach, contributing to the success of the military leader. This experience also makes it possible to propose the scope of intervention for these specialists, thus giving operational expression to the provisions of Article 7 of the Convention. From now on, "protecting the heritage" translates into specific missions such as identifying, advising, training, intervening, cooperating, informing and communicating: a whole range of possible missions that can be integrated into the wider process of operations.

At all times, curators on operations must bear in mind that their missions are not separate from the conduct of operations, but play a full part in them. It is therefore important to make proposals that are in line with the missions of the higher echelon and compatible with its maneuvering. Since then, several of them have been deployed in theaters of operation, contributing to a better consideration of cultural property in military operations³⁵.

These missions are also part of a broader structuring of this capability, which today includes not only permanent support within the Army Staff, but also a global organization of training for military personnel in this field at several levels. This expertise, now recognized at the highest level, is also put to good use with our allies and partners. The relationships forged with the civilian sector, whether academic or cultural professionals, also enable us to better explain this specific approach to military heritage protection, and thus, to make the most of synergies in a field where each player has his or her part to play in contributing to better protection of the Human Genius.

32 Pinauld, A. (2019). *La Culture, un enjeu opérationnel à part entière*, *Terre information Magazine*, 307, 49.

33 *Etat-Major des Armées, BARKHANE : Portrait du capitaine Timothée, " conservateur en opération " engagé pour la protection du patrimoine*, May 20, 2019, online: <https://www.defense.gouv.fr/operations/afrique/bande-sahelo-saharienne/operation-barkhane/breves/barkhane-portrait-du-capitaine-timothee-conservateur-en-operation-engage-pour-la-protection-du-patrimoine>, accessed April 20, 2021.

34 *Fiche de présentation n° 503549/ARM/EMAT/SCPS/DELPAT/NP du 23/04/2020, compte de fin de mission d'un conservateur déployé en opération.*

35 *Participation in the documentation of cultural property in an area of operation by a deployed curator. Estonia, 2023.*

Conclusion

Integrating military heritage protection, as an element in its own right, contributes to the success of military operations. It therefore makes sense to consider it at all levels (strategic, operative, and tactical) and during all phases of a conflict (intervention, stabilization, normalization). All the opportunities offered by this integration (contributing to military objectives, helping to understand the environment, etc.) argue in favor of a renewed approach to the subject, moving away from an essentially legal logic centered on military necessity and command protection, to the identification and exploitation of an additional field of action in the service of operational objectives. The French Army has been a pioneer in many areas relating to the protection of cultural property in operations (doctrine, structures, and missions). It is now a key player with skills and experience which, when combined with others such as the contribution of legal experts, will provide a comprehensive capability for understanding, training and intervening in the field of cultural heritage to ensure the success of operations. This specifically military approach to the protection of cultural property is now finding an echo not only in France, but also in other armed forces, which could lead to a new formulation of the paradigm perceived by the drafters of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Captain Timothée Le Berre
Curator of the French Foreign Legion Museum

Post War and Cultural Heritage. An Historical Perspective¹

Prof. Marco Mondini

1.

In 1950, the Direzione generale delle Antichità e delle Belle Arti published a book entitled *La ricostruzione del patrimonio artistico italiano*² [The Reconstruction of the Italian Artistic Heritage]. The introduction was by Roberto Pane, at the time one of the most prestigious Italian architects and one of the leading scholars in the restoration and recovery of artworks damaged during the Second World War. Pane wrote that: We have often heard it repeated, especially by foreigners, that a country like so exceptionally rich in artworks, should never have entered in the war; a naive deploration, as well as devoid of historical foundation, as demonstrated, among other things, by the fact that our the fact that our participation in the last conflict was decided against the latest conflict was decided against the will and the feeling of almost all Italians. [...] Italy was unprepared to implement, with the breadth of means and timeliness that the war demanded, a complete and valid protection of its treasure of art and history. However, a great deal was done despite the inadequacy of the means that forced the restriction of protection to the most precious parts of the monuments and according to criteria necessarily limited to foreseeing certain types of warlike offences and not others. This sentence was, at the same time, an ideological statement, and the admission of a failure. Politically speaking, Pane merely repeated the mantra adopted by the anti-fascist movements (and in general by every national representative) after 8 September 1943 (Ivanoe Bonomi, head of the first government installed in the liberated Rome of 1944, would say the same thing). The war was not the fault of the Italians, but only of the past fascist regime. It was a rhetorical tool to lim-

¹ This text was presented to the conference *Cultural Heritage Protection in Crisis Areas* (Coespu, Vicenza – Italy) basically as a contribution for a debate. It retains an informal style, and it is meant as an open document.

² Direzione generale delle Antichità e delle Belle Arti, *La ricostruzione del patrimonio artistico italiano*, Libreria dello Stato, Roma, 1950.

it the nation's guilt, to distance itself from the losers of the war and to remind the victors, the Allies, that after all, Italy was not only a defeated country, but also a co-belligerent one. From another point of view, this was a claim: Italy had failed to protect its artistic heritage during the Second World War. Or, rather, the planning of the state had failed. In many respects, this was a paradox. At the eve of the Second World War, the Kingdom of Italy had a long experience in defending (and then recovering) cultural heritage threatened by modern weapons, matured mostly in the field between 1915 and 1918, when it was a question of securing, in haste and without any real planning, the monumental areas and major works of art in the north-east of the Peninsula, the 'war zone' closest to the theatre of operations, where cities were exposed not only to heavy artillery fire but also to the new weapon of aerial bombardment. Based on this experience, and also the events of the Spanish war, Fascist Italy had begun to plan the protection of its artistic patrimony long before the conflict. Since 1938, Giuseppe Bottai, Minister of the National Education, promoted a legislation to protect the cultural heritage in the event of war, and in 1939 the law "on the protection of things of historical or artistic interest" was passed, just followed by another specific decree about the "defense of artworks in wartime" (July 1939). According to Bottai, during the future (probable) war, national cultural heritage will be protected «strenuously and by any means, just like families and houses»³. Nevertheless, shortly after June 1940 the claim to make national monuments invulnerable (some Fine Arts officials declare this) turned out to be little more than yet another fantasy of the regime. The point is that the resources available to secure even the main monuments (not to mention art galleries or ancient libraries) did not make it possible to cope with the incessant strategic bombing campaign launched by the Allies and, from the summer of 1943, with the violence of the fighting (and the vandalism of the opposing troops). Soon, Italian Cultural Heritage began to crumble under the violence of war. Maybe, the best portrayal of the inadequacy of the state's strategy to protect its artistic heritage is offered by the fact that decisive action to secure artworks was carried out by officials of the Fine Arts, like Emilio Lavagnino, who worked at the Soprintendenza alle Belle Arti in Rome (but he was removed on suspicion of antifascism) or even simply by art historians or scholars without any official assignment (sometimes, controversial persons, like Rodolfo Siviero).

³ G. Bottai, *Tutela delle opere d'arte in tempo di guerra*, "Bollettino d'arte", 1938, X, pp. 429-430.

Especially since summer 1943, when the Italian Kingdom collapsed, occupied and transformed in a battlefield, and the cultural heritage was menaced at the same time by the allied bombing and by German loot. On the contrary, through the First World War, liberal Italy, and especially its Armed Forces, had given a far better account of protecting monuments. It was an improvised strategy (until the year before, it was not thought that systematic protection of monuments would be necessary), yet an effective one. Of course, the impact of the destruction on the North East during the Great War was much more limited than the systematic devastation experienced by the entire peninsula, especially between 1943 and 1945 (and this, despite a year of brutal Austro-German occupation between 1917 and 1918). For instance, there is no doubt that the mobilization of there is no doubt that the hasty, largely haphazard and emergency mobilisation of civil resources within the military hierarchies was a winning move. The best-known case is certainly that of Ugo Ojetti⁴. An art critic, journalist and opinion maker among the most famous in those years, he enrolled as a volunteer in the Territorial Militia. However, within a few days, in May 1915, he was immediately employed directly by the Supreme Command. Reporting directly to Carlo Porro, deputy to Chief of Staff Cadorna and in charge for the Civils Affairs, Second Lieutenant (then Captain) Ojetti was charged with the task of taking a census of endangered monuments in the north-east, both the old Italian provinces and the newly occupied territories, and making arrangements for their safety, including moving them away from the front. As he wrote to the wife in June 1915, he was appointed as a sort of *missus Dominicus*, an emissary of the Supreme Command, in the occupied territories and sometimes on the front line, with the mission of «seeing everything, caring about everything and taking care of everything related to art that was threatened and to be saved»⁵. Even if not the entire cultural heritage protection policy can be summarised in Ojetti's military record, there is no doubt that the establishment, at first informal, of what today we would call a CIMIC office at the Supreme Command in Udine was an extraordinarily effective stunt, which initiated an effective collaboration that lasted well beyond the end of the conflict. Quite paradoxically, this efficient model was unable to handle the post-war period. Or, rather, he managed it by letting himself to be dominated by a spirit of vindication, revenge and oppression that soon

4 M. Nezzo, *Ugo Ojetti. Critica, azione, ideologia*, Padova, Il Poligrafo, 2017.

5 U. Ojetti, *Lettere alla moglie 1915-1919*, a c. di N. Rodolico, Firenze, Sansoni, 1964.

turned his merits in the field into a communicative, and ultimately political failure. In the second part of my speech I will speak briefly of this failure in terms of image, paradoxical especially when compared to what would occur in the defeated and humiliated Italy of 1943-1946.

2.

During the First World War, art was not only something to protect. Art was mobilized as a propaganda weapon. The first and most known example is of course the case of the Reims Cathedral, hit and burned by German artillery in September 1914. This episode was immortalized by French propaganda (and soon by newspaper wherever in the world) as a sacrilegious act, the demonstration of the barbarian nature of the evil German. Actually, the mobilization of art as a weapon in a war widely perceived as a crusade against evil was not a French (or British) monopoly. Just to remember a known protagonist of the mobilization of culture for the conflict, Ojetti declared in 1915 that the Austrian hatred against Italian art was «a tenacious hatred that has lasted for centuries, made up of envy and cowardice: envy of what our enemies do not have, that they can never have and that is the everywhere and always recognisable sign of our nobility, so that hurting Italy in its monuments and beauty almost gives them the illusion of hitting it on the face: cowardice because they know that this singular beauty of ours is fragile and cannot be defended, and to hit and hurt it is like hitting a mother in front of her child'». Italians therefore had to put an end to this threat forever, and take revenge for every violence the Austrians had perpetrated against Italy and its art over the centuries. Unfortunately, this spirit of revenge was not quenched with victory. In 1919, while Ugo Ojetti was appointed as a consultant to the Italian Commission for the Violation of the Law of Peoples (an office that was supposed to investigate the criminal acts and looting carried out by the Austrians and Germans during the occupation of the eastern Veneto between 1917 and 1918), an Italian Military Armistice Mission was sent to Vienna. General Roberto Segre was appointed as a Chief of the Mission: that is a well-known story. Less known is that, to support the work of the Mission, a 'Sub-Commission for the Recovery of Objects of Artistic and Historical Significance' was set up in January 1919. The coordinator and liaison with the chief of the Military Mission was Lieutenant Paolo D'Ancona, professor of art history in Milan and only army officer in the Art Commission. No record has so far clarified who suggest-

ed D'Ancona for the role, and when exactly he reached the Mission in Austria, yet his military and art history qualifications undoubtedly made him the ideal candidate. From various notes issued by the Supreme Command and the Ministry of Education, we learn that around January 15th and 16th the other two appointed members were on their way to Vienna. Gino Fogolari, director of Venice's Gallerie dell'Accademia but above all an "irredento" from Trentino, former subject of the Austrian Empire, and Giulio Coggiola, director of the Biblioteca Marciana in the same city, finally joined the Military Mission to assist Segre and D'Ancona with ongoing inquiries and future retrievals. The Sub-Commission began its work in Vienna on 19 January 1919, with the aim of recovering objects belonging to public bodies and private property removed by the Austrians in the irredent territories before the conflict and in the Italian provinces invaded at the end of October 1917. In addition to these objects there were those that were considered 'historical restitutions' and concerned works of art requested by Italy from Austria as early as the treaty signed by the two nations in 1866, at the end of the Third War of Independence. Moreover, they included in this list objects requested as compensation for war damage suffered. Quickly, it soon became clear that the commission's intention was not merely to regain works stolen during the war, but to obtain reparation for any wrongs Italy had suffered in the past by plundering the treasures of Vienna. Director General of Antiquities and Fine Arts Corrado Ricci also made his view clear by writing in a letter that the Military Mission in Vienna must not lose any opportunity of taking everything they could. Objects owned by German and Austrian museums should be handed over to Italy in compensation for all the losses suffered – sometimes for no compelling military reasons – by historical buildings, churches and monuments during the war. «Allora, l'arte compensi l'arte», art compensate for art, as stated the director of the Brera Gallery in Milan, Ettore Modigliani in an article titled "Le rivendicazioni artistiche italiane"⁶. Still, no documents testify to Italian authorities ever taking this last scenario into real consideration. A veiled threat of likely yet unspecified repercussions on the part of the Mission in case of failure to comply, resulted in the message being rightly interpreted as a short-term ultimatum, which many believed to be hinting at the possibility of cutting food supplies to the city. The Austrian press also reported about how Segre apparently did

⁶ Cfr. L. Dal Prà et al. (a cura di), *Il riscatto della memoria. Le rivendicazioni italiane d'arte e di storia da Ettore Modigliani a Giuseppe Gerola (1919-1923)*, Trento, Castello del Buonconsiglio, 2022.

not rule out the “brutal” use of armed force in case of refusal. General Segre himself would admit to having purposely spread the rumour around that not giving the Italians what they were asking for could come across as rather ungrateful given all their efforts towards delivering foodstuff to Vienna. He nevertheless stressed that such statements were far from becoming reality. Actually, as stated Johann Rainer in an essay published 20 years ago, Italian claims in terms of artistic plundering in Vienna remained mostly on paper. Viennese museum deposits, palaces and private collections were not really touched. And we have no documentary evidence that the sub-commission, which continued to send works of art to Italy until 1922, did anything more than recover works illegally stolen from Italian territory between 1914 and 1918⁷. Thus, a few weeks after his arrival in the Austrian capital, General Segre obtained permission by the Supreme Command for selected art officers to be attached to the Mission as members of a special art commission. The initial lack of expertise, however, didn't prevent him from laying the foundation for all the work to come and personally using the excuse of visiting the Schönbrunn Palace in January 1919, for instance, to investigate the whereabouts of some precious tapestries shipped from Mantua in the previous century. Segre's art commission was thus swiftly conceived and put together in the first two weeks of January 1919. Its initial composition amounted to three members. Nevertheless, threats and claims published in the press turned into a media boomerang. The impression was that the Italians simply wanted to take revenge on the old enemy and that the unrestrained nationalism of the victor would prevail over the reasons of the artistic protection and law. A first step in Italy's (paradoxical) ability in 1919 to lose the peace after winning the war, isolating itself diplomatically and giving the image of an aggressive country ready to rage against its defeated neighbours, was thus taken. A few weeks later, at the Paris Peace Conference, isolation, bad diplomacy and the image of an aggressive country would cost Italy a new place in the club of the great powers. If the experiences of the history of modern conflicts in this field can become a lesson learned, the first conclusion we can draw is that in many respects - media, communication, politics - the behavior of the Italians was effective during the conflict, and very disappointing immediately afterwards. The opposite example, that of a successful model, is offered by what

7 J. Rainer, *Il recupero dei beni culturali italiani dall'Austria dopo la Prima guerra mondiale*, «Studi Trentini di Scienze Storiche», 1988, 2, pp. 237-250.

happened in defeated and ruined Italy between 1943 and 1946. The variable was the strategy adopted by the Allies towards the threats brought to the cultural heritage by the total war. For the first time, the Americans and the British (they were the majority shareholders in this initiative in the Europe to be liberated from 1943 onwards) decided not to limit themselves, as during the Great War, to using art as a weapon of patriotic propaganda but to deploy human and military resources to protect the entire threatened European cultural heritage. Threatened, one should add, by their own bombardments at the same time, by systematic Nazi raids (an estimate from this point of view p. From a doctrinal point of view, it was a revolution). From a doctrinal point of view, in any case, it was a revolution. Just after the invasion of Sicily, in summer 1943, a Monuments, Fine Arts and Archives Subcommission was created as a part of the ACC – AMGOT Italy. For three years, the officers serving on the sub-commission, among them many art historians and university professors, travelled through the occupied areas, moving up the peninsula with the Allied Armies. There is a copious literature on the in many respects extraordinary results of Monuments Men Italy. And anyway, as I am not an art historian, I do not have the expertise to judge their work technically. From another point of view, however, their example demonstrate the validity of a different approach also from a media point of view. The Monuments Men Italy immediately offered to cooperate with Italian Fine Arts officers, presented themselves as liberators and protectors of the artistic heritage as well, and acted as friends not as occupiers with aims or claims on Italian art. This was an amazing change for a country accustomed to being despoiled of its own beauty, lastly by the German until 1945, and a very effective weapon of public communication. Not even the sub-commission highly polished final report could deny that a good deal of the damage to the Italian cultural heritage had been inflicted by British or American bombs. But the effort to return their masterpieces to the Italians were definitively a public success⁸.

I would like to conclude my contribution with only one episode of this media strategy.

In August 1944, Emilio Lavagnino, helped Perry Cott to organize an exhibition of 48 masterpieces chosen from hundreds of paintings stored

8 National Archives United Kingdom, T 209 / 30 / 1, Headquarter Allied Commission – Sub commission MFAA, Final report General (1/01/1946).

in the Vatican for safety until the capital's liberation. Among these were Raphael's *Marriage of the Virgin*, Piero della Francesca's *Flagellation* and Titian's *Sacred and Profane Love*. Located in the Palazzo Venezia, from whose balcony Mussolini had harangued Italians for 20 years, the show was intended as a thank-you to Allied troops fighting in Italy and a showcase of the Monuments Men dedication to safeguarding Italy's artistic heritage. The Italians who attended were moved at seeing so much beauty that had gone into hiding for years⁹.

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⁹ E. Lavagnino, *Fifty War-Damaged Monuments of Italy*, Roma, Istituto Poligrafico dello Stato, 1946.

**Center of Excellence
for Stability Police Units**

Panel 2

**Cultural Heritage Protection and
Stability Policing:
Lessons Learned and Future Strategies**

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

Vicenza (Italy), 27 - 29 September 2023

Panel 2

Cultural Heritage Protection and Stability Policing: Lessons Learned and Future Strategies

Prof. Valerie Higgins

Introduction

Panel 2 was a mixture of representatives of the military, law enforcement, academics and third sector professionals. After a general discussion three areas were identified as topics of common concern warranting further analysis:

- Interagency co-ordination;
- Relationship with local communities;
- Training.

Interagency Coordination

Coordination between agencies involved in stability policing was discussed from several angles. It was felt that coordination could be improved by better integration of the different competencies of each agency. Representatives of police units felt that the law enforcement aspect often has a low priority resulting in a failure to collect evidence. This hampers successful prosecution and impedes progress towards a stable community.

The following actions items were suggested to improve interagency co-ordination:

1. *Terminology.* This is currently confused as the same term can mean different things to different agencies. There needs to be a standardized terminology in operation between agencies.
2. *More standardization of common practices and policies.* Interoper-

ability depends on a common approach and the institutionalization of CPP.

3. *Clearer accountability.* A well-defined sense of who is responsible for what and when was felt to be sometimes lacking in current operations. There also needs to be an efficient method for measuring impact and effectiveness in order to ensure continuing improvement.
4. *More detail in the mandate on CPP and cultural awareness.* The mandate needs to recognize the importance of intangible as well as tangible heritage.

Relationship with Local Communities

There is often a lack of information available on the needs of local communities. This means that interventions do not always reflect the local priorities.

The following action items were suggested to improve relationships with local communities:

1. *More training on community practice.* The benefit of having good relations and ways to build trust with local communities should be a key part of training;
2. *Recognition of the importance to local people of all cultural heritage not only large monuments, or heritage on a national or international register.* This can include, for example, local cultural sites, intangible cultural heritage, and cultural landscapes. The latter can be particularly sensitive in land where indigenous peoples live.

Training

Current training was felt to be inadequate both in its breadth and its depth.

The following actions items were suggested to improve training:

1. CPP & cultural competency should be mainstreamed as a cross-cutting competency.
2. It was felt that everyone needs a basic level of awareness rather than seeing CPP exclusively as a specialism;
3. Focus on war games and table-top exercises targeted at CPP. Practical exercises are seen as the most useful way to communicate information and develop skills;
4. Training needs to be at different levels:
 - Basic training needs to be much more widespread and aimed at

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- different stakeholders not just the military. The possibility of using different techniques to reach the widest possible audience should be explored;
- A second tier of training for specialists needs to incorporate more on:
 - Engaging with civilian stakeholders and training in stakeholder mapping exercises;
 - Building cultural resilience within the community using the specifics of the local cultures affected;
 - Developing the “training of trainers” to ensure a dissemination of skills;
 - Engaging recently deployed people to guarantee that methods and information are up to date.

Summary of Deliverables

The following are suggested as deliverable items:

- Institutionalization of common standards and procedures to become policy;
- Standardization of terminology;
- Updated training programs and training strategies;
- Development of a Centre of Excellence for Cultural Heritage protection (not CPP alone).

Future Strategies

The following were suggested as strategies for the future:

- The mainstreaming of cultural competency in order to face the challenges of an increasingly diverse society;
- Incorporating the impact of climate change on tangible and intangible culture including the integration of local and indigenous knowledge;
- Recognizing the need to collect data, measure impact and establish indicators of success;
- The development of a network based on a shared understanding.

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“The Role of NATO Stability Policing in Cultural Property Protection”

CWO Stefano Bergonzini

The preface to the Washington Treaty, the document establishing the North Atlantic Treaty Organization (NATO) in 1949, states that its Parties are “*determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law*”. NATO is a defensive politico-military organization and, *de facto*, since August 1998 a policing organization as well. In fact the “Multinational Specialized Unit - MSU” deployed within the Stabilization Force “SFOR” in Bosnia Herzegovina, was tasked with temporarily replacing the Host Nation’s police. It was deemed necessary to answer the police and justice related needs of the population, since ethnical bias of the local police deprived it of the legitimacy in the eyes of the public. The United Nations’ Civilian Police (UN-CIVPOL) was not robust enough to achieve the required performance in a non-permissive environment, while the combat forces of NATO were strong enough, but lacked the needed experience, expertise and sensitivity to conduct policing the public activities with satisfactory results. This new capability was quickly deployed to Kosovo within the Kosovo Force (KFOR), when that crisis arose, and a contingent is still present and active there. One of the main tasks of KFOR is to keep ensuring the protection of the monastery of Decani – a monument of cultural significance – until the Kosovo Police will be able to take over that responsibility, clearly a Stability Policing (SP) task.

Stability Policing is defined in NATO as “police related activities intended to reinforce or temporarily replace the indigenous police in order to contribute to the restoration and/or upholding of the public order and security, rule of law, and the protection of human rights”¹. Other In-

¹ *Allied Joint Doctrine for Stability Policing, promulgated in April 2016.*

ternational Organization may deploy police forces, but with different tenets, legal frameworks and mechanisms. The two NATO SP missions emerging from the definition above are therefore the reinforcement (i.e. strengthening, police capacity building) and the temporary replacement (substitution) of the Indigenous Police Forces (IPF)². SP is to be understood as an open club, meaning a wide array of forces can perform or contribute to it, including gendarmerie-type forces³, who have a military structure and nature but mainly focus their attention to the policing of civilians, the Military Police⁴ traditionally dedicated to maintaining order, discipline and the policing of the military force, other military forces if trained and equipped, as well as civilians, under the condition that the environment be permissive.

All NATO Nations are signatories of “The Convention for the Protection of Cultural Property in the Event of Armed Conflict” adopted at the Hague in 1954, some to one or both of its Protocols. The Alliance, as an International Organization, cannot become a signatory, but has nonetheless in recent years taken significant steps towards seeking to protect cultural property, including the approval of a dedicated Bi-Strategic Command Directive⁵ providing direction and guidance about CPP in the preparation, planning and conduct of NATO and NATO-led operations and missions, as well as training, education, and evaluation.

The 2022 Strategic Concept, another top-level political document, states that “Pervasive instability results in violence against civilians, including conflict-related sexual violence, as well as attacks against cultural property and environmental damage” drawing attention to both remits, similarly to the 1972 “Convention Concerning the Protection of the World Cultural and Natural Heritage”.

NATO recognises fundamental international treaties, including the 1970 *“UNESCO Convention on the Means on Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Prop-*

² For this paper, Indigenous Police Forces, Host Nation Police Forces or Local Law Enforcement Agencies are assumed to have the same meaning.

³ An armed force established for enforcing the laws and that, on its national territory, permanently and primarily conducts its activities for the benefit of the civilian population. NATO agreed term.

⁴ Designated military forces with the responsibility and authorization for the enforcement of the law and maintaining order, as well as the provision of operational assistance through assigned doctrinal functions. NATO agreed term.

⁵ Bi-SCD 086-005 Implementing Cultural Property Protection in NATO Operations and Missions dated 01 April 2019, the author has participated in drafting this document.

erty”, that obviously has particular relevance for law enforcement and Stability Policing. The 2001 Convention on the Protection of Underwater Cultural Heritage should be mentioned.

The Alliance has included CPP as a cross-cutting topic within its capstone doctrinal publication, the Allied Joint Doctrine⁶, a document that also encompasses Human Security as an overarching remit that is more widely elaborated on within the “Human Security Approach and Guiding Principles”⁷.

Violations against Human Security in most cases entail the commission of a crime, including war crimes, therefore a law enforcement response is required. In NATO operations within crises and armed conflicts this responsibility would fall squarely into the responsibility of Stability Policing, an expeditionary military capability to provide police assistance in the framework of its two missions. If there are no Law Enforcement Agencies (LEA) in the country of deployment of SP assets, or if they are incapable or unwilling to police the public, SP elements can take on that responsibility replacing them – also to protect cultural property. This can mean total replacement, i.e. all competences, at all levels in the whole territory of the Host Nation, or partially, with limitations to the kind of activities and tasks (e.g. Crowd and Riot Control, countering Organized Crime, Terrorism and Insurgency), alone or in a combination of local, national or even federal level, or with jurisdiction solely in a specific area.

SP replacement activities are always a temporary measure, seeking to hand over these responsibilities to a follow on force or, to the Host Nation’s Law Enforcement Agencies. In fact, NATO does not conceive policing the public as a main or even as a wanted task, but recognizes that situations may arise in which no other actor can intervene quickly enough, with sufficient capable and robust forces or deploy at all. In general and as examples, UN police deployments require normally a much longer preparation period than the deployment of NATO forces; the UN might be blocked by a veto etc.

Examples for SP tasks⁸ protecting cultural property may include conducting Crowd and Riot Control tasks to defend a museum or archae-

⁶ AJP-01.

⁷ 14 October 2022.

⁸ See AJP-3.22 Annex A, a non-exhaustive list of SP tasks.

ological excavation from riots threatening plunder and pillage, but also Border Management seeking to identify potential traffickers in antiquities and the illicit export of cultural goods. It may entail the Protection of People and Property, e.g. the director of a Museum of a religious, Critical Site Security, providing physical protection and guards to a monument. Criminal investigations and Law Enforcement Intelligence (LEINT)⁹ are probably the most significant executive SP tasks, seeking to gain knowledge about who attacks CP; where and when this happens, what methods are used, identifying possible overarching motivation such as monetary gain or political reasons, and what kind of CP is threatened. Following the paths followed by the stolen or looted items is as important as tracing the monetary flows, to locate money launderers and financial crimes, aiming at the identification of key movers and networks exploiting illicit gains from the trafficking in CP, to finance their activities that may include terrorism, insurgency and organized crime. In this view it might be beneficial to focus on the middle segment of the criminal chain, the middle-persons often in the transit country, between the source and the final destination, as they are normally fewer in numbers and deeper involved in criminal activities. In fact, actors in the source country might be simple subsistence looters, trying to improve livelihoods, while in the market or destination country parties might not even be aware that the acquired articles were illegally procured. Surveillance can be conducted, also using modern technologies, to gather information to conduct Search and Seize actions seeking to locate perpetrators and illegally held CP, that frequently is just one kind of illicit goods together with narcotics and drugs, weapons and explosives or large sums of cash. Crime Scene Management¹⁰ is required also to protect CP as a pre-requisite, to avoid tampering or polluting traces of the crimes that only then can allow the Conduct of Forensic Activities to find further evidence admissible in a court of law. Biometrics, i.e. automated systems to ascertain the identity can also lead to the Arrest of perpetrators of crimes against CP. This falls within the SP tasks Counter Terrorism, Counter Organized Crime and Counter Smuggling, as well as War Crime Investigations and Assistance to international courts.

⁹ Currently AJP-3.22 mentions *Police Intelligence*, but in the *Allied Tactical Publication "Replacement and Reinforcement of the Indigenous Police Forces"* ATP-103 the term *Law Enforcement Intelligence* has been adopted, seeking to widen the scope of the activity to agencies and remits beyond the mere police forces

¹⁰ The NATO SP CoE organizes *Preserving Crime Scene* courses.

Concurrently to these SP replacement activities, i.e. the NATO SP force taking on executive policing responsibilities, non-executive policing can and should be conducted. This falls into the SP reinforcement mission¹¹ aiming at establishing Indigenous Police Forces if they are missing completely (e.g. in a case similar to Kosovo, where at the time the whole governance, including the internal security apparatus, was moved out of the province) or improving their performance through the performance of Monitoring, Mentoring, Advising, Reforming, Training and Partnering.

Reinforcement in this acceptance of the term differs from “the process of relocating and/or reallocating forces to strengthen military capabilities as a means of conflict prevention, crisis management or defence”¹². In fact it means strengthening the Host Nation Police, i.e. Police Capacity Building. SP Monitoring includes observing the conduct of Law Enforcement personnel and reporting about it. Within a CPP perspective that might entail verifying if officers include CP significant sites in their patrolling rounds or control if CP of dubious origin is offered for sale at the local market. SP Mentoring already implies a more active engagement with the counterpart that could be patrol leaders, police station or provincial commanders to point out that their personnel are not visiting archaeological digs, particularly at night and not controlling people who are present in their vicinities, allowing looting and illegal excavations to proceed unhindered. SP Advising is often aimed at institutions more than single people and seeks to improve overall performance inspired by Interpol’s Work od Art Unit’s identified shortcomings: lack of inventories, lack of specialized CPP law enforcement units, lack of updated CP databases and lack o legal provisions protecting CP¹³. It may include an analysis of the Host Nation legal framework, offering a basic legal package as an immediate and agile source of legal provisions and instruments the advised can adopt and adapt. Investigating crimes against CP, particularly organized and within networks, requires an expertise and experience that only dedicated and specialised law enforcement units can bring to bear. Instituting such a CPP Specialized law enforcement unit can and should be suggested and supported by the SP operator. In this Reforming capacity, SP personnel can analyse existing structures and organization of Host Nation Police and suggest relevant

¹¹ See AJP-3.22.

¹² NATO agreed term.

¹³ Notes of the author about Interpol WoA Unit’s presentations.

changes. Modifying existing Host Nation laws and adopting new and more severe penalties and criminal provisions protecting CP is beneficial, while modifying provisions that do not abide to international standards¹⁴, is key to foster and reinforce the Rule of Law. Countering money laundering and terrorism as well as organized crime is best integrated with specific criminal provisions protecting CP. As Host Nation capacity is normally insufficient, Training can address that shortcomings and a train-the-trainers approach not only results in higher numerical outputs, it furthermore seeks self-sufficiency for the Host Nation. More advanced skills can be taught through mobile training teams, while higher level, specialized investigation skills probably are better acquired outside the Host Nation at institutions that have a long and wide experience in the specific field. The first and largest such force, the Carabinieri Unit for the Protection of Cultural Heritage¹⁵ is also a key contributor to the "Blue Helmets for Culture"¹⁶. The Carabinieri Headquarters for the Protection of Cultural Heritage (TPC)¹⁷ contributes to prevent, deter and fight against criminal activities threatening CP. They enforce applicable legislation competently, facilitate the liaison with and provide advisors to relevant authorities, public and private actors as well as within the Force and possess the expertise required for an SP deployment, including in non-permissive environments. Partnering can be conducted deploying SP CPP experts side by side with local law enforcement both as on-the-job-training, and to augment the capacity of local police. In doing so and if required they can also perform an often neglected supervisory function, particularly in countries with corruption problems therefore being a model in Building Integrity to be emulated. This not only conforms to Security Sector Reforms' principles but concurrently aims at improving the frequently tainted image of Indigenous Police Forces within their own population.

Using non-lethal weapons and policing of the public decrease and might even eliminate the chance to cause collateral damage, hence improving the image of the SP force, NATO, the indigenous Police Forces and the Host Nation within the populace as well as with audiences ranging from the local to international level.

14 *In Iraq crimes against CP may still entail the death penalty.*

15 <https://www.beniculturali.it/carabinieriipc>.

16 *The Blue Helmets of Culture: Task Force "Unite4Heritage" established (difesa.it).*

17 <http://www.carabinieri.it/multilingua/en/the-carabinieri-tpc>.

Applying policing means and ways, SP expands the range of instruments NATO may use to achieve effects. This might entail arresting criminals and terrorists, also when they are involved in antiquities trafficking, and seizing cultural objects and flows of illegal revenue stemming from these activities. This reduces these actor's ability to foster instability and achieves objectives of NATO stabilization operations that can hardly or not at all be attained by Allied combat forces.

Restitution of CP and seized revenue may improve and even fund development while creating economic opportunities including attracting tourism.

NATO Legal Operations¹⁸ aim to achieve effects in the Legal Instrument of Power. Stability Policing, in its executive policing mission, can perform legal targeting, i.e. enforce international and applicable Host Nation law to achieve effects on adversaries and enemies¹⁹. This may well include pursuing war criminals targeting, damaging or destroying or exploiting cultural property or other attacks against CP.

Often violations and crimes against CP are indicators and warnings for more severe crimes including ethnic cleansing or genocide. SP in terms of CPP may furthermore include identifying CP in the local context and contributing to developing and updating inventories, as well as support finding priorities in *safeguarding and respecting*²⁰ items, sites and people (e.g. artefacts and relics, museums, monuments, and ruins, archaeological digs, collection curators and directors of museums).

SP reinforcement activities and tasks are not only directed towards the indigenous police but look at improving the performance – also in safeguarding CP – of the Justice Sector (law enforcement, judiciary and corrections) and the overall governance in an approach fostering the Rule of Law²¹. To this end, an assessment of existing capabilities and capacities

18 ACO DIRECTIVE 080-119 LEGAL OPERATIONS.

19 Definition by the author.

20 ACO DIRECTIVE 080-119 LEGAL OPERATIONS.

21 Rule of law "a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards", UN Security Council, S/2004/616, para 6.

ity (DOTMLPFI-I)²², of existing threats and issues to determine gaps and identify possible solutions, is required.

Hybrid threats combining conventional, irregular and asymmetric activities in time and space²³, the use of the law to conduct warfare (i.e. lawfare) and the war-crime overlap are but some of the major ways of approach for malicious actors to compete with the Alliance. Not being bound by legal provisions governing the International Rule-Based Order, they might attack cultural property for its significance to the identity, heritage and as a symbol of the way of life of NATO nations. These extremely diversified threats and methods require similarly diversified responses.

Maximizing the opportunities and strengths Stability Policing can offer to NATO as a cutting-edge expeditionary military capability to police the public and achieve effects precluded to other assets should therefore expeditiously be pursued.

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²² DOTMLPFI Doctrine, Organisation, Training, Materiel, Leadership, Personnel, Facilities, Infrastructure-Information.

²³ Adapted from the NATO agreed term.

A European Approach to Reinforce the Protection of Cultural Heritage at Risk within the UCPM: Lessons Learnt from the PROCULTHER Experience

Dr. Giovanni De Siervo

In recent years, many steps have been taken to include the protection of cultural heritage in disaster risk management (DRM) processes, as a key approach to reduce the vulnerability of at risk communities. A strong contribution to this paradigm shift has been made by the European Union (EU), which has been releasing a series of documents that provide elements for a better understanding of the topic from a legal and conceptual point of view, facilitating, among other aspects, strategic planning at European and Member States level, but also clarifying objectives and perspectives to better protect cultural heritage in the event of disasters and conflicts.

A major advance has been also possible from the operational point of view, through a series of project initiatives carried out under the umbrella of the Union Civil Protection Mechanism (UCPM). Established in 2001, the UCPM is the collaborative framework under which cooperation between European countries is governed in the various stages of DRM, from prevention to preparedness, from response to recovery. Currently it brings together the civil protection national authorities of the 27 Member States (MS) of the European Union and 9 other Participating States (PS) (Albania, Bosnia and Herzegovina, Iceland, Montenegro, North Macedonia, Norway, Serbia, Turkey and Ukraine)¹. This

¹ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism and following modifications. For more details see: https://civil-protection-humanitarian-aid.ec.europa.eu/what/civil-protection/eu-civil-protection-mechanism_en#facts--figures

system of cooperation in which the governments of the countries and the Commission join their efforts for the good of the population, as well as the different countries experts' great eagerness to work together by sharing their good practices and experiences, has allowed to achieve positive operational and political results. At the same time this Mechanism is a reference system at European level not only in the traditionally civil protection-related field but as a general emergency coordination tool on behalf of the EU (Member States and the Commission). At the same time, the UCPM has allowed over the years to agree a common language and shared procedures and modes of intervention and, above all, to build confidence in the competencies of other countries or sectors. Cultural heritage is one of the UCPM's new frontiers, as demonstrated by the aid provided to protect Ukraine's cultural heritage affected by the devastating effects of the war with Russia².

It is under this framework that, to also increase capacities in this field, the European Commission's Civil Protection and Humanitarian Aid Operations Department (DG ECHO) has funded three projects, namely PROMEDHE³ (2016-2018), PROCULTHER⁴ (2019-2021) and PROCULTHER-NET⁵ (2022-2023). These projects have demonstrated the increasing need of encouraging a cross sectoral cooperation, defining and consolidating technical and operational capacities in this field at both European and national level.

In fact, first responders and ministries of culture avail themselves of different methodologies, languages and operational timeframes. Although they often work together and in close proximity, they do not al-

² For more details see: <https://civil-protection-knowledge-network.europa.eu/news/cultural-heritage-ukraine-urgent-need>.

³ The Protecting Mediterranean Cultural Heritage during Disasters-PROMEDHE project has been coordinated by the Italian Civil Protection Department (DPC) together with the civil protection authorities of Cyprus (CCD), Israel (NEMA), Jordan (JCD) and Palestine (PCD) and with the Fondazione Hallgarten-Franchetti Centro Studi Villa Montesca-FCSVM.

⁴ The Protecting Cultural Heritage from the Consequences of Disasters-PROCULTHER project was implemented by a consortium led by the DPC, and participated by the International Centre for the Study of Preservation and Restoration of Cultural Property- ICCROM, the Ministry of Interior-Disaster and Emergency Management Authority – AFAD, the Ministère de l'Intérieur- Direction Générale de la Sécurité Civile et de la Gestion des Crises-DGSCGC, FCSVM, the Ministry of Culture and Tourism of the Region Government of Castilla y León-JCyL.

⁵ Launched in January 2022 and still ongoing, the Protecting Cultural Heritage from the Consequences of Disasters-Network- PROCULTHER-NET is implemented under the coordination of DPC by ICCROM, AFAD, the German Archaeological Institute- DAI, DGSCGC, FCSVM, JCyL, the Federal Agency for Technical Relief-THW, the Suor Orsola Benincasa University-UNISOB and the University of Porto-UPORTO (Portugal).

ways interact or understand each other, and this affects their coordination and operational capacity during response operations. Starting from this premise, the project PROCULTHER, building upon good practices and positive experiences gained by the project partners in this field at national level, have launched a common path to find a new way of working to allow the protection of cultural heritage at risk.

The basic assumption is to encourage dialogue and collaboration between the civil protection/DRM and cultural heritage authorities, since only through a coordinated approach between these two core worlds it will be possible to ensure an adequate care of cultural heritage affected or at risk. Civil protection allows a timely arrival on the scene; it is a government-led system and therefore grants immediate access to the public administrations that manage emergencies, moreover this disaster management pragmatic approach aimed at solving problems as they arise, represents an added value for the technical competences of cultural heritage experts. At the same time, Civil protection is the guarantor for the reduction of the vulnerability of at-risk communities, which in practical terms means building in peacetime preparedness and prevention capacities by establishing effective learning processes – also focusing in the adoption of a conflict-sensitive approach and the respect the “do-no harm” principle – as well as by adopting risk-oriented planning targeting both natural and man-made hazards.

PROCULTHER has been able to consolidate this approach by combining the disciplinary and territorial dimensions of safeguarding cultural heritage at risk putting in place processes focused on:

1. Ensuring a strong consensus on the definition of common rules, languages and procedures in this field.
2. Promoting a structured collaboration among Cultural heritage and Civil protection/DRM actors at National and European level to ensure a sustainable and effective inclusion of cultural heritage protection in all the phases of disaster risk management.
3. Advocating for improved technical and operational capacities and learning processes to sustain the definition of disaster risk manage-

ment strategies and methods focused on the protection of cultural heritage at risk of disaster at National and European level.

In order to substantiate this paradigm shift the PROCULTHER project, capitalising on experiences, capacities and lessons learnt available at European level and ensuring the widest possible contribution to the definition of a shared European approach, has developed the document *“Key Elements of a European Methodology to address Protection of Cultural Heritage during Emergencies”*⁶. This is the only document currently agreed and available at European level providing a common understanding for improving preparedness capacities at the national and European levels. Nevertheless, this is a living document, that needs to be adapted and updated to the doctrine developments and emerging risks – in particular those related to the anthropogenic risks experienced in the recent years, as those arising in contexts of crisis or complex political emergencies.

In addition, in order to ensure capacities strengthening at European level, PROCULTHER developed the minimum standards of a *European Assessment and Advisory module*⁷ able to be deployed for the protection of cultural heritage at risk of disaster in case of emergency or for advisory missions at European and International level. This standards will allow for an effective management and protection of cultural heritage at risk, as well as to facility quality and interoperable standards for UCPM-led support missions. At European level, the protection of the cultural heritage of countries and populations is now regarded as a civil protection priority. When an emergency overwhelms national capacities, the UCPM can offer, upon request, a possibility to provide a coordinated and effective support to the affected country avoiding duplications and possible overlaps also in this field. In the case of Ukraine, for example, a single hub served to channel assistance from

⁶ For more details see: <https://civil-protection-knowledge-network.europa.eu/news/proculther-tool-cultural-heritage-protection>.

⁷ Decision No 1313/2013/EU, Art. 4, 6. “module’ means a self-sufficient and autonomous predefined task- and needs-driven arrangement of Member States’ capabilities or a mobile operational team of the Member States, representing a combination of human and material means that can be described in terms of its capacity for intervention or by the task(s) it is able to undertake”. For more details see: Commission Implementing Decision 2014/762/EU or its subsequent amendment Commission Implementing Decision (EU) 2018/142 of 15 January 2018, which lay down rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism.

all the Member countries' ministries with the support of the Commission. Aid was, in fact, sent in the areas of civil protection, agriculture, health, energy and also cultural heritage.⁸

At the same time, the 2019 revision of the UCPM legislation has provided the legal basis for the establishment of the Union Civil Protection Knowledge Network (UCPKN). This new initiative aims at building up the EU's overall ability and capacity to deal with disasters through strengthening the efficiency and effectiveness of civil protection training and exercises, promoting innovation and dialogue, and enhancing cooperation in prevention, preparedness and response between Member States' national civil protection authorities and services⁹. In this framework, the possibility to create a community specifically dedicated to Cultural heritage protection is crucial not only to strengthen interoperability capacities within the Union Civil Protection Mechanism but also to offer a unique opportunity to share and capitalize on past experiences, best practices and lessons learnt for a stronger resilience of communities at risk. This great opportunity is now being explored the by the PROCULTHER-NET¹⁰ project, whose second phase will hopefully continue until 2025. The project is currently working in reinforcing the UCPKN's objectives by strengthening and consolidating a thematic community focused on the protection of cultural heritage at risk and at fostering multidisciplinary and risk-based exchange practices to support and complement the efforts made by the European Union in this field. In particular, the PROCULTHER-NET project, leveraging on the important results of PROCULTHER, has reinforced *capacity learning process* involving more than 70% of the UCPM MS/PS in the two editions of the *Training Module on the Protection of Cultural Heritage at Risk-PCH* organized by the PROCULTHER-NET project, enrolling experts from the world of civil protection, cultural heritage, humanitarian and academic sectors, for a total of 60 trainees (30 participants per edition)¹¹.

8 For more details see: <https://data.consilium.europa.eu/doc/document/ST-12398-2022-INIT/en/pdf>.

9 For more details see: Decision (EU) 2019/420 of the European Parliament and of the Council of 13 March 2019 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019D0420>.

10 Launched in January 2022 and still ongoing, the Protecting Cultural Heritage from the Consequences of Disasters-Network- PROCULTHER-NET is implemented under the coordination of DPC by ICCROM, AFAD, the German Archaeological Institute- DAI, DGSCGC, FCSVM, JCyL, the Federal Agency for Technical Relief-THW, the Suor Orsola Benincasa University-UNISOB and the University of Porto-UPORTO (Portugal).

11 Thanks to PROCULTHER, it has been possible to train, during six virtual training days, 42 DRM and Cultural heritage experts coming from 15 UCPM MS/PS: Bulgaria, Croatia, France, Germany, Greece, Italy, Lat-

Furthermore, all these initiatives have helped *increase international dialogue on the importance of establishing a cross-sectoral and inter-agency approach* to the subject as it is demonstrated by the inclusion of elements proposed by PROCULTHER and PROCULTHER-NET in events and documents such as the Rome Declaration of G20 Culture (29-30/07/2021)¹², Naples Conference of the Ministers of Culture of the Euro-Mediterranean Region/ EU Southern partnership (16-17/06/2022)¹³, the Conference *“Protect Culture from the Threats of Tomorrow”* (23/11/2022) organized by the Union for the Mediterranean.

It is also recognized the important role that this cross-sectoral approach can play in crisis and/or conflict contexts, as also reported by the European Parliament Report on *“Protecting cultural heritage from armed conflicts in Ukraine and beyond”*¹⁴. In particular, this text reports some recommendations made by the PROCULTHER-NET partners in order to reduce the vulnerability of cultural heritage at risk also in context of crisis or conflicts.

These mainly consist in:

1. A holistic and interdisciplinary approach is crucial to ensure the safeguard of cultural heritage in emergency, as well as to reinforce the resilience of vulnerable communities facing the impact of natural and anthropic hazards on their social and economic assets. For this reason, the protection of cultural heritage should be included in the overall emergency coordination structures and strategies as other relevant sectors and a single reference hub for the definition of strategies, approaches and methodologies should be identified. This will also allow for avoiding duplication of work and optimize in a sustainable and effective way the resources available at each national level, as well as at European level.
2. Protocols for coordination, response and information management among actors working at national and local levels (civil protection,

via, Luxembourg, Montenegro, Poland, Portugal, Romania, Slovenia and Türkiye. With PROCULTHER-NET project, 25 countries have requested to be enrolled with 65 participants in the two training editions of March 2023. Symptomatic of the growing interest in this area, 11 new UCPM MS/PS have joined the initiative since the first training edition, i.e., Albania, Austria, Belgium, Bosnia-Herzegovina, Cyprus, Hungary, Malta, the Netherlands, Serbia, Slovakia and Sweden.

¹² <http://www.g20italy.org/italian-g20-presidency/ministerial-meetings/g20-culture-ministers-meeting.html>.

¹³ <https://www.beniculturali.it/medculture-final-declaration>.

¹⁴ [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/733120/IPOL_STU\(2023\)733120_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/733120/IPOL_STU(2023)733120_EN.pdf).

cultural heritage authorities and other stakeholders) but also at European level (DG EAC, DG ECHO, EEAS, etc) should be defined to ensure a coordinated and effective approach in the different phases of the emergency/crisis.

3. Implement and raise awareness/promote the UCPM response module within the existing and functioning structures of the UCPM, as well as with future requesting countries/ organizations.
4. Minimum reference standards and a common language should be defined, building on the tools and instruments already developed and agreed at European level.
5. Strengthen inter-institutional coordination and communication among Civil protection, cultural heritage authorities and other stakeholders by establishing, through the Union Civil Protection Knowledge Network, permanent consultation mechanisms, as well as to compile lessons learned and best practices and hold training programmes on the basis of common standards, to build capacities in this field.
6. Impacts of primary and secondary hazards, heritage-based conflict analysis (including indicators for peace) and risks affecting cultural heritage should be thoroughly assessed, documented and shared with the international community, since this type of information is essential for planning adequate risk prevention/management measures for future events, as well as for developing cost estimates for cultural heritage protection and recovery.

Currently the protection of Cultural Heritage at risk holds a dedicated space within the Union Civil Protection Knowledge Network with an embryonic thematic community that is starting to enrich its ranks through the engagement of experts identified and trained by the PRO-CULTHER-NET project. Defining a common path to build capacities to deal with risks that exceed the capabilities of civil operations is a frontier that must be crossed together with all actors involved in the protection of cultural heritage. For this reason, it is expected that there will be a recognition of the role that civil protection/DRM actors plays in reducing the vulnerability of communities even in the face of possible anthropic risks, their role also being fundamental in strengthening capacities to minimize damage even in major crisis situations.

The UCPM has been and continues to be a great political and operational journey that has shown how collaboration between countries in sectors such as civil protection represents a virtuous example of what the European Union could be, even in quickly responding in relation to the protection of cultural heritage and preventing its destruction during and after crises with an objective of stabilization and peace.

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Stability Police Units and Cultural Heritage Protection in Conflict and Crisis Areas

Prof. Paolo Foradori

In this paper, I will argue that Stability Police Units are the best suited forces to contribute to cultural heritage protection in conflict and crisis areas. I will make this point by matching the main tasks and requirements of cultural heritage protection (CHP) – broken down into military, police and cultural tasks – with the competences and capabilities of Stability Police Units, maintaining that they are a very good fit for effectively fulfilling these tasks¹.

Military tasks

First and foremost, it is important to stress that CHP military tasks can be very demanding. CHP should not be mistaken as a minor, light and inexpensive activity. By contrast, it is to be seen as an extremely complex and hazardous politico-military exercise that can face serious challenges and unintended consequences. The fundamental task is to enforce the 1954 Convention and the international cultural heritage protection regime. This implies the ability to rapidly deploy and operate in potentially hostile and unstable environments, in precarious pre-conflict or post-conflict situations even before complete stability has been achieved. Additionally, securing sites and cultural properties, entails resorting to ground troops for *in situ* protection. CHP cannot be enforced from distance but there is need for “boots on the ground”, with all its related implications and risks. It should also be recalled that, often times, cultural heritage sites are not “soft targets” but represent highly valued and militarily sensitive objectives for the warring parties. Finally, CHP contingents should not be a liability or the weakest link of an in-

¹ This paper largely draws on Paolo Foradori, “Protecting cultural heritage during armed conflict: the Italian contribution to ‘cultural peacekeeping’”, *Modern Italy*, 22, 1, 2017, pp. 1-17.

ternational mission; rather, they should be logistically and operationally self-reliant or at least capable of full interoperability and integration with more heavily armed military units.

In short, to operate in such challenging environments, to protect cultural sites and properties and credibly deter further CH attacks, CHP forces must possess adequate armaments, equipment and training and be proficient in the use of both lethal and less-than-lethal force as circumstances dictate.

Turning now to Stability Police Units' competences and capabilities, it can be argued that they seem to be a good fit for effectively responding to these tasks and requirements. First of all, as a hybrid militarized police force, Stability Policing is capable of performing civilian as well as police and combat functions in complex and volatile security environments. For example, the Italian Carabinieri have substantial military capabilities and training, with a significant record of deployment in the full continuum of a conflict, including high-end military fighting as well as participation in complex and demanding international peacekeeping operations (from Bosnia to Iraq, from Kosovo to Afghanistan). Similar to other Stability Police forces, the Carabinieri can perform combat tasks that require disciplined group action; they are trained in and have the capacity for appropriate use of less-than-lethal as well as lethal force; and are highly skilled in the tactics and doctrine of light infantry, including rapid deployment and have an ability to sustain themselves logistically. To perform these military tasks, they are equipped with heavy equipment and strong suppression capabilities, including a broad range of military-style armoury, armoured vehicles, helicopters, patrol boats and light-infantry weapons².

Police tasks

Beyond the military dimension, effective CHP necessarily implies a police component to prevent, investigate and repress criminal activities aimed at generating income from the illicit trafficking of stolen artefacts. Policing is also key for ensuring public order and security and for strengthening the rule of law, and thus addressing the root causes of social, political and economic disruption in which attacks against cultural property are likely to emerge.

² Paolo Foradori, "Cops in Foreign Lands: Italy's Role in International Policing", *International Peacekeeping*, 4, 2018, pp. 497-527.

Stability Police Units seem to have adequate training, equipment and expertise to fulfil these specific police tasks. Again, the case of the Italian Carabinieri is very telling. As a police force with military status, the Carabinieri are to all intents and purposes a police corps, with relative training and equipment.

In particular, the Carabinieri Command for the Protection of Cultural Heritage (Comando Carabinieri Tutela Patrimonio Culturale, TPC), has advanced expertise in countering cultural heritage crimes, and in operating internationally to counter the demand side of the destination market for stolen artefacts (for instance through the Leonardo Data Base of stolen works of art).

Compared with the military, the Carabinieri – trained as a community-based policing force with a special civil-oriented mindset – have the appropriate skills, training and sensibilities, including the necessary flexibility and adaptability, for conflict management which is key in complex situations in which damage and theft of cultural property is the result of a situation of generalised poverty and socio-economic distress caused by instability and prolonged conflict.

Cultural tasks

Finally, CHP comprises a series of specific cultural tasks related to the valorisation, promotion, preservation and restoration of cultural heritage. Key activities include advising and providing technical supervision, assistance and training to local authorities and international forces for cultural heritage preparedness and protection, in accordance with the principles of local ownership and sustainability. Another major task is prioritizing cultural protection *vis-à-vis* all opposing parties, including the international intervening forces. The accomplishment of such tasks requires CHP personnel to possess specific competences and sensibilities in cultural heritage. Training and experience in civil-military cooperation are also important elements for an effective intervention.

While such competences and sensibilities are not widely available in all Stability Police Units, these are certainly common, again, among the Carabinieri TPC. The TPC is composed of personnel who are highly competent and experienced in a wide spectrum of matters related to cultural heritage. These personnel are selectively chosen by the TPC Central Office, and they receive advanced training during mandatory specialised courses in multiple sectors related to cultural protection. The

record of TPC collaboration with civilian authorities and agencies is extensive and continuous both in Italy and in operations abroad. When it comes to sustainability and local ownership, it should be recalled training is a key element of TPC approach to CHP. The Carabinieri TPC have conducted cultural heritage awareness and professional military education programmes in numerous countries, including Iraq, Kosovo, Palestine, Algeria, Turkey, the Philippines, Jordan.

Conclusion

Given its mixed nature of a hybrid militarised police force, Stability Police Units have the potential to respond effectively to the military, police and cultural requirements of effective CHP in the full continuum of a conflict and operate in a wide spectrum of hazardous and politically sensitive roles, including law enforcement, investigation and crime repression, cultural conservation and restoration as well as high-end military fighting to protect cultural property, as circumstances dictate.

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The How and not the What: The Impact of Cultural Resilience during Crisis

Dr. Shannon Lewis-Simpson

Cultural resilience is recognised as the backbone of collective sentiments and action, reliant on a sense of shared identity. There is a critical “operational” role for cultural heritage beyond a humanitarian concern for protecting community identity.

- An understanding of the importance of cultural heritage for resilience and recovery, particularly post-climate emergencies, enables emergency management personnel to better collaborate with communities to positively contribute to human security.
- Misunderstanding or ignorance of cultural heritage, particularly that which is important to local populations, can adversely affect operational success.
- A bottom-up collaborative and people-centric implementation of cultural heritage protection, considering needs, opportunities, and expectations of local communities, working with community organizations and other heritage bodies, would result in better perceptions of security forces, and therefore increased operational success.
- Furthermore, a recognition that cultural heritage encompasses more than tangible cultural property would provide military and emergency management personnel a more holistic view of what is important to a community, what actions should be taken to protect, and what cultural resources exist to advance community resilience.

It is not *what* actions are done in terms of cultural heritage protection, but *how* and *when* these actions are planned and executed which is perhaps of most importance to successful outcomes of recovery and greater resilience to meet current and emerging threats.

The concept of cultural resilience

Concerning resilience, NATO has developed a Strengthened Resilience Commitment (2021) and formed a Resilience Committee (2022). The Alliance's concept of resilience is explicitly tied to civilian preparedness as required by Article 3 in terms of "continuous and effective self-help and mutual aid". Cultural resilience¹ is important to appreciate from a security perspective. The protection of cultural heritage contributes towards "the further development of peaceful and friendly international relations" and the promotion of "conditions of stability and well-being", as noted in Article 2 of the Charter.

Cultural resilience is deemed a necessary element to strengthen community resilience, enabling the community to absorb strategic shocks like natural disasters or conflict, and thrive during change. This has been noted as a key element of Ukrainian resilience². The National Museum of Ukraine, for example, has shifted interpretation and education activities to completely focus on the wholesale invasion, with collections and exhibits used to challenge perceptions of war, to educate the public, and to mobilize the international community to protect Ukrainian cultural heritage. Museums are not simply targets to be protected, but hubs of resistance and resilience for prevention.

Cultural resilience and agency

In recent years, a community's ability to absorb strategic shocks has been tested by a marked increase in climate emergencies across the world. Cultural heritage can be adversely affected by climate change. Cultural heritage can also be employed as a tool to mitigate climate-based crisis for community, especially for indigenous communities. A focus on predicting and mitigating risk of

¹ *Cultural resilience: the capability of a cultural system (consisting of cultural processes in relevant communities) to absorb adversity, deal with change and continue to develop. Cultural resilience thus implies both continuity and change: disturbances that can be absorbed are not an enemy to be avoided but a partner in the dance of cultural sustainability: Cornelius Holtorf (2018). Embracing change: how cultural resilience is increased through cultural heritage, World Archaeology, 50:4, 639-650.*

² *Dean Karalekas (2022). Taiwan and the Software of War: Learning Resilience from Ukraine. Contemporary Chinese political economy and strategic relations. 8 (3), 481-518; Andrew Atkinson et al (2022). Resilience, Human Security, and the Protection of Civilians: a critical approach for future urban conflict.*

crisis through and for cultural heritage rather than protection post-crisis is a key outcome of the indigenization of cultural knowledge.

For Indigenous communities, the “psycho-social support” created through the practice of cultural heritage in the landscape increases “capacity to absorb disturbance”. The connectedness between “economic, environmental and political governance” is key to building this capacity of resilience.

In a seminal work from 2016, Inuk environmentalist and educator Sheila Watt-Coutier reaffirms her and her people’s “right to be cold”. “More than just a bridge between cultures and ways of knowing, we Inuit are the ground-truthers of climate change”³.

SmartIce offers the ice truth of climate change. A “community-based Work Integrated Social Enterprise (WISE)”, SmartIce offers “climate change adaptation tools and services that integrate Inuit knowledge of sea ice with monitoring technology”. SmartIce is Inuit-led and managed, preparing people for the eventuality of culture change, using knowledge of a cultural landscape and seascape combined with other data to provide agency to residents, thus promoting Inuit culture, intergenerational learning, community wellbeing, and human security. By monitoring and communicating ice conditions in real time, the risks to human safety are reduced, so Inuit can be “on the land” to hunt, travel, and live. Inuit knowledge is thus employed to mitigate a climate crisis ultimately caused by colonialism.

Traditional fire control and suppression techniques are another example of the importance of Indigenous traditional knowledge for building resilience. Venezuela and Brazil have adjusted their policies to better align with traditional practices, and indigenous techniques have been used in Canada and the United States. Recognition of the importance of cultural heritage and knowledge positively impacts resilience of community thus permitting recovery through the agency of the affected community, and not necessarily due to the actions of military or emergency personnel.

It is important to reiterate that the military does not undertake cultural heritage protection work alone. Local agency of heritage is critical. Communities might choose to adopt or ignore international frameworks accord-

³ Sheila Watt-Coutier (2016). *The Right to be Cold*. Toronto: Penguin.

ing to their own needs to promote recovery and sustainability, supported by military action. Recognition of the importance of cultural heritage strengthens networks of resilience and recovery in crisis and conflict. These networks are not developed overnight and certainly not in times of crisis.

Enabling cultural resilience

When Hurricane Fiona devastated the southwest coast of Newfoundland in September 2022, the Canadian Rangers and other CAF members were quickly on scene, working “carefully through what remained searching for personal effects they could return to displaced families... Volunteers did their best to return these items to their original owners, and on social media a page was created specifically for that purpose”⁴. HMCS Margaret Brooke was tasked to conduct a survey of the coast, as many smaller coastal outports, routinely accessible by boat or helicopter, had been cut off. The ship’s company tripled the small population of La Poile, mostly seniors, and quickly set to work surveying damage, rescuing fishing gear, and clearing jetties of debris. As one senior resident said, “Lieutenant, we never would have got this done in our lifetime”.

The ship’s company was recorded by an embedded journalist moving wood from one shed to another and frozen fish from one flooded freezer to another. One might ask the question: are these appropriate taskings for military personnel? It cannot be denied that these tasks have as much of a positive impact on civil society resilience and recovery as rebuilding of roads and infrastructure. Although the crew knew that the fish and wood represented food and fuel, they also were highly aware that the fishing stages and sheds were necessary to carry out cultural practices evolved in Newfoundland over hundreds of years. The captain of Margaret Brooke recalls that residents told stories of their lives in La Poile to the ship’s company, and of the community’s resilience to survive and thrive in a harsh, remote environment⁵.

At no point did emergency and military responders think that such work was inappropriate for them to be doing. There was a shared understanding that the return of loved possessions and traditional ways of

⁴ Rosalyn Roy (2023). *Hurricane Fiona: After the Storm*. Port aux Basques NL: Wreckhouse Press, 75.

⁵ Commander Nicole Robichaud, Commanding Officer, HMCS MARGARET BROOKE 2022, personal communication.

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doing could enable residents to carry on, to thrive despite their adverse situation. Through their actions and care, the ship's company demonstrated respect for the tangible and intangible heritage of community members, who then felt more secure, with their dignity and way of life respected. One can argue that military recognition of what is being signified is of more importance than the cultural object itself in terms of stabilization and security. For example, the loss of a man's work shed was not as important as potential loss of the ability to provide for family. Those in government responsible for recovery and restitution, building resilience following loss, should be aware that the social capital of cultural heritage can exceed any financial capital, and be of more importance to build resilience.

There has been debate as to whether such considerations and actions fit within a military's primary responsibility for defence and security. It is, however, a military responsibility to create a safe and secure environment. As stated by a Canadian provincial liaison officer, "if part of our responsibility is to reassure the population, to be a steadfast, secure arm for the population during traumatic events on our own soil, then awareness, at the very least, of this type of cultural trauma – at least prior to entering an impact area – is vital"⁶.

The importance of emergency and military personnel making people 'feel' secure, by having their identity validated through recognition and protection of their culture, cannot be overstated. In times of emergency or crisis, a military force may be the first on scene if local authorities cannot respond and their immediate actions will impact the way in which communities process loss, of cultural heritage and of cultural landscapes.

A culture of resilience and for resilience needs to be grown, and protection and recognition of culture enables that growth. But there is little time in an emergency to lay these foundations. Robust and intentional civilian-military-emergency measures collaboration is required in advance, for example, by mapping tangible and intangible cultural heritage to identify "the strongest elements a community has...and considers ways to protect and develop them". "Consent, trust, accountability, and reciprocity are qualities of relationships that are critical for justice-oriented coordination across societal institutions on any ur-

⁶ Lieutenant Commander Craig Luedee, Joint Task Force Atlantic Provincial Liaison Officer, personal communication.

gent matter...they are necessary for taking urgent action that is just, but they cannot be established urgently". In this light it is best if the networking aspects of cultural heritage protection actions as outlined in the Hague Convention (1954) and other guiding documents are prioritised as routine business.

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CIMIC and Cultural Property Protection within the UNIFIL Peacekeeping Operation

Military Activities in Support of Cultural Values

Capt. Eng. Mauro Mancini

The presentation aims to give a general overview of the *Civil and Military Cooperation* (CIMIC) operational function and outline *Cultural Property Protection* (CPP) as a topic included in doctrine narrative. The second part of the presentation brought forth CPP military best practices accomplished under the mandate of UN Military Forces in Lebanon.

Civil and Military Cooperation (CIMIC)

CIMIC is a Joint Function which involves military actors in the process of understanding civil factors in the operational environment, as well as enables and facilitates interaction with civil actors. CIMIC operational function is accomplished by two core activities: the *Civil Factor Integration* and the *Civil and Military Interaction* (CMI).

The latest core activity, *Civil and Military Interaction* (CMI), is a complex process of relationship between *Military* (MIL) and *Non-Military Actors* (NMA). CMI starting point is the awareness of Coexistence within the same operational environment of different actors, often whose majority are NMA. The step over is the *Consultation* amongst actors. This phase represents the first contact point between actors who may have common interests. In this phase, through a consistent Liaison actors with common interests should raise opportunities for further joint actions.

MIL & NMA in the following steps, in order to achieve effectiveness, discusses interests at the table of deconfliction, with the purpose to avoid overlapping and duplication of efforts. The first step is the *Coordina-*

tion, defined as [...] *activity which may foster harmony and reduce friction among actors*. The second of this step is the *Cooperation*, which is recognized as opportunity of [...] *working in harmony, accomplishing joint planning and activities, and undertaking mutual support*.

The doctrine on 2022 defined CMI an activity between MA and NMA, aimed [...] to foster mutual understanding that enhance effectiveness and efficiency of their respective actions, implying full integration of mutuals capabilities. Latter statement identifies the step of Integration as heightened level of interrelationship between MIL and NMA.

NATO doctrine at tactical level (AJP 3.19, Nov. 2018) identifies *Cultural Property Protection* (CPP) as a *Cross Cutting Topic* (CCTs). *Cultural Property Protection is contemplated as a range which fall outside military primary responsibility, but which might affect the Mission*, whenever has not been pondered into military responsibilities.

The definition highlight how much CPP as a CCTs is a sensitive subject and consequently has potential to fall into military responsibility when there is a lack of recognized domestic Civil Authorities.

The general overview of CIMIC doctrine highlighted that military range has a clear vision to how approach with the actors within the Area of Operation, achieving the level of interaction according to military opportunity and the records of civil environment (needs, exigences, lacks, opportunities, etc.).

UNIFIL Mission. CIMIC Best practices

The second part of the presentation, furthermore, chronicles best practices performed by military forces. The project in favor of Cultural Heritage enabled the achievement of the Mission through activities aimed to thrive the protection of cultural heritage.

Have been highlighted examples of CIMIC military activities performed by Italian and others military components within *United Nations Interim Force in Lebanon* (UNIFIL), in support to the Mission, according to *United Nation Security Council Resolution* (UNSCR) n. 1701/2006.

The UNIFIL Area of Operation, in South Lebanon, is identified as a buffer zone narrowed by Litani River in the North and the Blue Line (www.unifil.int) in the South. The Area of Operation is divided by two sectors of responsibility. The Western Sector is on liability of an Italian Brigade. The main city located within Sector West is the historical municipality of

Tyre, an ancient state-city founded by Phoenician on 2750 B.C., which had raised its power for centuries, until the historical defeat on 332 B.C. when Macedonian Army led by Alexander the Great built a causeway from land to the Tyre Island. This military improvement around the water-city made the attack more effective because supported by the artillery. The artificial causeway built by military, along the time contributes to change the topography of the area. Pictures taken at the end of Second World War, after almost two centuries, illustrate the old town of Tyre at the head of a tiny sandy isthmus which linked indissolubly the old city-island to the land.

The urban development reached on previous century, it has as result a modern city landscape which among tall buildings and chaotic urbanization hides two historical sites well known by philanthropists as AL MINA and EL BUSS archaeological sites.

Both sites have a rich heritage, intangible footprint of distinctive colonization along centuries, starting from the Phoenician foundation of the city until the Venetian Republic influence during the Crusades.

The modern history of Lebanon, marked by continuous wars in the region and nevertheless, a 30-year Lebanon civil war put in trouble the historical heritage of Tyre.

The long-lasting relationship built between UNIFIL forces through CIMIC staff and local administrations since 2006, after the 33-Day War, has offered the opportunity to perform gathering information and promoting activities and projects in support to the preservation of cultural heritage in the city. Italian Military forces for almost two decades, according to the mandate have granted a huge support in this sector. Have been accomplished projects whose purpose was to maintain the heritage in safe condition. This effort has contributed to enhance resilience and fortifying the identity of populace. Mainly, have been improved safety and protection of the heritage accomplishing project of enlightening and fences, aimed to prevent unlawful acts hardly reiterated during the chaotic recent past.

Meanwhile, Military Commands, in order to sensitize personnel and to increase awareness on respect of cultural heritage have promoted visits and events which have had as main protagonists the city of Tyre and the archaeological sites. Further, Commanders, with the purpose to celebrate the welcoming dealt by the city and to emphasize the historical heritage, have organized military celebration in the seen sight. Such kind of events has been normally followed by media campaign which

have reached an overseas audience.

Finally, must be underlined the extraordinary effort of Italian Embassy in Beirut which has supported the protection and the safeguard of historical sites. Have been built facilities for storage and exhibition purposes and in meantime has been enabled a better accessibility in the archeological sites in order to increase the tourism in the region.

In addition, the talk presented the military activity endorsed by UNIFIL forces in support of the city of Beirut after the disastrous blaster in August 2020. The unfortunate event destroyed the harbor and severely damaged the surrounding area. For further exploration is suggested:

- <https://unifil.unmissions.org/unifil-peacekeepers-complete-temporary-and-special-beirut-mission>
- <https://theblueshield.org/blue-shield-emergency-response-in-beirut/>
- <https://biladi.org/beirut-operation/>

In conclusion, UNIFIL Mission should be depicted as a remarkable example of sensitiveness and proactiveness for the Protection of Cultural Heritage. This enhancement is strictly linked with the respect of IHL, national regulations, locals' regulation, and express's needs pointed out by local authorities. The accomplishment of tasks which boosted the protection of heritage and fortified the historical Lebanese identity have as fundamental requirement the dialogue which has been started by UNIFIL HQ since many years with Non-Military actors in Lebanon, directly involved in this pathway. The recent experience of Beirut proved that a good (existent) interaction among actors is an enabler and facilitator for the achievement of a harmonized effort for the protection of a common heritage in crisis situation.

Way ahead

In conclusion, the presentation analyzed how military activity should and have to comply with the protection of cultural heritage, according to national regulation and International Humanitarian Law. The protection of Cultural Heritage is inextricably part of a military mandate. The CCP is a matter of discussion at the table of decisions and requires specialized personnel who has abilities in dealing with Non-Military Ac-

tors and competences in cultural heritage protection.

Specialized personnel are called to undertake the role of “special advisors” who contribute to plan avoiding mistakes, preventing situation which could affect the Mission and the goals implied in the Mission extent, through a close coordination within the Military Staff.

Military forces are supported in their process of raising awareness in Protection of Cultural Heritage by Military and Non-military organizations which have preconized principles and have identified pathways to follow in order to accomplish the Military Mission and further, really supporting civil fortifying identities and preserving their cultural heritage.

For further exploration is suggested:

- <https://theblueshield.org/why-we-do-it/threats-to-heritage/>
- <https://www.cimic-coe.org/publications/ccoe-publications/makes-sense-series/>

Key terms

Civil and Military Cooperation (CIMIC)

Cultural Property Protection (CPP)

Civil Factor Integration (CFI)

Civil and Military Interaction (CMI)

Non-Military Actors (NMA)

Cross Cutting Topic (CCTs)

United Nations Interim Force in Lebanon (UNIFIL)

United Nation Security Council Resolution (UNSCR)

Coexistence, Consultation, Coordination, Cooperation, Integration – Liaison. (CCCCI-L).

Capt. Eng. Mauro Mancini
Multinational Cimic Group

Developing and Delivering Cultural Property Protection Training for Military Specialists

Lt. Col. Tim Purbrick

Cultural Property Protection (CPP) is a part of the Law of Armed Conflict (LOAC). CPP is a non-discretionary, whole-force responsibility that comes with individual criminal liability and command responsibility. Commanders must train their service personnel in CPP in order that those personnel can meet their LOAC obligations. Additionally, and in accordance with Article 7(2) of the 1954 Hague Convention, Defence organisations may choose to have specialist CPP services within their armed services. This article, based on the author's experience, will look at the training for such specialists.

In advance of considering the detail of the training, a Defence organisation should determine the mechanism through which it will deliver the CPP capability. For example, the French Armee de Terre is 'operationalising' some of their full-time DELPAT officers for CPP on operations, the Italian Carabinieri TPC has more than 50 years as a policing unit that has supported the armed forces on operations, the Dutch, British, Austrians and Americans have opted for various configurations of employing Reserve CPP officers that are a variation on a theme. There is no optimal model as each depends on the requirements set by the respective Defence organisations.

Further considerations concern the individual skills required by the CPP officer. These should include the requirement for a level of soldier skills. The individual must be 'safe' on the battlefield and not be a burden to the unit to which they are attached, whether this is a headquarters or a battlegroup in combat. Some, if not all, officers may be required to plan CPP's contribution to military operations. This requires knowledge and

practice of staff planning procedures in formation headquarters. To be considered for a specialist CPP role, the individual should already be a specialist in at least one Cultural Property (CP) related field. Individuals should have a firm understanding of the law relating to the practical implications of the military obligations to CP during armed conflict and occupation. Finally, officers should be practitioners of CPP so that they are able to advise and effect with others first aid to damaged CP in an orderly sequence of actions to prevent further harm pending the arrival of specialist help.

In order to determine the training to be designed and delivered to military CPP specialists there are a number of factors that should be considered. These 'ingredients' include:

Having the correct people to train. In order to ensure a level of CP knowledge, skills and experience in, for example, monuments, fine arts, archives, archaeology, collections, architecture, art conservation, art logistics or art crime investigation, the British Army's CPPU set a number of recruiting criteria for their Reservist CPP officers: a CP related degree, at least 5 years CP experience and, the individual should be working in the CP world in their civilian role. Ideally, they would already be a staff trained Reservist! A similar model is used by the Dutch, Austrians and Americans. The French recruit operational CPP officers from their pool of military museum and curatorial staff already employed within the Armee de Terre. The Italians recruit to the TPC individuals with CP related education from the wider Carabinieri.

Policy and doctrine. Defence level policy establishes the consecutive steps towards the practical implementation of that policy. Doctrine consists of the fundamental principles by which military forces guide their actions in support of national objectives – it consists official advice but requires judgement in application. Ideally, both these documents will have been written in advance designing a CPP course as they provide the handrail for the way in which CPP will be delivered by a military force.

Concept of Employment and Concept of Use. The British Army's Concept of Employment or CONEMP is a draft outline of the way in which it is envisaged that the capability will be employed. It leads to the fuller

Concept of Use (CONUSE), which outlines in detail how Defence will use the capability. The documents include the operational employment, roles and tasks, as well as the capability implications across the Defence Lines of Development (Training, Equipment, Personnel, Information, Doctrine, Organisation, Infrastructure and Logistics). Further, they set out the 'force structure' of the organisation of the capability. The British based their CONEMP on the history of the delivery of CPP by the World War 2 Monuments, Fine Arts and Archives branch and the Art Looting Investigation Unit, the law, best practice derived from existing military CPP practitioners and other organisations and 'direction' being instructions and orders issued by Ministers and the chain of command to develop the CPP capability.

Job specifications. These documents describe in outline the requirements of the CPP post that the officer will occupy which includes the role, responsibilities, performance attributes and the education and training that the individual will require in advance of occupying the post.

Resources. This aspect should consider the availability of the resources required to deliver the training, for example, money, time, space, personnel, equipment and expertise. Often resources can be a constraint as well!

Some, but not all, of these ingredients were available when the British Army's CPPU was conceiving the type of training that was believed to be required by CPP officers in order that they could support Defence training and operations. Having been instructed by Defence to provide a CPP capability on behalf of Defence, Army Headquarters directed that it would be delivered by Reserves and in the form of a unit. The primary source of 'inspiration' for training this unit of Reserves was the CONEMP. The resulting 8 day long CPP Special to Arm 'Pilot' Course, was authorised and ran in 2019, attended by members and aspiring members of the CPPU as well as representatives of all of the nations which had existing military CPP capabilities and including UNESCO, Interpol, police and Government Departments. In terms of the course composition and based on the number of Modules, 44% of the course concerned the Role of the CPP officer, 36% concerned Planning, 16% on the Law and 4% on the history.

The course was a long way from perfect, however it provided a basis on which to put the course through the 'Pilot' Course through the Defence Systems Approach to Training (DSAT) process. This is a highly detailed methodology, completed through a number of steps, each confirmed with documentation and completed by military educators before being signed off by Defence staff. The application of DSAT resulted in the second, this time 10 day long, iteration of the course which became an authorised qualification course for CPPU officers that could be registered against an individual on the Joint Personnel Administration system. This course composition by Module is: 48% Role; 39% Planning; and, 18% the Law. When comparing the Pilot course of 25 Modules to the DSAT course of 27 Modules, 66% of Modules remained the same and 33% comprised new Modules. The new Modules included: Investigate, Record and Report CP breaches (of the law), Resilience Tasks, International Policing and Law Enforcement and an Introduction to Operational Planning.

The final course that this paper will look at was conceived by the author to meet the requirements of UNESCO for a 3 or 5 day course to train the Ukrainian Armed Forces. The course introduced pre-course work: reading the 1954 Hague Convention and its Protocols, reading the UNESCO Military Manual for the Protection of Cultural Property and, completing the Peace Operations Training Institute's free, on-line CPP course. The resulting course composition was: 60% Role; 20% Law; 10% History; and 10% Planning. These statistics do not, perhaps, reflect some of the developments within the course. For example, a Module on the Cultural Property Assessment Report – a document on which CPP officers report damage to CP to the chain of command and to the State's Culture Ministry – takes forms developed by ICCROM, merges and 'militarises' them and adds experience and expertise from UNESCO's monitoring of damaged CP in Ukraine and globally. First Aid for CP, coming in the Role Module, refers to ICCROM's First Aid for Cultural Heritage in Times of Crisis – Handbook. The Planning Module adapts NATO's CIMIC Estimate process and Annex for CPP purposes. This Module includes a staff planning exercise based on a scenario (in the case of Ukraine, reality) in the country in which the course is being delivered and using the actual CP in that country. As the course was designed for a State with no previous military CPP capability, it includes a

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Module on the production of the Authority, Policy and Doctrine for CPP within the armed forces. The result, which should not be seen as prescriptive, should provide an off-the-shelf course which the Defence organisations of States can adapt in order to suit their own requirements.

In summary, there are many different ways in which a Defence organisation can deliver a CPP capability. This naturally leads to different training end-states and different types of course. There are, perhaps, some consistencies that should apply to every military CPP course such as the Law, the Role of the CPP officer and Planning element. Military CPP courses should aim to include a wide range of Directing Staff and students to enrich the learning by bringing together knowledge, expertise and experience. Finally, to continue to build knowledge and skills military CPP officers should attend as many of each other's courses and relevant civilian courses as possible and to put the training into practice on military exercises and operations.

The impending development and issue of a NATO CPP Policy may, in time, lead to the development a common CPP understanding, standards and training across NATO members and possibly even to a CPP Centre of Excellence.

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British Army's Cultural Property Protection (CPP) Unit

**Center of Excellence
for Stability Police Units**

PANEL 3

**Cultural Heritage Protection and the
International Legislation:
the Italian Model in Crisis Area**

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

Vicenza (Italy), 27 - 29 September 2023

PANEL 3

Cultural Heritage Protection and the International Legislation: the Italian Model in Crisis Area

Col. Fabrice Gaeng

The international legislation concerning the cultural heritage protection today mainly consist of the 1954 Hague convention, 1970 UNESCO conventions and the Council of Europe convention; it really depends on who signed the convention. But Italian TPC mainly work with bilateral agreements or under the referral of the UNESCO. They are an international reference.

During our panel work, we had presentations from Carabinieri TPC units' commanders who were or are (EUAM Iraq) involved in crisis area (naming Iraq and Bagdad). We had also the point of view of archeologists working in these areas (south Iraq) or on national territory during earthquake for example.

The organization and tasks of the Cultural Heritage Protection Command were outlined. Having been established in 1969, it has been working for more than 54 years to combat all crimes that coivoluate cultural heritage. It consists of more than 300 men and women distributed in departments covering the entire Italian territory. There are 16 nuclei and am operations department divided into three sections: archaeology, antiques and contemporary art and forgery. This Command has been able to adapt to criminal developments, changing its organization and specializing in particular areas.

Since 2016, with the signing of the memorandum of understanding, It-

ally has been able to count on the “blue helmets of culture”, a task force made up of men and women from the CHP Command trained to intervene in crisis contexts caused by natural disasters and post-conflict scenarios. Immediately after the Central Italy earthquake in 2016, the blue helmets intervened to rescue cultural property buried in rubble. They were moved to storage facilities where they were also restored. The task force consists of carabinieri and civilian experts from the Ministry of Culture such as archaeologists, art historians, and restorers. From 2016 to the present, the blue helmets have also intervened abroad. For example, they provided support after the earthquake in Croatia or the explosion at the port of Beirut. They have curated courses in Africa and South America.

The collection of stolen art objects is a huge and precise work and it represents a large amount of data (pictures, maps) that can be processed nowadays by modern IT systems but also AI. The carabinieri have already a national database called LEONARDO and have just finished an European project called SWOADS (Stolen works of art detection system). First databases in 1980, LEONARDO database in 2015, SWOADS in 2023. For example, since the 1980s it has had a very powerful computer tool: the database of illicitly stolen cultural property, which contains more than 200,000 described events and 8 million archived goods, 1300000 of which are to be searched. Cultural property traffickers have begun to use e commerce and social media sites, both on the web and the deep web, so the Carabinieri CHP have also decided to adapt thanks to SWOADS, which allows them to do an automatic search on the web and deep web.

There is a need of close cooperation between the law enforcement agencies dealing with cultural heritage protection and the practitioners like archeologists (mutual understanding) – need of military archeologist?

What are the outcomes of our panel?

Harmonization of national laws concerning protection of Cultural Heritage, by the creation of an European task force (Blue Helmet of Culture) under the umbrella of UNESCO and European council on the model of European civil protection task force or FRONTEX.

International Conventions

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols



The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property



The 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects



Council of Europe Convention on Offences relating to Cultural Property



Propose a training course in the CoESPU catalogue and CEPOL «First responders in cultural heritage protection» for police officers, MPs, *et alia*.

International Cooperation to develop SWOADS app in EUROPOL in order to be able to access the different national databases.

Implement a dedicated adviser in the «advisory missions» like in EUAM Iraq or future UN political missions.

Dissemination of this sensitive subject of cultural heritage protection through community policing and sensibilization of young people and sometimes policy makers in some countries (stability policing).

Col. Fabrice Gaeng
French National Gendarmerie
CoESPU Director's Advisor

Heritage Damaged by the Earthquake and Cultural Identity Protection in Lazio

Dr. Giuseppe Cassio

Seven years ago, a terrible earthquake hit the central part of Italy between Lazio, Marche and Umbria regions. Many cities and towns collapsed, many people died and the consequences were strongly negative for the cultural heritage too. Immediately, rescue squads were organized for the recovery of the cultural goods, in particular those ones kept in the civic museum, located in Amatrice and into numerous churches of that territory.

The recovery action was coordinated on the ground by the Ministry of Culture, Fire Brigades and Carabinieri Command for the Protection of Cultural Heritage.

This testifies the efficiency of the operative procedures we adopt in case of emergencies, especially regarding the deployment of the “Blue Helmets of Culture” task force – constituted by two units (slide): one by Carabinieri for the Protection of Cultural Heritage and the other composed by Ministry of Culture experts – which is capable to intervene in a short time on the national territory. Regarding the deployment of this task force abroad instead, the activation is ruled by a Memorandum of Understanding, written together with UNESCO and signed in Rome in two thousand fifteen (2015).

Referring to the emergency intervention on the national territory, I must mention also the role of Regional Emergency and Management Office (UCCR) and its activity related to the deployment of the Italian Civil Defence Corp, of the voluntary units, belonging to that, and of the other Police Forces who work on the damaged territory.

The activities have been conducted for over a year and have been re-

ferred to many “fragments” linked to the historical memory and to the religious feeling of local communities: paintings, sculptures, precious objects, liturgical furnishings, books and documents were catalogued, secured and stocked into warehouses prepared at the Carabinieri Forestali’s barrack in Cittaducale, near Rieti in Lazio’s region.

All the recovered cultural goods have been equipped with two record cards, one for the identification and the other one to document the state of conservation and the safety interventions carried out in the restoration laboratory of the warehouse.

The cataloguing has merged into the “Risk Chart”, which represents the most updated on-line database of the recovered goods, together with the digital photos. All the interventions described upon, reflect the most important values contained in our law dedicated to the Cultural Heritage Protection, the Legislative Decree nr. 42 of two thousand four (2004), as known as the “Cultural Heritage and Landscape Protection Laws”, especially concerning the protection and the enhancement. This is the real “core business” and the motivation of our work, not only during the ordinary situations, but especially during emergencies and after natural disasters.

The departure of the artistic good from the areas damaged by the earthquake of Amatrice, has been accompanied by the comprehensible anxiety and fear of the citizens to lose them permanently. This behavior reminds me of Gabriel García Márquez’s teaching – the Nobel Prize for Literature – that spins around the concept of “possession” referred to the relationship between the man and the land in which his ancestors are buried.

This is something which is strongly felt in the whole area hit by the earthquake because their inhabitants recognize themselves into the artwork – so full of memories, images and inheritance – that could be even defined as “identity documents” that must be kept, secured and handed on to the new generations. It is really a precious connection concerning the religious matter too, but also – especially, I would say – the belief that under the rubbles, that “witness” of their identity was still “alive”. For this reason, it was fundamental for those people to bring their “inheritance” to “light” again.

3rd Panel

The recovery operations that followed the earthquake had been really the “salvation” of the Cultural Heritage and created fertile ground for the analysis and the enhancement phase, the ones we are living nowadays. Thanks to the Ministry of Culture and to the strong collaboration with the local Institutions, after few years from the earthquake – not considering the sudden and long stop caused by the pandemic – over one hundred and fifty (150) works of art have been restored, also using the “Art Bonus” project which allows citizens to finance directly the restoration, becoming sort of “patrons”.

At the same time, we gave back over 2000 cultural goods, which didn't need any kind of restoring intervention, to the rightful owners. The normal/ordinary protection – ruled specifically by the “Cultural Heritage and Landscape Protection Laws”– is allowing us, right now, to come back to the enhancement of these “treasures” you can see symbolically exposed today during this event. We have chosen three extremely significant works of art, that document the “Marian cult” in Amatrice and Accumoli; it was a choice that finds its meaning, not just on the willing to look at the religious value of the statue, but, especially, in its primordial sense: the inheritance of the Gods linked to the “Great Mother”, the personification of the Earth, something that people have always dealt with, throughout centuries. I am specifically referring to this Enthroned Madonna with Child: an example of how history can be curious sometimes. In fact, that panel had been worshipped for centuries in the church of Cossito, near Amatrice; then it was stolen in 1964 and returned three years later from Switzerland, thanks to the work of Rodolfo Siviero, plenipotentiary Minister and agent for the Italian Government, who's famous for his huge recovering activity dedicated to the stolen Italian works of art, which were illegally moved abroad. Next to this artwork, there is put a polychrome wooden statue: the Madonna from Accumoli and, next to it, the Immacolata Concezione from the St. Francis church of Amatrice, restored and attributed to Antonio Calcioni, a baroque sculptor from Foligno-Umbria. These sculptures had been restored but, if we look at them better, one has still got a scar caused by the earthquake. During the restorations we wanted to enlighten that scar on purpose. The fingers of this statue, in fact, show a fracture which is still there as a historical memory.

Many restorations had been conducted into a laboratory in Rieti open to citizens from the damaged areas so that they can touch the artworks themselves. There were many episodes in which people cried and showed photos in front of the holy images, the most worshipped ones. Someone used to tell us about facts or episodes of real “lived” life, which had their ancestors as protagonists and men and women who died in the earthquake. All these elements were something precious kept into the inner part of the artwork’s material. These are really artworks full of experienced life, of faith of tradition; it is not a “mute” heritage but a “living instrument” that might be seen as a resource and as a factor of inclusion and resilience.

For this reason, those statues were taken care of as the body of an injured person and for this reason too, we are trying to work in order to increase the value of our initiatives, to make them go back to a new energy. As you may know, an important exhibition was organized in Rieti immediately after the pandemic and a new Museum has just been opened in Amatrice, to receive 50 artworks. It is important to say that the Museum is dedicated to Floriana Sviszeretto, a historical of art, director of the same Institute, who died during the first earthquake.

This is finalized to welcome them back home, seven years after the earthquake. It is up to our duty because “Art” represents “Beauty”, and it has also got the power to lift up the consciousness and heal the scars of the human being, both the material and the spiritual ones. At the same time “Art” could give a fundamental contribute to the economic rebirth and growth. This is what we have done so far and what we are still trying to do, to look over the earthquake. The biggest satisfaction was about conveying that sense of relief to the local populations, to let them count on their own treasures again.

The brilliant result we gained in Amatrice and Accumoli, as well as in all the other areas damaged by the earthquake, are the tangible proof of the so called “italian model” of protection, whose uniqueness and efficiency constitute an excellence recognized all over the world. Let’s think that Italy was the first Country, in 1969 – even one year before the 1970 UNESCO Convention – in establishing a specialized Police Corp functionally linked to the Ministry competent – at that time – on the protection of Cultural Heritage.

3rd Panel

Recently - in 2015 - once again, the institution of the “Blue Helmets of Culture” task force (originally named Unite4Heritage) of Italy and the “Italian model” were the forerunner in the world regarding the matter of the protection and cataloguing of the cultural assets belonging to a Country involved in a war or hit by a natural disaster.

So, with enormous pleasure and satisfaction, in this prestigious venue, we present three artworks that symbolize a tragedy but also a regeneration, and document the Protection activity lead by our entire Country. The art. 9 of the Italian Constitution Chart, teaches us that the Cultural Heritage is a founding part of our society, a distinctive engine that develops our society and therefore our civilization. For this reason, the Constitution Chart orders that the protection is an exclusive priority of the State; to pass on the sense of belonging and the desire of identity and beauty, the basis of the peaceful coexistence among peoples.

In order to reinforce and make the protection activity effective, the Constitution Chart is not an abstract subject, but expresses a wider concept of “Republic”. The central and regional administrations, the local entities and all the citizens are called to protect “our” Cultural Heritage, because it is impossible to look at the future without safeguarding the past.

Dr. Giuseppe Cassio
Superintendent for Archaeology, Fine Arts and
Landscape for the Metropolitan Area of Rome
and for the Province of Rieti

Presentation by LTC Giuseppe Marseglia

Lt. Col. Giuseppe Marseglia

In our history of operations in crisis areas for the protection of cultural heritage it seems relevant to mention one of the first experiences of the Carabinieri Command for the Protection of Cultural Heritage (TPC) and which represented at the same time an on the ground training event that had a great repercussion in the evolution of our operational standards. I am referring to the mission in Iraq in 2003 to protect the Iraqi cultural heritage which, already towards the final stages of the so-called Second Gulf War, saw its integrity constantly threatened. In particular, the international alarm was triggered when international press announced, at the end of the fighting and with the American occupation of Iraq, that the Baghdad Museum, which is to be considered one of the most important museums in the world, had been looted. The international press reported that something like 150,000 artefacts had been stolen. These 150,000 pieces represented, more or less, the entire collection of the Baghdad Museum and therefore the news was disturbing to say the least. A mission was therefore organized by our special department which was allocated in the framework of the Coalition Provisional Authority (CPA) which was a provisional government in which the culture department was held by the Italian Ambassador Pietro Cordone, senior advisor within the coalition government. A Carabinieri officer was sent as an advisor to collaborate with Ambassador Pietro Cordone in order to assess the situation which immediately appeared dramatic. The rooms of the museum were devastated as if after an attack although, it's safe to say, it was more of an act of vandalism because a mass of uncontrolled rioters, without any intervention from the public authority, freely broke into the museum damaging it and plundering it. The rioters destroyed, among other things, a Roman nude sculpture. Several

hypotheses and interpretations arose in reference to similar gestures, including a certain form of iconoclasm on behalf of Muslim fanatics who attacked the Roman statue because it was a symbol of nudity and therefore something that went against the dictates of Islam. We noticed from the beginning that among all the fragments one important one was missing, the statue's head. We can affirm, on the basis of our experience acquired boots on the ground, that the head is the easiest piece to place on the clandestine market. Therefore, it was obvious that there was not only a religious or iconoclastic intent but there was also a criminal and economical design behind the damage and looting of the Baghdad Museum. The museum's exhibition rooms were looted as well as the restoration laboratories from where we discovered, following our investigations, that most of the archaeological finds were stolen. During the looting ivory panels were irreparably destroyed and famous cultural artefacts like the Sumerian harp and the Lady of Warka, (one of the oldest sculptural representations of a female face existing in the history dating back to around 3000 a.c.) were damaged.

In modern warfare, the primary objective before military occupation is to isolate a city. So, the first thing the Americans did was to bomb the power plants in Baghdad, thus leaving the whole city in complete darkness. The looting of the museum was perpetrated in the evening hours. The rioters moved through the museum rooms in obscurity and thus needed a way to illuminate them so they saw fit to use a large part of the catalogue of the central archive of the Baghdad Museum as a lantern. The loss of the archive was a major step back which we dealt with later by looking for secondary copies of the catalogue.

After about a month we managed to ascertain that fortunately almost the entire collection of the Baghdad Museum had not been looted. This thanks to an extraordinary woman, and also director of the museum, Dr. Nawala. She is to be considered the true hero of the rescue of the Baghdad Museum collection. Dr. Nawala gave the order to store the collection in the museum's underground storage rooms and to wall up the entrance so the rioters, once in the underground level, didn't understand that there was a treasure beyond that wall. Thanks to the deception put in place, almost all of the collection in the Baghdad museum was saved from looting.

Only what was preserved in the restoration laboratories was lost, in particular there was a good quantity of quite small but valuable objects such as cylinder seals. The cylinder seals together with the coins safe-

guarded in the laboratories represented the main target of someone who was not a rebel but knew what to look for and above all where to find it. Cylinder seals, which have an excellent market especially in the United States, were widespread in the Mesopotamian civilization. They were made of various materials and could also be decorated with precious stones.

Unfortunately, Dr. Nawala was dismissed by the Anglo-American coalition government because she was a member of the Baat party. Like her, and with the same puritan principle, many managers of the entire Iraqi public administration as well as the police force, the Mukhabarat and the armed forces were ousted.

The entire mission saw the rotation of two officers from the TPC as expert advisors from June 2003 to January 2004. In addition to collaborating with the local authorities, a fundamental task of the expert advisor was to create a catalogue, as complete as possible, of what had been stolen from the Baghdad Museum and facilitate the availability of this information internationally in order to fight the clandestine market of stolen cultural heritage and therefore allow the recovery of the artefacts that had been stolen from the Baghdad Museum. During our mission we managed to recover 1200 archaeological artefacts.

In order to be able to proceed with the cataloguing of stolen artefacts, we designed a document that we could adopt in this particular crisis area and suitable to be a vehicle for the transmission of information about illegally stolen archaeological artefacts in Iraq. The Italian Ministry of Culture for the indexing of an archaeological artefact uses a format that contains 242 entries. It goes without saying why such a system could not be reproduced in this crisis area for the creation of a database. We therefore tried to devise an expeditious system on which we could build a database. We decided to create a form in which the photograph of the object to be searched for was the centerpiece. We decided to concentrate our efforts, therefore, only on those artefacts that had a suitable photographic reproduction and accompanied it with a brief description. The forms were sent daily by e-mail from Baghdad to our data processing section in Rome, which, after entering them in our "Leonardo" database, the largest existing database in the world of stolen works of art, were then forwarded to the Interpol General Secretariat where the first existing database in the world related to archaeological artefacts stolen in Iraq was finally created. At the end of our mission, we completed a database of roughly 3000 objects. Unfortunately, to

this day, for a series of reasons including the lack of cooperation from Iraqi governments, it still remains the largest database of archaeological objects stolen in Iraq.

In addition to Baghdad, a two-man unit also operated in the province of Vicar. It was based in Nasiriya and was part of the Ancient Babylon peace mission for the protection of cultural heritage. It was basically responsible for the inspection of archaeological sites, the creation of protection systems, such as observation towers, trenches, radio links and, very importantly, the training of archaeological guards. Our unit also completed the creation of a crucial archaeological map during their stay. While carrying out their duties, our carabinieri often happened to come across clandestine excavation activities which could sometimes represent a threat because the clandestine diggers would often be armed.

Last but not least it is important to mention the key roll represented by the specialized training of personnel. With the help of Jordan, due to the lack of safety standards in Iraq, we were able to train, by the end of 2004, 75 Iraqi archaeological guards. These guards represent the milestone for the creation of an organized system for the protection of archaeological heritage.

Lt. Col. Giuseppe Marseglia
Carabinieri CHP Group CDR Monza

Initiatives of the African Union Commission on Heritage Promotion and Contribution to Combatting Illicit Trafficking in Cultural Property

Ms Angela Martins

The African Union Commission (AUC) is delighted and honoured to be part to this High Level Conference on Cultural Heritage. The protection of Africa's Cultural Heritage has been a matter of concern to the African Union and it is central to most of its Member States.

The African continent has lost huge amounts of its heritage resources plundered during colonialism and through ongoing illicit trade and these resources are still held outside. These resources were illicitly acquired and or stolen from individuals, custodians, communities among others.

The AU main cultural policy tool: The Charter for African Cultural Renaissance in its provision number 26 *"calls on African States to end illicit trafficking of African cultural property and ensure the return of all illicitly acquired and or stolen heritage resources to the continent"*. One of the objectives of the Charter is to preserve and promote the African cultural heritage through preservation, restoration and rehabilitation.

The process of protection and preservation of heritage goes hand in hand with the processes of restitution. Restitution of African heritage resources including from museums in Europe and North America as a subject of debate can be traced as far back as the colonial period as well as after independence. The question of restitution of these resources has become a major topic of discussion and concern for Africa and Africans to date. Restitution of heritage is required to assist Africa in her ongoing process of redefining her future in line with the aspirations of AU Agenda 2063 as well as in building her cultural identity.

The African Union, affirms that heritage resources, as part of culture, define people's wellbeing, shared values and aspirations towards economic development and poverty eradication. Despite past initiatives, the rate of restitution of Africa heritage resources has been minimal. Even when and where this has been possible, it has mainly been fraught with resistance and excuses from those holding the illicitly acquired and or stolen heritage resources.

In order to respond to these issues and contribute to the restitution of heritage discourse including its protection, the African Union Commission, as a policy making institution, has developed the following instruments to assist AU Member States in their efforts to protect and/or initiate restitution processes of their unique heritage resources:

- The Common African Position (CAP) on Restitution of Heritage Resources (2023);
- The Revised AU Plan of Action (PoA) on Cultural and Creative Industries (CCIs) (2023);
- The African Union Model Law on the Protection of Cultural Property Heritage (2018);
- The Great Museum of Africa (GMA) – A Flagship Project of the AU Agenda 2063.

The Common African Position (CAP) on Restitution of Heritage Resources sets out the recommended measures and actions required to effectively address the continuous loss of African heritage resources including human remains. Further, to identify, recover and manage heritage resources that are in, or recovered from, foreign jurisdictions, in a manner that respects the development priorities and sovereignty of Member States. The CAP aligns itself with the spirit of the international normative instruments that guide heritage resources acquisition, protection, restitution and promotion.

The AU Plan of Action on Cultural and Creative Industries (CCIs) is a guide towards the development and strengthening of the African CCIs in order to facilitate delivery of wider social and economic impact. The Plan of Action provides a framework that allows for effective coordination of inputs from Member States, strategic partners and stakeholders towards a common goal.

Recognising the role of the sector in engendering inclusive development, good governance, economic empowerment, poverty alleviation, job creation, trade and regional integration, the PoA articulates the priorities, paths and principles for the development of African cultural and creative industries. One of the guiding principles of the PoA is to safeguard cultural heritage including repatriation and restitution of cultural property of African origin.

The African Union Model Law on the Protection of Cultural Property and Heritage applies to protection and preservation of cultural property and heritage in the Member States of the Africa Union. It supports the process of protection and restitution of Africa's illicitly acquired and or stolen heritage resources. The objectives of the Model Law are to institute, regulate and strengthen the protection of cultural property and heritage, including those that are yet to be discovered, and to establish State ownership thereof.

The Great Museum of Africa (GMA) is a dynamic and interactive contemporary museum for the collection, preservation, study and engagement with Africa's history, tangible and intangible and heritage. The African Union, in partnership with the Government of Algeria through the Great Museum of Africa (GMA) and other Pan-African Museums have structures in place for preserving, promoting and showcasing restituted heritage resources.

The establishment of the Great Museum of African is driven by the recognition of the intricate relationship between the protection of cultural diversity and promotion of cultural pluralism, on the one hand, and development of the continent on the other. It is anchored on the understanding that the protection, preservation and promotion of cultural property and heritage are vital responsibilities jointly shared by the citizens, society and the State.

The Great Museum of Africa was given the mandate by the Member States to become the continental hub for restituted heritage and to initiate restitution negotiations. The Temporary Site of the GMA was launched in June 2023 and it is hosted by the People's Democratic Republic of Algeria in Algeria on behalf of the continent.

Through these initiatives the African Union Commission (AUC) is playing a key and coordinating role in policy development on the African Continent which will go a long way in ensuring that policy frameworks at national level are reviewed and strengthened.

As a way forward the following initiatives are in the pipeline to popularize and promote our key cultural heritage protection instruments:

1. High Level Session of Restitution of Heritage Resources and popularization of the Common African Position;
2. Experts' Level Workshop on the AU Model Law on the Protection of Cultural Property and Heritage for the Southern African Region;
3. Continental Workshop on the Popularization of the Plan of Action on Cultural and Creative Industries;
4. VI Pan-African Cultural Congress – A forum for creatives to learn and contribute to the policy making role of the African Union Commission.

Ms. Angela Martins
African Union, Director for Social Development,
Culture and Sport Department

International Conference on Culture Heritage Protection (CHP) in Crisis Areas Property Protection Units

Maj. Emanuele Meleleo

1. The international conventions.

The Carabinieri Cultural Heritage Protection Command, TPC, carries out tasks concerning the safety and protection of cultural heritage, through the prevention and repression of crimes relating to the protection of cultural properties and protected landscapes at a national level. The experience and skills, acquired in 54 years of activity and the national legislation in force, implemented the following international conventions:

- the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols;
- the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property;
- the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects;
- the 2017 Council of Europe Convention on Offences relating to Cultural Property.

The 1954 Hague Convention is the first international instrument for the protection of cultural heritage and opens to ratification by any State, as it is not limited to a specific region or continent.

The most important provision of the Convention is the one which prohibits: theft, pillage and misappropriation of cultural property.

In April 1970 the UNESCO General Conference adopted the Convention which is based on three main pillars:

- prevention;
- return and restitution;
- and international cooperation.

The content of the UNESCO Convention could be considered a kind of mosaic, so to speak, with references to various fields including but not limited to private law, criminal law, preventive measures, diplomacy and international cooperation.

In this regard, the 1995 UNIDROIT Convention is to be used when private law applies regarding the return and restitution of a cultural object. The experience acquired, and the Italian and international legislation has allowed the Tpc Command to be at the forefront of the international scene in the field of cultural heritage protection.

In connection with previous conventions, the Nicosia Convention was also discussed.

The 2017 Nicosia Council of Europe Convention on Offences relating to Cultural Property aims to prevent and combat the illicit trafficking and destruction of cultural property, in the framework of the Organization's action to fight terrorism and organized crime.

The Convention, which will be open for signature to any country in the world, also aims to foster international cooperation to fight these crimes, which are destroying the world's cultural heritage.

The Convention, establishes a number of criminal offences, including theft, unlawful excavation, importation and exportation and lastly illegal acquisition and placing on the market.

2. "Caschi Blu della Cultura" Task Force.

With the historic signing of the Memorandum of Understanding, which took place in Rome in 2016, Italy was the first country in the world to set up and make available to UNESCO the "*Caschi blu della Cultura*" (Blue Helmets of Culture) Task Force, made up of qualified members of the Carabinieri TPC, to intervene following both armed conflicts and calamities that affect the cultural heritage, both in Italy and abroad.

After the earthquakes in central Italy and Ischia, the Task Force identified the places in which to secure the works of art, extracting them from churches, museums, public buildings and private apartments at risk of further damage, even those caused by atmospheric agents, helping in

the coordination of their transport. Furthermore, the Caschi blu della Cultura intervened on the occasion of the “high water” emergency that hit Venice and after the earthquake that occurred in the Lazio, Abruzzo and the Umbria Regions and also in Barberino di Mugello (Florence). The last intervention took place in the province of Ravenna following floods and landslides due to heavy rain.

It has also been employed abroad, in countries such as Mexico, Albania, Lebanon and Croatia and has conducted training courses for other police forces and local ministries in Kosovo, Iraq, Ecuador, Mexico, Albania, Bolivia, Bosnia-Herzegovina, Cuba, El-Salvador, Iran, Libya, Djibouti, Palestine, Peru, Argentina and Qatar.

The Task Force is made up of military personnel from the TPC Command and experts from the Ministry of Culture.

It is worth clarifying, that the TPC Command has implemented its ability to respond to such events also thanks to the setting up of the task force named *Unit4heritage*, in October 2015 and which has increased its employability thanks to the signing of the agreement between the Italian government and UNESCO on April 2016. Its main functions are:

- prevention- when the Task Force intervenes to support the local authorities in charge of organizing the measures necessary to limit the risks that crisis or emergency situations could cause to the national cultural heritage
- operational in times and crisis areas, when the Task Force intervenes, in a safe setting, to support the local authority responsible for the protection of cultural and national heritage that has been compromised in the event of crises or emergencies.

With the decree of 31 March 2022 the Ministry of Culture, upon indication of the Secretary General of UNESCO, proceeded to modify the decree establishing the *Unit4heritage* task Force with the following aims:

- establish within the ministry an operational structure with its own budget to manage activities connected to the protection of the cultural heritage at a national and international level;
- rename the Italian task force Unit4Heritage in “Caschi Blu della Cultura” (Blue Helmets of Culture) (CBC),
- guaranteeing the coordination of the Ministry of Culture with the National Civil Protection System

- provide for the intervention in foreign territories, at the request of individual states or UNESCO.

Given the international sharing, the Ministry of Culture and the TPC Command proceeded to the operational phase developing their own “team”. The Italian Task Force includes 60 Tpc Officers and 30 Ministry Officials.

The basic structure of the team is fixed and includes the following:

- a *Team Leader*;
- a *Database Team*, in charge of data gathering;
- an *Intervention Team*, that performs the first operations for securing the items;
- a *Support Team*, in charge of the logistics;
- and finally a *Training Team*, dedicated to train locals in order to rapidly increase the operational capacity of the Task Force itself.

There are three basic scenarios in which the Task Force may be effectively employed:

- Natural Disasters;
- Peace Keeping and training Missions;
- Pre/post conflict situations.

Together with UNESCO, we are now working on a stand-by agreement that will allow the deployment of the “Caschi blu della Cultura” Task Force overseas under the UN flag.

In collaboration with the Italian-Latin American International Organization (IILA), a training mission for Blue Helmets of Culture was organized for seven Latin American countries (Mexico, Peru, Ecuador, Bolivia, Guatemala, Dominican Republic and Costa Rica), which has taken place in Mexico City last June, with the collaboration of the Mexican “Instituto Nacional de Antropología e Historia” (INAH).

The participants will be selected via direct call by the IILA and will receive training from Italian TPC and Ministry of Culture and Argentinian experts.

3. Some international operational activities.

Operational activity, Turkish Embassy refunds.

The Carabinieri TPC Unit of Venice, on April 2023, has delivered to the Ambassador of the Republic of Turkey in Rome, a funerary stele with an extraordinary historical, archaeological and artistic importance, that had been illegally excavated and then illicitly exported from Turkey. An important funerary stele, object of illegal archaeological excavations in the ancient city of Zeugma, in Turkey, has been recovered by the TPC Unit of Venice, coordinated by the Public Prosecutor's Office of Florence.

The stele was seized in March last year, in the province of Florence, following a house search of a person already under investigation. He had brought it into the country by purchasing it previously in France.

For this artwork, he had asked the Export Office in Florence to issue a temporary entry certificate, presenting the item as coming from an Italian archaeological context.

Therefore, since the stele had been presented as an 'italic' archaeological asset, the Export Office in Florence asked the holder to submit documents attesting his own or others' possession of the asset prior to 1909 and documents attesting to the legitimacy of the stele's original exit from Italy.

In response to these requests, the holder withdrew the application for the issue of the certificate.

In the investigation to reconstruct the international circulation of the Stele, the use of the "Database of illicitly stolen cultural goods" by the Carabinieri TPC and International Police cooperation Service, was crucial.

Repatriation from the United States.

Thanks to the investigative effort and international cooperation, Carabinieri Cultural Heritage Protection Command brought back to Italy 60 archaeological finds of great cultural value, which in recent decades had been marketed in the United States by international traffickers.

On this occasion, the TPC collaborated with the New York County District Attorney's Office.

The investigation was supported by photographic investigations which made it possible to verify the works and identify the international traffickers of archaeological finds.

The works had been offered for sale by some art brokers and then end-

ed up in some private collections in the United States. Among the recovered works, the total value of which can be estimated, at over 20 million dollars, we can highlight a Pompeian fresco depicting "Hercules as a boy with a snake", dating back to the 1st century AD. The work, the proceeds of clandestine excavations in the Vesuvian area, was marketed by an international trafficker and purchased by an American collector.

Maj. Emanuele Meleleo
Carabinieri CHP Group CDR Venice

Presentation by CWO Francesco Progida

CWO Francesco Progida

The EUAM Iraq was launched in October 2017 in response to a request by the Iraqi Government to provide advice and expertise at the strategic level in civilian security sector reform (SSR). EUAM Iraq's headquarters is located in Baghdad. We also have a regional presence in Erbil, the capital of the Kurdistan Region of Iraq.

The Mission's role is to transfer knowledge and experience to the Iraqi security sector decision-makers, carried out in the format of workshops, seminars or official meetings. The Mission support an Iraqi-led and Iraqi-owned process regarding security sector reform towards stability and peace in the post-conflict society.

Moreover, the Mission aims to analyse, assess and identify opportunities at national and regional levels and inform and facilitate the Member States' planning and implementation.

As I am sure you will all agree with me, the nexus between cultural protection and security is strong.

Safeguarding heritage, cultural goods and properties is not simply a matter of cultural urgency: it is a political and security priority that should translate into a central component of conflict resolution and peacebuilding efforts, the security sector reform.

Within this broad mandate, one of EUAM Iraq's focus areas is enhancing the civilian security authorities' ability to protect Iraq's cultural heritage.

To that end, EUAM has strengthened its advisory activity in this area with the deployment in May 2019 of a Senior Strategic Adviser in cultural heritage protection. EUAM Iraq is the first Common Security and De-

fense Policy mission (CSDP) with a full-time expert in this critical sector. As the European Union Council highlighted in 2021, protecting and enhancing cultural heritage in conflicts and crises is essential for any strategy of peace, security resilience and social reconciliation. Cultural heritage is, indeed, a sensitive and highly complex matter with a high degree of symbolic significance at risk of political and criminal manipulation. Thus, cultural heritage can be a driver of conflict as well as a vector for peace, reconciliation and development. Attacking cultural heritage constituted a means of symbolic violence in wars and crises as a direct target for belligerents who want to increase violence and hatred against opponents. Moreover, the politicisation of cultural heritage, often including its religious aspects, can diverge societies, countries, regions, ethnic groups or communities, expanding the risk of violent conflicts.

The valuable contribution of the protection of cultural heritage in the attainment of the Mission's overall mandate in Security Sector Reform cannot be underestimated. Cultural heritage protection has a direct link with critical areas such as countering organized crime, violent extremism and terrorism.

Allow me to briefly elaborate on the cultural heritage and counter-terrorism nexus.

As you know, Da'esh's iconoclasm was not random and irrational vandalism, it was part of a complex and sophisticated strategy to affirm its radical ideology and assert its absolute domination over the population under its control, including the social and cultural context in which that population lived.

Terrorist groups have exploited the destruction of national patrimony to reach their idealistic purposes with horrendous persecution of minorities, cultural diversities and other religious beliefs.

Moreover, looting and pillaging were also a way for Da'esh to finance its malicious activities. It is very difficult to quantify the value of Da'esh's cultural looting, but according to some estimates, the group raised up to 100 million US dollars a year, a source of financing that was second only to its revenues from oil.

With that in mind, by advising Iraqi authorities on cultural heritage protection, EUAM is contributing to countering terrorism in five fundamental ways:

- First of all, protection of cultural heritage is key in countering radicalisation. The thousands of years' shared cultural history that Iraq is home to is an important cornerstone in promoting cultural pluralism and diversity, in opposition to obscurantism and violent extremism.
- Second, by providing strategic advice to the relevant Iraqi ministries and national authorities, EUAM helps the enforcement of the international protection regime and, in particular, the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.
- Third, the protection of cultural heritage cuts off the funding generated by looting and the trafficking of artefacts, which fuels and prolongs conflicts by providing critical revenue for terrorists.
- Fourth, at the end of hostilities, the protection of cultural heritage can help ensure quicker recovery and stabilisation by promoting societal and economic regeneration. The rehabilitation of cultural heritage can play a decisive role in rebuilding the fabric of societies and in creating the foundations for long-lasting peace and security, including by contributing to post-conflict income generation and economic security from a return to tourism and related job-generating activities.
- Last but not least, protecting cultural heritage means preserving for the next generations the signs of the great civilizations that lived and lives in this wonderful land, which have contributed in fundamental ways to the development of the whole of humanity. In a word, protecting Iraq's cultural heritage is protecting the world's cultural heritage.

Iraq continues to face profound political, security, stabilisation, climate, humanitarian and socio-economic challenges. The vacuum caused by the Caliphate's fall led to fierce competition between remnants of ISIS and Iran-backed Shia factions of the Popular Mobilization Forces (PMF). The Iraq-Syria border is used as a hub for the smuggling of weapons, drugs, oil, people and Cultural goods.

The country's sovereignty is threatened by external factors, such as Turkish operations in the North, and the presence of pro-Iran armed militias. Internal unrest resulting from unresolved socio-economic demands that have not been addressed in post-2003 Iraq, such as basic services, jobs, and an end to pervasive corruption, has led to a lack of trust in state institutions and the political class.

In such context, the cultural heritage of Iraq remains at great risk, and catastrophic losses have already been sustained. Iraq, often described as “the cradle of civilization”, is home to more than 10,000 cultural heritage sites ranging from the 5,500-year-old cities of Sumer – where evidence of the earliest writings in the world are preserved – to archaeological remains of the Akkadian, Babylonian, Assyrian, and Parthian cultures without neglecting all subsequent cultural expressions through works of art, modern art, manuscripts and historical documents.

More recent monuments, such as Ottoman palaces and public buildings, as well as the work of modern international architects, have great value and significance in Iraq’s history. Archaeological sites, both those which have been excavated and those which are unexplored, have suffered as a result of widespread looting since the beginning of the current conflict in the country. Historic buildings in Baghdad and other urban areas have been damaged, not only as a consequence of military activity, terrorism, and climate change but also from vandalism and looting.

The weak protection of Iraqi cultural heritage is serious. An impressive number of archaeological sites are in desertic areas and hard to protect. Many museums still do not have a complete inventory of their collections. The gathering and sharing of information about Iraqi items to be recovered is dysfunctional. Furthermore, we can summarise five main gaps: 1) Lack or poor awareness about the importance of Cultural Heritage and little education on the topic; 2) low national and international cooperation; 3) lack of involvement of local communities; 4) Ineffective legal framework; 5) Lack of official data to assess the scale of the illegal trafficking.

Allow me now to share with you an overview of EUAM’s involvement in the protection of cultural heritage.

EUAM Iraq implemented a series of workshops and technical assessments with a focus on Iraq’s Cultural Heritage Protection theme, attended by representatives from the Iraqi Ministry of Culture, law enforcement, judicial bodies, and international organisations delegates.

Currently, the Mission is facing 3 main activities:

The first one is related to the legal framework of CHP. Efficient legislation for the protection of cultural heritage is crucial. The legislative framework can define the basis for protecting, preserv-

ing, and conserving archaeological sites and the Heritage. There is a crucial motive behind enforcing a legal monetary system that can protect archaeological sites and avoid selling antiquities.

Furthermore, the law helps us create the standards necessary to assess what is significant and worthy of protection and develop mechanisms to enforce rules to keep heritage and people accessing heritage safe.

In reference to this important theme, Mission involves the Ministry of Education and a few Iraqi universities in a Legal Symposium aimed at creating a “think tank” of distinguished law professors and legal experts to help review and make more effective the Iraqi law no. 55 of 2002 related to the protection of cultural heritage.

At the conclusion of the activity, the Mission published a compilation titled *“A Step Forward to the Revision of National Law. Legal Aspects of the Protection of Iraqi Cultural Heritage”* which includes eight presentations that were delivered during the Legal Symposium.

The presentations addressed national and international legal issues related to the legal framework for the protection of Iraqi cultural heritage and developed theoretical and practical solutions for a way forward.

The presentations range from touching upon the Antiquities and Heritage Law currently valid in Iraq to the crime of vandalism and to the questions relating to intangible cultural heritage. The booklet was shared with other law professors, the Ministry of Cultural Heritage, and other Iraqi authorities for the development of amendments to Iraqi cultural heritage legislation.

Following the Legal symposium, the Mission involved the Council of Representatives in establishing a working team with the State Board of Antiquities and Heritage, the Parliamentary Legislation Department, the Parliamentary Affairs Department, the Parliamentary Research Department, and Academics from the College of Archaeology and the College of Law of the University of Kufa to propose the review and implementation activity of Iraqi legislation for the protection of Cultural Heritage National Law. The debate is currently underway, and the counterparties are participating with deep interest.

2. Preserving cultural heritage is not just about fighting crimes against it. Social awareness is a fundamental aspect of the activity for the protection of cultural heritage.

The nation's heritage passed on from ancestors is a strong emotional link for enhancing conservation efforts that are community driven.

Cultural Heritage Awareness is the first step to safeguarding it, from the smuggling of archaeological artefacts and tackling their illegal trade to finance criminal gangs and terrorism.

On 7th March 2023, in Baghdad, at the Iraq National Museum, EUAM Iraq, in collaboration with MoCTA/Director General of Public Cultural Relations, MoI/Public Relations Department and Baghdad Mayorality/Director of the Relations Department, promoted the lunch of CHP awareness campaign addressed to young generation titled "Awareness of future generations will protect our antiquities". Before the media event, 15 students attended a workshop visiting the museum and after drawing and colouring the drawing book realised by the project.

The Mission realised two emotional cartoons, 5 posters with QR codes linked to the animations and a drawing book to raise awareness among youngsters about the importance of cultural heritage protection and promote a friendly image of service-oriented police in community policing cooperation. With the current materials EUAM would like to make the young generations aware that every crime against cultural heritage is a crime aimed at directly themselves. All materials can equally be downloaded freely and used in schools and events aimed at children and youngsters.

The project partners, through their channels, distributed the animations and used other materials in their educational programmes. Currently, the Iraqi National Museum and the Baghdadi Museum display the 5 posters at the entrance and share the colouring book with several visiting school groups.

Through this campaign and the materials produced, Mission would like to educate the younger generation, who are the heirs of the unique treasures of this country, about the importance of cultural heritage and its protection.

3. Let me conclude by highlighting the importance of this ambitious project which will give Iraq the chance to play a crucial role in the global efforts to protect cultural heritage in Iraq.

The project's beneficiaries are two relevant Iraqi authorities: the Federal Intelligence and Investigations Agency (FIIA) and the State of Board Heritage and Antiquities (SBAH).

The FIIA is a law enforcement agency belonging to the Ministry of Interior that also provides investigations on CHP-related crimes. FIIA doesn't have inventory data of stolen Iraqi cultural heritage artefacts and doesn't have a dedicated IT solution to efficiently investigate cultural Heritage crimes and disrupt the complex and effective network of organized gangs.

The State Board of Antiquities and Heritage (SBAH), an institution belonging to the Ministry of culture, tourism, and antiquities (MoCTA), and responsible for the management of Iraq's national heritage sites, has been deprived of its essential resources over the past two decades. Combined with the major degradation of archaeological sites, looting and the impact of the Islamic states, SBAH has limited capabilities to assess the current state of the national heritage and to put in place the emergency measures requested to address its core needs such as support the Iraq Museum's storage facilities, artefacts, and archive holdings as well as conservation support. However, SBAH keeps track of stolen cultural heritage inventory without a dedicated and efficient IT solution.

Fighting the illegal trade of cultural heritage and safeguarding Iraq's invaluable cultural heritage needs technological support. In order to address the contextual challenges, and grateful for generous funding by the German Government, EUAM Iraq is engaging in the development of a Pilot National Database for Cultural Heritage Protection that aims to enable Iraqi Law Enforcement to increase their investigative capabilities in tackling CHP-related crimes that are identified as potential sources of financing for terrorism, and organized crime in the country and abroad, and should seek to support the development and availability of national and local inventories as indispensable ways to protect and preserve cultural heritage.

CHP Phase II is the step in creating a technological solution for the cultural heritage projection in Iraq, proposed on a small scope. It will enable testing of the proposed system and identify lessons learned and recommendations before executing the full system in the future phases of the project.

The main project outcome is to improve the national Iraqi capability to manage an effective digital database of stolen or missing Iraqi cultural heritage artefacts, compatible with the best international standards, including pictures, shapes, dimensions, and any other relevant refer-

ence points to be used for identification, comparison, and verification, combined an effective law enforcement investigation tool for analysing and interpreting large amounts of CHP data, connected with the newly established CHP database. It will enable them to map criminal networks and focus investigative efforts on suspects or locations involved in CHP-related crimes.

Allow me to conclude by sharing the new challenge that EUAM will face involving Local communities and civil society organisations towards the objective of preserving Iraq's tangible and intangible culture.

This project aims to facilitate a series of seminars to raise awareness of the importance of the archaeological sites among the surrounding communities and the culture heritage refers to the practices, representations, expressions, knowledge and know-how, transmitted from generation to generation within communities, providing identity and continuity.

The workshops should also highlight the potential benefits for communities in protecting their national heritage.

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The Database of Stolen Works of Art, “Leonardo” and SWOADS

Maj. Salvatore Rapicavoli

In 1969, the year of birth of the then *Nucleo Tutela Patrimonio Artistico*, there was no technology useful for the computerization of data. The activity of cataloguing stolen art objects, however, immediately played a role of primary importance for the TPC Command since its establishment, when paper archives were established in which to collect the photographic and textual documentation of the three main entities for the investigative activity in the field of protection of cultural heritage, ie art objects, events and people of interest, with the creation of a real “paper database”.

The first storage of information on stolen goods therefore takes place in paper form, through the use of cards, on which the photo of the asset was affixed, on the front, and the description and distinctive data (material, technique, title, measures, etc.) on the back.

The first telematic implementation of the Database takes place in the 80s, when the Carabinieri Command for the Protection of Cultural Heritage (TPC) begins to make use of the new technologies available, the first *personal computers*, initially managing to store only textual data, not yet being possible to manage or even view images.

The first photographs can be digitized and archived electronically since the 90s with the most advanced operating systems: the information on the stolen cultural asset, with its image and all the data, can be stored in a real centralized computer archive (initially located at the General Command and then taken over directly by the TPC Command): the “Database of illicitly stolen cultural heritage”, then provided for by art. 85 of Legislative Decree 22 January 2004, n. 42, containing infor-

mation on the assets to be searched, of both Italian and foreign origin, and on related criminal events.

With the subsequent technological developments of the system, which took place between 2000 and 2006, a system with a very solid and functional hardware and software architecture (based on ORACLE *database* and JAVA software) was outlined and, in 2015, the last and most consistent evolutionary step took place, which led to the creation of “Leonardo”, the current TPC computer system, created for interaction with the aforementioned database and containing all the data of the activities carried out by the TPC, as well as information concerning subjects, events and operations of the Carabinieri relating to the prevention, detection and repression of crimes against cultural heritage.

Derived from the experience gained over decades of TPC activity, *Leonardo* is accessible to all TPC soldiers, via web interface, from any location of the Arma CC network, for feeding, consulting and updating the data of the assets to be searched and the activities carried out by the TPC Command.

Leonardo consists of several software modules. The main basic modules are those for: data entry; research; statistical surveys. There are also more advanced modules: to visualize the criminal events, and the works of art involved, on digital cartographic maps, allowing operators to immediately perceive the development of a criminal phenomenon on the territory (eg theft of paintings with certain subjects or with certain modus operandi in a particular geographical context) and to plan operational interventions quickly and effectively; for the graphic representation of all the logical connections between the information surveyed (places, events and people) and above all the automatic image comparison module.

The strength of the information system is certainly in the advanced research skills able, not only to verify and find lexical terms used for the description of the work, but also to compare images or portions of images based on its graphic characteristics. The indexing software analyzes the images on the basis of visual characteristics (texture, color, color distribution, etc.) and the various graphic attributes (brightness, spectrum, etc.) and translates this information into a sort of “fingerprint” of the image, used for comparison research. The TPC operator then has

the possibility to download a photo from a site or a catalog that he is checking, insert it into the system that automatically starts a process of comparison between all those present in the database, managing to provide a possible and instant positive feedback.

Currently, more than 1,300,000 works to be searched are stored in the Database of illicitly stolen cultural heritage, of which almost 960,000 are accompanied by images. The difference between the two values arises from the fact that especially before the advent of electronic photographic devices, there were often complaints without photographs, even of low quality and for this reason many assets are stored in the Database with only descriptive references.

The second largest source of information of stolen cultural heritage is that French, with about 98,000 images stored.

In total, *Leonardo* has more than 7 million assets described; the thefts of works of art that have occurred, the denials of exports communicated by the MiC, all photographic checks (carried out on initiative or at institutional request), assessments of legitimacy of possession of goods, detection of clandestine excavations, seizures of false works, monitoring of archaeological sites and control of works in the catalogs of auction houses are stored.

The TPC fulfills the role of “Pole of gravitation information and analysis” in the sector, in favor of all the FF.PP. All the Offices and Commands of the Police Forces operating in the territory, in order to guarantee timeliness and completeness to the flow of information in the context of law enforcement activities in the specific sector, therefore have the obligation to systematically address reports concerning the theft of works of art reported, the recoveries made and all events relating to attacks on the national cultural heritage to the TPC Command.

Similar reports, of course, reach the TPC Command from the peripheral offices of the MiBAC that directly assume news of crime (this is the case, for example, of the Archaeological Superintendencies for the detection of clandestine excavations, or of the Directions of museum institutions that notice deficiencies as a result of inventory, etc.).

In particular, “TPC Event Cards” are transmitted, compiled by each

owner of the stolen cultural heritage, at the time of reporting to a police office, and containing both descriptive and photographic information (measurements, technique, type, title, author, etc.) of the objects proceeds of the theft, and those relating to the criminal event (date, place, complainant, modus operandi, etc.). The data collected in this way, whether the report arrives directly at the National Command or reaches the peripheral Nuclei and is forwarded by them to the "center", are collected and processed by the Data Processing Section, organically inserted in the Command Office, where highly specialized personnel, after evaluating the actual cultural value of the stolen object, deals, also through a sophisticated iconographic classification system, both the inclusion of stolen cultural heritage, and therefore cataloguing, and their research.

In the Database – in fact of a purely national nature –, downstream of official diplomatic requests, data relating to cultural goods, owned by other nations, can also be stored, which the operators of the TPC could thus recognize as works to be searched, during research activities of initiative (on catalogs or on the internet),

Online we have the opportunity to come across different types of attempts to market illicitly stolen or fake goods; every year we can find out which type is most treated; coins, books, stamps etc., is a phenomenon that changes from year to year, but clearly the type of object most marketed *online* It is the one that is typically not very recognizable compared to multiple copies (more or less similar) of other objects of the same case and therefore is not always easy to identify. In the modern era it is much easier to market on the internet than using the most traditional methods; On the net there are no borders or geographical distances, it is possible to reach every corner of the planet, with higher chances of escaping controls more easily, and the costs of managing "commercial activity" are lower.

This increasing use of telematic channels instead of traditional ones for illicit trade or export of cultural goods requires continuous updating of IT systems. The SWOADS (Stolen Works Of Art Detection System) project, currently being finalized, allows the automatic collection of data from the web, deep web, social media and the information entered by the operational components - the result of control activities - and to

compare everything with the textual and photographic contents of the works of art registered in the Leonardo database. The project aims to create an active support tool in the fight against illicit trafficking of cultural goods, exploiting and implementing cutting-edge IT solutions that, in addition to managing the functional and organizational processes of the CC TPC Command, optimize the monitoring and inspection of the channels through which stolen works of art are placed on the market.

MAIN OBJECTIVES: massive increase in the number of positive feedback on websites and in the expansion of the force of action to be able to investigate both social media and the “deep web” with automatic search processes of the data of interest; simplicity of request and numerical increase of photographic evaluations, requested by the FF. PP. National creation of an Italian SWOADS “cell” as a starting point for further transnational projects, for the exchange of information and collaboration between specialized sections of the LEAs of EU member countries. SWOADS allows the automatic collection of potentially useful data from the web, the deep web, social media and those deriving from the transmission, carried out by law enforcement operators through a web interface and a mobile application, of photographs of assets obtained during operational activities.

This information, merged into a single container (“Data Lake”) is re-organized and structured, to be analyzed with automatic image comparison tools and advanced search of textual and descriptive content, of stolen works contained in reference databases (Database of illicitly stolen cultural heritage, managed by the TPC). The software package of the SWOADS cell is available to be shared with all countries wishing to install this system, with the aim of acquiring the possibility to automatically search for stolen cultural heritage, present in their national databases, as well as to be able to join the SWOADS network and thus have the possibility to locate their assets abroad, in countries where SWOADS will be used.

The aim of the TPC is also to inform citizens, encourage their participation and increase involvement in the protection of cultural heritage. For this reason, on the *www.carabinieri.it* website, we give the possibility, through the use of specific applications, to: consult a part of the database; fill in Object ID, the identity card of the cultural asset that must be

brought to the complaint for the search for the stolen good; consult the research bulletins, electronic publications in which we collect the most relevant goods to be searched. The site also provides indications and advice on many aspects including: what to do in case of theft of a cultural asset or if you intend to buy one, or how to behave if you become aware of a clandestine excavation.

There is also an application for mobile devices (downloadable on Apple Store and Play Store) called iTPC, also available in English, in which there are the same services of the site, with in addition the automatic comparison of images. Visual search allows the user to recognize a stolen work of art, among those contained in a dedicated computer archive. You can use a photo taken through the device's camera, or previously saved, and the search results are displayed in real time.

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Archaeology During and After Crisis: the Experience of the Iraqi-Italian Mission at Abu Tbeirah (Nasiriyah, Southern Iraq)

Prof. Licia Romano

Iraq, often referred to as the cradle of civilization, is home to a remarkable array of cultural heritage properties, both tangible and intangible. These UNESCO-recognized treasures not only bear witness to the nation's rich history but also reflect its enduring contributions to human civilization.

On the Tangible Front, the properties inscribed into UNESCO list are: Ashur (Qal'at Sherqat); Erbil Citadel; Hatra; Samarra Archaeological City; The Ahwar of Southern Iraq; Babylon. These UNESCO heritage properties together with the intangible ones, represent the Iraqi multi-faceted legacy that encompasses architectural wonders, ancient scripts, and vibrant musical traditions. Together, they serve as a testament to the resilience, creativity, and cultural identity of the Iraqi people.

Iraq is indeed a unique but highly fragile country. Over the last century, it has endured numerous periods of crisis and wars, resulting in significant damage and destruction to its cultural heritage, widely covered in the global media. These challenges have been driven by various geopolitical events, including the Iran-Iraq War (1980–1988), the Gulf War (1990–1991), uprisings in southern and northern Iraq in 1991, UN and international sanctions (1990–2003), the US/UK-led invasion in 2003, ensuing post-invasion turmoil, the occupation of parts of Iraq by Daesh (2014–2017), and Daesh's forceful expulsion from the entire nation in 2017¹.

¹ (Matthews et al. 2020).

My involvement in Iraq began in 2012, during a crucial period for the nation, as the last remnants of foreign military forces were departing. It's important to emphasize that archaeology is a peaceful activity, conducted in collaboration with the local and legitimate government. In recent years, we have witnessed Iraq's remarkable resurgence, as it has opened its doors to the international community. The country has valiantly fought against ISIS, making significant sacrifices, including the loss of countless lives, in its relentless pursuit of lasting peace. I will always remember the T-wall dividing the streets of Baghdad in 2015, covered with the pictures of Iraqi soldiers, young guys and family men, who gave their lives in the battle against ISIS. They fought not only for their nation but also for our peace and the stability of the entire region.

In the forthcoming analysis, I will delve into the primary causes of damage and destruction inflicted upon Iraqi heritage, with a specific focus on the period following the 2003 war and the subsequent rise of Daesh (ISIS). This tumultuous era has witnessed severe challenges to Iraq's rich cultural heritage, resulting in widespread loss and devastation. Additionally, I will shed light on the efforts made by the international community and by archaeologists, to help Iraq recovering stolen artifacts, documenting and restoring its damaged cultural heritage.

The 2003 invasion of Iraq by a coalition led by the United States and the United Kingdom marked a critical turning point for the nation's heritage. During the major conflict phase, Iraq's cultural property faced potential threats due to the upheaval, military operations, and lack of pre-conflict planning. Fortunately, the immediate destruction of heritage sites during this phase was quite limited, primarily due to the relatively weak resistance from Iraqi armed forces². Regrettably, as widely acknowledged, once the regime collapsed, widespread looting ensued, affecting museums, libraries, archives, art galleries, and archaeological sites throughout the country. One of the critical issues contributing to heritage loss during this period was the failure of those planning the invasion to recognize the importance of the protection of the Iraqi heritage during the war and immediately after the fall of Saddam. The looting of the Baghdad Museum in the April 2003 is surely the symbol of this lack of foresight³. This devastating event witnessed a range of

² (Stone 2015).

³ (Zoilo e López 2000).

looters descending upon the museum, each driven by distinct motivations. Among them were professional thieves, who targeted some of the most precious artifacts, random looters and insiders⁴. The international archaeological community, that already raised its voice against the invasion of Iraq⁵, started to strongly fight for an active response by the UNESCO and by the occupying forces⁶, as demonstrated by the huge number of initiatives, conferences, publications on scientific and wide public journals.

While the theft of items from Iraq's cultural institutions was indeed a devastating loss, the true calamity lay in the looting of countless archaeological artifacts, leading to the irreplaceable loss of contextual information⁷.

The looting of cultural heritage in Iraq during this period was multifaceted. It encompassed various activities, including searches for information, opportunistic and professional looting. The motivations ranged from seeking information about missing family members to the theft of computers and electrical appliances. This complex and chaotic situation further compounded the damage inflicted upon Iraq's heritage. Looting was not limited to organized criminal networks but also involved local populations who turned to looting as an economic necessity. With the removal of their primary source of income, such as government employment or agricultural activities, individuals resorted to "harvesting" antiquities as an alternative means of subsistence. This practice, while economically driven, contributed significantly to the overall looting problem⁸. As demonstrated by E. Stone's meticulous analysis of satellite imagery, a grievous surge in the rate of looted archaeological sites transpired between the months of February and the summer of 2003⁹. Stone's comprehensive examination reveals a clear and im-

4 <https://www.ajaonline.org/newsletter/110> (last visited 24/09/2023). As reported by (Zoilo e López 2000, 20): "Donny George (ndr. Director of the Investigating Department of the State Board of Antiquities) pointed out wisely that we should distinguish between two main kinds of looters: on one hand, the common criminals who take advantage of every conflict, and, on the other, well-organised groups with pre-determined and precise targets who acted under orders from the international mafia in illegal trafficking in antiquities, who were fully conscious of the importance of destroying the files and documents on the items they had planned to steal, in order to avoid subsequent prosecution".

5 (Stone 2015).

6 The results of the investigation by the USA Commission of Investigation overseen by Colonel M. Bogdanos are reported in his article (Bogdanos 2005).

7 (Stone 2015).

8 (Stone 2015).

9 (Elizabeth C. Stone 2015).

pressive trend in the widespread plundering of Iraq's cultural heritage during the first months of war.

Another aspect that warrants close attention is the profound impact of 2003 war (and of warfare in general) on the preservation of Iraq's cultural heritage. Even during the embargo period, Iraq faced significant challenges as the import of crucial chemicals essential for conservation purposes became increasingly difficult, if not impossible. Moreover, Iraqi ancient architecture, often crafted from clay in the form of mud-bricks or bricks, is particularly vulnerable. Extended periods of neglect can result in irreversible damage to these structures. For instance, the small temple/court of justice at Ur, known as *é-dublamakh*, is now in a state of gradual dissolution due to seasonal rainfall and the absence of regular conservation efforts.

Within the context of the 2003 war, the role of archaeologists was predominantly confined to observation and activism, aimed at raising awareness about the perilous state of Iraq's invaluable heritage. Collaboration between archaeologists and the military was limited during this time, if non-existent, which is quite understandable given the concerns surrounding the war. This reluctance to intertwine archaeological activities with military actions is rooted in the historical background of Western Asia's archaeological activities. The origins of archaeological missions in this region trace back to the 19th century, intimately intertwined with the colonial expansion of Western powers in the area. Notable figures like, e.g., the French consul Émile Botta¹⁰, who worked in the renowned Assyrian sites of Quyunjiq (Niniveh) and Khorsabad, played pivotal roles in shaping the Louvre's collection¹¹. Moving into the early 20th century, two prominent individuals exemplify the complex relationship between archaeology and politics. T.E. Lawrence, an archaeologist¹², famously known as Lawrence of Arabia, led the Arab revolt against the Ottoman Empire¹³. Gertrude Bell, a formidable woman who took part with Churchill to the Cairo Conference, was instrumental in selecting Iraq's first king, Faisal I. She also held the roles of an archaeologist, the first Iraqi Director of Antiquities, and the founder of

10 (McGovern e McGovern 1986).

11 (Collins 2012).

12 (Woolley e Lawrence 2003).

13 (Baumgartner 1999).

the Baghdad Museum¹⁴. Given this historical background, it comes as no surprise that archaeologists working now in Iraq and neighbouring countries have reservations about intertwining their cultural activities with military operations. Nevertheless, collaboration between archaeologists and the military can prove fruitful, particularly in the sharing of data and information for the protection of heritage in crisis areas during periods of peace, outside of active conflict.

In the case of Iraq, archaeological cooperation started during the activities of the Provincial reconstruction teams. In particular, the permit of excavation of Abu Tbeirah was signed in order to start a new era of international cooperation with the Iraqi archaeologists¹⁵. Our mission was the first to be back in 2012 and after that moment, the number of international archaeological mission in Iraq is still growing. As demonstrated by the recently volume published by the Italian Ministry of foreign affair ("*Tesori dell'Iraq - Le Missioni Archeologiche Italiane, Trecani*"), 23 are the Italian archaeological missions now active on the Iraqi territory from south to North.

However, re-establishing archaeological cooperation with a country such as Iraq that has experienced such dramatic events was not an easy task. During the initial years, when our mission was one of the very few active in the country, we had to extend our efforts beyond normal scientific activities. We needed to re-establish working protocols with the Iraqi State Board for Antiquities and Heritage to align our excavation processes with Iraqi law. For example, procedures related to the movement of objects from the site to our workspace, cataloguing, and subsequent transfer to the museum required us to learn and adapt.

Moreover, we had to find solutions for exporting samples of materials crucial for modern scientific archaeological work. To resolve these challenges and arrive at common solutions, we engaged in numerous meetings and fruitful discussions with our Iraqi colleagues. However, our collaboration extended beyond logistic matters. We engaged in a meaningful exchange of competencies and skills. A country under embargo often has limited access to information and updated data. Thanks to Italian cooperation and the support of the Italian Ministry

¹⁴ (Lisa Cooper 2018; Bernhardsson 2017; Lisa Cooper 2018; L. Cooper 2016).

¹⁵ On the excavation at Abu tbeirah see (D'Agostino e Romano 2013; Romano e D'Agostino 2019).

of Foreign Affairs, we were able to conduct courses on archaeological methods and related subjects.

Simultaneously, it was essential to involve local stakeholders. This entailed establishing connections with cultural associations, various local educational institutions, and engaging with the media, among other activities. Above all, we successfully cultivated a profound relationship with our Iraqi colleagues, students, and collaborators. This relationship transcends mere professional interactions; we can proudly say that we've created an Iraqi-Italian family.

In 2012, Daesh initiated its activities in northern Iraq, marking a significant setback for the country, particularly in terms of reshaping its public image away from the ravages of war. Daesh's actions against Iraqi heritage in the northern region garnered extensive media coverage for months. Their destructive zeal primarily targeted religious structures rather than secular ones, leading to an intriguing consequence. While it is commonly believed that Daesh inflicted substantial damage by destroying numerous artifacts, satellite-based archaeological studies suggest that the greatest harm in Northern Iraq and Syria resulted from illicit excavations¹⁶. It is not surprising that Daesh exploited this substantial trove of artifacts to fuel the antiquities market and finance its operations¹⁷.

However, Iraq has made significant strides in stabilizing the country, and the preservation and protection of antiquities and archaeological sites are steadily improving. This progress can be attributed to various international cooperation projects and an increasing number of archaeological missions engaged in research across Iraq. Sapienza has contributed to the realization of the Maintenance project of the archaeological park of Ur, funded by the Italian Ministry of Foreign Affairs and International Cooperation and directed by F. D'Agostino. This project has put forth comprehensive conservation plans for the é-dublamakh, the royal mausolea of the III dynasty of Ur, and the ziggurat. Additionally, it has generated detailed documentation, including precise photogrammetry of the site obtained using drones.

¹⁶ (Matthews et al. 2020; Danti, Branting, e Penacho 2017).

¹⁷ (Brodie e Sabine 2018).

Looking ahead, the global archaeological community will play a crucial role in helping Iraq address new challenges, particularly in the realm of tourism. It will be essential to safeguard these sites and their heritage from potential encroachments by tourism infrastructure, aiming to prevent situations similar to what occurred in Cairo with hotels near the pyramids. Furthermore, the inscription of several archaeological sites on the UNESCO World Heritage List will be instrumental in providing long-term protection and recognition for Iraq's invaluable cultural treasures.

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ADVANCED STUDIES



Center of Excellence for Stability Police Units
 International Conference on the Protection
 Of Cultural Heritage in Crisis Areas
 28-29 September 2023



CoESPU CHP CONFERENCE FACTSHEET

AIM OF THE CONFERENCE

To raise awareness on the difficulties and implications while protecting Cultural Heritage in areas of crisis. Military Commanders are often presented with the dilemma stemming from the concurring but opposing necessities to protect their forces on the one hand, and cultural property on the other. Such severely destabilized situations present unique challenges and demand quick and sound decision-making. To this purpose, the identification of key information from past missions as well as solid doctrinal products aimed at systematically preserve and safeguard Cultural Heritage is crucial.

EXPECTED OUTCOMES

To raise overall awareness, particularly about:

- The possible role of an expeditionary law enforcement capability;
- The identification of a more proactive approach and strongpoints, shortcomings and gaps that need to be addressed to support national actors as well as International Organizations involved in peace operations to improve Cultural Heritage Protection on a global scale.



CARABINIERI DEPUTY COMMANDER



«... the integration of Cultural Heritage Protection in crisis and post-conflict areas should get the primacy, since it is conducive to sustainable long-term peace and development. ... and squarely falls into the Stability Policing's remit, being Law Enforcement pivotal to ensure Human Security and resilience in any society».

[LTG Riccardo Galletta]

UNICRI'S DIRECTOR

«Cultural heritage speaks a universal language. It is a testament to the collective memory and identity of peoples and nations. It educates and depicts values and beliefs».

«Countries with turbulent histories, marked by conflict and political instability, place cultural heritage in grave danger. It is well-documented that looting of antiquities increases during times of civil unrest and conflict, as well as from areas with insufficient security».

(Ms. Antonia Marie De Meo)]





Center of Excellence for Stability Police Units



CoESPU CHP CONFERENCE FACTSHEET

MAIN ACTION ITEMS

- Capturing usable and measurable data that can be utilized to improve Cultural Heritage Protection operations globally
- Making best use of COESPU top-notch facilities to host working groups and courses centred on the development of concepts and first responders' capabilities, as well as the sharing of best practices and Lessons Learned
- Proposing the establishment of an expeditionary capability to rapidly respond to emerging challenges and threats
- Crucial duty: to inspire respective leaderships worldwide

MAIN Deliverable: creation of the CoESPU's worldwide Cultural Heritage Protection Network

COESPU DIRECTOR



«In today's complex and multi-faceted, multi domain, and multi-dimension environment, the protection of Cultural Property is also linked to the fight against Serious and Organised Crime and Terrorism, as often the illicit trade of works of art finances criminal groups world-wide.

Protecting Cultural Heritage falls under the wider remit of Human Security, indeed our shared center of gravity, which is upheld by Stability Policing, a cutting-edge tool (instrument of power?) deployable 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. It can also tremendously support the economic revival of a Country as well as assist in the battle of narrative. This is conducive to long-term peace, stability & development and fosters national identity»

[Col. Giuseppe De Magistris]



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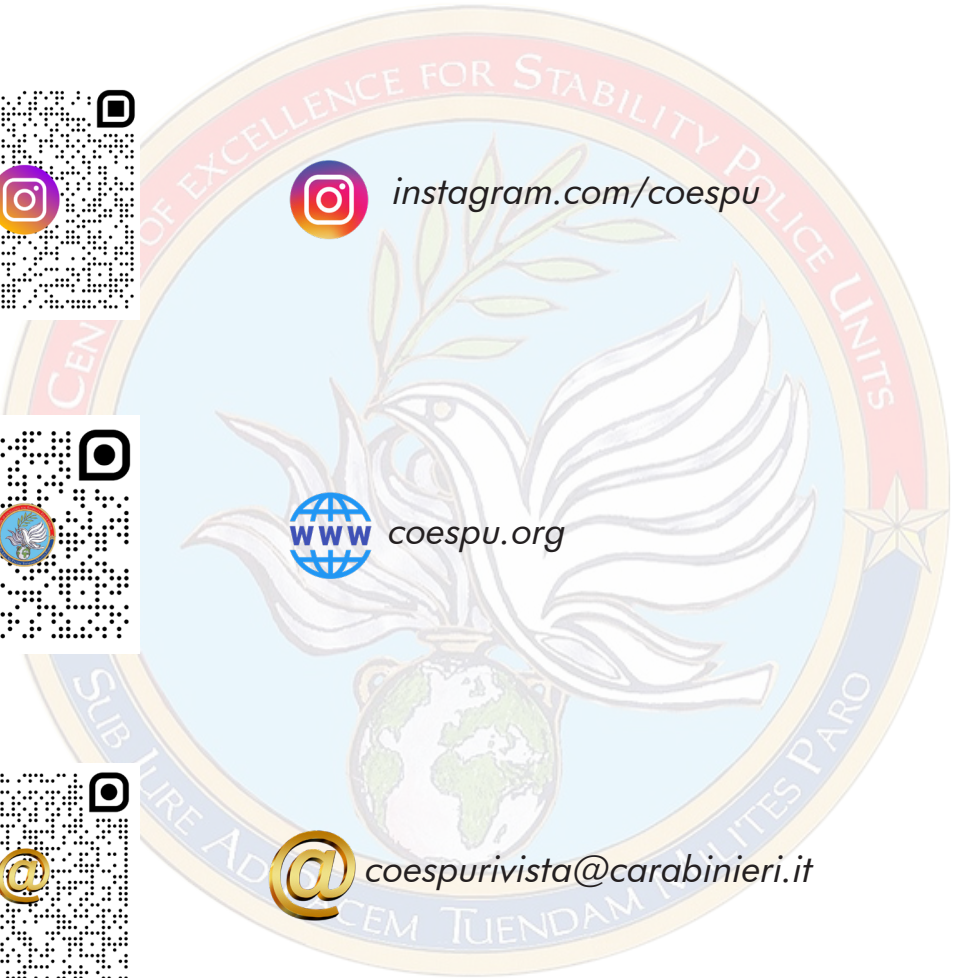
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The CoESPU Magazine Advanced Studies is devoted to the publication of professional concepts and issues, research and doctrinal products developed by the Carabinieri Center of Excellence for Stability Police Units, in collaboration with other international research Centers. The Magazine addresses topics of professional, technical, operational and juridical nature in the field of Stability Policing within Peace Operations. Based on the core values of ethics, integrity, professionalism and respect for diversity, harmonically inflected and informed by the traditions of over two hundred years of Carabinieri history, the Magazine fosters Human Rights and gender mainstreaming, while seeking to enhance current police peacekeeping doctrine and promoting international police peacekeeping interoperability, cognizant of Lessons Learned and best practises. The CoESPU Magazine Advanced Studies is constantly committed to upholding UN standards, norms, procedures and curricula, while endorsing self-sufficiency of the participating Police Contributing Countries. Consequently, its editorial policy promotes the principles of representativeness, responsiveness, and accountability, as well as effectiveness, efficiency, transparency, and accessibility, to provide the highest professional standards to build trust and legitimacy of beneficiary Law Enforcement Institutions.

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