

Memorandum of Understanding

between

the Government of the Italian Republic
(hereafter referred to as the “Government”)

and

the United Nations Educational, Scientific and Cultural Organization
(hereafter referred to as “UNESCO”)

hereafter jointly referred to as the “Parties”

on the

Italian National “*Task Force in the framework of UNESCO’s Global Coalition Unite4Heritage*” (hereafter referred to as the “Italian Task Force”) for initiatives in favor of Countries facing emergencies that may affect the protection and safeguarding of culture and the promotion of cultural pluralism.

PREAMBLE

The safeguarding of cultural heritage as a symbol of identity and as a factor of social cohesion, especially with regard to countries in crisis areas, and the fight against the looting and trafficking of cultural property, including as a source of funding for terrorist activities, are issues at the heart of UNESCO's mandate.

In this regard, UNESCO is the repository of a rich and diverse body of standard-setting instruments, including the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage, the 2001 Convention on the Protection of Underwater Cultural Heritage, the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 2005 Convention for the Protection and Promotion of the Diversity of Cultural Expressions.

In the face of the growing challenges affecting culture and heritage, notably as a result of conflicts, however, it is widely agreed that new and more effective mechanisms are required.

Whereas the General Conference of UNESCO, at its 38th session (Paris, 2015), has adopted, by its Resolution 38 C/48, a Strategy on the "Reinforcement of UNESCO's action for the protection of cultural heritage and the promotion of cultural pluralism in the event of armed conflict", calling as well on Member States to support the implementation of the said Strategy by defining mechanisms for the rapid mobilization of national experts and inviting the Director-General of UNESCO to explore, in collaboration with Member States, practical ways for effectively implementing such a mechanism, to be coordinated by UNESCO and in collaboration with the United Nations and other concerned international organizations where appropriate.

Whereas the Government has informed UNESCO that it is willing to establish - under the coordination of the Italian Ministry of Culture and Tourism (MIBACT), and with the participation of the Ministry of Foreign Affairs and International Cooperation, the Ministry of Defense and the Ministry of Education, University and Research - the Italian Task Force, as well as a mechanism for its rapid mobilization, composed of highly-qualified experts, identified through adequate selection processes, in all areas pertaining to the safeguarding, rehabilitation and protection of cultural and natural heritage, and of specialized officers belonging to the Department of the Italian Carabinieri for the Protection of Cultural Heritage (*Comando Carabinieri Tutela Patrimonio Culturale*).

Whereas the Government has further informed UNESCO that the Italian Task Force will be set up in the framework of “*UNESCO’s Global Coalition – Unite4Heritage*”, launched by the UNESCO Director-General in June 2015 and is in line with the Milan Declaration of July 2015, signed as part of the International Conference organized by the Italian Minister of Culture in the framework of Expo 2015, as well as with the above-mentioned Strategy on the “Reinforcement of UNESCO’s action for the protection of cultural heritage and the promotion of cultural pluralism in the event of armed conflict”, as adopted by UNESCO Resolution 38 C/48, notably with a view to give concrete application to the mechanism for the rapid mobilization of national experts called for in this Resolution.

Whereas Italy is part of the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations on 21st November 1947.

Now, therefore, the Parties agree as follows:

FUNCTIONS AND MODALITIES OF OPERATIONS OF THE ITALIAN TASK FORCE

In accordance with paragraph 4 of 38C/Resolution 48 and with UNESCO’s mandate foreseen therein, in response to a request by a Member State facing crisis or natural disaster, the Government shall consider such request and accordingly the Italian Task Force may be able to operate preventively as well as in the context and in the aftermath of a crisis, with the following functions:

- Assessing damage and risk to cultural and natural heritage;
- Devising operational plans for urgent safeguarding measures for the affected cultural and natural heritage;
- Providing technical supervision and training in order to assist national authorities and other local actors in implementing emergency preparedness and response measures for the protection and safeguarding of cultural and natural heritage;
- Assisting in transferring movable cultural heritage property at risk to safe havens;
- Fighting against the looting and the illicit trafficking of cultural properties through the mobilization of the relevant department of the Italian Carabinieri (*Comando Carabinieri per la Tutela del Patrimonio Culturale*).

The Government will identify a Focal Point for the Italian Task Force, who will act as the liaison with the Emergency Preparedness and Response Unit of the Culture Sector of UNESCO for all aspects related to the implementation of the provisions of this Memorandum of Understanding.

The detailed operational and administrative procedures regarding the Parties' cooperation in relation to the Italian Task Force will be determined at a later stage on the basis of the modalities for the implementation of the strategy adopted by the General Conference of UNESCO in Resolution 38 C/48, to be decided by the Executive Board of UNESCO, and will be subject to a separate operational agreement to be signed between UNESCO and the Government.

The Italian Task Force may use the name "Italian National Task Force in the framework of UNESCO's Global Coalition Unite4Heritage" only in the context of activities to be undertaken under the present Memorandum of Understanding and with the prior written authorization of UNESCO.

FINANCING

The expenses for the deployment and the implementation of the activities of the Italian Task Force shall be covered, when required and within the resources available, by the Government in accordance with national law.

REPORTING AND REVIEWING

The Government shall report to UNESCO on the implementation of the services provided under the present Memorandum of Understanding, on a regular basis. The Government and UNESCO shall regularly review activities under the present Memorandum of Understanding, as appropriate and at the initiative of either Party.

ENTRY INTO FORCE AND TERMINATION

The present Memorandum of Understanding will enter into force upon its signature. Each of the Parties can decide to terminate the MoU upon 30 days written notice to the other Party.

PRIVILEGES AND IMMUNITIES

Nothing in or relating to the present Memorandum of Understanding shall be deemed a waiver of any of the privileges and immunities of UNESCO.

SETTLEMENT OF DISPUTES

All disputes arising out of or in connection with the present Memorandum of Understanding shall be settled by mutual understanding.

Signed at Rome today, 16 February 2016, in two original copies in the English language.

For the Government of the
Italian Republic
H.E. Mr. Paolo Gentiloni
Minister of Foreign Affairs
and International Cooperation

For UNESCO
H.E. Irina Bokova
Director - General
