



Prevention and fight against illicit trafficking of Libyan cultural property

Introductory workshop, Tripoli, 27-30 April 2013 - Libya Museum

FINAL REPORT

Introduction

UNESCO and the Department of Antiquities of Libya (DoA) co-organized a 3-day introductory workshop (27-29 April 2013) on the prevention and fight against illicit trafficking of cultural property in Libya. It aimed at fostering national and international networking and action against illicit trafficking of Libyan cultural property, as well as at exploring critical threats and challenges underpinning the enforcement of an efficient protection system in Libya. In addition, the closing session on 30 April 2013 adopted a set of recommendations defining a shared road map for short- and medium term action, as well as preparing sectorial technical tailored training.

The introductory workshop is part of a broader training programme with DoA, funded by the Government of Italy, aiming at building national capacities, ranging from security forces to heritage professionals, as well as raising awareness of communities for the protection and safeguarding of the rich and diverse heritage of Libya. This programme complements a technical capacity building programme funded by the Government of Libya itself, through UNESCO.

More than seventy participants attended the technical workshop. Participants belonged to different public institutions such as border patrol, customs and tourist and antiquities police, criminal investigation departments, Libyan INTERPOL, as well as civil society associations, such as the *Friends of desert and environment and protection of archaeological sites* and *MATA Organization for Antiquity and Tourism*. In addition, attended the workshop representatives of the General Conference, Ministry of Defense, and Libyan university researchers and archaeology professors from the Benghazi (prof. Khaled el Hadder and prof. Saad Bouhajar), and Zawya Universities (Dr Jamila M.S. Abulgasem).

INTERPOL, the World Customs Organization, UNIDROIT and the Carabinieri participated as the key institutional partners and facilitators, as well as representatives of two international archaeological missions in Libya, prof. Serenella Ensoli, director of the Italian archaeological mission in Cyrene, and prof. Savino di Lernia, director of the Italian-Libyan archaeological mission in the Acacus and Messak.

On the occasion of the workshop, a temporary exhibition displayed some retrieved works of art from museums and archaeological sites, such as the Roman head of Domitilla Minor, stolen from Sabratha in 1990, then surfaced at Christie's in London, and, recovered by the Italian Carabinieri, finally returned to Libya by the then Italian Prime Minister Prof. Mario Monti during his official visit to Tripoli on 21 January, 2012.

To offer a wide introduction to the main themes and challenges, operational tools and good practices, with a particular reference to the national and regional context, the workshop was structured around three main thematic areas:

- (i) Libya's situation and challenges, including an overview on the existing system and procedures to protect museums and archaeological sites, the roles and relationships between cultural institutions directors and police officers, as well as the current legal framework and the role of the judicial authority in the fight against illicit traffic;
- (ii) The experience of international bodies and neighboring countries in preventing and fighting against illicit trafficking of cultural property, with a particular reference to the following:
 - Role and tasks of specialized police units such as the Carabinieri TPC and INTERPOL;
 - Regional context, borders patrol and customs, highlighting concrete issues and programmes on the borders, role of WCO-RILO (ARCHEO Programme / Operational possibilities of 'Operation Colosseum'); experiences from neighboring countries, such as Egypt;
 - Importance of documentation and database (INTERPOL Database and National databases of stolen works of art). It included a practical exercise led by INTERPOL officer on Object ID.
 - Ethics, prevention of illicit traffic and cultural tourism.
- (iii) International standards, normative tools (1970 UNESCO, 1995 UNIDROIT Convention UNESCO laws database), and modalities for return and restitution.

Lectures were meant to open the debates and facilitate exchange of information among participants.

Day 1: 27 April 2013

OPENING REMARKS

The workshop was opened by Dr Ali Souyait, deputy of the Head of Antiquities and Tourism Committee, Dr Lodovico Folin Calabi, UNESCO representative in Libya, Dr Ridha Raihan, chairman of Culture and Science Libyan Committee, and Dr Saleh Agab, chairperson of the Department of Antiquities.

Dr Ali Souyait welcomed the participants, thanked UNESCO and DoA for the commitment and looked forward to learn the outcomes and recommendations of the workshop, to be presented to a wider public on the closing session of 30 April, as road map for future national commitment.

Dr Lodovico Folin Calabi highlighted that the workshop constituted the first initiative jointly organized with DoA, but also the first in UNESCO agenda, since UNESCO opened its project office in Tripoli in June 2012, hence marking the cooperation of UNESCO with the new Libya. He recalled then the UNESCO expert meeting in Paris on 21 October 2011, which served to design an emergency plan and prepare for a broader capacity building programme, funded by the Government of Italy, complementary to the programme funded by the Government of Libya itself, through UNESCO, to provide emergency interventions.

Mr Ridha Raihan, Head of UNESCO section at the National Commission for UNESCO, welcomed the participations, confirming the support by the national committee to assisting in raising awareness and knowledge about the importance of cultural heritage.

Dr Saleh Agab emphasized that the illicit traffic is a considerable problem worldwide, mentioning the critical contexts of Syria and other countries. A clear relation among DoA and other ministerial partners in the country is lacking; the introductory workshop shall thus serve to set the tune, offer this platform and build a network among national stakeholders, while and benefit from the international partnerships with operational bodies in the fight against illicit traffic. This shall enable each partner to devise appropriate sectorial training in this regard, in line with their specific programme and mandate.

The session closed with the mutual introduction of the participants.

WORKING SESSIONS

**Libya's situation and challenges;
The protection of museums and archaeological sites procedures - relationships between
Directors and Police officers;
The experience of a specialized Police unit.**

Prof. Khaled el Hadder, professor of Archaeology at the Benghazi University, provided an overview on Libyan cultural heritage, illustrating the looted and stolen property from main sites of Libya.

Only a month ago, 2 heads from the statues at the entrance of Sabratha Museum (C013-14) were stolen. This property represents inventoried and documented artefacts, but there are many pieces not yet documented and thus very hardly traceable in the markets and retrievable. The main artifacts today exhibited in about 50 museums abroad, starting from the statues taken in France in 1692 and 1695, were chronologically presented. In some cases, such property returned to Libya, as for instance, the rare statue of Venus, returned by the Government of Italy to Libya in 2008.

The role of auction houses, where some of these smuggled property surfaced after time, is fundamental: for instance, this was the case of the Domitilla head, returned to Libya in 2012, as well as of the 3 statue heads appeared at Christies in November 2012.

Such objects are also easily purchasable on internet market sites: very recently, on Opensooq.com 2 vases, coins and 1 upper part of a statue were on sale. The damaged and disappeared objects, ascertained after the 2011 unrest, were presented: the Benghazi treasure, vases from Sussa museum, damaged and disappeared objects, especially coins, form Bani Walid and Misuratah museums. He concluded recalling successful stories of retrieval, such as the Pharaoh head from Sussa and 3 statues stolen in the 1990 and then returned, as well as the statue from Cyrene, returned in 2012 from Dubai, which required a concerted efforts by the involved different entities.

Prof. Serenella Ensoli, Director of the Italian archaeological mission to Cyrene, recalled the International Conference for the preservation of the cultural heritage of Libya, which took place in Caserta on 1-2 July 2011 and presented the work carried out to follow-up the recommendations. Upon invitation of the DoA, the speaker undertook in December 2011 a mission to research on the more than 8000 coins, statues and jewelry of the so-called 'Benghazi treasure', looted from a bank vault in Benghazi, where it has been deposited since its return to Libya in 1961. The speaker could reconstruct the movements and objects contained in the 2 boxes composing the Treasure, that according to the historic diplomatic archival documents of Gennaro Pesce, inspector of East Libya between 1939 and 1942, were initially shipped from Libya to Italy (Tripoli, 19 December 1942). The research produced a preliminary document which was used by the Carabinieri to track pieces from the Treasury. The research into the DoA archives in Cyrene, resulted in the identification of 600 artefacts.

Prof. Saad Bouhajar, from Benghazi University, and prof. Savino di Lernia, director of the Italian-Libyan archaeological mission in the Acacus and Messak, presented an overview on the Prehistoric archaeological sites, respectively, in South East and South-West of Libya, focusing on the challenges in sites' protection of desert regions. Among the challenges, there are the reduced number of staff, the very low consideration Prehistory and Protohistory had during the previous regime, the wide open area difficult to protect, with scattered heritage, in large part not yet documented. It is in the SE of the country where are mainly reported illicit excavations, in particular close to the border with Egypt. Prof. di Lernia also underlined the importance to create a digital catalogue of the materials present in the museum and stores of the south, where much of the artifacts are kept and virtually unknown. He further emphasized the peculiarity of pre-Protohistoric materials, whose features (large diffusion, similar types in different countries, etc.) make them, once stolen, rarely retrievable: their provenance is in fact hard to be demonstrated, if they are not properly recorded. In addition, prof. di Lernia presented some main categories of Protohistoric materials and goods sensible to be affected by looting, vandalism and illicit trafficking.

Colonel Mungi presented the mechanism and structure in place to prevent the smuggling of cultural property in the country. Libya is a very vast country. With very long borders lines of which desert, in addition of the sea border on the North. 8 sea borders and 9 airports; all illicit traffic take place through these entry points, most of them outside official points of the country. Under the Ministry of Interior, the tourist and antiquities police has the mandate to fight against illicit trafficking of cultural property. In addition, other security officials, such as the criminal investigation departments and security operation, are responsible for the prevention. In the previous regime these departments did not received any attention, resulting in shortage in prevention, lack of qualified personnel, necessary facilities to accomplish this task and networking with neighboring and, more in general, Mediterranean countries. The need for training in particular in tracking illicit trades and the introduction of new technology was remarked.

Mr Alberto Deregibus, UNESCO / Carabinieri Tutela Patrimonio Culturale (TPC), emphasized the strategic role of the police in the fight against the illicit traffic of cultural property, highlighting the main challenges that the Carabinieri TPC Department for the protection of Cultural heritage had to front and the strategies adopted. Carabinieri can be definitely considered a best practices and useful example to develop new strategic approach in this field. The importance of strengthening cooperation and information sharing between the police and representatives of the directorates of Antiquities, offices of the main concerned ministries, including Education and Tourism, as well as with other experts in the field, is vital.

The generated debate also allowed the opportunity to delineate the correct procedures that police has to follow after a theft has been reported or when trying to recover a stolen or illegally exported property that has been identified in another country. The proposal to create a specialized department, on the model of the Italian Carabinieri TPC, was also discussed. The creation of a specialized unit will constitute indeed a concrete and fundamental step for the protection of the cultural heritage of Libya, non only dealing with field investigations, but also delivering technical advice to museums' and archaeological sites' responsible staff, about the measures to adopt for their protection.

The discussion raised the following main issues:

- Absence of a specialized department specifically dealing with investigations, looting and illicit trafficking of Libyan cultural property;

-Lack of security in museums and cultural institutions hosting collections; need to systematically and thoroughly approach security plans and risk management, also promoting the use of monitoring tools, such as check lists.

- Very few prosecutors are arrested and brought in front of the persecution court, because of the weak law;

- Relevance of setting-up a government committee to facilitate negotiations and return of stolen property identified abroad;

- Very limited knowledge of operational officers (police and customs officers) in identifying cultural property, especially when dealing with Prehistoric artefacts.

- Weak and limited control of objects and data, especially in the South of the country. In Cyrenaica and Tripolitania there are some inventories and a certain protection, whereas in Fezzan it results more unstructured. Better documentation is most often associated to exhibitions or public events.

- However, there is a lack of systematic inventories, with a general documentation made by three types of paper cards (museums, warehouses, sites), most often little accurate;

- Skills, capacity and technology are required to determine whereas the objects intercepted at airports, customs or borders are authentic or counterfeited;

- How to manage and consider cases in which there is a counterfeiting of old goods (coins, etc.) or manufacturing of new objects using ancient cultural property or parts of them, in particular *vis-à-vis* compensation to holders/owners of land where such objects are found.

Day 2: 28 April 2013

WORKING SESSIONS

The role of INTERPOL. INTERPOL Database

The laws for the protection of cultural heritage in Libya

The role of the Judicial Authority in the fight against illicit traffic.

Mr Fabrizio Panone, Criminal Intelligence Officer of the INTERPOL Works of Art Unit, after a general presentation about INTERPOL, including the EU RELINCH project to improve the capacity of police, the relevance of centralized information of stolen property, the various INTERPOL stolen object databases (passports, drugs, cultural property, etc.), focused on the role of INTERPOL's works of art unit in the international prevention and combat against illicit trafficking of cultural goods, the different activities carried out by this unit. Moreover, he presented the specific tools, especially the INTERPOL's stolen works of art database, that the General Secretariat of INTERPOL has developed in order to help police forces belonging to its member countries, as well as public and private sectors, for this purpose. The need to receive appropriately recorded data, in view of effectively track such property was also underlined. While police and custom officers are carrying out investigation in the country, INTERPOL liaises abroad. Taking into account the recent case of the 2 stolen heads from statues in Sabratha, the mechanisms for recording and information sharing on stolen property, was presented. Comparisons with other successful stories in countries, such as Cambodia (2011), were brought.

The presentation offered the opportunity to widely discuss various issues related to national/international networking and in particular to stress the strategic importance of law enforcement agencies. It is in fact highly important in a country to have a sound law, allowing to identify and launch investigations. The presence of the representative of INTERPOL Headquarters and of the INTERPOL National Office served to precise the right procedure to follow in reporting to INTERPOL crimes against cultural heritage and how relevant data are entered data into INTERPOL's stolen works of art database. At national level, the debate gave also the opportunity to strengthen communication between the national police forces, INTERPOL National Central Office and DoA.

Colonel Abderazak el Gabrui, legal advisor of the Libyan Tourist and Antiquities Police, spoke about the national law on protection of cultural heritage in Libya, passing through the Archaeology law n. 11, 1953, the criminal legislation followed by law 40, 1968 and law n. 2, 1983 and the law n. 3, 1994 currently in force, which extended protection to underwater cultural property. In particular, the current law lacks many aspects of prevention, especially given the fact that Libya ratified several international conventions. With reference to prevention and fight against illicit traffic of cultural property, the law n. 3 (1994) is weak, firstly because it fails to provide criminal responsibilities for those who commit thefts and smuggling of antiquities. Then, issues of compensation and restitution of the land itself (land plot price) are not clear enough: art. 11 and 12 allow people to own antiquities. The law shall provide incentive for people who report incidences on cultural property. The urgency to review the legal framework establishing a working committee, also to include more severe penalties with regard to law infringement was emphasized. Possibilities of dialogue with the Mufti shall be explored, to issue a fathwa in this sense, enlarging the respect for heritage of every period/culture.

The following main issues were raised during the discussion:

- Fundamental role of prevention, where the first step is at national level, with the establishment of mechanisms to guard and patrol sites and institutions, as well as to enforce law through its operational officers (police, customs, etc.).
- Need of diversified training, for DoA staff and operational officers such as customs and police officers;
- Role of national and international experts, scholars and researches, in identifying cultural property and in supporting the training for different bodies.
- Cooperation and networking is a fundamental ingredient, first among national stakeholders (judicial authorities, DoA and other relevant departments within the Ministry of Culture, police and customs officers, academics and national and international experts on the field), then with neighboring and Mediterranean countries to effectively work together. There is a need to maintain clear procedures to facilitate such flow of information and cooperation.
- The deficiencies of the current law, which now has to cope with the new context. The law is inadequate with very light punishments for smuggling of cultural heritage. Embarking in a new constitution, there is the opportunity to activate a new legal framework and its enforcement.
- Need to work on the review of the national law through a working team bringing together various entities; this work could better benefit from best practices and good examples from other countries, with UNESCO and the international community support. The Libyan law has yet to engender provisions for preventive archaeology and to better frame the heritage protection *vis-à-vis* new construction and encroachment: the Antiquity Law n. 3 is not yet sufficient to control violation; structured evaluation is mandatory before construction. The planning law is also not effective in this regard.
- The constitution shall include natural and cultural heritage protection, while law should contemplate also ethical issues yet not included (excavation of human bones, for instance).
- Explore with the Mufti the possibility of issuing a Fatwa to ban practices associated with illegal excavations and treasure hunts for personal exploitation and benefiting.

Day 3: 29 April 2013

WORKING SESSION

**The role of WCO-RILO. Operational possibilities and the ‘Operation Colosseum’
Concrete issues on the borders / the ARCHEO Programme / creation of a network**

The regional context and experiences from Egypt

1970 UNESCO, 1995 UNIDROIT Convention UNESCO laws database and modalities for return and restitution

National databases of stolen works of art and OBJECT ID – practical exercise.

Mr Laurent Pinot, Regional Intelligence Liaison Office Western Europe (RILO WE), highlighted how the smuggling of cultural goods is a huge problem that plagues many countries worldwide, developed and developing countries. He presented the ‘Operation Colosseum’, divided into two phases, the first represented by a monitoring exercise (20 September - 6 November 2011), the second by a control operation (7-18 November 2011), supported by WCO, UNESCO, INTERPOL and ICOM. European countries, as well as non European countries -Russia, Switzerland, Turkey and US- participated in this operation, as countries of destination of illicit traded goods. The operation was opened by enforcement agencies (i.e. police of Malta and Cyprus and Carabinieri from Italy). As result, there were 32 seizures accounting 459 pieces related to cultural heritage smuggling. Most of the seizures were done in Russia (18) and Ukraine (7). This outcome strengthened the idea that the Eastern border of Europe¹ is a sensible zone and that Russia, Ukraine, Germany and US are sensitive countries related to cultural heritage smuggling, as departure or destination. Poland is also an important country for transit of illegal trade. This operation let the participating administrations to focus their attention on this uncommon field for customs, and on the ones related to it like money laundering and tax evasion. As a positive result, the embryo of cultural heritage network was built for future operational issues. The next step is the expansion of this network to all the Mediterranean area and open it to police and administration officers who have the capacity of control. This shall be part of the 2013 expansion of the programme.

Upon request of some customs officers, the procedures after seizure of cultural artefacts were explored and compared with the Libyan context. Since without convincing suspects cultural properties cannot be kept (it has to be at least 100 years old), it is essential to have a simple and quick way to communicate with the internal network and, for instance, to contact experts with the ability to ascertain the nature and authenticity of the seized cultural property. The Libyan customs law foresees a ‘customs compromise’: when the objects are seized, the name of the responsible person is not recorded. This law needs to be reviewed. Custom authorities have signed an agreement with DoA in 2010, requesting the DoA to provide basic training in archaeology, which could unfortunately not have a follow-up. The importance of information sharing and access to background information, informal consultation and assistance from experts and the customs officers was further remarked.

ARCHEO is a CENcomm (Customs Enforcement Network Communication) application, internet based, facilitating cooperation between customs administrations, competent agencies and international organizations. To share best practices in the network, it provides downloadable training material, identification guides, and other background information; it serves to exchange information on seizures and on-going trafficking; it is meant to facilitate assistance by qualified experts. Libya could be linked to this system, using it and feeding it with the information relevant for the country: list of experts / categories of goods deemed to be illicitly traded, etc.

Mr Ahmed Abdelzaher Abdelaziz, general management of Tourism and Antiquities Police of Egypt, could not attend the meeting, but conveyed a written contribution to the participants, providing an overview on the challenges faced by the Egyptian tourist police and the activities conducted to fight against illicit trafficking of cultural property in Egypt.

¹ UK and France are not included into the analysis.

The debate highlighted the need to create a network to facilitate the flow of information. In addition, the meeting allowed the police and customs officers to understand the importance that the experts of the Ministry of Culture are regularly consulted, beyond the specificity of a given case of theft.

Marina Schneider, UNIDROIT senior officer, presented the UNESCO 1970 *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*, as starting point for the 1995 UNIDROIT *Convention on stolen or illegally exported cultural objects* which strengthens some provisions of the 1970 Convention and complements them with rules on restitution and return, harmonizing the various existing national legislations. Libya ratified the 1970 Convention.

The 1970 and 1995 conventions share the same definition for objects (importance and categories). However an important difference is that the 1995 convention does not require that the State designates the objects to be protected. In the 1970 convention, to be returned, objects need to be stolen in museums or religious/secular public monument or institutions; they have to be inventoried; the 1970 convention contemplates return with compensation to an innocent purchaser or a person who has valid title (good faith being often presumed). The 1995 convention expands the scope to cover all stolen objects, without requiring a specific reference to the place where they were hosted; the possessor of such an object shall always return it.. The UNIDROIT Convention considers the right of a reasonable compensation for the “good faith” acquirer, although with severe conditions (art. 4(4)), and he/she will have to prove that he/she exercised due diligence at the time of acquisition. The UNIDROIT convention has 3 year of limitation of time for action starting from when the claimant knows the location of the object and the identity of the possessor; there is a maximum of 50 years from the time of the theft or the date of export; Some provisions of the 1995 convention address specifically archaeological objects. For example, it considers as stolen (with automatic restitution) also objects unlawfully excavated or lawfully excavated but illegally retained (Art.3(2)), and these archaeological objects do not have any time limitation to submit a claim for restitution. There is no retroactive application (for the period before the entry into force of both 1970 and 1995 conventions), however there are means to claim objects stolen or illegally exported before the entry into force of the Conventions outside the framework of such instruments (i.e.: UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Country of Origin or its Restitution in Case of Illicit Appropriation, bilateral agreements, etc.).

Alberto Deregibus presented the importance of databases. The UNESCO tools were presented and discussed, among which the following: intergovernmental committee, Database of National Cultural law; the model export certificate; internet: basic actions.

In addition, ICOM Code of Ethics for Museums was mentioned. Adopted in 1986 and revised in 2004, it establishes the values and principles shared by ICOM and the international museum community. It is a reference tool translated into 36 languages and it sets minimum standards of professional practice and performance for museums and their staff.

The following issues were raised in the discussion:

- Customs play a central role in controlling international trade of cultural heritage. There is a need to exchange intelligence and best practices, in view of seize pieces at destination, with the cooperation of qualified experts.
- Role of awareness raising, involvement and education of civil society, and in particular children, in strengthening the prevention against illicit trafficking of Libyan cultural property;
- Relevance of appropriate information and distribution of code of ethic to promote culturally sensitive and respectful behaviors among tourists and visitors, also with the involvement of tourist guides.

The working session was closed with a practical exercise, organized and conducted by Mr. Fabrizio Panone, addressed by the audience, through working groups, aimed at filling Object-ID cards, describing selected objects, different in form, material and period (marble head, lithic tool, and pottery vase).

30 April 2013

CLOSING SESSION

H.E. Dr Al Amin El Habib, the Minister of Culture of Libya, H.E. Giuseppe Buccino Grimaldi, Ambassador of Italy to Libya, Dr Fawzia Bariun, Secretary-General of the Libyan National Commission for UNESCO, and Dr Lodovico Folin Calabi, representative of UNESCO in Libya, opened the session, giving a speech. In particular, the Minister of Culture recalled the importance at national level of preventing and fighting against illicit trafficking of Libyan cultural property, which shall be a concerted efforts; he expressed his commitment in reinforcing such platform and awareness among stakeholders, including also civil society. In particular, strengthening of infrastructures, capacity building and border security were emphasized. The Ambassador of Italy stressed on the Mediterranean and regional dimension, while Dr Fawzia Bariun highlighted the role of youth and civil society organizations in awareness raising and education.

Dr Salah Agab, Chairperson of the Department of Antiquities of Libya, and Dr Chiara Dezzi Bardeschi, UNESCO Senior consultant, Coordinator of the programme, presented the outcomes of the technical workshop, in particular the main challenges identified by the participants and the set of recommendations endorsed by the participants, based on proposals made during the workshop.

Further inputs on the international framework and lessons learnt from other countries were provided by Alberto Deregibus (UNESCO/ Carabinieri TPC), Laurence Pinot (WCO), Marina Schneider (UNIDROIT) and Fabrizio Panone (INTERPOL).

Recommendations

The participants,

Thanking the Ministry of Culture of Libya, the Department of Antiquities of Libya and UNESCO for organizing the *introductory workshop on prevention and fight against illicit trafficking of Libyan cultural property*, as well as the Government of Italy for the generous support to a broader capacity building programme, which includes this workshop,

Emphasizing that this introductory workshop, marking the launch of technical training at national and regional level (Tripolitania, Cyrenaica and Fezzan), served to set a platform among different coordinating and operational stakeholders to foster national and international networking and action against illicit trafficking of Libyan cultural property,

Recalling that efforts to stop such trafficking can only succeed if they are carried out at the national level with the commitment of civil society at large,

Identified a set of crucial imminent challenges and proposed recommendations in view of the implementation of a concerted strategic action plan to prevent and fight against illicit trafficking of Libyan cultural property.

MAIN CHALLENGES AND ISSUES RAISED DURING THE WORKSHOP

- The large geographical expanse and the scarcity of human resources to provide protection to the cultural assets;
- Inadequate training of Customs' and Tourism Police officers in illicit trafficking of cultural property;
- Inadequate patrolling of archaeological sites leading to infringements;
- Absence of electronic surveillance systems;
- The limitations of the current Antiquities Legislation, due to many shortcomings in its legislative as well as its executive provisions
- Absence of a dedicated public prosecutor for Antiquity related crimes;
- Inappropriate archaeological stores and lack of inventory systems for archaeological sites and objects;
- Absence of a database and delays in reporting cases to INTERPOL.
- Lack of coordination between the urban planning authority and the Department of Antiquities, thus leading to negative impact on the protection of archaeological and historical sites;

RECOMMENDATIONS FOR THE ACTION PLAN

1. Training and capacity-building.

- Stress on the importance of training the members entrusted with the protection of cultural heritage, so that they can acquire knowledge, professionalism and the necessary skills for conducting their duties;
- Acquire expert advice and training in modern technology to enable a more adequate protection of cultural assets;

The Department of Antiquities and UNESCO shall promote training and information sessions for police and custom officers to sensitize on the cultural heritage, and in particular on cultural property likely to be affected by illicit trafficking.

The Department of Antiquities, with the support of UNESCO and the international scientific community, shall draft a list of experts with contacts, who may be called upon to facilitate the quick identification and items categories deemed to be affected by illicit trafficking and trade, as well as to disseminate this list to customs and police officers.

Libyan Customs is recommended to join the RILO WE network dedicated to the fight against cultural heritage smuggling, named ARCHEO, and provided by the WCO's communication platform (CENcomm). This will allow the Libyan Customs to share and receive information from other customs administrations and other enforcement agencies (Police and Ministries of culture). Its communication platform (ARCHEO) is also opened to the other Libyan enforcement agencies. Libyan customs could also participate to the Joint Customs Operation organized whether by the RILO WE or the WCO, in order to contribute to the fight against the cultural heritage smuggling, and this on a global level.

2. Dedicated specialized unit.

- Create a specialized Police unit composed by personnel with investigative skills to fight against illicit traffic, and in particular, to investigate in the field, manage the stolen cultural objects database, cooperate with other foreign police units and INTERPOL.

3. Robust legal framework.

- Establish a working group entrusted with the evaluation of the current antiquities legislation, its amendment and the presentation of a draft new law for antiquities;
- Enforce more stringent penalties in association with crimes against cultural property;
- Provide more adequate compensation to those citizens who are affected by the expropriation of cultural property, be it moveable or non moveable;
- Include notions pertaining to the protection of the cultural and natural heritage in the country's constitutional framework.

UNESCO shall provide technical assistance to the Department of Antiquities internal working group dealing with the review of the national legal and regulatory framework of prevention and fighting against illicit trafficking in cultural property having in mind the provisions of relevant international conventions.

The Department of Antiquities shall identify partner countries to propose to the Ministry of Foreign Affairs, in order to negotiate and conclude bilateral and/or regional agreements on the reciprocal protection and restitution of stolen or illegally exported cultural property, while ensuring the implementation of the existing international conventions in this fields.

To study the 1995 UNIDROIT Convention, also through intensifying contacts with UNIDROIT and submitting an application to their information tools (scholarships), and consider becoming Party to it.

4. Awareness-raising.

- Closely involve the religious institutions, civil society and medias, in the spread of information concerning the heritage threatened or in danger, in view of its recognition and mobilization together with the cultural heritage stakeholders.
- Promote pilot awareness campaigns addressed to the general public and schools, in order to sensitize on the importance to prevent and fight against illicit trafficking of cultural property.

5. Storage and security.

- Start as early as possible to upgrading security standards in museums and collections;

UNESCO shall provide technical assistance to the Department of Antiquities to draw up a strategic plan and to set requirements to upgrading of security standards (training, adoption of check lists, etc.).

6. Enhanced identification and traceability of cultural objects.

- Emphasize the importance of documentation and setting-up centralized database systems and systematic inventories.
- Ensure the regular transmission of all useful information and details on known stolen or missing cultural goods to INTERPOL's stolen works of art database.

The Department of Antiquities to start an appropriate inventory with a database on cultural property included in museums' and warehouses' collections. The Department to further promote the application of same standards in inventorying artefacts contained in private collections, deemed important for the country.

INTERPOL and Carabinieri to provide technical assistance for the flow of data to the stolen objects database and training on police investigation and cooperation at international and national level.

7. Coordination and intra-stakeholders information sharing.

- Set-up a coordination group to periodically meet, in view of sharing information and coordinate action in the field of prevention and fight against illicit traffic.

The Ministry of Culture to facilitate the setting-up of this intra-ministerial task group (police and customs officers, Department of Antiquities, judicial authorities, ...).