

## Evaluation of the Answers of the Political Groups of the European Parliament regarding the “Benchmarks for Archaeology and Heritage Protection” 2019–2024

Only about half of the larger political groups in the European Parliament were able to answer the questions within the extended deadline. Of the smaller political groups European Conservatives and Reformists (ECR) and the European Green Party (EGP) showed authentic engagement with the topic, while the European Left (EL) took refuge in the positions of her German sister party “Die LINKE” when offered to do so. It is alarming that the two largest political groups in the European Parliament – the European People’s Party (EPP) and the Party of European Socialists (PES) – did either not answer at all or, like PES, admitted to lack not only the necessary time, but also the specific expertise in their team. The Alliance of Liberals and Democrats in Europe (ALDE) only confirmed the receipt of the benchmarks while the extreme right Movement for a Europe of Nations and Freedom (MENF) never reacted to any of the mails.

Of the three groups that answered the questions, the positions by European Conservatives and Reformists (ECR) cannot be described as archaeology or heritage friendly in any of the points raised. The European Left (EL) and even more so the European Green Party (EGP), are aware of challenges related to archaeology and cultural heritage and want to tackle these topics on a European level. In the traffic light-illustration below archaeology and heritage friendly positions are marked with green, while indifferent or detrimental positions are signaled in yellow and red. No answer is indicated by a red question mark.

### I. Protecting Historic Landscapes in Planning Processes

The Environmental Impact Assessment (EIA) is an instrument of EU environmental policy. It aims to examine infrastructure projects in the planning phase for their potential effects on the environment. The current EU regulations include the protection of historic landscapes and material remains of cultural heritage. Since its introduction the EIA has had positive effects on a better integration of archaeology in planning processes. The benchmark question alerts to large scale public or private projects that get downsized in order to escape EIA procedures. It asks the political groups whether they intend to stop this bypassing of binding regulations that harms the historic environment.

EL and EGP intend to widen the EIA in order to include planning projects that have so far not fallen under the EIA Directive. EGP additionally wants to introduce “compulsory scoping which would allow consideration of additional elements” while they don’t explain what these additional elements should be. Regarding historic landscapes, EL and EGP intend to strengthen their protection in the planning process with the help of EU-wide regulations. The positions of these political groups might differ in detail, from EAAs point of view both show intentions to revise resp. strengthen the EIA and to address deficits in its implementation. ECR on the other hand states intentions to review the EIA Directive before deciding about extending the current regulation. To our view circumscribes ECR’s lack of interest in the implementation of a regulation that is in place since 2014 and it does not sound promising that action will be taken in the coming legislative period.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
Historic landscape/EIA	?	?	●	?	●	●	?

## II. Integrating Cultural Heritage in EU Common Agricultural Policy

Agriculture and its European-wide regulation are at the core of EU policy making; a high percentage of the EU budget is dedicated to agriculture. At the same time practices of land use promoted by the Common Agricultural Policy (CAP) have a strong influence on preservation of archaeological remains. Over-fertilization for example is detrimental to iron and bone objects in the soil. Deep-plowing on the other hand destroys archaeological features and enhances erosion of historic contexts. Question II asks the political groups whether they are conscious about these linkages and whether they are prepared to introduce the aspect of archaeological heritage protection into future EU policies on agriculture management and funding.

All three political groups that have answered this question agree in reforming the Common Agricultural Policy (CAP) and to include aspects of cultural heritage. For ECR the focus lies more with funding "small and traditional farmers" while EGP stress the importance of high "environmental, climate and animal welfare as well as social standards". For the protection of archaeological sites, EGP finds it necessary to "develop funding opportunities outside the CAP".

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
Agriculture CAP & archaeology	?	?	●	?	●	●	?

## III. Preventing Illicit Trade in Antiques

Illegal trade in antiques mostly happens across borders and is one of the largest black markets worldwide. Consequences are among others the destruction of cultural heritage and archaeological contexts which provide us with knowledge about past civilizations. As a common market with open internal Community boundaries, the EU has an important role in the prevention of illegal trade in antiques. Here, national regulations often don't suffice. In this context, the political groups were asked in three concrete fields of action: (1) What do you think about private ownership of archaeological finds? (2) What do you think about the use of metal detectors? (3) How and on which level should regulations be implemented: on the national level, on EU level or more by education and prevention?

### III.1 Ownership

EL takes a strong stand on discouraging private ownership of archaeological finds; together with EGP they support introducing measures of stronger regulation and stricter control to be able to prevent illicit trafficking effectively. ECR's position stresses the "legitimate right to property" and could in its consequence lead to a change of current treasure trove legislation. This strengthening of the aspect of private property with archaeological finds, could lead to the adaption of a regulation like the one in the United Kingdom where the state has the right of preemption but mostly – given scarce public funding – cannot exercise it.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
<b>Illicit trade</b> - private ownership	?	?	●	?	●	●	?

### III.2 Metal detecting

EL wants to see the use of metal detectors strictly regulated in general and not only on archaeological sites. EGP counsels to balance between “protecting existing sites from damage of looting” and “recognizing that amateurs with metal detectors can be useful in discovering new sites”. ECR’s general statement on topic III doesn’t clarify how this political group positions itself in this question. This is likely lead to a continuation of the problematic *status quo* where on the one hand amateur use of metal detectors is legally banned but on the other hand cannot be effectively controlled either.

Archaeologists across Europe are divided about the best solution for the regulation of metal detecting. EAA as an organization that has to consider not only the position of heritage managers but also that of amateur archaeologists interested in unharmed contributing to archaeological research would argue for a compromise between both positions. EAA would advise to find possibilities to include and educate amateur metal detectorists as well as to develop corresponding EU-wide legal regulation for protection of archaeological heritage and suitable standards for responsible use of metal detectors.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
<b>Illicit trade</b> - metal detectors	?	?	?	?	●	●	?

### III.3 Practical implementation

All three political groups that have answered the questions support regulation of illicit trade in antiques on EU-level in cooperation with and implementation on national levels. ECR argues with a “new legislative proposal” concluded earlier in 2019 to establish common rules across Europe that will tackle illicit imports”. They expect this “will help improve cultural heritage preservation both inside Europe and in third countries”. With this for ECR the problem seems solved and no more political initiative needed in the next legislative period. EGP recognizes the necessity that “more needs to be done”, but stays very vague about concrete implementation measures. Only the EL supports the wide range of practical measures on national and EU-levels including measures like training for national agencies that would need additional funding and has been proposed in our pre-phrased answering possibilities. Here, it is difficult to know to what extent this is an authentic position of the political group for what it would let itself be held accountable for.

It is good to see a general awareness of the topic with the answering political groups, but the answers stay vague and lack concrete ideas how and where effective implementation could take place. Therefore, none of the participating political groups is likely to approach illicit trade in an effective way. A clear case where an International Non-governmental Organisation with expertise in this field – like EAA – needs to raise awareness among politicians and lobby for solutions to the problem.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
<b>Illicit trade</b> - <b>implemen- tation</b>	?	?	●	?	●	●	?

#### IV. Facilitating Transnational Mobility

This benchmark emphasizes the importance of individual mobility for archaeologists within the EU. Small national labour markets and economic cycles necessitate it for individuals or private companies offer their service and expertise across borders. The benchmark lists existing obstacles and asks whether the political groups intend concrete changes to this on EU-level.

Only the EL aims to introduce an EU-wide legal definition of "archaeologist" that would guarantee professional mobility across borders for the one's that manage to obtain this professional title. Both ECR and EGP support cross-border mobility of workers and professionals as well as a mutual recognition of qualifications but to introduce degrees is – and in their opinion should stay – the sole competence of the EU member states. EGP stresses the role of the Bologna Process as well as Erasmus+ as measures they want to strengthen in order to facilitate mobility of students and apprentices.

In the current legal situation and the distribution of political majorities EAA sees it as very unlikely that an EU-wide legal definition of "archaeologist" – as supported by the EL – is likely to be established on EU level. A more promising and realistic alternative to state intervention is the self-organisation of archaeologists in professional organisations. EAA explicitly appreciates EGP's support of Erasmus+ that helps archaeologists to gain competences that help them to work and cooperate transnationally.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
<b>Transnational mobility</b>	?	?	●	?	●	●	?

#### V. Open licensing for Images of Cultural Heritage from Public and Non-profit Institutions

Archaeology works more than other disciplines with images and photographs. Increasingly politics expect scientists to publish open access i.e. free of charge. On the other hand, there are copy rights of images that are held by public institutions like museums or heritage authorities which partly impose high charges for the use of their material that they have obtained and hold in the public interest with tax payer's money. The benchmark poses the question what the political groups think about rights of images of cultural heritage owned by public institutions and non-profit organisations.

The position of the political groups that answered our questions differs here clearly: for ECR it is the institution holding the rights that should decide freely whom to grant and how much to charge for images in their ownership independent of whether the institution is public, the image shows cultural heritage or the intended use is scientific and non-commercial. The EL is for free licensing of images under the above circumstances, but wants to allow the institution to demand fees for demonstrable connected costs. EGP finally wants to grant as a principle and for free images from public and non-profit collections; they also intend to start an initiative to harmonise legislation and practice across the EU.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/ NGL	EGP G/EFA	MENF
Image copyright	?	?	●	?	●	●	?

*Remarks regarding the traffic light-illustration:*

The traffic light-illustration is meant to allow voters interested in archaeology and heritage protection a quick orientation how EAA evaluates the answers of the major political groups standing for election to the European Parliament. Necessarily, this reflects a perspective led by a strong interest in the protection of cultural heritage. We want to emphasize that we appreciate for example ECR's authentic engagement with the topics even if we disagree with the solutions they offer for the problems raised. The answers of other parties partly seem more schematic, possibly even trying to please the specific audience, but not necessarily more likely to be implemented. Our deep concern for archaeology and heritage related questions lies with the major political groups like EEP and PES that have not found it necessary to answer at all.

Benchmark	EPP	PES S&D	ECR ACRE	ALDE	EL GUE/NGL	EGP G/EFA	MENF
Historic landscape /EIA	?	?	●	?	●	●	?
Agriculture CAP & archaeology	?	?	●	?	●	●	?
Illicit trade							
- Private ownership	?	?	●	?	●	●	?
- metal detectors	?	?	?	?	●	●	?
- implementation	?	?	●	?	●	●	?
Transnational mobility	?	?	●	?	●	●	?
Image copyright	?	?	●	?	●	●	?

For the first time at European Elections, EAA has undertaken to set up Benchmarks for "Archaeology and Heritage Protection". The project was coordinated with experts from EAA Communities and partner organisations in Germany, Austria, Spain, Latvia and United Kingdom. For them separate reports are published on national levels in the respective languages. This evaluation focusses on the answers of the political groups in the European Parliament.

*Compiled: EAA, 14 May 2019*