

FROM:

(S)

Ministry of Culture

8/17/03

117-030817-24

Doc. 1

1483 Quarterly UK Cultural Doc

Actions to return and protect Iraqi cultural property

CoS		
Mil Asst	(S)	15/17
Exec. Sec	(S)	

All the world was shocked at the scenes we saw in early April of looting at the Iraq Museum in Baghdad and of libraries and archives throughout Iraq having been ransacked and burned. No matter how this came about - and accounts still differ on this point - it seemed clear that a significant part of the heritage, not just of the Iraqi people, but of all mankind, had been destroyed, damaged or stolen.

Fortunately, in the subsequent months it has become clear that some of the worst fears of scholars and others about the size of the losses were unjustified. For instance, at the Iraq Museum, many of the most important objects had been stored in safe locations before the war. Although the looters made off with many priceless objects, some of those - including the world-famous Warka Vase --have subsequently been returned thanks to the no-questions-asked amnesty which the Coalition promulgated in the weeks following the looting. The count of missing items is still being carried out but the overall losses are now thought to be approximately 10,000 objects out of a total of perhaps 175,000 which the museum collection contained. Of the approximately 10,000 missing objects, about 5,000 are cylinder seals and the remaining 5,000 are relatively minor objects such as pottery fragments and small jewellery items. Forty-two pieces taken from the museum galleries were considered "major" objects. Ten of these objects have been returned, among them the famous Warka vase; thirty of the major objects are still missing.

Although these losses are very serious, by no means all important cultural sites were affected in this way. Many of them were identified in advance as needing special protection and were unaffected by the fighting. This was particularly the case with religious sites such as the mosques in the holy cities of Najaf and Karbala.

There have of course been reports of armed gangs of looters operating at a number of archaeological sites across Iraq, especially in the south. There are believed to be at least 10,000 archaeological sites in Iraq, many of them in relatively remote areas, and looting was already a growing problem through the 1990s. Nevertheless, the Coalition has made strong efforts to deal with the problem. In response to the reports it increased patrols and overflying at many of the sites. At the end of July, army commanders in each of the CPA Regions were ordered to place 24-hour guards on the 50

most important sites, as identified by international scholars. Action has also been taken to ensure that salaries are paid to the guards on the Board of Antiquities payroll who have traditionally provided protection at many of these sites.

Despite these efforts inside Iraq, it is inevitable that precious items will find their way out of the country. So actions have also been taken to make it as difficult as possible for anyone to import these artefacts or to trade in them.

The United States is a party to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Under our domestic law to implement that Convention, no article of cultural property documented as pertaining to the inventory of a museum or religious or secular public monument or similar institution may be imported into the United States.

This convention, however, only covers inventoried materials stolen from museums and other cultural institutions. Objects looted from sites are excluded. To overcome this loophole, the United States has established other legal measures. When, for example, on May 23, 2003, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) lifted most of the Iraqi sanctions embargo, it explicitly excluded transactions dealing with Iraqi cultural property or other items of archaeological, historical, cultural, rare scientific and religious importance illegally removed from the Iraq National Museum, the National Library and other locations in Iraq since August 6, 1990.

On August 9, a man was charged in New York with smuggling stolen Iraqi artifacts bearing the registration marks of the Iraq National Museum in Baghdad. He had purchased them as "souvenirs" in Baghdad and they were identified and seized by Customs officers during a routine luggage search at JFK airport. "This administration has sent a clear signal that we would not allow thieves to take advantage of the conflict in Iraq to pilfer its antiquities," US Attorney Roslynn Mauskopf said in a statement about the incident.

In the UK, the Government is also a party to the 1970 UNESCO Convention. The UK therefore now has an obligation under article 7(b) of the Convention to assist the legitimate authorities in Iraq to secure the return to Iraq of illicitly exported or imported items.

It was recognised that, to complement the Convention, a new criminal offence should ideally be introduced in the UK to reinforce its interpretation. It is already a criminal offence to traffic in stolen goods such as those taken from the Iraq Museum but this offence does not extend to objects which have been excavated or removed from a building, structure, monument or site. The UK Government is now backing a Private Members Bill in Parliament which would create a new criminal offence to counter this illicit traffic. It is anticipated that this Bill will complete its passage and become law in the autumn.

But the UK also took swift action to implement Resolution 1483 in relation to the import and trade in unlawfully removed Iraqi cultural property. These restrictions were brought into force in the UK on 14 June by the Iraq (United Nations) Order 2003. This Order imposes a prohibition on the importation of any item of illegally removed Iraqi cultural property. It will catch any person who holds, controls or deals in any item of Iraqi cultural property illegally removed from its location since 6 August 1990. This Order is of course intended to deal with the emergency situation in Iraq and sanctions can be lifted once security and political and economic infrastructures are fully restored in Iraq. But by then the UK Government intends that the Dealing in Cultural Objects (Offences) Bill should have become law and will further the fight to strangle the global illicit trade problem, from Iraq and elsewhere.

Customs officers at all ports of entry into the UK have been alerted to locating and identifying any Iraqi antiquities, with a view to prosecuting those who attempt to breach the import controls. A vital tool to enable them to do so is the Red List of the 100 most important categories of antiquities that could have been looted or stolen in Iraq. This illustrated list, to which the Italian Carabinieri, the British Museum and other major institutions contributed, has been published by INTERPOL and the International Council on Museums. It will be a vital tool, not only for customs officials, but also for art dealers and collectors to help them to recognise objects which could have originated from Iraq.

This action has been combined with the work carried out by the CPA which has seen it as a priority to engage Iraqis themselves in decisions about the future of their cultural heritage by the establishment of an Iraqi Culture Cabinet. Among the actions the Culture Cabinet has contributed to have been the choice of a replacement

building for the burned-out National Library and fitting-out of the former House of Costume as a temporary home for the Ministry itself.

Ministry of Culture
State Board of Antiquities and Heritage
Chairman's Office
P.O Box: 8056 Tel: (b)(2)
E-Mail: (b)(6) @ (b)(2)
Baghdad - Republic of Iraq



وزارة الثقافة
الهيئة العامة للآثار والتراث
مكتب رئيس الهيئة
ص.ب: 8056
البريد الإلكتروني: (b)(6) @ (b)(2)
بغداد - جمهورية العراق

Doc. 2

القسم:

المكتب:

العدد: ٢٥٢٦
التاريخ: ٢٠٠٣/٨/١٧

Ambassador Bremer
Coalition Provisional Authority
Baghdad, Iraq

And,

Ambassador Cordony
Ministry of Culture

Baghdad, August 17th 2003

Dear Sir,

With reference to the e-mail we received from Mr. Kristen on August 05, about the Jewish archive discovered in the flooded basement of the Mukhabarat, we have viewed them, and we support your effort to protect these documents from further damage, and agree with your staff that we do not, at this time, have the resources to undertake this lengthy process.

According to paragraph No. 21 of the Iraqi Antiquities Law No. 55 for the year 2002, we agree with your plan to send the documents to the United States temporarily for the restoration by National Archives and Records Administration (NARA) on the condition that, following the restoration, the documents are returned to Iraq, in a period not exceeding two years from the day of this approval, and according to the attached list.

With our best regards,

Jaber Kh. IBRAHIM
Dr. Jaber Khalil Ibrahim
Chairman of the Board

COALITION PROVISIONAL AUTHORITY

BAGHDAD

13 September 2003

MEMORANDUM FOR CHIEF OF STAFF, COMBINED JOINT TASK FORCE 7

FROM ADMINISTRATOR, COALITION PROVISIONAL AUTHORITY

SUBJECT: Tasking Letter – 3256 – 303 Request for Transfer of Antiquities / Museum / Art Objects to the Iraq National Museum

Reference: Support Request from Ministry of Culture

I request that the Commander, Combined Joint Task Force 7 take the appropriate action to provide for the transfer of antiquities, museum and art objects successfully recovered during raids and patrols to the Iraq National Museum.

WHO: Ministry of Culture

WHAT: Return and transfer antiquities, museum and art objects successfully recovered during raids and patrols to the Iraq National Museum.

WHEN: 20 September 2003

WHERE: Iraq National Museum (MB 428 878)

WHY: The antiquities, museum and art objects successfully recovered during raids and patrols need to be returned or transferred to the Iraq National Museum for examination and authentication for placement in the appropriate museum and collection.

COORDINATING INSTRUCTIONS:

1) All Major Subordinate Commands coordinate with the Ministry of Culture Point of Contact for transfer instructions.

2) Have the Commander, 812th Military Police Company and the Commander, 2d Armored Cavalry contact the Ministry of Culture Point of Contact for transfer of historic artifacts seized during raids in the Al Rashid neighborhood. These artifacts may include the purported "Sword of Saladin".

Direct coordination authorized between the tasked unit(s) and the Point of Contact listed below.

MINISTRY OF CULTURE POINT OF CONTACT:

(b)(6) at DSN: (b)(2) or CELL: (b)(2) and NIPRNET:

(b)(6) (b)(2)

The Requirements Coordination Office (RCO) Point Of Contact is (b)(6) at DSN: (b)(2) and
CELL: (b)(2) and DNVT: (b)(2) or NIPRNET: (b)(6)@ (b)(2) and SIPRNET:
(b)(6)@ (b)(2)

The Requirements Coordination Office (RCO) Alternate Point of Contact is (b)(6) at
DSN: (b)(2) and DNVT: (b)(2) or NIPRNET: (b)(6)@ (b)(2)
SIPRNET (b)(6)@ (b)(2)


Patrick Kennedy
Chief of Staff



COALITION PROVISIONAL AUTHORITY
BAGHDAD

Doc. 4

ACTION MEMO

October 19, 2003

FOR: THE ADMINISTRATOR

FROM: Amb. Mario Bondioli Osio, Senior Advisor, Ministry of Culture

SUBJECT: FPS Status for Archeological Sites Guards

The Ministry of Culture have on their payrolls 1,298 archeological sites guards, about 400 contract site guards and other guards protecting their facilities in Baghdad and in the rest of the country. The protection of the sites that these guards are currently providing is inadequate for countering the highly increased and efficient looting we are facing. The ultimate responsibility for arresting the looters must rest with the internal security forces of the area where the sites are located. The guards need to be trained to rely on Iraqi Police or, for the time being, Coalition Forces for chasing the looters from the sites or arresting them. In order to contact the local security force from the sites, they need to get a communication system either by phone or by radio and be trained to use it.

I propose to change the current status of the guards from individual units on each site, under the very vague supervision of the local inspectors of the Board of Antiquities, into FPS guards, in uniforms, sufficiently armed, with the power to detain looters for 12 hours. I propose to organize the new structure from the top, getting an efficient Iraqi Officer, either from the Police or the former Iraqi Army, to start by recruiting 25 efficient Iraqis to be trained, in a customized FPS training program, as trainers to be sent to the sites to train the local guards for their new duties. As a matter of course, the local counterparts of the guards, i.e. the local security forces, will have to be informed of the new site protection system and receive instructions to support it as far as possible.

FPS has been informed of the general idea and is ready to support it with training and free of charge uniforms. Same reaction from CJTF7 for the supply of weapons. The U.S. State Department Cultural Heritage Office has funds dedicated to a site protection project and has agreed in principle to the general idea. I have received a first positive reaction from the Minister of Culture, Al Jaza'iri, and from the new Director of the Board of Antiquities, Dr. Rabia al Qaisi.

UNCLASSIFIED

UNCLASSIFIED

Recommended Action:

That you approve to proceed in refining the project; quantify the funds needed for each of its parts; establish what the best communication system is, etc.

Approve:

l
idk

Disapprove:

Approve with modification:

ATTACHMENTS: NONE

COORDINATION: NONE

UNCLASSIFIED

UNCLASSIFIED



سلطة الائتلاف المؤقتة Coalition Provisional Authority

25 November 2003

Archeological Sites Protection Project First Implementation Phase

THE DHI QAR PROVINCE PROTOTYPE

Dhi Qar Province, due to the active presence of Italian Carabinieri, can be considered a model for the realization all over Iraq of the Archeological Sites Protection Project.

After reviewing the present situation with the Antiquities Director in Nasserya, Abdulmir al Hamdani, and Director (b)(6) from the General Directorate of Excavations in Baghdad, I propose the following implementation of the ASP Project in Dhi Qar.

There are currently in Dhi Qar 109 guards on SBAH budget, plus 56 guards just hired on a monthly local CPA funding. These 56 guards will need to be either transferred to the SBAH budget or to be dismissed.

The archeological sites in Dhi Qar, with their respective guards, should be divided into 9 areas, corresponding to the 9 Iraqi Police Stations, which will be called in by the guards, when necessary, to chase and arrest the looters.

The Police Stations are located in Nasserya, Al Bathah, Al Shatra, Al Hishlah, Al Nasr, Al Rifai, Al Diwaniyah, Qal al Sukkor and Al Fajr.

This arrangement will provide Police coverage to all the archeological sites, as each site will be within a range of less than 40 Km. from the Police Station that the guards will call, when looting is above their reactive strength.

In order to realize the project in Dhi Qar the following equipment is needed:

1. 10 Base stations for an Analog VHF Radio System at the above mentioned 9 Police Stations and at the Custom / Border Patrols Office in Nasserya;
2. A limited number of repeaters in locations to be determined;
3. 10 vehicles (4WD, 4 doors, Diesel pick-up), one for each area and one for the local ASP commanding officer;
4. 10 mobile radios on vehicles;
5. 55 hand-held radios for guards on sites (one each three guards);
6. 55 Weapons (provided free of charge by CJTF - 7);
7. 165 uniforms (provided free of charge by FPS);
8. An unspecified number of 3.5 m. metal towers in addition to the 4 already in place, at the cost of \$ 1,400 each.

The Dhi Qar Prototype can be repeated in the other 17 Provinces. Dhi Qar does not, however, represent a fair average of the necessities of the other provinces. So we can not simply multiply the numbers quoted for Dhi Qar by 18 in order to come up with total figures for the whole of

UNCLASSIFIED

UNCLASSIFIED

Iraq. I nevertheless consider Dhi Qar to represent about ten per cent of the total needed for a reasonable coverage of the whole country.

I therefore assume that, for the full realization of the ASP Project as currently planned for the 18 Provinces, we need approximately a total of about 500 additional guards for a total of 1,800 guards on the SBAH budget, equipped with 600 weapons and 1,800 uniforms, a total of 100 base radio stations; about 20 repeaters; 100 vehicles with 100 mobile radios; about 600 hand-held radios and about 60 towers.

At the end of November 2003, the current status of the ASP Project was as follows:

(b)(6) a former Major in the Iraqi Army, has received the rank of FPS / ASP Colonel. He will supervise a Train-the-Trainers Course for 25 FPS Trainers, which will be selected from 37 candidates, provided by the SBAH Provincial Antiquities Inspectors. This TTT course will take place at the Baghdad Iraqi Police Academy, from December 1st to December 24th. The graduated Trainers will be qualified to confer FPS status on the 1,272 (eventually 1,800) guards on the SBAH payroll.

In 2004 an UNESCO Training Program, with Italian funding and technical assistance by the Italian Carabinieri Special Unit for Heritage Protection (CCTPC) will be attended in Amman, Jordan, by the 25 Trainers. A second similar UNESCO course will be dedicated to Police / Border Patrol Officers, in order to increase their awareness of the necessity to respond to calls by the ASP guards, and to intervene for the protection of archeological sites.


UNCLASSIFIED

030603-18

ACTION MEMORANDUM

(03 June 03)

TO: Presidential Envoy L. Paul Bremer

FROM: Ambassador Pietro Cordone 

SUBJECT: LETTER TO DIRECTOR OF CENTRAL BANK TO MOVE ARTIFACTS

SUMMARY AND PURPOSE

The Treasures of Nimrud from the Iraq Museum are stored in the vault in the Central Bank that was previously flooded. To move the storage crates from the damp vault to a dry vault requires a letter from the senior person in the government.

DISCUSSION:

A quick synopsis of the history of the investigation of the looting of the Iraq Museum drafted by the Senior US Customs official is attached.

Under the previous regime all transfers and movement of artifacts of this quality and value were directed by letter under the signature of Saddam. The Governor of the bank has requested a letter from Amb Bremer to authorize the movement of the five storage crates to a drier and more convenient location.

Since the crates are water damaged, request expedited action to minimize any harmful effects on the stored antiquities.

RECOMMENDED ACTION:

Sign attached letter.

APPROVE ☒ DISAPPROVE ☐ APPROVE WITH MODIFICATION ☐

(b)(1)

Ministry of Culture, 1430, 03 June 2003

Pursuant to the ongoing USG investigation in to the looting of the Iraqi Museum in Baghdad a letter authorizing the storage and inventory of the treasure of Nimrud is requested by the Governor of the Central Bank of Iraq.

On April 22, 2003, a joint Bureau of Immigration and Customs Enforcement (BICE) and USCETRCOM-Joint Interagency Coordination Group (JIACG) unit arrived at the Iraq Museum, Baghdad, to conduct an investigation into the looting of the museum compound. The investigation has identified several high value artifacts which have been stored in the Iraq Central Bank. Agents and Iraq Museum employees have been given access to verify that the boxes containing the high value artifacts, including the treasure of Nimrud are in the Iraq Central Bank. The treasure of Nimrud is currently being stored in a vault which was flooded and currently is not suitable for storage. A request was made to provide Iraq Museum employees, military and BICE agents access to inspect and inventory the various artifacts and the treasure of Nimrud under the supervision of Iraq Central Bank officials. This request was made to insure that none of the Iraq Museum artifacts have been stolen. Additionally agents requested Iraq Central Bank officials to move the treasure of Nimrud to a secure vault in the Iraq Central Bank which was not flooded to insure the artifacts will not be destroyed.

The Governor of the Iraq Central Bank requested a letter from Ambassador Bremer authorizing the storage, authentication and inventory of the artifacts in the Iraq Central Bank. BICE agents are requesting a letter be provided outlining these requests to the Governor of the Iraq Central Bank in order to insure the artifacts are verified and properly secured.

(U) (3) TO USC §1305

Supervisory Special Agent

BICE agent in charge of the Customs portion of the Museum investigation for the USG

سلطة الائتلاف المؤقتة
COALITION PROVISIONAL AUTHORITY


Letter of Authorization

03 June 2003

Governor
Central Bank
Baghdad

Dear Sir,

You are hereby authorized and directed to move five storage crates from the State Board of Antiquities from their present location in the flooded vault to a safer and drier vault for inventory and repacking.


L. Paul Bremer
Coalition Provisional Authority



COALITION PROVISIONAL AUTHORITY
BAGHDAD

040120-12
for the Jaws

Doc. 7

ACTION MEMO

January 19, 2004

FOR: THE ADMINISTRATOR
FROM: Mario Bond *MB* Osio, Senior Advisor to the Ministry of Culture
SUBJECT: Archeological Site Protection (ASP) Project

The ASP Project, which you approved when it was presented to you in an Action Memo on Oct. 19th 2003, is proceeding at a good pace for all aspects within my control. The State Department has received assurances from the Packard Humanities Institute that they can provide funding to the ASP Project up to \$ 1M. My deputy, Professor John Russell, was able to personally meet with (b)(3) (U) who gave indications that additional funds might be provided to the ASP Project as needed. The State Department has given to me appropriate guidance on the subject. As you will recall, the first steps in the ASP Project foresee that the guards currently on the State Board of Antiquities and Heritage (SBAH) should receive FPS Status. FPS status with the rank of Colonel was given to a former Major of the Iraqi Army, (b)(3) (U) selected by the Minister of Culture, after a one month Training Course that took place in November. On January 7, 2004, 11 FPS Trainers graduated from the Baghdad Police Academy. They are currently giving FPS status to the SBAH guards in Dhi Qar province, under the supervision of Colonel (b)(3) (U). The Minister of Culture has included the ASP Project among his five major priorities in his letter to you.

The ASP Project is instead encountering difficulties within CPA itself. Forty pickup trucks that were assigned to the ASP Project by Ambassador Kennedy from the OFF - Car for Agriculture program were diverted to other national security programs. More worryingly the Senior Advisors at MOF and MOI may not assign to the Ministry of Culture - SBAH sufficient funds to pay to SBAH guards the salary corresponding to their newly acquired FPS status, which has been already given to some of the guards for which TOA from CPA and CJTF-7 to the Ministry of Culture is taking place. This happens at the very moment when the Ministry of Interior must give to the Police Stations, selected according to the ASP Project, firm instructions for prompt intervention when called upon by the FPS-ASP guards in order to arrest or at least chase the looters.

I consider the irreplaceable loss of thousands of years old artifacts which is currently taking place a disaster for the whole of mankind. International public opinion is following the developments with the utmost attention. The press highlighted the looting that Marvin Josephson and his group witnessed and Fox News filmed during the helicopter trip to Nasiriya. My Deputy's Info Memo on what we saw is hereby attached.

UNCLASSIFIED

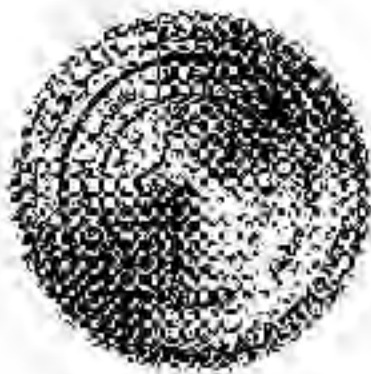
RECOMMENDATION : That you confer to the ASP Project the high priority it deserves, and instruct CPA MOI and MOF to give to the ASP Project their full support, including providing to the Ministry of Culture - SBAH sufficient funds to pay to the FPS – ASP guards their proper salary.

Approve: _____ Disapprove: _____ Approve with modification: _____

ATTACHMENTS: Prof. John Russell's Info Memo
Note on the ASP Project
London Sunday Times article, January 11, 2004
Fox News Iraq Journal, January 16, 2004

COORDINATION: Anthony McDonald, Senior Advisor, Ministry of Finance;
Steve Castoel, Senior Advisor, Ministry of Interior;
Giles Denham, Senior Advisor, Ministry of Civil Affairs

UNCLASSIFIED



COALITION PROVISIONAL AUTHORITY
BAGHDAD

INFO MEMO

January 19, 2004

FOR: THE ADMINISTRATOR
FROM: John Russell, Deputy Senior Advisor for Culture
SUBJECT: Helicopter assessment of archaeological site damage

On January 15, I took advantage of the helicopter trip planned for Marvin Josephson to plot a course over some major archaeological sites in Qadissiyah Governorate in order to assess damage from looting. We flew over five sites, three of which had been destroyed by looters:

- Mashkan-Shapir. Major Old Babylonian (1750 BC) city listed in the Code of Hammurabi. Prior to the 1991 war, the State University of New York at Stony Brook was conducting an urban-scale research project on this site, with astonishing results. The site has now been virtually obliterated by looters. It is completely covered with looters' pits, and we observed several looters hard at work.
- Isin. Imperial capital from which the Isin-Larsa Period (2000-1800 BC) takes its name. A front-page story in the NY Times (23 May 2003) reported some 150 looters systematically pillaging the site. CPA Senior Advisor for Culture Pietro Cordone visited the site by helicopter, confirming the Times report. Today the site is mostly destroyed, completely covered with thousands of craters. We observed 50 looters at work, some of whom had expensive cars. The NY Times reporter who accompanied us said he couldn't believe that nine months later, CPA still had done nothing to protect this site.
- Fara. Important Early Dynastic (2500 BC) city famous for early written tablets and a distinctive artistic style. Ours was the first reconnaissance of this site since the 2003 war. It was riddled by looters' craters.

Archaeological site looting robs the Iraqi people of critical long-term tourist assets, stealing objects that would grace Iraqi museums and destroying architecture that would attract tourists. It robs the Iraqi people of the long-term local economic benefits of continuing excavation projects, which are a regular source of supplemental wages in some of the poorest areas of Iraq. It robs all mankind of our common heritage, by destroying the record of human civilization. As the temporary steward of our human past in Iraq, the CPA is the only force here that can act immediately and decisively to stop the loss.

S. B. A. H.**Archeological Site Protection Project****1. Introduction**

Protection of archaeological sites is one of the functions of the State Board of Antiquities and Heritage (SBAH), a semi autonomous entity under the Minister of Culture. The Director General for Excavations oversees the 7,273 recognized archaeological sites. Of these, 3,232 are protected by 1,272 guards. The security of archaeological sites is organized by governorate. Each of the 18 governorates has a regional archaeological inspector assigned to it. Under the current system, the SBAH provincial inspector, soon to be given the status of regional Director, supervises the guards assigned to the governorate.

The current system of site protection has proven inadequate to meet the upsurge in looting following the war. In fact, some sites face total obliteration. Military units have patrolled or placed guards on a small number of important sites. While this is effective protection for a limited number of sites in the short term, in the long-term the responsibility for all site protection rests with the SBAH. At the present, neither the archaeological site guards nor regional archaeological inspectors have the transportation or communications equipment to effectively monitor site looting; nor do they have the weapons or authority to confront and detain looters.

This proposal is to

- reconfigure the structure of the SBAH site guard system;
- provide, after appropriate security training, a new status for the reconfigured guard force; and
- institute a system of patrols and stationary guards capable of providing early warning to the local Police Station on ongoing looting.

Support for the reconfiguration of the site guard system will be provided by the SBAH (site guard salary and continuing operational support), the Ministry of the Interior (basic training and uniforms), and the US Army CJTF-7 (weapons). Other sources of support will be sought for vehicles, communications equipment, observation towers for archaeological sites, new positions, travel expenses for the Trainers and lodging and meals for training in Baghdad.

2. Facilities Protection Service – Archaeological Sites Protection

The Facilities Protection Service (FPS) was established by the Coalition Provisional Authority Order No. 27 as an organization of trained, armed, uniformed entities charged with providing security of ministry and governorate offices, government infrastructure, and fixed sites under the direction and control of government ministries and governorate administrations. The Ministry of the Interior is the agency which establishes and coordinates the facilities protection program. The Ministry of the Interior establishes the minimum professional standards and training requirements, establishes the

training curriculum, and training program for all Facilities Protection Service guards. FPS guards are not law enforcement officers, however they are authorized to carry arms on the facility they are protecting and they have the authority to detain for twelve hours suspected law violators for the police. Included in their training is instruction on the use of force and limitations on the use of force.

Each individual ministry is responsible for basic facilities protection. Thus, the SBAH, under the Ministry of Culture, is responsible for assessing the threat to archaeological sites and bearing the cost of protection planning and execution. The CPA Senior Advisor to the Ministry of Culture proposes to transform the current SBAH archaeological site guards into a FPS – Archaeological Sites Protection (ASP) corps. This will entail restructuring the force into a paramilitary organization with an experienced military officer at its head. An appropriate number of individuals will be selected from the current guard force to be trained as trainers in the FPS training program. They will, in turn, return to their governorates where they will train the existing site guards in their new duties within the Facilities Protection Service. The trainers will also be considered for supervisory roles, with a higher rank and salary, in the reconfigured archaeological site guard force. The overall task will continue to be to guard archaeological sites, and to alert and ask the intervention of the local security forces in all cases of looting or non-authorized agricultural activities on the sites. FPS status will confer the right to detain looters for 12 hours, a uniform, and additional weapons. The FPS – ASP corps will also require vehicles and communications equipment to fulfill their duties. At the same time, the local police and military units in the governorates will be informed of the new FPS – ASP corps and receive instructions to support their activities from their own highest authorities.

The project has received the approval of Ambassador Bremer, Coalition Provisional Authority and Minister Al-Jaza'iri, the Minister of Culture, who included the protection of archeological sites among his five highest priorities. The proposal was also unanimously endorsed by the Senior Staff of the SBAH and the regional archaeological inspectors at a meeting in late October 2003. With the exception of the initial provision of uniforms and weapons, on-going operational support for FPS – ASP will be supplied by the Ministry of Culture through SBAH, in accordance with the funds for salaries and running expenses provided by the Ministry of Finance.

In November, (b)(6) a former Major in the Iraqi Army, after a full month of customized training at the Baghdad Police Academy, was appointed to lead the FPS – ASP as Colonel. Colonel (b)(6) will supervise the training and activities FPS – ASP corps. The Director General of Excavations will establish policies and procedures for guarding archaeological sites in consultation with Colonel (b)(6) and the regional archaeological inspectors. Colonel (b)(6), in consultation with the regional archaeological inspector and the Director General of Excavations, will assign in each region a FPS – ASP Major to establish, under his supervision, the division of the sites in each province of the region into areas for site patrols. In each Province a Captain will have over whole responsibility and will select the sites on which full-time guard shifts will be placed. Each area will have a Sergeant to determine the daily activities and shifts

of the guards. Colonel [b] will receive reports from his subordinates and will make comprehensive periodic (weekly or monthly) reports on site security to the Director General of Excavations.

3. Security Training

As noted above, the central Facilities Protection Service in the Ministry of the Interior will provide training for the new FPS – ASP guards. As it is impractical to have all 1272 site guards' travel to Baghdad for training, a cadre of guards will be trained as trainers at the Baghdad Police Academy for the rest of the guard force. These trainers will also be considered for a supervisory role when the FPS – ASP is established in their governorate when promoted to the rank of FPS – ASP Sergeants, Captains and Majors.

The Ministry of the Interior will provide training for the trainers at the police academy. The SBAH Director General of Excavations forwarded the first 37 candidates for the first "Train-the-Trainers" FPS Course. Thirteen of the 18 governorates were represented. The initial 3-day training and selection of 25 candidates for further training as trainers started the first week of December. On January 7, 2004, 11 candidates graduated as FPS – ASP trainers, ready to train the archaeological site guards in the governorates. The graduated trainers are qualified to confer FPS status on the 1272 guards on the SBAH payroll.

Further specialized training for the FPS - ASP trainers will be provided, in courses of two weeks each, through UNESCO in Amman, with Italian funding and the technical assistance of the Italian Carabinieri Special Unit for Heritage Protection (CTPC).

4. Systematic Patrols and Stationary Guards: The Dhi Qar Province Prototype

Dhi Qar province offers the opportunity to test the implementation of the FPS – APS corps fully equipped with the appropriate vehicles, communication equipment, and observation towers at fixed locations on certain archaeological sites. The Italian Carabinieri have been active in the region for several months working with the local archaeological site guards, the Regional Archaeological Inspector, Abdulmir Al Hamdani and the Director General of Excavations in Baghdad. This coordination of effort has produced a plan for deploying and outfitting the local FPS – ASP corps. After testing and refining the plan, it is expected to be replicated in the other 17 governorates of Iraq.

The archaeological sites in Dhi Qar province will be divided into nine geographical areas. In each area is included a corresponding police station which will respond to the guards requests for assistance, located respectively in Naseryah, Al Batha, Al Shatra, Al Hishlah, Al Nasr, Al Rifai, Al Diwayah, Qal al Sukor and Al Fajar. These nine stations are sufficient to provide adequate protection to all archeological sites in the province. The Dhi Qar province FPS – ASP corps of 168 personnel will be distributed among these nine areas. Communications between the mobile archaeological site patrols, stationary guard force on selected archaeological sites, and the police station will be supplied through an analog VHF radio system. An additional base radio station will be placed at the Custom / Border Patrol Office in Nasiriya, for additional support in case of

need. Each police station will have a base radio station, with the antenna on a trellis placed on the roof of the station. Patrol vehicles will have mobile radios within each vehicle. Every pair of FSP – ASP guards on duty will have a handheld radio capable of communicating with the mobile (vehicle-based radio) or the area police station radio station. The SBAH Inspector for Dhi Qar and the Customs office in Nasiriya will also have base radio stations. Twelve 3.5 meter high metal towers have been supplied by the local CPA for the stationary guards on selected sites to enable them to visually survey the archaeological site on a 24 hours 7 days a week rotation and eventually serve as a bridge between guards on isolated sites and the area Police station.. The Archaeological Inspector in Nasiriya, in consultation with the provincial Captain and Colonel Fadel, will establish the stationary deployment and mobile patrol pattern of the guard force.

5. Extension of the Dhi Qar Prototype to the other Provinces

The training of SBAH guards in Dhi Qar Province started on January 16th 2004 in Nasiriya. As soon as Colonel Fadel and his Trainers will complete training in Dhi Qar, they will move on to Al Diwanya Province and to the other five Provinces of the South Central region, since the CPA Regional Coordinator in South Central has already expressed his support for the ASP Project and obtained a pledge from the local SBAH inspectors. Similar pledges will be obtained by all the Regional Inspectors and formalized in a collective meeting at SBAH headquarters in Baghdad. The essential element of the pledge in each province will be the selection of - and acceptance of their new duties by -the Police Stations in which the base radio stations will be located. For instance, the Provincial Inspector in Diwanya Province has selected three Police Station located in Afak, Al Shamyah and Qwam al Hamsah and is currently obtaining their support for the ASP project. The borders of the areas in each province will be defined taking into consideration both the optimal radio communication from each archeological site to the Police Station at the core of the area including the site, and the possibility for the Police to reach the site in the speediest way when called.

6. Equipment and Financial Needs

Based on the experience provided by the Dhi Qar Prototype, and taking into account that, due to the current Transfer of Authority (TOA), 578 guards hired by Coalition Forces (CJTF-7) or regional CPAs, will have to be added to the 1272 guards currently on SBAH payroll, for a total of 1,850 guards, the equipment needs will be as follows:

Uniforms: 1850;
Weapons: 620;
Vehicles: 150 / 200
Base radio stations: 100 / 130
Mobile radios: 150 / 200
Hand held radios: 620

The financial needs of SPAH for salaries will be:

1 Colonel: 342,000 x 12 = 4,104,000	x 1 = 4,104,000
3 Majors: 204,000 x 12 = 2,448,000	x 3 = 7,344,000
18 Captains: 125,000 x 12 = 1,500,000	x 18 = 27,000,000
130 Sergeants: 102,000 x 12 = 1,224,000	x 130 = 159,000,000
1720 Guards: 83,000 x 12 = 996,000	x 1720 = 1,713,120,000

for a yearly grand total of NID 1,910,568,000 plus Hazardous Duty and Ramadan
Gratuity.

Iraq's culture cops go hunting looters

MATTHEW CAMPBELL BAGHDAD

IN HIS dark suit and tie, Mario Bondioli-Osio, a former diplomat, is an oddity among the occupants of Saddam Hussein's former Republican Palace, the coalition's headquarters in Baghdad.

At 68 the bearded Italian with a background in adrenaline-inducing postings around the Arab world is perhaps the oldest official to have forsaken the comforts of home for the privations of life in a trailer at the centre of power in Iraq.

But the way he is going about his cultural mission to Iraq is raising just as many eyebrows: he is giving out guns.

"We are creating a small army," he said of the unusual force he is putting together — not to fight diehards of the former regime but to take on the gunmen who have exploited lawless turmoil to strip Iraq's archeological sites of their treasures.

While some might scoff at the creation of Iraqi "culture cops" when there are scarcely enough regular policemen to go around, the Archeological Site Protection Force, as it is known, is about to be launched in six Iraqi provinces with funding from the US State Department. "They will have guns, uniforms, radios and pick-up trucks — even an officer structure," said Bondioli-Osio.

"I hope that soon, with the help of funding by the State Department and American private foundations, all 18 provinces will be covered."

Bondioli-Osio was head of an Italian commission for the recovery of stolen artworks and had been preparing for retirement when his phone rang in Rome with the offer of a job as cultural adviser to the Coalition Provisional Authority (CPA) in Iraq. "I did not sleep for three nights after that," he said.

Since starting work in September, the affable envoy has won the respect of the younger, predominantly military figures who inhabit the high-walled compound on the banks of the Tigris. So has Giovanni Curatela, a professor of Islamic art who assists him, notwithstanding the red bow tie that jumps out from a surrounding sea of khaki.

Unlike the foreign military personnel on duty in Baghdad, these Italians do not have to be there. "They chose to come," said an American major at the CPA headquarters. "They must be nuts."

Bondioli-Osio's initiative follows global indignation over the pillaging of the national museum in Baghdad at the end of the war and criticism of America for ignoring the threat to archeological sites from organised looting.

While many artefacts stolen from the museum have been recovered, thousands of sites throughout the country have been left vulnerable to hordes of Kalashnikov-toting treasure hunters whose illegal digging for pottery and jewels has pitted the desert with so many craters that, seen from the air, it resembles Gruyère cheese.

"In places it looks like the surface of the moon," said Donny George, director of the national museum. He was excited by the recent recovery of a priceless statue of a boy dating from 2,300BC. "The Americans found it hidden in somebody's septic tank," he said.

Yet the state of archeological sites depresses him deeply: "It is very, very bad. When pieces are dug out of the ground by looters, the context is lost for ever to professional archeologists, as is the possibility of learning more about the past."

In the old days, said George, people were too frightened of Saddam and his police to do much illegal digging. Although archeologists were occasionally confronted by bandits, the greatest threat to them in the desert was from scorpions and snakes.

The war halted official archeological expeditions, and looters have until now been swarming over 10,000 registered sites with impunity.

Some 1,200 civilian "guards" assigned to protect sites simply ran away when confronted by gun-wielding mobs. There are estimated to be another 90,000 archeological sites that have yet to be registered.

It is not hard to find Iraqis peddling archeological goods in Baghdad: the house of one dealer who called himself Khaled resembled a private museum. He had bought the ancient vases, pots and candle-holders scattered about his floor from diggers in southern Iraq in the hope of selling them at a big profit in Beirut.

"People have to make a living," he said, holding up a handful of trinkets, including a gold ring emblazoned with a mythical creature that appeared to be half fish and half horse.

He did not think the new police force would threaten his livelihood. "It won't make any difference," he said. "Iraq is like a giant mine of ancient treasures. They cannot guard everywhere from the diggers."

Italy, which has its own culture police and long experience of dealing with archeological theft, hopes to prove him wrong: a unit from the 2,300 carabinieri based in the southeastern city of Nasiriyah is to help train a force that will eventually field up to 2,000 armed police, most of them former civilian guards who had been hired by the state antiquities board to protect treasures.

In a fashion-conscious, Italian touch, a shield will be painted on the sides of their shiny new vehicles featuring an ancient Sumerian

vase.

Already the carabinieri have been arresting suspected looters from their base in Nasiriya, where they have been on the front line in the battle against regime loyalists. Thirteen carabinieri, four Italian soldiers and two Italian civilians were killed in a bombing there late last year.

Bondioli-Osio has also faced the dangers of life on the front line in Baghdad. "My trailer shook like mad on Christmas night," he said, recalling the reverberations from mortar rounds being lobbed into the palace compound by the Iraqi resistance.

Tragedy struck on Thursday when Nahla Whagid, the interpreter in his office, was killed by a bomb. "She was a beautiful and clever girl, engaged to be married," said Bondioli-Osio.

"I had to call the family through my Iraqi driver and take them to the morgue. You can imagine the mother."

He also mourns Oku Katsuhiko and Inoue Masamori, two Japanese colleagues involved in efforts to fund the archeological police force. They were shot dead as they left a restaurant in Tikrit, Saddam's heartland north of Baghdad, at the end of last year.

"Things have not gone very smoothly," said Bondioli-Osio. "But we will get there in the end." Wolfgang Kumm



Iraq Journal: Grave Robbers' Looting Spree

Friday, January 16, 2004

By Robert E. Sullivan



TELL LAHAM, Iraq — Archeologist **John Russell** ([search](#)), flying in a U.S. military helicopter, looked out over the barrel of the gunner's machine gun and saw his nightmare in the desert below: dozens of brazen looters in broad daylight busily robbing graves as old as 5,000 years.

"That whole chapter of our past is gone forever. How am I supposed to feel?" said Russell, who was on the verge of tears.

But in a way, his flight over a half-dozen archeological sites and his inspection of this Sumerian city offers some hope. This week, the U.S.-led **Coalition Provisional Authority** ([search](#)) (CPA) in Baghdad began a new program to stop the wave of highly destructive looting that began with the American invasion.

Officials organized a special archeological protection service and are training its first 168 senior officers and instructors. The **Italian Carabinieri** ([search](#)) police committed cars, radios and weapons to the effort, and the CPA has set aside between \$2 million and \$3 million for the project.

And it sent Russell, who holds a doctorate and specializes in ancient Iraq, to begin surveying the damage.

The initial assessment — it's pretty bad.

In the two-hour-long flight south to this location from Baghdad, Russell flew over several sites, all of which showed recent looting damage. Two of them were looted so badly — with little grave-like holes dug from wall to wall — virtually no room was left to dig for anything else.

"You can easily spot the looters holes. They look like craters on the moon," Russell said.

And they did. Holes dotted the ground in **Mashkan-shapir** ([search](#)), a Babylonian-era city, which was considered a world power in the time of Hammurabi; in **Nippur** ([search](#)), which ruled the area between the Sumerian and Acadian regimes some 2,500 years ago; and in **Drehem** ([search](#)), famous for its 4,000-year-old hardened clay tablets — the probable object of the thieves' searches.

The worst appeared in Isin, which was a world center several hundred years before **Hammurabi** ([search](#)) wrote the first written code of laws in human history. Some of the looters scattered at the sound of the helicopters. Others waved.

The holes dug in this **Sumerian** ([search](#)) mound provided both good news and bad news. The holes were started by looters, who were then spotted, and arrested. Archeologists came here and surveyed the damage and discovered previously unknown tombs.

"The exposed artifacts will be removed properly and sent to a museum to be studied and the site will be covered over again for its own protection," Russell said.

The largest piece the archeological team disinterred was a burial urn that contained the bones of a baby. Russell said the remains could be from as early as a thousand years B.C., or as late as a few hundred years A.D. The looter's hole from which it came will be backfilled with dirt, he said. And the whole site will be protected by the new guards.

FOX NEWS IRAQ JOURNAL
January 16, 2004

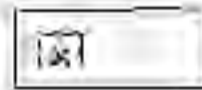
"The best thing to do with an archeological site," Russell told Fox News, "is to leave it alone."

When a site is properly surveyed, it takes years to map the surroundings, take and analyze soil samples, and attempt to learn everything possible about the target group, he said. Scientists want to know how they lived, what they ate and what was their culture. Grabbing individual clay tablets and ancient cylinders makes that impossible, Russell said.

He said the proper excavation of a tomb — like the one uncovered here and left by looters — could take as much as five years. Some of the organized digs, halted by the 1991 Gulf War and left abandoned, began more than 100 years ago. Some of them were still productive before the beginning of the latest war last March.

Russell, a professor at the **Massachusetts College of Art** ([search](#)) in Boston and a technical advisor to the Iraqi cultural ministry, said the rebuilding of Iraq "should provide enough work for an entire generation of archeologists, and more" without anyone ever beginning a new dig. Opening canals and building roads in a country with some of the oldest urban ruins on the planet invariably turns up something, he said.

"Contractors and builders should provide their own archeologists, or support a university team before they begin destruction," Russell said, "and fortunately we now have language in the building agreements calling for just that."



Advertise on FOX News Channel and FOXNews.com
Jobs at FOX News Channel. Internships at FOX News Channel.
Terms of use. Privacy Statement. For FOXNews.com comments write to
foxnewsonline@foxnews.com; For FOX News Channel comments write to
comments@foxnews.com
© Associated Press. All rights reserved.
Copyright © 2004 ComStock, Inc.
This material may not be published, broadcast, rewritten, or redistributed.

Copyright 2004 FOX News Network, LLC. All rights reserved.
All market data delayed 20 minutes.

MINISTRY of CULTURE

January 2004

Key Messages:

- Supporting culture in Iraq demonstrates the Coalition's commitment to restoring all aspects of Iraqi society – security, essential services, and what we call the civil part of society, of which culture is a part.
- The restoration of cultural activities means a restoration of normalcy for the Iraqi people.
- The Coalition is committed to helping Iraqis protect their cultural heritage.

Accomplishments/Milestones:

- The Ministry's Printing House, unharmed by war and looters, recently brought on-line two new state-of-the-art printing presses, increasing the printing capacity at the facility. The first job for the printers is to print recently-revised textbooks.
- Iraqi police, in collaboration with Coalition forces, have recovered three of the most sought-after pieces looted from the Iraq National Museum: "Warka Mask," "Bassetki Statue" and a wood and bronze brazier.
- The Iraqi National Symphony Orchestra has reformed. The symphony will travel to the United States in early December for two concerts at Kennedy Center in Washington, DC.

Goals for the Year Ahead:

- Train a total of 1600 Facilities Protection Services (FPS) Site Guards.
- Secure the top 40 archaeological sites.
- To complete the refurbishment of the Iraq National Museum.
- Refurbish the Board of Tourism and complete refurbishment of the Fashion House.
- Establish a new National Library for Iraq.

Challenges:

- Security at archeological sites is a concern. Looting continues at some sites. The Ministry is currently implementing plans to bring its archeological site guards under the FPS umbrella and provide them with additional training, weapons and communications systems.
- Thousands of the pieces looted from the museum are very small (the size of coins), thus making recovery very difficult.

Key Facts:

- | | |
|-----------------------------------------------|------------------|
| • Archeological sites identified in Iraq | 7,417 |
| • Sites with ongoing field work | 1 |
| • Number of current archeological site guards | 1,298 |
| • Pieces looted from Iraq National Museum | More than 13,000 |
| • Looted pieces recovered | Approx. 4,000 |

**SUMMARY of 10 FEBRUARY MEETING with the GOVERNORATE
ARCHAEOLOGICAL DIRECTORS to DISCUSS IMPLEMENTATION of the
ARCHAEOLOGICAL SITE PROTECTION PROJECT (ASP)**

ATTENDANCE

CPA Staff:

- Ambassador Mario Osio, Sr. Advisor
- Professor John Russell, Deputy Sr. Advisor
- Professor (b)(6)

Province Representation:

- Inspectors of 14 Provinces (some of their deputies attended the meeting)
- The four missing included the three Kurdish Provinces and Basrah.

MEETING

Opening: Amb. Osio provided an overview and update of the execution of the project.

- Completed the nomination and training in the Baghdad Police Academy of (b)(6) who graduated with the rank of FPS colonel to lead and supervise all SBAH guards;
- Graduated 11 Trainers on 7 January who are now able to grant Facilities Protection Status (FPS) to State Board of Antiquities and Heritage (SBAH) guards;
- Col. (b)(6) and the trainers granted FPS status to all 148 SBAH guards in Dhi Qar Province;
- Currently obtaining frequencies for ASP radio communication system in Dhi Qar and Diwanya, and,
- Currently awaiting contract approval from the U.S. State Department for 15 base radio stations, 20 4x4 vehicles, 20 mobile radios, 20 radio extenders and 90 hand-held radios for complete implementation of the ASP Project in Dhi Qar and Diwanya.

Discussion:

- Col. (b)(6) elaborated on his role and future activities.
- All inspectors discussed, each separately, the modalities of extending the ASP project in each Province, indicating on large maps of each province the locations of the Police Stations where the radio base stations should be installed for a total (to be further discussed and revised after inspections by local CPAs and Col. (b)(6) of 60 base radio stations in the other 12 provinces represented (excluding Dhi Qar and Diwaniyeh), plus about 90 vehicles with mobile radios and radio extenders and about 450 hand-held radios.

Overview of the Ministry of CULTURE

Information Provided by PIETRO CORDONE, Coalition
Senior Advisor

DATE: 11TH JULY 2003

I. Functions of the Ministry

The Ministry of Culture covers all the cultural and tourism activities within Iraq. There are currently 13 Directorates which are shown in the attached organizational chart. These sectors matter because of their contribution to the quality of life of people in Iraq.

A summary of the specific functions of each Directorate are:

- a. **House of Fashion** - focuses on the promotion of contemporary and Arabic styles of design for students and fashion designers. It also puts on fashion shows.
- b. **Fine Arts** - focuses on both Arabic and contemporary art work which covers all styles and materials. Also generates revenue from commissions and sales of items.
- c. **Al Ma'moun House of Translations** - carries out translations of texts, manuscripts and historic books.
- d. **Children's Culture** - help promote cultural activities for children and young people.
- e. **House of Books & Documents** - this directorate supports the National Library and has responsibility for policy on manuscripts.
- f. **Kurdish Culture** - promotes the culture of the Kurdish peoples and its region.
- g. **Cultural Affairs** - this promotes general cultural activities but also includes the publication of cultural magazines. It also provides a more general publishing service.
- h. **Musical Arts** - operates a conservatory, symphony orchestra and classic dance.
- i. **Theatre & Cinema** - promotes Iraqi theatre and film industry and runs several theatres and cinemas.
- j. **Convention Centre** - this is a conference centre, has meeting rooms and a large auditorium.
- k. **Tourism** - the promotion and sustainability of Tourism through out Iraq and the ownership and operation of a number of hotels and tourist resorts.

1. **State Board of Antiquities** - the organization which operates the Iraq National Museum and related governorate museums and has ownership and operation of the archaeological sites.
- m. **Administration** - provides administrative support for the Minister and all directorates.

II. Operational Status of the Ministry

Buildings:

The Ministry has numerous buildings both in Baghdad and throughout the Governorates. Many of these buildings were damaged either during the war or looted in its aftermath. The main ministry building in Haifa St was badly damaged and is basically just a shell. Opposite the Board of Tourism building was equally badly damaged. The House of Fashion building suffered superficial damage and looting and is currently being refurbished. This building will be a temporary HQ until the other key Ministry buildings are refurbished.

The main theatre and film administration buildings were badly damaged as well as a number of theatres and cinemas. A number of hotels and tourist resorts were also badly damaged. Progress on refurbishment of a number of these facilities has taken place primarily because of CPA/Military intervention e.g the Al Rasheed, Babil Hotel in Hilla.

The Convention Centre is basically sound as a structure and is undergoing refurbishment as a result of being taken over by the CPA.

The National Library was severely damaged and the basic structure is unuseable. It is likely to be demolished. Both the symphony hall and Nasr Hall suffered superficial damage and need basic refurbishment. The Al Ma'moun House of Translations building is structurally sound but as a result of looting needs new fixtures and fittings. The Iraq National Museum was looted during the aftermath of the war but the building is sound. Refurbishment is currently taking place.

Personnel Issues:

There are some 7,400 employees at the Ministry of Culture. Approximately 5,300 work in Baghdad with the rest in the Governorates. People are turning up for work at most of the directorates e.g State Board of Antiquities, Musical Arts,

Cultural Affairs, Convention Centre, but because of lack of tools and fixtures/fittings they are unable to do their proper jobs. Two of the larger Directorates Tourism and Theatre and Cinema have many staff who are unable to turn up for work because they have no physical place of work.

Approximately 100 staff have been dismissed as a result of de-baathification. Further investigations into a number of employees is ongoing. Two senior members of the Ministry - Mr Adel Ibrahim and Dr Muyaheed Sa'id Demarji have been given temporary exceptions to the de-baathification order.

Security Concerns

These fall into three categories:

Personal Security of workers - Need to counter the threat of intimidation from Baathist terrorists.

Future Building Security - There is a need to secure all the Ministries buildings against squatters and further looting. A number of Ministry buildings and properties are secured through the presence of Coalition forces e.g the Iraq National Museum, the sites of Babylon, Ur and Kish. Up to 190 strong Force Protection Security has been identified as being needed to secure the Ministry buildings in Baghdad. This force will be either be recruited from existing personnel or new staff will need to be recruited subject to budgetary constraints. All these guards will need to be formally trained.

Existing Squatters - A small number of Ministry buildings are currently being occupied by freedom fighters, political parties or families.

III. Policy Priorities of the Ministry

These fall into the following categories:

- a. Getting the Ministry itself up and running. Until this happens progress on sorting out key policy and practical issues will remain disjointed and haphazard. The priority is to get a sufficient number of offices refurbished so that the majority of staff can go back to work and operate normally.
- b. Making secure the key archaeological sites.

- c. Refurbishment of the Iraq National Museum and its satellite museums in the governorates.
- d. Complete a full assessment of the looting at the museums and archaeological sites and a plan to ensure the return of looted objects.
- e. Establishment of a new National Library for Iraq.
- f. Establish a new management structure for the Tourism Directorate and carry out an assessment of the future of Government interests in tourism resorts and hotels.

IV. Strategic Plan (30, 60, or 90 day plans)

30 days

The main aims are:

- a. To support the Governance Council in appointing an "interim" Minister of Culture.
- b. To pay staff salaries for July and August
- c. To complete the refurbishment of the Fashion House which will become the temporary HQ of the Ministry.
- d. Have the Coalition Military secure the top 40 archaeological sites.
- e. Achieve the transfer of the Officers Club building to the Ministry of Culture for use as the new National Library.

60 days

The main aims are:

- a. To work up priorities for the Ministry for input into the 2004 Budget process and the Donors conference in October 2003.
- b. To let a contract for the refurbishment of the Officers Club and start moving the books held by the Shia cleric into the Officers club.

- c. Complete an assessment of the requirements for the State Board of Antiquities in all the Governorates.
- d. Commence reconstruction and refurbishment work on a number of Ministry projects including the former Ministry of Culture HQ building in Haifa St, the Tourism Directorate building in Haifa St, the National Hall Theatre, the Al Khosla building, the Folklore Institute Heritage Hall, 4 new stores, the Mutanabi shrine at Al Kut and Nasr Hall.
- e. To train all the guards needed to help secure the Ministry's buildings and secure foreign international support to fund additional guards.

90 days

The main aims are:

- a. To complete the Ministry input into the 2004 budget process.
- b. To continue with refurbishment projects.
- c. Finalise Ministry priorities for the Donors Conference in October
- f. To begin development of a tourism policy to encourage inward investment in the operation of hotels and tourist facilities currently operated by the Government.

V. Status of Ministry Activities in the Governorates
(to best extent possible)

This is extremely sketchy. The key ministry functions in the regions relate to the State Board of Antiquities control over the archaeological sites and regional museums and the Tourism Directorate's role in hotels in across the governorates.

The information available on the museums is sketchy. We understand that the Mosul museum is in reasonable shape but needs some refurbishment. The Basra museum was very badly damaged and looted. We understand that the remains of the museum is being occupied by homeless families. The Babylon museum is basically structurally sound and refurbishment

We know that many of the archaeological sites have been or are still being looted. We are currently awaiting the results of an assessment by Coalition military forces to make sure that these sites are secured as soon as possible. In the longer term the State Board of Antiquities guards will need to be properly trained and armed to carry out their functions properly.

VI. Contact Information for Senior Advisor and Key Iraqis

Ambassador Pietro Cordone -Senior Advisor. (b)(2)

(b)(6) (b)(2)

(b)(2)

(b)(6) (b)(2)

(b)(2)

(b)(6)

(b)(6)

(b)(6) (b)(2)

(b)(6)

(b)(6) (b)(2)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6) (b)(2)

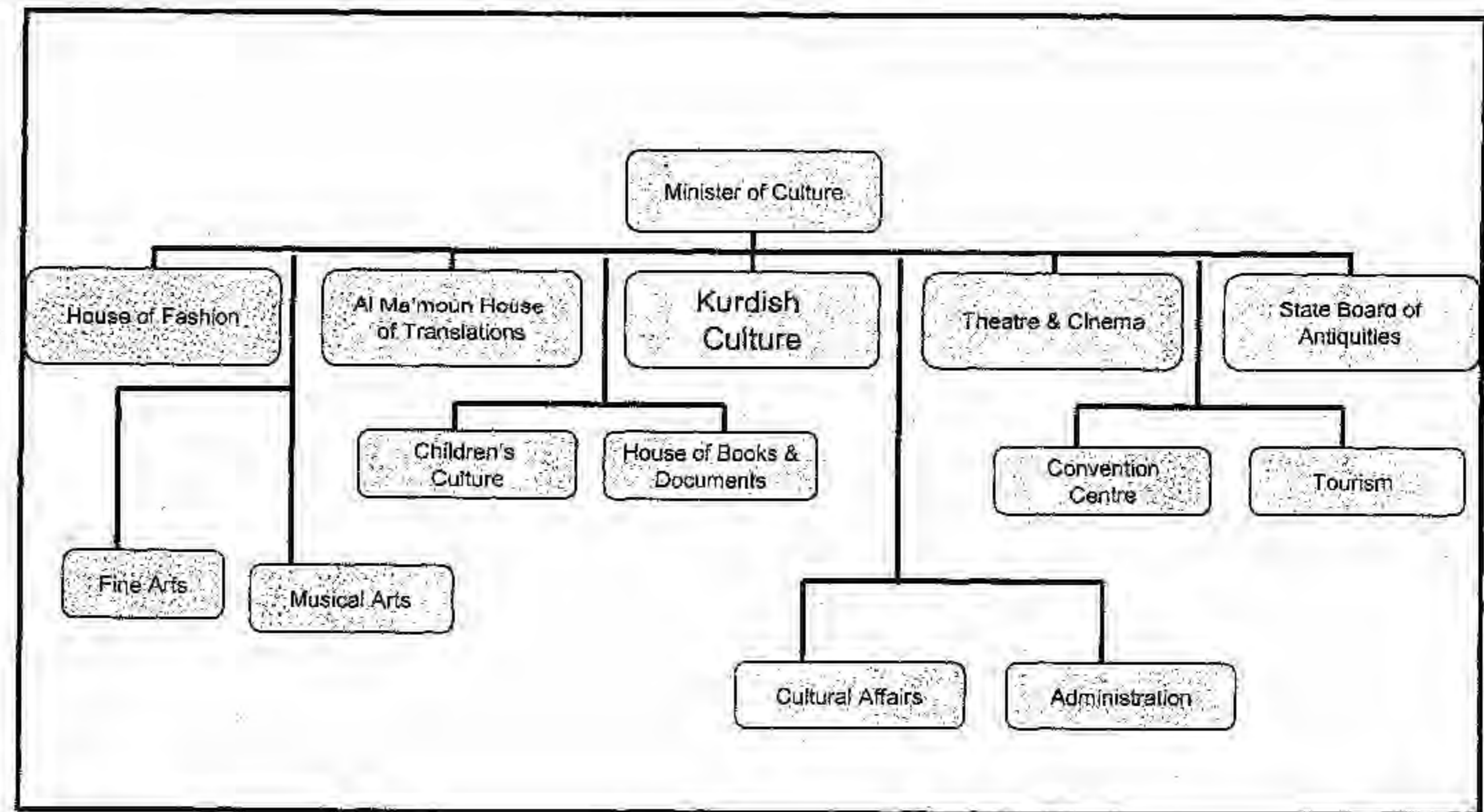
(b)(6)

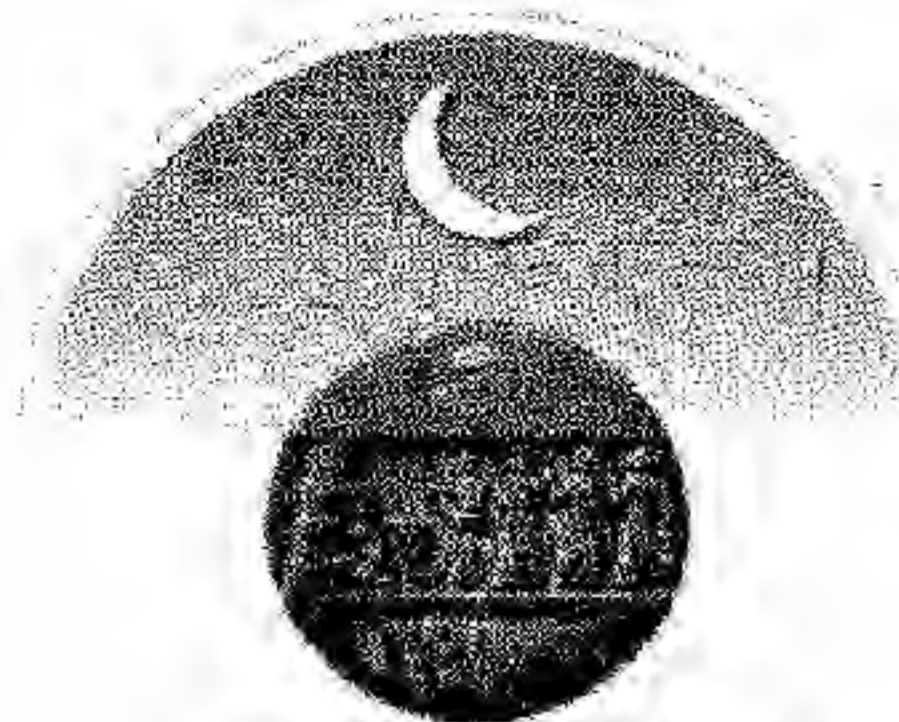
(b)(6) (b)(2)

(b)(6)

(b)(6) (b)(2)

Ministry of Culture Organizational Structure





وزارة الدفاع

جمهورية العراق

LPB HAS SEEN

*I agree, he
Please site
or reply on
May 21
4/20*

19 May 2004

Amb. Paul Bremer
CPA, Iraq

Dear Amb. Paul Bremer
re: **The Old Ministry of Defense**

The above ministry falls within Bab Al-Muadham district, which is one of the oldest areas of Baghdad. The property itself is an excavation site that goes back to the Abbasid period, more than 1,000 years old. It adjoins important historic sites such as the Abbasid palace, the Ozbakiyeh mosque, the eastern side of the old fortress of Baghdad and the Aliyeh school. Since the fall of the old regime the property has been occupied by squatters and homeless families.

It came to our attention recently that the property has been commissioned to Jump Start, a demolition and removal of debris company, to improve the living conditions for the squatters. They would build new walls, make openings in existing walls for doors and windows, and provide electricity from the adjoining Abbasid Palace. This or any kind of work is not allowed at this property without the full supervision of the Board of Antiquities. The following measures have been taken so far:

1. An inspection committee from the Board of Antiquities has tried to visit the property but was denied access by Jump Start.
2. We have spoken on the phone to Mr. Muhaimen of Jump Start to bring the seriousness of the matter to his attention. He informed me that Jump Start had been commissioned to do the work by the CPA.
3. We have also spoken to H.E. Ali Allawi, Minister of Defense, who seemed very sympathetic to our concerns, but had no authority over the property.

We have no doubt that you fully appreciate the seriousness of the above matter. Therefore, kindly consider the following:

1. All building and demolition work, including removal of debris, is stopped immediately. No further work is to take place at this property without the full supervision of the Board of Antiquities.
2. All squatters are evacuated. Alternative accommodation elsewhere could be provided.
3. As the Ministry of Defense does not seem to be in need of the property, we suggest that, considering its historic value, the ownership of property is transferred to the Board of Antiquities.

Sincerely Yours

H.E. Mufid Al-Jazairi
Minister of Culture

Signed on his behalf by:

(b) (6)

Deputy Minister of Culture for Artistic Matters

cc. Mr. John Russell



040523-07

COALITION PROVISIONAL AUTHORITY

BAGHDAD

INFO MEMO

21 May 2004

FOR: THE ADMINISTRATOR

FROM: John Russell, Senior Advisor for Culture

SUBJECT: Bulldozing at Babylon

Please keep me
informed.
W 5/23

Recent reports from CPA, U.S. military, Polish military, and Iraqi sources confirm a renewal of bulldozing activity on important archaeological remains at the military base at Babylon. All but the U.S. military sources claim that these activities were initiated without consulting the appropriate archaeological authorities concerning the potential impact of the project on the site.

This activity is the latest in a long series of destructive alterations to Babylon that started with the establishment of a U.S. military base directly on the site immediately after the 2003 war. Some of this damage was documented in Amb. Osio's November 13 action memo. The recommendation of that memo has since been partially implemented by the assignment of three Polish CIMIC archaeologists to Babylon.

Since Babylon is the most famous archaeological site in the world, and since the recent activity has stirred considerable controversy among those charged with preserving the site, there is significant potential here for a bad news story focusing on purported American disregard for obligations under international treaties, Iraqi law, and U.S. military rules in the treatment of this World Heritage site.

Within the next few days, MNFI Staff Judge Advocate (b)(3) 10 USC §1306 plans to visit Babylon, accompanied by experts who have appropriate archaeological expertise, to make a preliminary assessment about the extent of the construction work and the allegations of impropriety. We will consider whether further action is necessary thereafter. In the meantime, I wanted to alert you that there is a risk of bad publicity here, although I am not aware that anyone from the media is currently investigating this story.

ATTACHMENTS: Amb. Osio, 13 Nov. 2003 Action Memo with 3-page attachment

COORDINATION: General Counsel/(b)(3) 10 USC §1306
UK Special Representative's Office/(b)(3) 10 USC §1306
MNFI Staff Judge Advocate/(b)(3) 10 USC §1306
Director of Civil Affairs/ Giles Denham

COPY: Stratcomm/(b)(3) 10 USC §1306
UK Special Representative for Iraq



COALITION PROVISIONAL AUTHORITY
BAGHDAD

Doc. 13

040528-19

Φ

INFO MEMO

28 May 2004

FOR: THE ADMINISTRATOR

FROM: John Russell, Senior Advisor for Culture, CPA *SKJ*

SUBJECT: Bad news from Babylon

On 27 May 2004, I accompanied MNC-I Staff Judge Advocate (b)(3) (U) USC §1305 Deputy Senior Advisor for Culture (b)(3) MNC-I C7 Environmentalist (b)(3) (U) USC and Seabee LT (b)(3) (U) USC to Babylon to make a preliminary assessment of damage done to the site by the establishment and expansion of the military base there. At the site we met State Board of Antiquities Inspector for Babil (b)(3) and CPA Babil GC (b)(3) (U) USC.

(b)(3) described two types of damage. Passive damage is the vibration and crumbling caused by the passage of heavy vehicles and loud helicopters, which can result in the collapse of fragile walls. Active damage results from earthmoving activities—bulldozing, steamrolling, ditch digging—in areas with archaeological remains. (b)(3) is not consulted about any of the work carried out on the site, and when she objects, she is told it is for “security purposes.”

The situation was far worse than we had imagined. The military base is sited directly atop the richest area of known archaeological remains inside the old city wall. As we walked to one installation after another, recently bulldozed from the archaeological remains, everyone expressed disbelief at the amount of damage done to the site over the past year. A sampling of recent damage to archaeological areas includes:

- Three helipads bulldozed from areas known to contain temple and residential remains dating from ca. 2000 to 500 BC.
- A trench and berm extending hundreds of meters from the area of the temple tower (the “Tower of Babel”) to the Processional Way, dug in the past few days. The ancient brick paving of the Processional Way has been crumbled by the passage of heavy vehicles.
- Intensive development around the Hellenistic theatre, including heavy truck parking, trailer parks, and thousands of sandbags filled with archaeological soil.

(b)(3) (U) USC will prepare his own report, which he said will contain a recommendation for a full investigation. I will keep you informed of further developments, and am ready to meet with you if you wish.

ATTACHMENTS: A. Helipad bulldozed from archaeological layers.
B. Berm recently dug in vicinity of Tower of Babel.
C. KBR construction equipment.
D. New construction site bulldozed from ancient residential remains, with standing temple at right.

COORDINATION: Civil Affairs Chief of Staff/ (b)(3) 10 USC
§ 1206

cc: MNC-I Staff Judge Advocate/ (b)(3) 10 USC
§ 1206
General Counsel/ (b)(3) 10 USC
§ 1206
Chief Operating Officer/ Jeffrey Oster
Chief Policy Officer/ AMB Richard Jones
Director of Civil Affairs/ Giles Denham
UK Special Representative's Office/ (b)(6)
General Counsel/ (b)(3) 10 USC § 1206

UNCLASSIFIED











COALITION PROVISIONAL AUTHORITY
BAGHDAD

040623-10

Doc. 14

EPB HAS BEEN

ACTION MEMO

June 23, 2004

FOR: THE ADMINISTRATOR
FROM: Giles Denham, Director Civil Affairs
(for Zainab Bahrani, Senior Consultant for Culture)
SUBJECT: Old Ministry of Defense Complex

Deputy Minister of Culture, Maysoon al Damluji, objected that the NGO JumpStart is has converting the Ottoman Ministry of Defense complex into housing for squatters. She points out that the Iraq Antiquities law requires approval from the State Board of Antiquities and Heritage for any construction on historic buildings or sites. Neither the new Ministry of Defense, (which believes it owns the site) nor JumpStart has been authorized by the State Board to work here.

State Board of Antiquities members have attempted to see the site but were denied access by Ministry guards. On June 19, Zainab Bahrani visited the area. She reports that the complex is a well known historic site that includes old Abbasid period walls. Excavations conducted in the past revealed that the walls of the 12th-13th century Abbasid palace are preserved under the unexcavated area of the site. The complex is near to the al Qushla, all of which is a well known historical area. Continued work by JumpStart in the area risks destroying unexcavated remains of Mediaeval Baghdad.

Sean O'Sullivan, Director of JumpStart is more than willing to meet with the State Board of Antiquities to discuss work on the site. I have given him their contact details and he will set this up. In view of the Deputy Minister's interest, it would be useful if the Ministries of Culture and Defense were represented.

The ownership of the site is also being debated. The Facility Management Office has two applications are pending, from the Ministry of Housing and Construction (29 March) and from the Ministry of Culture (7 June). However, no Letter of Agreement has been issued and the issue will need to be resolved by the Interim Iraqi Government.

RECOMMENDATION (1):

Sign the attached draft letter to Deputy Minister al Damluji explaining the work we have done to facilitate an early meeting and stating that the Iraq Interim Government needs to establish who the site should belong to.

UNCLASSIFIED

Approve: *LPS signed
6/22/04
BVM* Disapprove: _____ Approve with modification: _____

Attachment: Draft letter to Deputy Minister al Damluji.

COORDINATION: JumpStart/Sean O' Sullivan

CC: Housing and Construction/Roliff Purrington
Defense/Fred Smith



COALITION PROVISIONAL AUTHORITY
BAGHDAD

Ms. Maysoon Al Damluji
Deputy Minister
Ministry of Culture
Iraq

Dear Ms. Al Damluji:

Thank you for your letter of 19 May regarding the Old Ministry of Defense complex in the Bab Al-Muadham district. Because of the historical importance of the site, it is vital that JumpStart meets immediately with the State Board of Antiquities and Heritage to discuss the work it is doing on part of this complex. I have arranged for the Director of JumpStart, Mr Sean O'Sullivan, to contact (b)(6), the Board's Director General for Excavation/Investigation. Additionally, as the site is guarded by the Ministry of Defense and access has proved difficult in the past, you may want a representative from your office and the Ministry of Defense to attend the meeting. Mr O'Sullivan can be contacted on (b)(6) @ (b)(2) or MCI mobile (b)(2).

The future ownership of the site will need to be established by the Interim Iraqi Government.

Sincerely,

L. Paul Bremer III
Administrator

CC: Zainab Bahrani / Senior Consultant to Ministry of Culture
Fred Smith / Senior Consultant to Ministry of Defense
Sean O' Sullivan / JumpStart



COALITION PROVISIONAL AUTHORITY
BAGHDAD

040606-24

Doc. 15

OBE

ACTION MEMO

June 5, 2004

FOR: (b)(7)(D)
FROM: L. Paul Bremer
SUBJECT: Destruction at Babylon

On May 27, 2004, CPA Senior Advisor for Culture John Russell, MNC-I Staff Judge Advocate (b)(3)(D) USC § 19, CPA Senior Consultant for Culture Zainab Bahrani, MNC-I C7 Environmentalist (b)(3)(D) US, and Seabee (b)(3)(D) USC § 19 went to Babylon to make a preliminary assessment of damage done to the site by the military base. There they met State Board of Antiquities Inspector for Babil (b)(6) and CPA Babil GC (b)(6). Russell, Bahrani, (b)(6) are all experienced archaeologists.

The situation was much worse than expected. Fragile cultural remains are under every square meter of the base, which is located directly atop the richest known archaeological area inside ancient Babylon. The damage done over the past year is astounding. The appearance of the site has been transformed: where there previously were rolling mounds formed by the remains of ancient buildings, now there are helipads, parking lots, trailer parks, and utility areas.

As (b)(6) put it, "The entire principle of using an archaeological site as a military base is fundamentally incorrect." As long as the base remains on the site, further damage is inevitable, including the collapse of fragile walls due to vibration from the passage of heavy vehicles and loud helicopters, and the bulldozing, steamrolling, and ditch digging that characterize an active base. To avoid further damage, the following actions are recommended:

1. Immediately develop plans to move the military base away from the archaeological site. Implement these plans as soon as possible.
2. Immediately issue an order halting all multinational and civilian construction activity in the area of the base. Take appropriate measures to ensure full compliance.
3. Initiate a full investigation into the recent damage. This must be conducted by qualified field archaeologists independent of the local military commands and civilian contractors.

Professors Bahrani and Russell will accompany (b)(6) to the site within the next few days to demonstrate the necessity of these actions.

RECOMMENDATION:

Implement the three recommendations above.

Approve: _____

Disapprove: _____

Approve with modification: _____

UNCLASSIFIED

LPA had a meeting w/ (b)(6)
(b)(6)
John Russell: (b)(6)

BABYLON TIMELINE

21 May 04 Info Memo from John Russell, Senior Advisor for Culture to Ambassador Bremer
Subject: Bulldozing at Babylon

27 May 04 COL Karl Goetzke and John Russell visit Babylon for preliminary assessment of
accuracy of allegations of archeological damage by CF

28 May 04 Info Memo from John Russell, Senior Advisor for Culture to Ambassador Bremer
Subject: Bad News from Babylon

31 May 04 Memo from (b)(3) TO USC to (b)(3) TO Subject: Site Visit – Babylon Ruins, Al
Hillah, Iraq

01 June 04 MNC-I FRAGO 096: Protection of Historical and Environmental Sites

03 June 04 MNF-I FRAGO 027: Cessation of Construction Work Vicinity Babylon

10 June 04 MNC-I WARNO Relocate Camp Alpha (Babylon)

10 June 04 MNF-I CG orders 151-6 investigation

31 June 04 MNF-I FRAGO 039: Babylon Talking Points

Joint Statement Issued by
Ambassador L. Paul Bremer III and Lt. Gen. Ricardo Sanchez
June 11, 2004

Recently, the Coalition dispatched a team of archaeologists and Iraqi cultural antiquities experts to the city of Babylon (Babil) to assess the current condition of the archaeological site located at Camp Alpha, a Coalition base originally established to protect and defend the ancient city of Babylon during military operations in 2003.

Based on the experts' findings, Ambassador L. Paul Bremer III and Lt. Gen. Ricardo Sanchez have collectively taken the following action: 1) Issued a directive calling for all contractors working in or around the vicinity of the Babylon site to halt any activities that are or may be likely to cause archaeological damage, 2) Directed an official investigation into the construction and expansion of Camp Alpha to ensure that the Coalition is respecting the surrounding archaeological site, 3) Instructed that planning begin for the relocation of all Coalition troops in the immediate area of Babylon, and 4) Consider remediation for any damage determined through the investigation.

The Coalition is committed to continue working with the citizens of Iraq and the Ministry of Culture to preserve Iraq's cultural heritage. Any future construction, excavation, or expansion of facilities in the vicinity of Babylon will be done in close consultation with the Iraqi State Board of Antiquities. Iraq's treasures are not only of great importance to Iraq, but to the entire international community and civilization as a whole.



LPB HAS SEEN

040615-24

Doc. 19

COALITION PROVISIONAL AUTHORITY
BAGHDAD

INFO MEMO

LPB HAS SEEN

15 June 2004

FOR: THE ADMINISTRATOR
FROM: John Russell, Senior Advisor for Culture
SUBJECT: Request that I deliver a letter on behalf of the Australian Government

This afternoon at 1400, I met with (b)(6) Deputy Representative in the Australian Representative Office in Baghdad together with RAAF Group Captain (b)(6) of the CPA Office of the General Counsel.

(b)(6) told me of her government's grave concern about the situation at Babylon. She asked me on behalf of the Australian government to convey this concern to you, along with a sealed letter that I assume treats this subject.

She asked me to stress that her government has additional concerns beyond those of the United States and Great Britain, due to Australia's obligations as a signatory to the 1954 Hague Convention and other conventions.

She requested a reply from you on this matter.

ATTACHMENTS: Letter to Ambassador L. Paul Bremer III

cc: Senior Consultant for Culture/ Prof. Zainab Bahrani



REPRESENTATIVE

AUSTRALIAN REPRESENTATIVE OFFICE
BAGHDAD

15 June 2004

Ambassador L. Paul Bremer III
Administrator
Coalition Provisional Authority
Baghdad IRAQ

Dear Ambassador Bremer

I am writing to express my Government's deep concern at reports that significant damage has been done to archaeological sites around Babylon by Coalition military forces. I understand that damage includes some irreparable destruction of archaeological mounds and elements of the military base being built on top of some particularly valuable sites.

I understand that you have expressed your own serious concerns about the problem, and are working to manage it, for which I would like to express my appreciation. Nonetheless, the issue remains that significant damage has already been done.

Australia, unlike the United States and United Kingdom, is a party to the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict. Australia also has a series of other international legal obligations relating to the preservation of sites, including the First Additional Protocol to the Geneva Conventions.

The Australian Government would encourage Coalition leadership to continue to do everything practicable to stop further damage and to preserve archaeological sites in Iraq, including Babylon.

I would be grateful to receive your assurances on this matter.

Yours sincerely

Neil Mules

House 5, Street 5, Sector 923, Babylon District, Jadriyah, Baghdad, IRAQ
Telephone: +964 1 778 2210 Facsimile: +964 1 778 2218
Website: <http://www.dfat.gov.au/iraq/>



COALITION PROVISIONAL AUTHORITY
BAGHDAD

19 JUN 2004

Mr. Neil Mules
Australian Representative Office
Baghdad, Iraq

Dear Mr. Mules,

Thank you for your letter of 15 June to Ambassador Bremer. I would like to assure you that the Coalition fully shares your government's concern for the protection and preservation of the ancient city of Babylon. In recent days, CPA and MNF-I have jointly undertaken the following steps to avoid unnecessary damage to its archeological treasures:

- Issued orders to military units and civilian contractors to halt all construction unless it is critical for force protection;
- Ordered a formal investigation on the impact of the camp on the archaeological site;
- Ordered the formation of an archaeological review board (including Iraqi, CPA, and MNFI officials, as well as substantive experts) to advise on future activities that could impact the integrity of the site;
- Initiated plans to relocate military facilities away from the site;
- Proposed coordination with the Iraq State Board of Antiquities and Heritage to ensure future protection of Babylon from vandals and looters, and to seek remedies for any damage already done to the site.

Our goal is to ensure Babylon's sanctity as a protected historical site, open to the public and protected from threats.

Sincerely,

Richard H. Jones
Deputy Administrator



COALITION PROVISIONAL AUTHORITY
BAGHDAD

04 0616-12
Doc. 20

φ Civil Affairs
(Cultural)

ACTION MEMO

June 15, 2004

FOR: THE ADMINISTRATOR
FROM: Zainab Bahrani, Senior Consultant for Culture TKF
SUBJECT: New Work at Babylon

On Monday, June 14 a delegation organized by MNF-I PAO (b)(3) 10 USC §1305 went to Babylon to view the site and to meet with (b)(5) the camp commander's Political Advisor. The group included two members who had been present at the May 27th preliminary assessment of the site, Prof. Zainab Bahrani and (b)(3) 10 USC §1305.

At the request of Bahrani and (b)(5) part of the group departed from the prepared itinerary and returned to an area that encompasses Babylonian house remains that had been assessed on May 27th. Bahrani and (b)(5) observed new construction and movement of earth in this area, work that had not been visible on May 27th. Had members from the first assessment mission not been included in the group, this new construction work would have passed unnoticed.

(b)(5) also informed the group that the Polish archaeologists were conducting restoration work on the temples of Ishtar and Ninmah. Bahrani questioned the Polish military archaeologist and the Iraqi Inspector of antiquities about the restoration work, and learned that permission for this work has not been granted by the State Board of Antiquities and Heritage. The Iraqi Inspector strongly requested that this work cease.

RECOMMENDATION (1): (b)(5)

(b)(5)

B(5)

Approve: _____ Disapprove: _____ Approve with modification: _____

RECOMMENDATION (2): (b)(5)

(b)(5)

B(5)

Approve: _____ Disapprove: _____ Approve with modification: _____

COORDINATION: Strategic Communications (b)(5)

cc: COL CJTF7 (b)(3) 10 USC §1305

UNCLASSIFIED

UK Special Representative
General Counsel

(b)(6)

(b)(3), (b)(6), (b)(7)(C), (b)(7)(D)

2-

UNCLASSIFIED



COALITION PROVISIONAL AUTHORITY
BAGHDAD

DIRECTIVE

June 9, 2004

MEMORANDUM FOR COMMANDER, MNF-I
HEAD OF CONTRACTING ACTIVITY, CPA
DIRECTOR, PROGRAM MANAGEMENT OFFICE

SUBJECT: Cessation of Certain Contracting Activities at Camp Alpha, Iraq

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA) and under the laws and usages of war, and consistent with relevant U.N. Security Council Resolutions, including Resolutions 1483 and 1511 (2004), and the obligations of the CPA under applicable international law, including Article 56 of the Hague Regulations and Article 5 of the Cultural Property Convention, I hereby direct all contractors operating in Iraq to immediately stop all construction, excavation or other activities at or adjacent to Camp Alpha that are likely to cause archaeological damage.

This directive shall not apply to activities that the MNF-I Commander or his designee determines are absolutely essential requirements for force protection.

Violations of this directive may result in appropriate administrative and/or disciplinary action.

This directive shall be effectively immediately, and shall remain in effect until rescinded, in writing, by me or until June 30, 2004, whichever occurs first.


L. Paul Bremer III
Administrator

UNCLASSIFIED

040610-08

Doc. 21

Φ civil affairs
-(culture)

IRAQ

ENVIRONMENTAL AND SOCIAL SCREENING AND ASSESSMENT FRAMEWORK

March 15, 2004

I. Objectives

1. The Environmental and Social Screening and Assessment Framework (ESSAF) provides general policies, guidelines, codes of practice and procedures to be integrated into the implementation of the initial phase of World Bank-supported emergency reconstruction operations in Iraq. This Framework has been developed to ensure compliance with the World Bank's safeguard policies under the current conditions in Iraq. The objective of the ESSAF is to ensure that activities under the proposed reconstruction operations will address the following issues:

- ❖ Protect human health;
- ❖ Prevent or compensate any loss of livelihood;
- ❖ Minimize environmental degradation as a result of either individual subprojects or their cumulative effects;
- ❖ Minimize impacts on cultural property; and
- ❖ Enhance positive environmental and social outcomes.

II. General Principles

2. Recognizing the emergency nature of the proposed relief and reconstruction operations and the related need for providing immediate assistance, while at the same time ensuring due diligence in managing potential environmental and social risks, the ESSAF is based on the following principles:

- ❖ The proposed operations will support multiple subprojects, the detailed designs of which may not be known at appraisal. To ensure effective application of the World Bank's safeguard policies, the ESSAF provides guidance on the approach to be taken during implementation for the selection and design of subprojects and the planning of mitigation measures;
- ❖ Environmental category 'A' subprojects are not expected in the first year's subprojects. If any do occur, EAs for specific subprojects will be prepared during implementation, instead of before appraisal. Corrective measures in the form of an Environmental Management Plan will be built into either the emergency project or a future lending operation. The above is in accordance with paragraph 13 of OP 4.01 and paragraph 5 of BP 4.01;
- ❖ No resettlement issues are expected in any of the FY04 operations for the first year's subprojects. If any do occur, Resettlement Action Plans (RAPs), and/or Resettlement Policy Frameworks for specific subprojects will be prepared. However, these RAPs can be prepared during implementation, provided a waiver on the submission of RAPs prior to appraisal is given by the MD. The waiver would also specify a timetable for the preparation of the RAPs, in accordance with the requirements of OP 4.12, during implementation;
- ❖ The proposed emergency reconstruction operations will finance feasibility and detailed design studies for these subsequent investments, which will include environmental assessments and social studies as required by World Bank safeguard policies;

- ❖ Project design and subproject selection will aim at maintaining regional balance and equity among ethnic religious groups, considering variations in population density. Employment opportunities within the projects will be available on an equal basis to all, on the basis of professional competence, irrespective of gender or ethnic or religious group. In all projects which require consultations with local communities or beneficiaries, consultations will be conducted to elicit the views of the male and female population; and
- ❖ Consultation and disclosure requirements will be simplified to meet the special needs of these operations. This ESSAF will be disclosed in the sector ministries and other public places in Iraq and in the World Bank InfoShop.

III. Environmental and Social Screening and Assessment Framework (ESSAF)

3. This ESSAF has been developed specifically for these proposed operations to ensure due diligence, to avoid causing harm or exacerbating social tensions, and to ensure consistent treatment of social and environmental issues by all donors and the Governing Council of Iraq. The purpose of this Framework is also to assist the Project Implementing Agencies in screening all the subprojects for their likely social and environmental impacts, identifying documentation and preparation requirements and prioritizing the investments.

4. **P 4.01 Environmental Assessment.** Most of the proposed subprojects are likely to focus on the repair, rehabilitation, reconstruction and upgrading (where necessary) of damaged buildings, roads, railways, bridges and infrastructure of critical importance. This would include power generation and distribution, agricultural infrastructure, irrigation and drainage networks, and rehabilitation of primary and secondary schools. Support will also be provided for mitigation measures related to the rehabilitation/restoration of the Mesopotamian Marshes and Shatt El Arab. The work in these areas will be done under OP 4.01 and it is not anticipated that OP 4.04 on natural habitats will be triggered.

5. Considering the nature and magnitude of potential environmental impacts from relatively limited scale and magnitude of reconstruction works, the proposed operations are likely to be classified as category 'B'. The requirement to carry out an Environmental Analysis as part of project preparation can be waived but, for subprojects with potential adverse impacts, a limited Environmental Analysis will be done during project implementation. At the same time, prior to appraisal the implementing agency will agree to apply the following minimum standards during implementation: inclusion of standard environmental codes of practice (ECOP) in the repair and reconstruction bid documents of all subprojects; review and oversight of any major reconstruction works by specialists; implementation of environmentally and socially sound options for disposal of debris; and provisions for adequate budget and satisfactory institutional arrangements for monitoring effective implementation.

6. **OP 4.12 Involuntary Resettlement.** The need for involuntary resettlement or land acquisition in specific subproject areas will only be known during project implementation, when site-specific plans are available. Therefore subprojects will be screened for applicability of the resettlement policy and any subprojects involving involuntary resettlement or land acquisition will only be approved after preparation of a resettlement plan acceptable to the Bank. Several issues will increase the complexity of land acquisition - the lack of reliable land record systems, and the inability of people losing land to either document ownership or be physically present to make their claims for eligibility. The safeguards framework will therefore include procedures for identifying eligible project-affected people, calculating and delivering compensation, and mechanisms for land dispute grievance redress.

7. Although land disputes between private parties and refugees from war, or natural disasters are not covered by OP 4.12, the policy does cover those displaced by the project's activities. Even for those not

covered by the policy, and to ensure effective poverty reduction, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, particularly on poor and vulnerable groups. Well documented consultation mechanisms will be required to establish eligibility for compensation. Absent refugees who later claim compensation will require clear legal remedies to resolve or adjudicate disputes.

8. **OD 4.20 Indigenous Peoples.** Ethnicity is only one of many factors determining vulnerability in the present Iraqi context. Local circumstances vary too greatly to make generalizations. However, initial discussions with anthropologists and sociologists familiar with the country found that the presence of the five defining characteristics normally used (OD 4.20 paragraph 5) are inconclusive in Iraq's context, where the ethnic group concept is analytically problematic. According to social scientists familiar with ground realities in Iraq, selecting a sub-section of the society for special attention in accordance with the requirements of OD 4.20 (e.g., separate plans for different groups) would be counterproductive and could even end up escalating the conflict within and between communities.

9. In light of the above situation, a potential vulnerability assessment of all affected groups is planned to ensure effective consultations and culturally appropriate benefits for each group, instead of focusing only on groups defined as "indigenous peoples". As part of this analysis, subproject preparation will assess the vulnerability of different ethnic groups in particular project contexts (in terms of potential exclusion from project benefits, negative project impacts, and the need for specific culturally compatible mechanisms for participation), and will incorporate adequate measures to address such vulnerability in project design. While some specific cases may justify stand-alone Indigenous Peoples Development Plans (IPDP) such as in the case of the people in the Mesopotamian Marshlands, these cases can only be determined after social analysis of potential vulnerability and careful judgment as required by the OD 4.20.

10. **OPN 11.03 Cultural Property.** The FY04 operations may pose limited risks of damaging cultural property, assuming that they will not include large-scale excavations, movement of earth or demolition. Nevertheless, projects and subprojects will be reviewed for their potential impact on cultural property and clear procedures will be required for identification, protection of cultural property from theft, and treatment of discovered artifacts, and will be included in standard bidding documents. While not damaging cultural property, subproject preparation may later identify and include assistance for preservation of historic or archeological sites. If these opportunities occur, cultural property management plans would be prepared for those subprojects.

11. **OP 4.37 Safety of Dams.** There are about 50 dams over 15 meters high, which will trigger the policy if included in the operations. However, because of local site conditions, even restoring smaller, earthen dams and linked irrigation infrastructure (partly abandoned, damaged or destroyed by civil unrest and war) will require application of standard engineering safety codes, inspection and evaluation of their safety status, and preparation and implementation of operation and maintenance procedures. Decisions on dam safety requirements will be made with the concurrence of the Bank.

12. **OP 7.50 Projects on International Waterways.** The two major rivers in Iraq, the Tigris and Euphrates, are shared with neighboring countries. However, no water sharing agreements exist between Syria, Turkey, Iran and Iraq. Components affecting waters in riparian neighbors will trigger the policy and project components will be screened to identify riparian issues and to ensure adequate notification, as required under the policy. Decisions on actions and requirements will be made with the concurrence of the Bank.

IV. Safeguard Screening and Mitigation

13. The selection, design, contracting, monitoring and evaluation of subprojects will be consistent with the following guidelines, codes of practice and requirements. The Coalition Provisional Authority (CPA) will confirm that areas to be accessed during reconstruction and rehabilitation activities have been de-mined. The safeguard screening and mitigation process will include:

- ❖ A list of negative characteristics rendering a proposed subproject ineligible for support, Attachment 1;
- ❖ A proposed checklist of likely environment and social impacts to be filled out for each subproject or group of subprojects, Attachment 2;
- ❖ Guidelines for land and asset acquisition, entitlements and compensation, Attachment 3;
- ❖ Procedures for the protection of cultural property, including the chance discovery of archaeological artifacts, unrecorded graveyards and burial sites, Attachment 4;
- ❖ Relevant elements of the codes of practice for the prevention and mitigation of potential environmental impacts, Attachment 5; and
- ❖ A sample Environmental Safeguards procedures for Inclusion in the Technical Specifications of Contracts, Attachment 6.

V. Responsibilities for Safeguard Screening and Mitigation

14. A number of Ministries will act as the implementing agencies for the proposed operations, including the Ministries of Environment, Transport, Housing and Construction, Electricity, Water Resources, Municipalities and Public Works, and the mayoralty of Baghdad. Each Ministry will be responsible for applying the safeguard screening and mitigation requirements to its own subprojects. Within each Ministry, a Safeguards Focal Point (SFP) will be identified with responsibility for overseeing the implementation of the Framework.

VI. Capacity-Building and Monitoring of Safeguard Framework Implementation

15. As part of the capacity-building to be provided for implementation of the proposed operations, the Safeguards Focal Points and relevant staff of the concerned Ministries will also receive training in ESSAF's application.

16. To assist in this capacity-building, and to provide subsequent guidance and review of the ESSAF's application, the World Bank and subsequently the Governing Council of Iraq (GCI) will contract specialist services for environmental and social safeguards. During supervision of these operations, the World Bank will assess the implementation of the ESSAF, and recommend additional strengthening, if required.

VII. Consultation and Disclosure

17. This ESSAF will be shared with the CPA, with the concerned nongovernmental organizations and development partners of Iraq's reconstruction. It will be disclosed in Arabic and English by the Ministry of Planning and Development Cooperation on behalf of the GCI in Baghdad, Basrah, and Mosul, and it will also be made available at the World Bank's InfoShop. Relevant subproject specific safeguard documents/mitigation plans prepared subsequently will also be disclosed.

18. The proposed operations will support a number of feasibility and detailed design studies for future infrastructure investments for which World Bank safeguard policies relating to consultation and disclosure will apply. In particular, for environmental Category A and B investments¹ proposed for future operations, the implementing agency will consult project-affected groups and local nongovernmental organizations on the project's environmental and social aspects, and will take their views into account. The implementing agency will initiate these consultations as early as possible, and for meaningful consultations, will provide relevant material in a timely manner prior to consultation, in a form and language(s) that are understandable and accessible to the groups being consulted.

19. For Category A projects, the implementing agency will consult these groups at least twice: (a) shortly after the environmental screening and prior to finalization of the terms of reference for the Environmental Impact Assessment (EIA); and (b) once a draft EIA report is prepared. For the initial consultation, the implementing agency will provide a summary of the proposed project's objectives, description, and potential impacts. For both Category A and B projects, the implementing agency will provide these groups with a summary of the EIA report's conclusions. In addition, the implementing agency will make the draft reports publicly available to project-affected groups and local nongovernmental organizations.

¹ As defined in World Bank Operational Policy 4.01, Environmental Assessment.

List of Negative Subproject Attributes

Subprojects with any of the attributes listed below will be ineligible for support under the proposed emergency reconstruction operations.

Attributes of Ineligible Subprojects	
GENERAL CHARACTERISTICS	
Concerning significant conversion or degradation of critical natural habitats. Including, but not limited to, any activity within:	<ul style="list-style-type: none"> • Mesopotamian Marshlands; • Shatt El Arab Wetlands; • Wildlife Reserves; and • Parks and Sanctuaries.
Damages cultural property, including but not limited to, any activities that affect the following sites:	<ul style="list-style-type: none"> • Archaeological and historical sites; and • Religious monuments, structures and cemeteries.
Requiring pesticides that fall in WHO classes IA, IB, or II.	
Affecting waters of riparian neighbors.	
Drinking Water Supply	
New or expanded of piped water schemes to serve 10,000 or more households.	
Sanitation	
New wastewater treatment plants to serve 10,000 or more households.	
Solid Waste	
New disposal site or significant expansion of an existing disposal site.	
Roads	
New primary roads and highways.	
Irrigation	
New irrigation and drainage schemes.	
Dams	
Construction of dams more than 5 meters high. Rehabilitation of dams more than 15 meters high.	
Power	
New power generating capacity of more than 10 MW.	
Oil and Gas	
New exploration, production or distribution.	
Rehabilitation of production or distribution systems.	

Attributes of Ineligible Subprojects
Income Generating Activities Activities involving the use of fuelwood, including trees and bush. Activities involving the use of hazardous substances.

Attachment 2

Checklist of Likely Environmental and Social Impacts of Subprojects

This Form is to be used by the Safeguard Focal Point (SFP) or Project Implementation Unit (PIU) in Screening Subproject Applications.

Note: One copy of this form and accompanying documentation to be kept in the PIU office and one copy to be sent to the task team leader of the World Bank.

Name of Subproject:

Number of Subproject:

Proposing Agency:

Subproject Location:

Subproject Objective:

Infrastructure to be Rehabilitated:

Estimated Cost:

Proposed Date of Commencement of Work:

Technical Drawing/Specifications Reviewed (circle answer): Yes ☐ No ☐

I. Subproject Related Issues

S No	ISSUES	No	Small	Medium	Large
A.	Zoning and Land Use Planning				
1.	Will the subproject affect land use zoning and planning or conflict with prevalent land use patterns?				
2.	Will the subproject involve significant land disturbance or site clearance?				
3.	Will the subproject land be subject to potential encroachment by urban or industrial use or located in an area intended for urban or industrial development?				

B.	Utilities and Facilities				
4.	Will the subproject require the setting up of ancillary production facilities?				
5.	Will the subproject make significant demands on utilities and services?				
6.	Will the subproject require significant levels of accommodation or service amenities to support the workforce during construction (e.g., contractor will need more than 20 workers)?				
C	Water and Soil Contamination				
7.	Will the subproject require large amounts of raw materials or construction materials?				
8.	Will the subproject generate large amounts of residual wastes, construction material waste or cause soil erosion?				
9.	Will the subproject result in potential soil or water contamination (e.g., from oil, grease and fuel from equipment yards)?				
10.	Will the subproject lead to contamination of ground and surface waters by herbicides for vegetation control and chemicals (e.g., calcium chloride) for dust control?				
11.	Will the subproject lead to an increase in suspended sediments in streams affected by road cut erosion, decline in water quality and increased sedimentation downstream?				
12.	Will the subproject involve the use of chemicals or solvents?				
13.	Will the subproject lead to the destruction of vegetation and soil in the right-of-way, borrow pits, waste dumps, and equipment yards?				
14.	Will the subproject lead to the creation of stagnant water bodies in borrow pits, quarries, etc., encouraging for mosquito breeding and other disease vectors?				
D.	Noise and Air Pollution Hazardous Substances				
15.	Will the subproject increase the levels of harmful air emissions?				
16.	Will the subproject increase ambient noise levels?				
17.	Will the subproject involve the storage, handling or transport of hazardous substances?				
E.	Fauna and Flora				
18.	Will the subproject involve the disturbance or modification of existing drainage channels (rivers, canals) or surface water bodies (wetlands, marshes)?				
19.	Will the subproject lead to the destruction or damage of terrestrial or aquatic ecosystems or endangered species directly or by induced development?				
20.	Will the subproject lead to the disruption/destruction of wildlife through interruption of migratory routes, disturbance of wildlife habitats, and noise-related problems?				

F.	Destruction/Disruption of Land and Vegetation				
21.	Will the subproject lead to unplanned use of the infrastructure being developed?				
22.	Will the subproject lead to long-term or semi-permanent destruction of soils in cleared areas not suited for agriculture?				
23.	Will the subproject lead to the interruption of subsoil and overland drainage patterns (in areas of cuts and fills)?				
24.	Will the subproject lead to landslides, slumps, slips and other mass movements in road cuts?				
25.	Will the subproject lead to erosion of lands below the roadbed receiving concentrated outflow carried by covered or open drains?				
26.	Will the subproject lead to long-term or semi-permanent destruction of soils in cleared areas not suited for agriculture?				
27.	Will the subproject lead to health hazards and interference of plant growth adjacent to roads by dust raised and blown by vehicles?				
G.	Cultural Property				
28.	Will the subproject have an impact on archaeological or historical sites, including historic urban areas?				
29.	Will the subproject have an impact on religious monuments, structures and/or cemeteries?				
30.	Have Chance Finds procedures been prepared for use in the subproject?				
H.	Expropriation and Social Disturbance				
31.	Will the subproject involve land expropriation or demolition of existing structures?				
32.	Will the subproject lead to induced settlements by workers and others causing social and economic disruption?				
33.	Will the subproject lead to environmental and social disturbance by construction camps?				

II. Site Related Issues

S.No	ISSUES	YES	NO	DO NOT KNOW
1.	Is the subproject located in an area with designated natural reserves?			
2.	Is the subproject located in an area with unique natural features?			
3.	Is the subproject located in an area with endangered or conservation-worthy ecosystems, fauna or flora?			
4.	Is the subproject located in an area falling within 500 meters of national forests, protected areas, wilderness areas, wetlands,			

	biodiversity, critical habitats, or sites of historical or cultural importance?			
5.	Is the subproject located in an area which would create a barrier for the movement of conservation-worthy wildlife or livestock?			
6.	Is the subproject located close to groundwater sources, surface water bodies, water courses or wetlands?			
7.	Is the subproject located in an area with designated cultural properties such as archaeological, historical and/or religious sites?			
8.	Is the subproject in an area with religious monuments, structures and/or cemeteries?			
9.	Is the subproject in a polluted or contaminated area?			
10.	Is the subproject located in an area of high visual and landscape quality?			
11.	Is the subproject located in an area susceptible to landslides or erosion?			
12.	Is the subproject located in an area of seismic faults?			
13.	Is the subproject located in a densely populated area?			
14.	Is the subproject located on prime agricultural land?			
15.	Is the subproject located in an area of tourist importance?			
16.	Is the subproject located near a waste dump?			
17.	Does the subproject have access to potable water?			
18.	Is the subproject located far (1-2 kms) from accessible roads?			
19.	Is the subproject located in an area with a wastewater network?			
20.	Is the subproject located in the urban plan of the city?			
21.	Is the subproject located outside the land use plan?			

Signed by Environment Specialist: Name: _____

Title: _____

Date: _____

Signed by Project Manager: _____ Name: _____

Title: _____

Date: _____

Guidelines for Land and Asset Acquisition, Entitlements and Compensation

I. Objectives

1. Resettlement and land acquisition will be kept to a minimum, and will be carried out in accordance with these guidelines. Subproject proposals that would require demolishing houses or acquiring productive land should be carefully reviewed to minimize or avoid their impacts through alternative alignments. Proposals that require more than minor expansion along rights of way should be carefully reviewed. No land or asset acquisition may take place outside of these guidelines. A format for a Land Acquisition Assessment Data Sheet is attached as Attachment 3(i).
2. These guidelines provide principles and instructions to compensate negatively affected persons to ensure that they will be assisted to improve, or at least to restore, their living standards, income earning or production capacity to pre-project levels regardless of their land tenure status.

II. Categorization

3. Based on the number of persons that may be affected by the project, Project Affected People (PAPs) and the magnitude of impacts, projects will be categorized as follows:
 - (a) Projects that will affect more than 200 PAPs due to land acquisition and/or physical relocation and where a full Resettlement Action Plan (RAP) must be produced. If the RAP cannot be prepared prior to project appraisal, a waiver can be provided by the World Bank Managing Director (MD) in consultation with the Resettlement Committee. In such cases, the TT should agree with the Borrower on a timetable for preparation of the RAP.
 - (b) Projects that will affect less than 200 persons require the following documentation: (i) a land acquisition assessment, (ii) the minutes or record of consultations which assess the compensation claimed and agreement reached, and (iii) a record of the receipt of the compensation, or voluntary donation, by those affected (see below).
 - (c) Projects that are not expected to have any land acquisition or any other significant adverse social impacts; on the contrary, significant positive social impact and improved livelihoods are expected from such interventions.

III. Eligibility

4. PAPs are identified as persons whose livelihood is directly affected by the project due to acquisition of the land owned or used by them. PAPs deemed eligible for compensation are:
 - (a) those who have formal legal rights to land, water resources or structures/buildings, including recognized customary and traditional rights;
 - (b) those who do not have such formal legal rights but have a claim to usufruct rights rooted in customary law; and

- (c) those whose claim to land and water resources or building/structures do not fall within (a) and (b) above, are eligible to resettlement assistance to restore their livelihood.

IV. Acquisition of Productive Assets and Compensation

5. PAPs are eligible for replacement costs for lost assets as described below:

- (a) *Voluntary contributions.* Individuals may elect to voluntarily contribute land or assets provided the persons making such contributions do so willingly and are informed that they have the right to refuse such contributions; and
- (b) *Contributions against compensation.* A contributor/asset loser considered "affected" will be eligible for compensation and other necessary assistance.

6. Voluntary contribution should be clearly documented to confirm the voluntary nature of the transition. The documentation should specify that the land is free of any squatters, encroachers or other claims. A format is shown in Attachment 3(i), which includes a Schedule for assessing any compensation claimed and the agreement reached.

V. Compensation Principles

7. The project implementation agencies will ensure timely provision of the following means of compensation to affected peoples:

- (a) Project affected peoples losing access to a portion of their land or other productive assets with the remaining assets being economically viable are entitled to compensation at a replacement cost for that portion of land or assets lost to them. Compensation for the lost assets will be made according to the following principles:

- (i) replacement land with an equally productive plot, cash or other equivalent productive assets;
- (ii) materials and assistance to fully replace solid structures that will be demolished;
- (iii) replacement of damaged or lost crops and trees, at market value;
- (iv) other acceptable in-kind compensation;
- (v) in case of cash compensation, the delivery of compensation should be made in public, i.e., at the Community Meeting; and
- (vi) in case of physical relocation, provision of civic infrastructure at the resettlement sites.

- (b) Project affected peoples losing access to a portion of their land or other economic assets rendering the remainder economically non-viable will have the options of compensation for the entire asset by provision of alternative land, cash or equivalent productive asset, according to the principles in (a) i-iv above.

VI. Consultation Process

8. The implementing agencies will ensure that all occupants of land and owners of assets located in a proposed subproject area are consulted. Community meetings will be held in each affected district and

village to inform the local population of their rights to compensation and options available in accordance with these Guidelines. The Minutes of the community meetings shall reflect the discussions held, agreements reached, and include details of the agreement, based on the format provided in Attachment 3(ii).

9. The implementing agency shall provide a copy of the Minutes to affected people and confirm in discussions with each of them, their requests and preferences for compensation, agreements reached, and any eventual complaint. Copies will be recorded in the posted project documentation and be available for inspection during supervision.

Subproject Approval

10. In the event that a subproject involves acquisition against compensation, the implementing agency shall:

- (a) not approve the subproject unless satisfactory compensation has been agreed between the affected person and the local community; and
- (b) not allow works to start until the compensation has been delivered in a satisfactory manner to the affected persons.

Complaints and Grievances

11. Initially, all complaints should be negotiated to reach an agreement at the local community/village/district level. If this fails, complaints and grievances on these Guidelines, implementation of the agreements recorded in the Community Meeting Minutes or any alleged irregularity in carrying out the project can also be addressed by the affected peoples or their representative at the municipal or district level. If this also fails, the complaint may be submitted to the relevant implementing agency for consideration.

Verification

12. The Community Meeting Minutes, including agreements of compensation and evidence of compensation made shall be provided to the Municipality/district, to the supervising engineers, who will maintain a record hereof, and to auditors and socio-economic monitors when they undertake reviews and post-project assessment. This process shall be specified in all relevant project documents, including details of the relevant authority for complaints at the municipal/district or implementing agency level.

Land Acquisition Assessment Data Sheet
(To be used to record information on all land to be acquired)

1. Quantities of land/structures/other assets required:
2. Date to be acquired:
3. Locations:
4. Owners:
5. Current uses:
6. Users:
 - Number of Customary Claimants:
 - Number of Squatters:
 - Number of Encroachers:
 - Number of Owners:
 - Number of Tenants:
 - Others (specify): _____ Number: _____
7. How land/structures/other assets will be acquired (identify one):
 - Donation
 - Purchase
8. Transfer of Title:
 - Ensure these lands/structures/other assets are free of claims or encumbrances.
 - Written proof must be obtained (notarized or witnessed statements) for the voluntary donation, or acceptance of the prices paid from those affected, together with proof of title being vested in the community, or guarantee of public access, by the title-holder.
9. Describe grievance mechanisms available:

Attachment 3(ii)

Format to Document Contribution of Assets

The following agreement has been made on..... day of.....
between.....resident of(the Owner)
and(the Recipient).

1. That the Owner holds the transferable right ofdonum of
land/structure/asset in.....
2. That the Owner testifies that the land/structure is free of squatters or encroachers and not subject
to other claims.
3. That the Owner hereby grants to the Recipient this asset for the construction and development of
.....for the benefit of the villagers and the public at large.

(Either, in case of donation:)

4. That the Owner will not claim any compensation against the grant of this asset.

(Or, in case of compensation:)

4. That the Owner will receive compensation against the grant of this asset as per the attached
Schedule.
5. That the Recipient agrees to accept this grant of asset for the purposes mentioned.
6. That the Recipient shall construct and develop the.....and take all possible
precautions to avoid damage to adjacent land/structure/other assets.
7. That both the parties agree that the.....so constructed/developed shall be public
premises.
8. That the provisions of this agreement will come into force from the date of signing of this deed.

Signature of the Owner

Signature of the Recipient

Witnesses:

1. _____
2. _____
(Signature, name and address)

**Schedule of
Compensation of Asset Requisition**

Summary of Affected Unit/Item	Units to be Compensated	Agreed Compensation
a. Urban/agricultural land (m ²):	<hr/>	<hr/>
b. Houses/structures to be demolished (units/m ²):	<hr/>	<hr/>
c. Type of structure to be demolished (e.g. mud, brick, cement block, etc.,)	<hr/>	Not Applicable.
d. Trees or crops affected:	<hr/>	<hr/>
e. Water sources affected:	<hr/>	<hr/>

Signatures of local community representatives, Sheikh/Head of Tribe:

Include record of any complaints raised by affected persons:

Map attached (showing affected areas and replacement areas):

Protection of Cultural Property

1. Cultural property include monuments, structures, works of art, or sites of significance points of view, and are defined as sites and structures having archaeological, historical, architectural, or religious significance, and natural sites with cultural values. This includes cemeteries, graveyards and graves.
2. The initial phase of the proposed emergency reconstruction operations pose limited risks of damaging cultural property since subprojects will largely consist of small investments in community infrastructure and income generating activities, reconstruction of existing structures, and minor public works. Further, the list of negative subproject attributes, which would make a subproject ineligible for support (Attachment 1), includes any activity that would adversely impact cultural property. Nevertheless, the following procedures for identification, protection from theft, and treatment of discovered artifacts should be followed and included in standard bidding documents as provided in Attachment 6.

Chance Find Procedures

3. Chance find procedures will be used as follows:
 - (a) Stop the construction activities in the area of the chance find;
 - (b) Delineate the discovered site or area;
 - (c) Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be present until the responsible local authorities and the Ministry of Culture take over;
 - (d) Notify the supervisory Engineer who in turn will notify the responsible local authorities and the Ministry of Culture immediately (within 24 hours or less);
 - (e) Responsible local authorities and the Ministry of Culture would be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by the archeologists of the Ministry of Culture (within 72 hours). The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage; those include the aesthetic, historic, scientific or research, social and economic values;
 - (f) Decisions on how to handle the finding shall be taken by the responsible authorities and the Ministry of Culture. This could include changes in the layout (such as when finding an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage;
 - (g) Implementation for the authority decision concerning the management of the finding shall be communicated in writing by the Ministry of Culture; and
 - (h) Construction work could resume only after permission is given from the responsible local authorities and the Ministry of Culture concerning safeguard of the heritage.
4. These procedures must be referred to as standard provisions in construction contracts, when applicable, and as proposed in section 1.5 of Attachment 6. During project supervision, the Site Engineer shall monitor the above regulations relating to the treatment of any chance find encountered are observed.
5. Relevant findings will be recorded in World Bank Project Supervision Reports (PSRs), and Implementation Completion Reports (ICRs) will assess the overall effectiveness of the project's cultural property mitigation, management, and activities, as appropriate.

Codes of Practice for Prevention and Mitigation of Environmental Impacts

Potential Impact	Prevention and Mitigation Measures
<p>Water supply</p> <ul style="list-style-type: none"> Repair and rehabilitation of existing piped water schemes. New or expanded piped water schemes to have fewer than 100 households. Installation or rehabilitation of tubewells or dug wells. 	
<p>Disease caused by poor water quality:</p> <ul style="list-style-type: none"> contamination by seepage from latrines, municipal waste or agricultural areas. high mineral concentrations. creation of stagnant pools of water. 	<ul style="list-style-type: none"> Prioritize leak detection and repair of pipe networks. Chemical and bacteriological testing of water quality from adjacent comparable sources prior to installation of new sources. Redesign to prevent contamination if adjacent comparable sources are found to be contaminated. Subsequent monitoring of installed or rehabilitated sources. Appropriate location, apron and drainage around tubewells and dug wells to prevent formation of stagnant pools. Provision of cover and hand-pump to prevent contamination of dug wells. Where pit latrines are used they should be located more than 10m from any water source. The base should be sealed and separated by at least 2m of sand or loamy soil from the groundwater table. Where nightsoil latrines or septic tanks are built they should be sealed. Outflows should drain either to a soak away located at least 10m from any water source or be connected to a working drain.
<p>Depletion of water source:</p> <ul style="list-style-type: none"> over-exploitation of aquifers. hazard of land subsidence. 	<ul style="list-style-type: none"> Urban interventions and abstraction limits to be planned in the context of groundwater investigations. Local water use planning (community and technical consultation).

Potential Impacts	Prevention and Mitigation Measures
<p>Social Risks:</p> <ul style="list-style-type: none"> • Lack of clear division of rights/ responsibilities may result in maintenance problems of wells/pumps. • Lack of clear definition of user rights for wells and pumps may create exclusion of vulnerable groups. • Access to water may be captured by interest groups. • Use of foreign equipment/ materials may hinder maintenance of pumps/wells. • Potential impacts to cultural property. 	<ul style="list-style-type: none"> • Ensure sufficient community participation and organization for effective planning and management of infrastructure. • Include downstream water users (e.g. water supply, irrigation, livestock watering) in planning of water storage reservoirs. • Identify proper mechanism of rights and responsibilities over well/pump/reservoir usage through participatory village focus groups. • Ensure that local accessible materials are used when developing/rehabilitating wells in order to provide maintenance. • For each pump/well/reservoir/ borehole establish clear guidelines of user rights through participatory focus groups; Ensure that access to water pumps/reservoirs is equitable to prevent capture by interest groups. • Use archaeological chance find procedures and coordinate with appropriate agencies.
<ul style="list-style-type: none"> • Latrines, cesspits • Rehabilitation of wastewater treatment plants to serve less than 10,000 households 	<p>Sanitation and Wastewater</p>
<p>Contamination of water supplies:</p> <ul style="list-style-type: none"> • contamination of groundwater because of seepage. • contamination of surface waters due to flooding or over-flowing. 	<ul style="list-style-type: none"> • Where pit latrines are used they should be located more than 10m from any water source. The base should be sealed and separated vertically by not less than 2m of sand or loamy soil from the groundwater table. • Where nightsoil latrines or septic tanks are built they should be sealed. Outflows should drain either to a soak away located at least 10m from any water source or be connected to a working drain. • Maintenance training to be delivered along with new latrines.
<p>Disease caused by poor handling practices of nightsoil.</p>	<ul style="list-style-type: none"> • Training and health education to be provided to nightsoil handlers where affected by interventions. • Protective clothing and appropriate containers for nightsoil transportation to be provided.

Potential Impacts	Prevention and Mitigation Measures
<p>Disease caused by inadequate excreta disposal or inappropriate use of latrines.</p>	<ul style="list-style-type: none"> • Nightsoil should be handled using protective clothing to prevent any contamination of workers skin or clothes. • Where nightsoil is collected for agricultural use it should be stored for a sufficient period to destroy pathogens through composting. At the minimum it should be stored in direct sunlight and turned regularly for a period of at least 6 weeks. • Septic tanks should not be constructed nor septic waste collected unless primary and secondary treatment and safe disposal is available. • Health and hygiene education to be provided for all users of latrines. • Awareness campaign to maintain sanitary conditions.
<p>Potential health and environmental risks associated with use of treated wastewater effluent for irrigation:</p> <ul style="list-style-type: none"> • Socio-Economic Risk • Permanent loss of productive land • Reduction in local property values • Ability to pay of poorer segments of population. 	<ul style="list-style-type: none"> • Secondary treatment of wastewater and chlorination of final effluent followed by aeration prior to restricted wastewater reuse; initial monitoring of irrigation water quality in irrigation channels in addition to effluent monitoring at treatment plant outfall. • Purchase of replacement land. • Monetary compensation. • Reconsideration of rate structures.
Solid Waste	
<p>Disease caused by inadequate collection and disposal, including health risks from:</p> <ul style="list-style-type: none"> • insects, rats. • burning of waste. • industrial/medical waste. • Odors during operation. 	<ul style="list-style-type: none"> • Sufficient frequency of collection from transfer stations. • Containment of waste during collection and transfer. • Promote separation at source to reduce spreading by rag-pickers during recycling. • Minimize burning. • Separate collection and disposal system for medical or hazardous wastes. • Assess requirement for additional investment in final disposal site. • Provide daily soil covering.

Potential impacts	Prevention and Mitigation Measures
<p>Contamination of water supplies:</p> <ul style="list-style-type: none"> • lateral seepage into surface waters. • seepage of contaminants into aquifers. • contamination from clandestine dumping. 	<ul style="list-style-type: none"> • Site transfer stations should have sealed base and be located at least 15m away from water sources with the base separated vertically by not less than 2m of sand or loamy soil from the groundwater table. • Assess requirement for additional investment in final disposal site to protect water sources. • Monitoring of site to prevent illegal dumping.
<ul style="list-style-type: none"> • Loss of livelihood for rag-picking community. 	<ul style="list-style-type: none"> • Incorporate series of dumping bays in design where rag-pickers can safely access waste prior to disposal.
<p>Roads</p> <ul style="list-style-type: none"> • Rehabilitation of secondary and tertiary roads. • Widening of secondary and tertiary roads. 	
<p>Disruption of drainage:</p> <ul style="list-style-type: none"> • Hampers free drainage, causes stagnant pools of water. • Increased sediments into ponds, streams and rivers due to erosion from road tops and sides. • Increased run-off and flooding. 	<ul style="list-style-type: none"> • Design to provide adequate drainage and to minimize changes in flows, not limited to the road reserve. • Provision of energy dissipaters, cascades, steps, and check dams. • Provision of sufficient number of cross drains. • Balancing of cut and fill. • Revegetation to protect susceptible soil surfaces. • Rehabilitation of borrow areas.
<p>Erosion:</p> <ul style="list-style-type: none"> • Erosion of land downhill from the road bed, or in borrow areas. • Landslides, slips or slumps. • Bank failure of the borrow pit. 	<ul style="list-style-type: none"> • Design to prevent soil erosion and maintain slope stability. • Construction in the dry season. • Protection of soil surfaces during construction. • Physical stabilization of erodible surfaces through turfing, planting a wide range of vegetation, and creating slope breaks. • Rehabilitation and re-grading of borrow pits and material collection sites.

Potential Impacts	Prevention and Mitigation Measures
Loss of vegetation.	<ul style="list-style-type: none"> Balancing of cut and fill. Revegetation to protect susceptible soil surfaces. Minimize loss of natural vegetation during construction. Revegetation and replanting to compensate any loss of plant cover or tree felling.
Loss of access.	<ul style="list-style-type: none"> Design to include accessibility to road sides in case roadbed is raised. Alternative alignments to avoid bisecting villages by road widening.
Impacts during construction: <ul style="list-style-type: none"> Fuelwood collection. Disease due to lack of sanitation. Introduction of hazardous wastes. Groundwater contamination (oil, grease). Accidents during construction. Potential impacts to cultural property. 	<ul style="list-style-type: none"> Provision of fuel at work camps to prevent cutting of firewood. Provision of sanitation at work camps. Removal of work camp waste, proper disposal of oil, bitumen and other hazardous wastes. Management of construction period worker health and safety. Use archaeological chance find procedures and coordinate with appropriate agencies.
<ul style="list-style-type: none"> Increased migration from nearby cities. 	<ul style="list-style-type: none"> Provide comprehensive community participation in planning, and Migration issue to be resolved through local conflict resolution system.
Housing and Public Buildings	
<ul style="list-style-type: none"> Rehabilitation of old village or public buildings. 	
Deforestation caused by: Wood-firing of bricks.	<ul style="list-style-type: none"> Ensure fired bricks are not wood-fired.
Injury and death from earthquake.	<ul style="list-style-type: none"> Apply low-cost seismic structural designs.
Disease caused by inadequate provision of water and sanitation.	<ul style="list-style-type: none"> Ensure designs include adequate sanitary latrines and access to safe water.
Damage to historical buildings.	<ul style="list-style-type: none"> Ensure actions involving historical buildings are reviewed/ designed by qualified specialists.

Potential Impacts	Prevention and Mitigation Measures
Dam	
<ul style="list-style-type: none"> Construction of dam above 10m; repairs or rehabilitation of old dams; new dams 15 meters or more. 	
<p>Injury, death or loss of productive resources caused by dam failure.</p>	<ul style="list-style-type: none"> Application of generic dam safety measures and rapid hydrological assessment by qualified engineers. For earthen dams, crushing of earth lumps, watering to near optimal moisture content, and compacting during construction. Design of earthen dams to prevent excessive seepage through the dam-body and piping at or near the toe or abutment of the dam. Design to incorporate spillway to prevent over-topping. Local awareness-raising for breach situations. Archaeological and historic sites survey to be conducted for any new dam accompanied by the of chance find procedures.
Power	
<ul style="list-style-type: none"> New generating capacity of less than 10 MW. Rehabilitation of existing generating capacity. New or rehabilitation of transmission or distribution systems. 	
Emissions to air.	<ul style="list-style-type: none"> Use of the cleanest fuel economically available (natural gas is preferable to oil). Emissions control to achieve a maximum level for Particulate Matter of 100 milligrams per cubic meter in urban areas, and 150 milligrams per cubic meter in rural areas.
Fuel and lubricant spills.	<ul style="list-style-type: none"> Improvements in maintenance and housekeeping, and spill-containment structures.
Noise.	<ul style="list-style-type: none"> Location or sound-proofing to achieve a maximum increase in background levels of 3 decibels, or a maximum of 55 decibels in residential areas, whichever is higher.
PCB disposal.	<ul style="list-style-type: none"> Waste transformer coolant oil should be stored in sealed containers, pending safe disposal.
<p>Erosion and deforestation caused by:</p> <ul style="list-style-type: none"> access roads. 	<ul style="list-style-type: none"> Selection of access road alignments to minimize cut and fill, and tree felling. See section on roads (above).

Potential Impacts	Prevention and Mitigation Measures
<p>Injury or death caused by:</p> <ul style="list-style-type: none"> • risk of accidents. • Collapse of power lines. • Potential impacts to cultural property. 	<ul style="list-style-type: none"> • Awareness campaign (regarding electrocution dangers) before construction starts. • Application of generic safety standards. • Archaeological and historic site survey to be conducted for any new power plants accompanied by use of chance find procedures.
Irrigation and Drainage	
Rehabilitation of irrigation systems	
Siltation and erosion:	<ul style="list-style-type: none"> • Plan disposal of spoil material from cleaned canals to ensure it will not wash back into the system, and is not deposited on fields without the owners' permission. • Re-grading and rehabilitation of borrow areas or pits.
Water-logging and salinization.	<ul style="list-style-type: none"> • Incorporation of adequate drainage to prevent water-logging and salinization.
Over-exploitation of aquifers.	<ul style="list-style-type: none"> • Analysis of the sustainability of groundwater yield, if increased abstraction is proposed.
Injury, death or loss of productive resources caused by dam failure:	<ul style="list-style-type: none"> • See section on dams, below.
Areas of non-contiguous waterlogged lands utilized by nomadic herders will be converted to cropland.	<ul style="list-style-type: none"> • Herders will be allowed access to bunds and intervening non-cropped areas for grazing; these areas will be allowed to grow up in suitable forage crops.
Livestock	
Unsustainable grazing.	<ul style="list-style-type: none"> • Before livestock are purchased, grazing requirements for the new and projected herd should be estimated, and legal access to sufficient sustainable grazing ensured.

Potential Impacts	Prevention and Mitigation Measures
Small Scale Agricultural Production	
<p>Environment Impacts:</p> <ul style="list-style-type: none"> • Loss of vegetative cover, decrease in soil fertility. • Possible pesticide, herbicide and fertilizer use leading to soil and water pollution. • Irrigation system may break down and not be repairable. • Potential diversion of water resources from its natural course/location. 	<ul style="list-style-type: none"> • Avoid infringing on protected areas, critical habitats or areas with significant biodiversity (e.g., wetlands). • Apply pesticides, herbicides and fertilizers at recommended times and doses. • Educate population in the proper use, storage and disposal of pesticides, herbicides and fertilizers. • Ensure that construction and rehabilitation of irrigation systems are carried out by using materials easily accessible through local market.
<p>Social Impacts:</p> <ul style="list-style-type: none"> • Conflict over user rights of irrigation systems. • Vulnerable groups may loose access to water resources or land. 	<ul style="list-style-type: none"> • Ensure that inhabitants around water reserves are not deprived of access to water due to irrigation and other activities, • Ensure that the interests/rights of the vulnerable groups are integrated into the activities.

Potential Impacts	Prevention and Mitigation Measures
Land Tenure	
<p>Environmental and Social Impacts:</p> <ul style="list-style-type: none"> • Risk of concentrating livestock numbers. • Over grazing and loss of vegetative cover. • Risk of land degradation • Pressure on water points and resulting risk of pollution. • Increased conflict between livestock herders and farmers/local population. • Vulnerable groups' livelihoods made more insecure. 	<ul style="list-style-type: none"> • Limit animal numbers or control access to grazing lands; • Control length of grazing time through introduction of rotational grazing, development of dry-season grazing areas and reserves; • Strategic development and placement of water points; • Maintain regular animal health monitoring and vaccination programs; • Establish conflict resolution mechanism for each project village under the land tenure pilot project; • Integrate the vulnerable groups into each pasture management/land tenure project by making it a requirement to integrate the interests of the poor and vulnerable into the pasture management/land tenure projects.
Natural Resource Management/Forestry	
<p>Environmental Impacts:</p> <ul style="list-style-type: none"> • Plantation made up of mono species more vulnerable to disease, insects, fire, etc. • Use of certain tree species can lead to decrease in soil fertility, nutrients, water, etc. • Land degradation due to improper management of natural resources. 	<ul style="list-style-type: none"> • Consider use of a variety of multipurpose and fast-growing indigenous tree species and management practices to enhance disease, insect, and fire resistance. • Select tree species and management practices that promote sustainable soil and water conservation. • Educate local population on proper harvesting techniques and practices. • Community-based management of natural resources.

Potential Impacts	Prevention and Mitigation Measures
<p>Social Impacts:</p> <ul style="list-style-type: none"> Households may lack fuel if alternative measures are not taken into an account. People's livelihoods that are dependent on forestry/forest resources may worsen (e.g. hunters). Communities may not have right to manage their own natural resources. 	<ul style="list-style-type: none"> Access and user rights to land clearly defined and well managed by community, local government or central planning. Include local population in the design, site selection, development and management of forested areas. Take special care of not introducing foreign plant species that may cause disruption in eco-balance. Introduce sustainable practices of fuel wood gathering (rather than just restrictive measures).
Income Generating Activities	
<p>Injury from machinery:</p>	<ul style="list-style-type: none"> Ensure that safe practices for the use of new machinery are understood and adopted.
Rehabilitation of Schools and Clinics, Building Dispensaries, Classrooms	
<p>Environmental Impacts:</p> <ul style="list-style-type: none"> Improper disposal of wastes. Improper disposal of medical wastes. Sanitation problems. Some construction related problems but usually minor in nature. Medical waste disposal. Storage of hazardous materials. Spread of disease from incoming laborers. 	<ul style="list-style-type: none"> Ensure inclusion of adequate sanitation facilities and maintenance. Ensure planning, design and maintenance of infrastructure is appropriate to local needs, traditions, culture and desires. Proper disposal of all solid wastes, containers, infectious wastes. Public health awareness. Priority given to rehabilitation of toilets in rehabilitation of schools/clinics.

Potential Impacts	Prevention and Mitigation Measures
<p data-bbox="342 342 577 378">Social Impacts:</p> <ul data-bbox="342 427 864 1085" style="list-style-type: none"><li data-bbox="342 427 864 633">• The vulnerable groups (women, poor children, migrants, pastoralists and the poor) may not benefit from infrastructure construction and rehabilitation.<li data-bbox="342 661 864 786">• Schools/health posts may become abandoned due to the lack of commitment.<li data-bbox="342 814 864 938">• Building infrastructure system alone without needs assessment may not benefit the community.<li data-bbox="342 967 864 1085">• Infrastructure investments may be misappropriated by governments.	<ul data-bbox="931 427 1853 831" style="list-style-type: none"><li data-bbox="931 427 1853 511">• Health checks (especially in regards to HIV/AIDS) for incoming laborers.<li data-bbox="931 661 1853 831">• Before the start of each infrastructure project, develop comprehensive organizational and maintenance plan, commitment from local government and public to maintain school supplies, medical supplies, etc.

Safeguards Procedures for Inclusion in the Technical Specifications of Contracts

I. General

1. The Contractor and his employees shall adhere to the mitigation measures set down and take all other measures required by the Engineer to prevent harm, and to minimize the impact of his operations on the environment.
2. The Contractor shall not be permitted to unnecessarily strip clear the right of way. The Contractor shall only clear the minimum width for construction and diversion roads should not be constructed alongside the existing road.
3. Remedial actions which cannot be effectively carried out during construction should be carried out on completion of each Section of the road (earthworks, pavement and drainage) and before issuance of the Taking Over Certificate:
 - (a) these sections should be landscaped and any necessary remedial works should be undertaken without delay, including grassing and reforestation;
 - (b) water courses should be cleared of debris and drains and culverts checked for clear flow paths; and
 - (c) borrow pits should be dressed as fish ponds, or drained and made safe, as agreed with the land owner.
4. The Contractor shall limit construction works to between 6 am and 7 pm if it is to be carried out in or near residential areas.
5. The Contractor shall avoid the use of heavy or noisy equipment in specified areas at night, or in sensitive areas such as near a hospital.
6. To prevent dust pollution during dry periods, the Contractor shall carry out regular watering of earth and gravel haul roads and shall cover material haulage trucks with tarpaulins to prevent spillage.

II. Transport

7. The Contractor shall use selected routes to the project site, as agreed with the Engineer, and appropriately sized vehicles suitable to the class of road, and shall restrict loads to prevent damage to roads and bridges used for transportation purposes. The Contractor shall be held responsible for any damage caused to the roads and bridges due to the transportation of excessive loads, and shall be required to repair such damage to the approval of the Engineer.
8. The Contractor shall not use any vehicles, either on or off road with grossly excessive, exhaust or noise emissions. In any built up areas, noise mufflers shall be installed and maintained in good condition on all motorized equipment under the control of the Contractor.

9. Adequate traffic control measures shall be maintained by the Contractor throughout the duration of the Contract and such measures shall be subject to prior approval of the Engineer.

III. Workforce

10. The Contractor should whenever possible locally recruit the majority of the workforce and shall provide appropriate training as necessary.

11. The Contractor shall install and maintain a temporary septic tank system for any residential labor camp and without causing pollution of nearby watercourses.

12. The Contractor shall establish a method and system for storing and disposing of all solid wastes generated by the labor camp and/or base camp.

13. The Contractor shall not allow the use of fuelwood for cooking or heating in any labor camp or base camp and provide alternate facilities using other fuels.

14. The Contractor shall ensure that site offices, depots, asphalt plants and workshops are located in appropriate areas as approved by the Engineer and not within 500 meters of existing residential settlements and not within 1,000 meters for asphalt plants.

15. The Contractor shall ensure that site offices, depots and particularly storage areas for diesel fuel and bitumen and asphalt plants are not located within 500 meters of watercourses, and are operated so that no pollutants enter watercourses, either overland or through groundwater seepage, especially during periods of rain. This will require lubricants to be recycled and a ditch to be constructed around the area with an approved settling pond/oil trap at the outlet.

16. The contractor shall not use fuelwood as a means of heating during the processing or preparation of any materials forming part of the Works.

IV. Quarries and Borrow Pits

17. Operation of a new borrow area, on land, in a river, or in an existing area, shall be subject to prior approval of the Engineer, and the operation shall cease if so instructed by the Engineer. Borrow pits shall be prohibited where they might interfere with the natural or designed drainage patterns. River locations shall be prohibited if they might undermine or damage the river banks, or carry too much fine material downstream.

18. The Contractor shall ensure that all borrow pits used are left in a trim and tidy condition with stable side slopes, and are drained ensuring that no stagnant water bodies are created which could breed mosquitoes.

19. Rock or gravel taken from a river shall be far enough removed to limit the depth of material removed to one-tenth of the width of the river at any one location, and not to disrupt the river flow, or damage or undermine the river banks.

20. The location of crushing plants shall be subject to the approval of the Engineer, and not be close to environmentally sensitive areas or to existing residential settlements, and shall be operated with approved fitted dust control devices.

V. Earthworks

21. Earthworks shall be properly controlled, especially during the rainy season.
22. The Contractor shall maintain stable cut and fill slopes at all times and cause the least possible disturbance to areas outside the prescribed limits of the work.
23. The Contractor shall complete cut and fill operations to final cross-sections at any one location as soon as possible and preferably in one continuous operation to avoid partially completed earthworks, especially during the rainy season.
24. In order to protect any cut or fill slopes from erosion, in accordance with the drawings, cut off drains and toe-drains shall be provided at the top and bottom of slopes and be planted with grass or other plant cover. Cut off drains should be provided above high cuts to minimize water runoff and slope erosion.
25. Any excavated cut or unsuitable material shall be disposed of in designated tipping areas as agreed to by the Engineer.
26. Tips should not be located where they can cause future slides, interfere with agricultural land or any other properties, or cause soil from the dump to be washed into any watercourse. Drains may need to be dug within and around the tips, as directed by the Engineer.

VI. Historical and Archeological Sites

27. If the Contractor discovers archeological sites, historical sites, remains and objects, including graveyards and/or individual graves during excavation or construction, the Contractor shall:
 - (a) Stop the construction activities in the area of the chance find.
 - (b) Delineate the discovered site or area.
 - (c) Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be present until the responsible local authorities and the Ministry of Culture take over.
 - (d) Notify the supervisory Engineer who in turn will notify the responsible local authorities and the Ministry of Culture immediately (less than 24 hours).
 - (e) Contact the responsible local authorities and the Ministry of Culture who would be in charge of protecting and preserving the site before deciding on the proper procedures to be carried out. This would require a preliminary evaluation of the findings to be performed by the archeologists of the Ministry of Culture (within 72 hours). The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage, including the aesthetic, historic, scientific or research, social and economic values.
 - (f) Ensure that decisions on how to handle the finding be taken by the responsible authorities and the Ministry of Culture. This could include changes in the layout (such as when the finding is an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage.
 - (g) Implementation for the authority decision concerning the management of the finding shall be communicated in writing by the Ministry of Culture; and

- (h) Construction work will resume only after authorization is given by the responsible local authorities and the Ministry of Culture concerning the safeguard of the heritage.

VII. Disposal of Construction and Vehicle Waste

28. Debris generated due to the dismantling of the existing structures shall be suitably reused, to the extent feasible, in the proposed construction (e.g. as fill materials for embankments). The disposal of remaining debris shall be carried out only at sites identified and approved by the project engineer. The contractor should ensure that these sites (a) are not located within designated forest areas; (b) do not impact natural drainage courses; and (c) do not impact endangered/rare flora. Under no circumstances shall the contractor dispose of any material in environmentally sensitive areas.

29. In the event any debris or silt from the sites is deposited on adjacent land, the Contractor shall immediately remove such, debris or silt and restore the affected area to its original state to the satisfaction of the Supervisor/Engineer.

30. Bentonite slurry or similar debris generated from pile driving or other construction activities shall be disposed of to avoid overflow into the surface water bodies or form mud puddles in the area.

31. All arrangements for transportation during construction including provision, maintenance, dismantling and clearing debris, where necessary, will be considered incidental to the work and should be planned and implemented by the contractor as approved and directed by the Engineer.

32. Vehicle/machinery and equipment operations, maintenance and refueling shall be carried out to avoid spillage of fuels and lubricants and ground contamination. An 'oil interceptor' will be provided for wash down and refueling areas. Fuel storage shall be located in proper bunded areas.

33. All spills and collected petroleum products shall be disposed of in accordance with standard environmental procedures/guidelines. Fuel storage and refilling areas shall be located at least 300m from all cross drainage structures and important water bodies or as directed by the Engineer.

VIII. HIV/AIDS Education

34. The Contractor shall ensure that detection screening of sexually transmitted diseases, especially with regard to HIV/AIDS, amongst laborers is actually carried out and will submit a certificate of compliance to the Head Construction Engineer.

Report to Ambassador
Mario Bondioli Osio

(b)(7)(F) 10 USC § 1305 Nasiriya Missions, 9-13/20-27 September 2003.

In the district of Dhi Qar (Nasiriya) the *Brigata Garibaldi*, currently being replaced by the *Brigata Sassari*, and the *Carabinieri* of the *Nucleo Tutela Patrimonio Culturale* (TPC), coordinated by (b)(7)(F) 10 USC § 1305 Commander of the Brigade, (b)(7)(F) 10 USC § 1305 Deputy Commander of the Brigade and Responsible for Military and Civil Cooperation, have programmed and in part already put into effect several actions to protect the archaeological sites of the zone and, in particular, to contrast and eventually eliminate the destructive phenomenon of clandestine diggings.

The actions of the Italian military Forces in this field, which started in the month of July and are still continuing.

In brief, they consist of:

- Patrols to control the area, conducting, in several instances to the detention of the diggers and the seizure of objects of archaeological interest (as of 15.09.2003, from reports of the *Carabinieri* TPC, n. 40 identified persons, n. 7 persons arrested, n. 57 objects seized);
- Patrols by the Italian *Aeronautica Militare*, located near Talil, finalized also to the aerial documentation of the sites, of which n. 13 localized on a first archaeological updated map of the zone, scale 1:500.000, edited by the same Italian Military Forces;
- Reorganization of the guard service, of approximately a hundred working units, employed and paid by the Iraqi Board of Antiquities, providing them with the necessary equipment and instruments for the resumption of the service even in emergency conditions:
 1. altane, or wood towers, planned in such way that the guard can carry out its activity of control at a height of approximately 3,5 m. from the ground, so reducing his vulnerability and guaranteeing the visibility over the whole archaeological site (AIL 1);

2. mobile radio equipment that permits the guard, in danger cases, to alert the military forces and the police;
3. means of transport for the staff, adequate equipment and weapons.

The Italian military Forces have taken advantage of the collaboration of (b)(6) from the Iraqi Department of Archaeology for the district of Dhi Qar, who was helped by (b)(6) director of the Museum of Nasiriya, and by (b)(6) of the Ash Shatrah office.

For the continuation and the completion of the actions started in these months, the Italian military Forces have recently obtained that the CPA of Nasiriya will award to the local offices of the Iraqi Department of Archaeology, a monthly budget of \$ 25.000 for the months of October-November-December 2003.

The connection between CPA Baghdad and the district of Nasiriya was established, in September, through Ten. Col. (b)(3) 17 USC § 13 (b)(3) 10 USC § 1306 (CPA Baghdad) worked together the Italian Military Forces in their field activities, participating, in particular, in inspections to the archaeological sites of the district and in the meetings in the CIMIC Center of Nasiriya with the local Department of Archaeology and collaborating, moreover, to the second map of the archaeological sites, scale 1:250.000 (All. 2), and the destination of the budget assigned from the CPA of Nasiriya (All. 3), finalized, in particular, to the realization of following objectives:

- continuation and increase of the protection of the archaeological sites, through an articulated system of surveillance, organized on five main fixed emplacements and on patrols controlling the minors sites, to cover the whole territory of the district;
- reopening of the local Department of Archaeology, providing office equipment, and looking for an office near the Custom Police Station, or having at least three rooms, of which one for local Department of Archaeology, one for the director of the Museum of Nasiriya and one for the staff of the Department;
- implementation of activities on sites damaged by the pillage of the clandestine excavators, which:
 1. systematic collections of surface finds abandoned in the excavated dirt;
 2. covering the clandestine diggings;
 3. temporary protection of the archaeological structures in precarious conservation conditions;
 4. installation of fences.

Needed future actions:

- Preparation of a warehouse for the conservation on place of finds of archaeological interest seized in the course of the operations of control of sites or recovered at the surface or delivered that, being the Museum closed, are currently transferred from Nasiriya to Baghdad Iraq Museum;
- Researching archaeological sites documentation (bibliography, air photographs, drawings, etc.) and continuation of verification activities on the conservation status of the sites, updating and to completing the archaeological map of the zone and to proceed to the systematic collection of the data and the relative documentation to every site;
- Regulation of admission to the archaeological areas that, as in the directly observed case of Ur, already were predisposed for the public and that also currently are subject to the visit of groups (at least guard' presence during the visit, restore of course of visit, restore of panels for the monumental complexes);
- Census and review of the archaeological finds already in the local Museum, for eventual new arrangement.

Baghdad 02.10.2003

(b)(3), 10 USC § 1305.



Baghdad, February 19, 2004

THE ARCHEOLOGICAL SITE PROTECTION PROJECT

Progress and Problems

Amb. Bremer approved the Archeological Site Protection (ASP) Project on October 19, 2003. The Project intends to stop the looting of the over 7,000 recognized archeological sites in Iraq. Looting, which was only a minor problem in Iraq prior to the 1991 Gulf War, increased dramatically in the second half of the 1990's and has become rampant since April 2003.

The State Board of Antiquities and Heritage (SBAH) has the responsibility of safeguarding the sites and to this end deploys an extended network of Inspectors and site guards in every province. The system has collapsed in the face of organized bands of looters up to fifty or more men strong, and the impossibility for the guards to carry their own private weapons under the new Coalition rules.

The ASP Project has two main features: (1) transform the SBAH site guards into FPS guards, with uniforms, weapons and the right to detain looters for 12 hours, and (2) involve the local security forces, mainly the Iraqi Police, in the protection of the sites. To this end the local Iraqi Police stations close to the sites will be equipped with a base radio station, connected with mobile radios on vehicles and hand-held radios provided to the guards. The guards will be able to alert the Police when they detect looting and ask for their intervention against the looters.

The implementation of the Project is proceeding according to plan. In October 2003, the Minister of Culture selected the leader of the ASP Corps, (b)(6) who attended the Baghdad Police Academy in November, graduating with the rank of FPS Colonel. Then (b)(6) oversaw the FPS Train the Trainers course, from which, on January 7, 2004, graduated 11 Trainers authorized to confer FPS status to the SBAH guards. In January, (b)(6) and the Trainers went to Dhi Qar and in two weeks graduated 148 SBAH guards into FPS - ASP guards, who from now on will receive their new, higher FPS salary. In February, the Colonel and the Trainers moved to Diwaniyah and started training the guards in the six South-Central Provinces, in agreement with the local CPA.

On February 10, 2004, fourteen SBAH Inspectors attended a meeting at the SBAH headquarters in Baghdad, at the end of which they proposed sixty-seven police stations in 14 provinces to be equipped with radio communication equipment (see attached list).

In the mean time, the U.S. State Department completed the bidding procedure for the first installment of radio communication packages. 15 base radio stations with antennas, 20 mobile radios, 20 mobile repeaters and 90 hand held radios, together with 20 vehicles (4-door 4WD pickup trucks), are on their way for the implementation of the ASP Project in Dhi Qar and Diwaniyah.

The major problems still facing the ASP Project are the following:

- The Iraqi Police must receive new clear instructions to intervene when summoned by the FPS –ASP guards.
- The acceptance of the radio base station must commit the local Iraqi Police Commander to full cooperation.
- Weapons and uniforms must be distributed to the ASP guards as soon as possible.
- The weapon permit must allow the ASP guards to carry their weapons in their official patrol vehicles; ASP guards living in the vicinity of their sites must be allowed to take their weapons home.
- Sufficient funds for paying the new salaries must be allocated to pay the same salary to all the 1850 ASP guards (including the 558 FPS guards transferred by CJTF-7 and CPA to the Ministry of Culture-SBAH).
- Funds must be available for the 52 Radio Communications Packages still to be ordered and for the approximately 100 vehicles needed to complete the ASP Project.

In order to facilitate the cooperation of the Iraqi Police, UNESCO is planning special training courses in Jordan, with Italian funding and the cooperation of the Italian Carabinieri, whose project to protect the archeological sites in Dhi Qar Province is the model for the ASP Project. The ideal candidates for these two week UNESCO courses are the 11 FPS Trainers and the local Iraqi Police commanders whose police stations shall receive the base radio stations. In gaining their commitment to the ASP Project, this concrete possibility of going to Amman for two weeks of training must be offered to them.