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18 February 2016

**RE: Consultation on government proposals for a Cultural Protection Fund**

Dear Mr Rosen,

Thank you for the opportunity to provide information in response to government proposals to protect cultural heritage overseas by instituting a [Cultural Protection Fund](#). Our comments, attached below, reflect our interests in establishing the proposed fund, ensuring that it is responsibly and effectively managed, and that it achieves the greatest potential in terms of a lasting legacy of public benefit within the international arena.

***The Chartered Institute for Archaeologists***

The Chartered Institute for Archaeologists (CIfA) is the leading professional body representing archaeologists working in the UK and overseas. We promote high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provide a self-regulatory quality assurance framework for the sector and those it serves.

CIfA has over 3,250 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

CIfA's International Practice Group has over 600 members and provides a forum for archaeologists, historic environment and cultural heritage professionals working on international projects and initiatives, advising CIfA's Advisory Council on issues relevant to the international practice of archaeological and cultural heritage management.

If there is anything further that we can do to assist, please do not hesitate to contact us.

Yours faithfully,



Peter Hinton BA MCIfA FSA FRSA FIAM  
Chief Executive,  
Chartered Institute for Archaeologists



Leonora O'Brien MA (Hons) MA MCIL MCIfA  
Hon. Chair,  
CIfA International Practice Group

## **Cultural Protection Fund consultation questions**

### **Evidence of the Chartered Institute for Archaeologists (CIfA)**

**Q1: Do you agree or disagree with the proposed overall approach to the Cultural Protection Fund as outlined in Section 1?**

1.1 Generally agree.

**Q1a: Please provide any comments to explain your answer to Q1.**

1.2 There is much to commend in the approach outlined in the consultation document: We commend the government on its long-term aspirations for the Fund, which solidify Britain's reputation as a leader in international development and build one as a supporter of the power of cultural heritage to contribute to people's lives and in the development of mutual cultural understanding, pride, and stability. The recognition of the centrality of integration with other national and international cultural protection efforts is also vital. We also agree with the proposed general principles, all of which are laudable, although to which we would add a central imperative for operational neutrality – a principle which chimes with the stated aim to be flexible in targeting projects 'where the need is greatest, the risks are lowest and the benefits are highest'.

1.3 We appreciate that the government has set a wide vision for cultural heritage, and has recognised its social and cultural value as well as its potential to deliver economic benefits and sustained growth. However, we would also like to see a clear definition of culture, which covers all aspects of the cultural heritage, from the archaeological to the architectural, and the intangible: immovable cultural heritage, movable objects, living arts, traditional crafts, languages, etc.

1.4 We agree that the beneficiaries of the Fund should be ODA-eligible countries affected by conflict, however, we wish to emphasise the importance of a Fund which is not linked to any particular regions, beliefs, ethnicities or dominant political culture. We recognise that the present conditions in countries such as Syria, Iraq, Afghanistan, and Mali all contribute to an immediate threat in the MENA region, but wish to ensure that the Fund is not limited, explicitly or implicitly, in any arbitrary geopolitical way. Rather, the Fund should reflect a genuine spirit of internationalism and a recognition that the UK's international obligations to support cultural protection are based upon a principle of delivering support wherever there is greatest need, and where the most beneficial outcomes can be gained.

1.5 Of course, the UK has additional responsibilities in areas where it has direct military or diplomatic involvement or history. The Fund will therefore likely have a key role to play in collaborating with partners, such as the Armed Forces and UK National Committee of the Blue Shield to ensure effective cultural protection where British forces are deployed, either

actively, or in development roles. Nonetheless, the long-term approach should be one of a global responsibility to all ODA-eligible countries.

- 1.6 The government will also need to consider ethical issues that are likely to arise from the fact that cultural heritage may reflect the past of national minorities, vulnerable groups, diaspora communities, and communities that may have difficult relationships with current governments, governing parties/tribes, national elites, and powerful and influential groups. These issues must be addressed equitably and openly, with the overriding concern being the protection, conservation, and valorisation, of the most at risk cultural heritage.
- 1.7 As a testament to these ethical principles, it is pleasing to see the Minister reiterate his intention to ratify the 1954 Hague Convention and both protocols. This treaty highlights various international obligations, including a global recognition that damage to cultural heritage anywhere is tantamount to destruction of the cultural heritage of all mankind. It is this ethic which we take to underpin the Government's ambitions for this Fund.
- 1.8 We have reservations about the day-to-day management of the Fund being the responsibility of the British Council. The British Council's primary purpose is as a vehicle for British foreign policy and we feel that any such influence is likely to be at the expense of the Fund's ethical neutrality and ability to target the most deserving heritage initiatives, particularly where these do not reflect current or anticipated foreign policy interests.
- 1.9 We are also concerned that the British Council has no prior experience in the area of cultural heritage protection. However, we note that the Council has recognised this issue and have made positive moves to assure stakeholders that they will be seeking to form relationships with expert partners, such as the UK office of the Blue Shield, to assist in offsetting this lack of experience. This, we believe, will be vital in assuring that the Fund can be established as a genuine international contributor to cultural protection, and create a lasting legacy of leadership on international cultural protection.
- 1.10 We wish to stress the importance of not rushing the initial phases of establishing the Fund. The aspiration to begin accepting grant applications in April 2016 is completely unacceptable. The bureaucracy implicit in designing application processes, and informing potential beneficiaries alone will take longer than this. In addition, it is vital that the expert support networks required to off-set the British Council's lack of expertise in this arena and the physical infrastructure of the Fund in the form of specialist staff employed to manage the Fund, oversee international coordination, and monitor results are in place and adequately established before the Fund begins taking applications. It will be beneficial to commit a substantial proportion of the operational budget in year one to this initial phase. Such early investment will pay dividends in the long term.

1.11 Ultimately, with the correct working relationships and assurances of ethical neutrality and sufficient expertise in the form of a team of specialists in the areas of cultural heritage, illicit antiquities markets, sites collections and inventories, and effective communicators with the necessary experience of working with both military and international agency collaborators (e.g. the International Committee of the Blue Shield), it should be possible to create a viable and positive Cultural Protection Fund with the approach suggested. However, we would favour an independent and experienced administrator, for instance, an academic institution, over the model proposed.

**Q2: Do you agree or disagree with the principles of the Fund?**

2.1 Strongly agree.

**Q2a: Please provide any comments to explain your answer to Q2.**

2.2 **Complementarity:** The Fund has a potential to be a closely linked supporting network, linking expert institutions and individuals to projects requiring their assistance and, where necessary, putting grant applicants for similar or competing projects in contact with one another to pool their resources and expertise. It is absolutely critical that the fund should act as a coordinating body and work closely with vital institutions such as the Blue Shield to address the complex task of networking within the crowded international arena of organisations concerned with cultural protection. In order to achieve this, provision of a long-term coordination centre linking the fund, technical expertise, and potential beneficiaries, and acting as a practical hub for networking, liaison, and communication would be extremely beneficial.

2.3 A coordinating organisation, operating from a central, independent, and neutral office (e.g. under the identifier of the Blue Shield) would be well placed to identify opportunities for financial support, drawing upon existing local networks of trusted expert locals and organisations.

2.4 The Fund should avoid replicating the efforts of local organisations, inserting foreign advisers, or supplanting local authorities, but should focus on providing a rapid and flexible response by networking and coordination. Where appropriate, local experts, labour and craftspeople should be employed; equitable employment and sound community engagement will be key to long-term success.

2.5 **Open consultation** is crucial. Full use should be made of the internet to provide open access to all, rather than closed networks of selected 'experts' and consultees. All documents and decisions should be posted online, to assure transparency, enable public scrutiny and inform stakeholders. Websites should be accessible on mobile devices, cater for low-speed connections, and be translated into key beneficiary country languages and/or UN official languages (Arabic, Chinese, English, French, Russian and Spanish). Where feasible, a dedicated website should be set up to inform stakeholders and UK tax-payers about

decisions regarding application procedures, programmes, outcomes and the effectiveness of the Fund, and to enable direct and open communication between the public, Fund administrators and beneficiaries.

- 2.6 **Evidence-based analysis** is an important aspect of accountability and transparency. However, long term potential cultural, social, and economic benefits are difficult to measure, and the nature of the fund means that benefits will not necessarily be directly related to cultural heritage protection. Although economic benefits may emerge from tourism, it will be important to balance the interests of tourism – including the foreign policy and PR interests of the UK and beneficiary governments – with heritage need. As noted in a number of studies, tourism does not always benefit heritage as it can bring additional conservation pressures and have considerable negative impacts upon local communities and social structures. Nonetheless, with appropriate balancing of outcomes and benefits (accounting for instrumental benefits to society, culture, and economy, as well as cultural heritage preservation) it is possible to assure positive and sustainable cultural protection at the same time as benefiting international development in post-conflict zones.
- 2.7 **Technical relevance** is at the core of the Fund. However, best practices in cultural heritage protection are not static and there is no universal consensus on technical standards; there are a number of competing conservation philosophies and technical standards. Best practices vary depending on geographical and climatic factors, as well as prevailing historical practice, cultural norms, local needs and practical circumstances. In the absence of national guidelines and common standards, it is suggested that the guidelines of UNESCO, ICCROM, ICOMOS, the Institute of Conservation (ICON), and the IUCN are applied. Many of these standards are already upheld in the UK through such mediums as Cifa Standards and Guidance. It is also important to recognise that cultural protection is not simply about archaeology and that guidelines from organisations such as the International Federation of Libraries and Archives (IFLA) and the International Council on Archives (ICA) should also be considered. Evidence-based standards should prevail over traditional or historically-used local approaches.
- 2.8 **Transparency, efficiency, and value for money** are crucial. However, as indicated in the consultation document, evaluation of outcomes is not simple. It will be important to ensure the long-term viability of the programme to link processes to established international cultural protection networks and organisations. This would secure a strong legacy to the activities of the International Blue Shield programme. Transaction costs and bureaucratic costs should be closely monitored, focussing funding on long-term donor support and limiting the burden on Fund beneficiaries where possible. Beneficiary feedback and formal, published project evaluations, independent project reviews and annual independent Fund evaluations should be required. Funding should be predictable and sustained, and allocated on a quarterly rather than an annual basis. Transparency must be mutual, applying equally to the Fund and to beneficiaries.

2.9 Clear guidelines on methods used to assess outcomes must be provided. Both quantitative and qualitative methods should be used in impact evaluation. The principles of the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action and subsequent agreements should be applied. The findings of OECD reviews of aid effectiveness, in particular the work of the Working Party on Aid Effectiveness and the Development Assistance Committee, should be taken into account in developing methods of assessing project feasibility and evaluating effectiveness.

2.10 **Operational neutrality** should also be a fundamental principle, ensuring that projects are funded on the basis of international consensus of heritage need, rather than for political or ideological reasons.

2.11 A further additional principle may be that of **growth and development**. The ultimate aim of the Fund should be to build capacity and good governance from the bottom up, in order to enable beneficiary governmental heritage agencies and institutions to work with local communities and empower them to protect and value their own heritage, ultimately reducing dependency on external aid. Where the Fund is not working in war zones, emergency situations, disaster areas, and with failed or failing states, its beneficiaries must strive to avoid supplanting local government agencies and institutions, or in any way assist governments in abdicating their responsibilities for cultural heritage protection.

**Q3: Table 1 provides a list of potential projects under each of the Fund outcomes. Is there anything that we have not considered?**

3.1 We note that our above point relating to the need for coordination could be considered to be a fourth mutually supporting and complementary outcome. As stated above, we support the setting up of a coordination centre which would take an active role in the facilitation of beneficial relationships to aid the maximisation of impact and long-term legacy of the Fund.

3.2 Besides this point, we agree the three categories and example projects.

**Q4: Please tell us about any examples of existing successful cultural heritage protection initiatives operating in conflict zones in ODA eligible countries.**

4.1 Project examples may be obtained from a wide range of organisations, including those listed below. It is important to note that there are a very wide range of actors and interests in this field, which dilutes the effectiveness of aid efforts, awareness-raising and fundraising, while creating a very complex field for potential beneficiaries to navigate. It is for this reason that a coordination centre is the main priority for funding at present.

4.2 Government Organisations:

- UK Department for International Development
- Dutch Ministries of Culture and Foreign Affairs

- Government of Norway, Norwegian Institute for Cultural Heritage Research (NIKU)
- Swedish International Development Cooperation Agency (SIDA), Swedish National Heritage Board
- Directorate-General of Antiquities and Museums, Syria
- Turkish International Cooperation and Development Agency (TIKA)
- German Federal Foreign Office & Federal Commissioner for Culture and Media
- Ministry of Foreign Aid of Japan, Official Development Assistance (ODA), Cultural Grant Assistance and Grant Assistance for Cultural Grassroots Projects
- European Development Fund (EDF), EuropeAid, USAID, AusAID etc.
- Spanish National Research Council (CSIS / IMF); CNRS, France

#### 4.3 Non-Governmental Organisations:

- Association of National Committees of the Blue Shield (ANCBS) & national committees
- U.S. Committee of the Blue Shield - cultural property protection training to U.S. military; Iraq; Afghanistan
- World Monuments Fund (WMF)
- Prince Claus Fund, Netherlands
- Heritage for Peace
- Cultural Heritage without Borders
- DOEN Foundation, Netherlands, international media and culture programme
- HIVOS (Humanistisch Instituut voor Ontwikkelingssamenwerking), Netherlands - Arts Collaboratory
- “Walk of Truth” organization & Culture Crime Watchers Worldwide
- British Museum
- V&A Culture in Crisis Project
- Trafficking Culture Project, Glasgow University
- Global Heritage Fund
- Getty Institute
- Metropolitan Museum of Art, New York
- Smithsonian Institute
- Antiquities Coalition, Washington DC
- Syrian Heritage Archive Project (SYRHER): Digitisation and Damage Documentation
- Database, Museum für Islamische Kunst Berlin and the Deutsches Archäologisches Institut
- Association for the Protection of Syrian Archaeology (APSA)
- ASOR Cultural Heritage Initiative
- Penn Cultural Heritage Center, the Smithsonian Institution and the American Association

- for the Advancement of Science- reports on damage to Syrian WHS and TWHS based on satellite imagery
- Endangered Archaeology in the Middle East and North Africa (EAMENA), Oxford University
- TerraWatchers
- Eurostep (European Solidarity Towards Equal Participation of Peoples)
- Stavros Niarchos Foundation; Hewlett Foundation; Omidyar Network; Ford Foundation etc.

#### 4.4 International Governmental Organisations:

- UNESCO; UNESCO World Heritage Committee
- UNICEF
- INTERPOL
- UNOSAT / UNITAR
- ICOM International Observatory on Illicit Traffic in Cultural Goods & Red List
- Council of Europe
- European Union - European Commission & European External Action Service
- Arab Regional Centre for World Heritage (ARC-WH), Bahrain

#### **Q5: Should there be a minimum and maximum value for grant awards?**

5.1 Yes.

#### **Q5a: If yes to Q5, what would you recommend the minimum grant award to be (in £)?**

5.2 £250,000

#### **Q5b: If yes to Q5, what would you recommend the maximum grant award to be (in £)?**

5.3 £5 million

#### **Q6: Please provide any additional comments on question 5.**

6.1 We suggest a maximum grant award of c. 15-20% of the annual total available grant-aid. However, we consider that it should be the intention of the Fund, initially, to promote small and medium sized projects in order to learn what type of project proves most successful. In time, larger grants may lower organisational overheads, with smaller projects likely to be more able to find funding from other funding organisations.

#### **Q7: In your experience what are the most effective ways of monitoring and evaluating the success of projects, especially outcomes which may be harder to capture?**

7.1 The effectiveness of projects which aim to meet distinct cultural, societal, and economic aims of protecting and rebuilding cultural heritage, creating opportunities for economic

development, and supporting recovery of social cohesion and well-being will necessarily be difficult to monitor. It should be recognised that the aid is not specifically intended to generate economic growth, but to protect and conserve heritage at risk and enable beneficiaries to develop sustainable cultural protection processes, which may well bring instrumental benefits.

7.2 Flexibility will be required in order to take into account the influence of external factors such as levels of existing economic and social development, the quality and capacity of local governance, appropriate adaptation to local contexts and the impact of corruption. Consideration should be given to involving local civil society organisations, human rights groups, environmental groups etc. in monitoring and evaluation, and adhering to reporting standards such as those of the OECD and Global Reporting Initiative.

7.3 Rigorous impact evaluation methods taking into account both quantitative and qualitative aspects will be necessary, with a particular focus on both technical and social impacts. Regular reporting to standard formats, such as those promoted by the International Aid Transparency Initiative (IATI Standard, 2011), should be developed. A clear framework for external evaluation, including external evaluation review dates, methodology and external evaluation group composition, should be established. Any evaluation should cover relevance, efficiency, and also lessons learned to improve future performance. The OECD Network on Development Evaluation provides guidance.

7.4 The proposals also recognise that there are short and long term ambitions for the fund. This will also be evident in evaluation processes, where outcomes may take time to manifest in particular contexts. This will require a reactive set of criteria to effectively measure.

7.5 External financial auditing should be required and direct programme expenditure should be closely monitored, as a measurement of efficiency.

**Q8: Do you support our overall approach to the Cultural Protection Fund as outlined in Section 2.1?**

8.1. No.

**Q8a: Please provide any further comments to support your answer to question 8.**

8.2. As stated above, we have concerns with the choice of the British Council as the vehicle for the day-to-day management of the Fund. The British Council lacks the cultural heritage expertise to evaluate proposals, coordinate the selection and monitor the outcomes of the process. The British Council also represents an incongruous relationship between the FCO and the ultimately responsible DCMS. This relationship also hints at a programme which will be influenced by UK foreign policy, rather than solely led by the principle of operational neutrality. The administration of the Fund would have been more helpfully located with a

more neutral body, for example, the UK office of the Blue Shield, or an academic institution such as a university department or the British Museum.

8.3. We do, however, accept that the British Council has recognised some of these shortcomings and has acted in good faith to begin mitigating them. It will be vital, in this process, to ensure that sufficient expertise is in place to provide a skills base in cultural heritage issues as well as to facilitate the effective coordination of the various stakeholders, from military, to cultural, and governmental stakeholders, and communication of the project to potential beneficiaries and to the public. We estimate that funding for approximately 3-4 coordinating posts will be required in order to ensure that the sums granted are effectively distributed, coordinated and evaluated.

**Q9: Which regions or ODA-eligible countries do you think grant funding should be targeted towards and would have the most benefit in the first year of the Fund's operation?**

9.1. We do not believe that specifying regional targets will be beneficial. Project selection should instead depend upon need, urgency, quality, and relevance of beneficiary submissions, rather than arbitrarily selected geographical areas based on current geopolitical concerns. The Fund should only play a minor role in influencing the geographical selection of projects, although projects may be solicited in cases of disasters, emergencies etc. If projects are to be solicited from specific countries, attention should be paid to:

(a) geopolitical relationships with neighbouring countries, and

(b) the regional spread of projects within countries, maintaining cultural diversity, and avoiding potential political or ideological bias.

9.2. Rather than considering the regional biases for the first year of funding, it may be more appropriate to consider the paramount importance of establishing the administrative coordinating processes in the initial period of funding. As stated above, the development of a coordination centre and a support network for the organisation is likely to be crucial to the success of the Fund and therefore justify disproportionate spending in the first year of the project.

9.3. Key factors in targeting funding are urgency, feasibility, cultural heritage significance, value of heritage to local community, project sustainability, involvement of local community, experts and authorities, and viability of partners/beneficiaries. The social, political and cultural context of projects should be very carefully considered in decision-making. Long-term conservation, training in emergency response (ICCROM evaluated), and preventative measures should be built into projects where possible.

9.4. Thematic calls could be used to elicit proposals, as well as partnering with existing local or regional organisations to develop specific relevant regional/national calls for proposals.

**Q10: Which regions or ODA-eligible countries do you think grant funding should be targeted towards and would have the most benefit in the subsequent years of the Fund's operation?**

10.1. As noted above, we do not believe that targeting specific geographies would be appropriate under the principles of an egalitarian cultural protection fund focussed on need. Longer-term areas of activity include:

- Developing disaster preparedness and resilience
- Developing emergency response protocols
- Developing and implementing proactive protection procedures and international guidelines
- Training local heritage individuals and organisations in cultural heritage protection
- Long-term support in post-conflict and post-disaster areas

**Q11: What are your views on the feasibility of working in potentially dangerous areas? Please include any advice on how the Fund could support interventions in these scenarios and examples of previous initiatives.**

11.1. It is certainly feasible, in principle, to work in potentially dangerous areas. Applications in the 'advocacy & education' category might include an element of establishing feasibility through, for example, broad stakeholder consultations. Open conflict zones should probably be made off-limits to the fund but if preceded by consultations, work in 'potentially' dangerous zones is often far less hazardous than might be thought. Again, existing institutions, for example, the OECD Development Assistance Committee's Network on Situations of Conflict and Fragility should be able to advise on development co-operation and coherent international action in situations of violence and insecurity.

**Q12: Which issues relating to gender should we be aware of? Please make reference to any specific examples that you would like us to consider.**

12.1. Gender – in many cultures access by a project to women will be difficult, especially by male investigators, and this disproportionately affects intangible heritage. The Fund's administration will need to make clear arrangements for applications addressing this issue, however, we do not advise any positive discrimination in favour of this specific issue.

**Q12a: How could this be monitored?**

12.2. Gender issues would be monitored through standard transparency efforts, for instance, by keeping clear records of enquiries, applications and grants. Guidance may be periodically reviewed with an initial review scheduled for years 2-3 if projects and outcomes unbalanced. The OECD Development Assistance Committee's Network on Gender Equality – GENDERNET provides tools to integrate gender equality into development co-operation.

**Q13: Are there any other specific requirements or conditions that should be applied to programmes applying for grant funding which you think we should be aware of? Please make reference to any specific examples that you would like us to consider.**

- 13.1. Grant projects should respect democratic principles and human rights as proclaimed in the Universal Declaration of Human Rights and as defined in the Convention for the Protection of Human Rights and Fundamental Freedoms.
- 13.2. Exclusions should be specified, e.g. projects that do not contribute to economic and social development, which do not benefit people at the grass-roots level, political or religious projects, and projects intended for military purposes. Operational neutrality must be a core principle.
- 13.3. Supply-chain accountability should be incorporated in grant proposals, including multiple options and costings for suppliers of goods and services. Where feasible and appropriate, local suppliers should be preferred in order to channel funds to communities in beneficiary countries
- 13.4. The Fund should be couched explicitly in terms arising from the UK's commitment to the Hague Convention – which should be taken as being accepted in principle, given the Government's persistent commitments to ratify it. The Fund should also make clear note of other relevant international treaties to which the UK is a signatory, for example, the UNESCO 1970 *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* and the 1972 *World Heritage Convention*. Other documents, including the Council of Europe's 2005 *Convention on the Value of Cultural Heritage for Society* (the Faro Convention) also contain valuable guidance on the ethics of protecting cultural heritage which should underpin the Fund's activities.

**Chartered Institute for Archaeologists  
18 February 2016**