

English version

**The Protection of Cultural Heritage in the Activity of the
Council of Europe
Conceptual Developments and Multilevel Governance Models**

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Abstract

Why do we need systematic research on the protection of cultural heritage by the Council of Europe? The Council of Europe is the oldest European political organization, founded with the aim, in the aftermath of World War II, to protect human rights and support European identity awareness: the Council's work has distinguished itself particularly, with the approval of the European Convention on Human Rights in 1950, the most comprehensive regional map for the protection of the rights of the individual, in the field of human rights protection. But in promoting shared values considered essential for the intervention in the cultural heritage sector, seen as crucial historic elements around which the identity of people defines itself. It was precisely the international activities of the Council of Europe, and that of UNESCO on a wider geographical level, to promote the adoption of specific rules into national law for the protection of cultural heritage, not as things, but for the intangible and public value they bring.

In short, it is in the international context where a common awareness of the value of cultural heritage raises, helping both to build a legal concept of cultural heritage, and helping to shape sector protection models, which identify specific forms of intervention in addition to those of a general nature.

It also has a symbolic value that the protagonist is a European institution, born after the war and set up in the territory of two world wars territory. Moreover, from the historical point of view, the first forms of the international community's interest in the cultural heritage are born with reference to armed conflict, from the Hague Conventions elaborated within the first and second peace conference of 1899 and 1907 related to land and naval war, to the Versailles Treaty of 1919 and the subsequent peace treaties after World War II.

However, while the UNESCO's activity is well known to scholars in international law, the activities of the Council of Europe is little known, despite that activity having a very significant role in the field of cultural rights. It's true that the sovereignty of individual states in the management of their national heritage has never been called into question, but the problems relating to the conflicts, which now adds that of market liberalization, lead us to reflect on what the levels are, with different skills, they can implement an effective action for the protection of the testimonies of civilizations represented by the cultural heritage. Then, because these major conceptual changes have occurred as a result of acts conceived in international organizations, as well as in the Council of Europe, including in the UNESCO, we analyzed the most important Conventions concerning our theme: specifically, the search starts from a critical analysis of the most crucial international acts concerning the protection of cultural property during armed conflict and in peacetime, then move on to

focus on the criteria and conditions for qualifying the object of the study, namely cultural heritage, and then on the concept of protection and integrated conservation.

Then, after a brief presentation of the Council of Europe, of its structure and its activities, and the rights and obligations which arise for Member States on account of their membership of the organization, it was intended to present the activities of the Council of Europe in the field of the protection of cultural heritage.

Then the research work has deepened between the protection of cultural heritage and international cooperation, analyzing the main stages which, since 1970, have featured such cooperation, focusing the study around the international acts that tend to emphasize the close relationship between cultural and environmental heritage .

Then, in a later chapter, the analysis of multilevel governance models in the protection of cultural heritage, the particular aspect of intergovernmental cooperation on the protection of cultural heritage was first addressed, and later, as a concrete case of multi-level governance, the adaptation of the Italian legal system to the European and international legislation on the protection of cultural heritage.

What emerges is a mixed picture, composed mainly of multilateral treaties but also from policy documents, in which the formulation and proposal has been greatly influenced by the Council of Europe, which deeply penetrates the domain sphere traditionally reserved in this area to States, but which today, through its practical application, contributes to the formation of general principles that tend to unify the variety of conventional instruments in a real system of international standards, which today significantly involves also third countries, contributing to a significant global attention to the theme of cultural heritage and its protection.

ABBREVIATIONS

AFDI	Annuaire Français de Droit International
AJIL	American Journal of International Law
AS	Atto Senato della Repubblica Italiana
CDPAT	Steering Committee for Cultural Heritage
CECA	European Coal and Steel Community
EC	European Community
EdD	Enciclopedia del Diritto
EG	Enciclopedia Giuridica (Treccani)
EJIL	European Journal of International Law
ETS	European Treaty Series
Foro It	Foro Italiano
GU	Gazzetta Ufficiale della Repubblica Italiana
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICOM	International Council of Museums
ICOMOS	International Council of Monuments and Sites
IL	The International Lawyer
ILM	International Legal Materials
ILR	International Law Report
INTERPOL	International Criminal Police Organization
IOPA	International Organization for the Protection of the Works of Arts
IYIL	Italian Yearbook of International Law
MGLJ	McGill Law Journal

NATO	North Atlantic Treaty Organization
OECD	Organization for Economic Cooperation and Development
OEEC	Organization for European Economic Co-operation
OSA	American States Organization
PS	Political Studies
RBDI	Revue Belge de droit international
RC	Recueil des Cours de l'Académie de droit international de La Haye
RDI	Rivista di Diritto Internazionale
UE	European Union
UN	United Nations
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational Scientific and Cultural Organization
UNIDROIT	International Institute for the Unification of Private Law
UNTS	United Nations Treaty Series
WCDE	World Commission on Environment and Development
WHO	World Health Organization

Bibliography

Manuals

- Biscottini, *Il Diritto delle Organizzazioni Internazionali*, Padova, 1973.
- Conforti, *Diritto Internazionale*, Napoli, 2002.
- Depuy P.M., *Droit International Public*, Paris, 1993.
- Marchisio, *L'ONU. Il diritto delle Nazioni Unite*, Bologna, 2000.

Monographs

- Ainis, *Cultura e Politica*, Padova, 1991.
- Ainis e Fiorillo, *L'ordinamento della cultura. Manuale di legislazione dei beni culturali*, Milano, 2003.
- Amirante e De Falco, *Tutela e valorizzazione dei beni culturali. Aspetti sopranazionali e comparati*, Torino, 2005.
- Assini e Cordini, *I beni culturali e paesaggistici*, Padova, 2006.
- Baiocchi (a cura di), *L'Assemblea parlamentare del Consiglio d'Europa*, Senato della Repubblica, Quaderni Europei ed internazionali, Roma, 7 (2006).
- Benoit-Rohmer, *Le droit du Conseil de l'Europe: vers un espace juridique paneuropéen*, Strasbourg, 2005.
- Badie, *Un monde sans souveraineté*, Paris, 1999
- Benvenuti e Sapienza, *La tutela internazionale dei beni culturali nei conflitti armati*, Milano, 2007.
- Bobbio, *Le politiche dei beni culturali in Europa*, Bologna, 1992.
- Cabiddu, Grasso, *Diritto dei beni culturali e del paesaggio*, Torino, 2004.
- Cannone (a cura di), *La protezione internazionale ed europea dei beni culturali*, Bari, 2014
- Ciampi, *La protezione del patrimonio culturale: strumenti internazionali e legislazione italiana*, Torino, 2014.
- Cofrancesco (a cura di), *I beni culturali. Tra interessi pubblici e privati*, Roma, 1999.
- Cortese, *I beni culturali e ambientali. Profili normativi*, Padova, 1999.
- Crosetti, *La tutela ambientale dei beni culturali*, Padova, 2001.
- Depuy, *L'humanité dans l'imaginaire des Nations*, Paris, 1991.
- Everitt, *The governance of culture: approaches to integrated cultural planning and policies*, Strasbourg, 1999.
- Frigo, *La protezione dei beni culturali nel diritto internazionale*, Milano, 1986.
- Frigo, *La circolazione internazionale dei beni culturali. Diritto internazionale, diritto comunitario e diritto interno*, Milano, 2001.
- Frost, *Ethics in International Relations. A Constitutive Theory*, Cambridge, 1996.
- Fumagalli Meraviglia, *Compliance Review nel Consiglio d'Europa*, Milano, 2004.

- Italia, *I beni culturali in Italia e in Europa*, Udine, 1999.
- Lanzaro e Borriello, *Legislazione Internazionale e comparata dei beni culturali*, Napoli, 2002.
- Mansi, *La tutela dei beni culturali e del paesaggio*, Padova, 2004.
- Pickard, *European cultural heritage. A review of policies and practice*, Strasbourg, 2002.
- Rey, *Identités culturelles et interculturalité en Europe*, Genève, 1997.
- Sanz e Bergan, *The Heritage of European Universities*, Strasbourg, 2002.
- Sperduti, *Il principio di buona fede e l'ammissione di nuovi membri nelle Nazioni Unite*, Padova, 1952.
- Tamiozzo, *La legislazione dei beni culturali e ambientali*, Milano, 1998.
- Tarasco, *Beni, patrimonio e attività culturali; attori privati e autonomie territoriali*, Napoli, 2004.
- Trintignan, *La protection Internationale des biens cultureles en temps de paix*, Montpellier, 1974.
- Vigorito, *Nuove tendenze della tutela internazionale dei beni culturali*, Napoli, 2013.
- Williams, *The International and National Protection of Movable Cultural Property: a Comparative Study*, New York, 1978.

Articles

- Ainis e Fiorillo, "I beni culturali", in Cassese S. (a cura di), *Trattato di diritto amministrativo*, Milano, 2000, pp. 1449-1511.
- Alibrandi, "Beni culturali e ambientali", in *Enciclopedia giuridica*, vol. V, Roma, 1988, pp. 1-5.
- Arnold, *The Common Heritage of Mankind as a legal concept*, in «The International Lawyer», 9 (1975), p. 153 e ss.
- Bariatti, "L'accordo nel sistema delle fonti e il diritto dei trattati", in Carbone, Luzzato, Santa Maria (a cura di), *Istituzioni di diritto internazionale*, Torino, 2003, pp. 77-116.
- Cavallo, "La nozione culturale tra mito e realtà: rilettura critica della prima dichiarazione della Commissione Franceschini", in *Scritti in onore di Massimo Severo Giannini*, Milano, 1998, pp. 113-135.
- Charpentier, *Le contrôle par les organisations internationales de l'exécution des obligations des Etats*, in «Recueil des Cours», 1983, IV, pp. 143-246.
- Chiti, "Beni culturali", in *Trattato di Diritto Amministrativo Europeo*, Chiti e Greco (a cura di), Milano, 1997, pp. 349-381.
- Francioni, "Principi e criteri ispiratori per la protezione internazionale del patrimonio culturale", in Francioni, Del Vecchio, De Caterini (a cura di),

Protezione internazionale del patrimonio culturale: interessi nazionali a difesa del patrimonio comune della cultura, Milano, 2000, pp. 11-19.

- Francioni, Lenzerini, *The Destruction of the Bhuddas of Bamiyan and International Law*, in «European Journal of International Law», (14) 2003, p. 619 ss.
- Frigo, “Questioni in tema di rivendicazione e restituzione di beni culturali di proprietà privata al termine dei conflitti armati”, in *Diritto del Commercio Internazionale*, 1998, p. 355-384.
- Gardella, “Nuove prospettive per la protezione internazionale dei beni culturali: la Convenzione dell’UNIDROIT del 24 giugno 1995”, in Cofrancesco (a cura di), *I beni culturali tra interessi pubblici e privati*, Roma, 1999, pp. 341-366.
- Gattini, *Restitution by Russia of Works of Art Removed from German Territory at the end of the Second War*, in «European Journal of International Law», 7 (1996), pp. 67-88.
- Giannini, *I beni culturali*, in «Rivista di Diritto Pubblico», 1976, p. 3 ss.
- Grassi, “La circolazione dei beni culturali nella Comunità europea”, in Mezzetti (a cura di), *I beni culturali. Esigenze unitarie e pluralità di ordinamenti*, Padova, 1995, pp. 1-25.
- Greco, “Le principali convenzioni internazionali in materia di protezione dei beni culturali”, in Cofrancesco (a cura di), *I beni culturali tra interessi pubblici e privati*, Roma, 1999, pp. 287-296.
- Guelfi, “L’evoluzione del concetto di Bene culturale illustrata attraverso le immagini”, in Cofrancesco (a cura di), *I beni culturali*, cit., pp. 123-127.
- Jaime, *Antonio Canova, la repubblica delle arti ed il diritto internazionale*, in «Riv. Dir. Intern.», 1992, p. 889 ss.
- Lenzerini, “The Unesco Declaration concerning the international destruction of cultural heritage”, in *Italian Yearbook of International Law*, t.13, 2003, p.131 ss.
- Malenovsky, “Suivi des engagements des Etats membres du Conseil de l’Europe par son Assemblée parlementaire: une course difficile entre droit et politique”, in vol. XLIII, *Annuaire français de droit international* (1997), pp. 633-656.
- Meadowcroft, *Sustainable Development; a New(ish) Idea for a New Century?*, in «Political Studies», (2000) 48 (2) , pp. 370-387.
- Mercure, “Le choix du concept de développement durable plutôt que celui du patrimoine commun de l’humanité afin d’assurer la protection de l’atmosphère”, in McGill, *Law Journal/Revue de Droit de McGill*, 1996, p. 41 ss.
- Merryman, *Two Ways of Thinking about Cultural Property*, in «The American Journal of International Law», 1986, pp. 831-853.

- Pinto, "Les trois pôles de la sécurité démocratique", in *Les enjeux de la Grande Europe. Le Conseil de l'Europe e la sécurité démocratique*, Strasbourg, 1996, p. 41 ss.
- Piscitelli, "La disciplina dei beni culturali nell'ordinamento italiano. Sviluppi recenti", in Cofrancesco (a cura di), *I beni culturali tra interessi pubblici e privati*, Roma, 1999, pp. 15-77.
- Piva, "Cose d'Arte", in *Enciclopedia del diritto*, vol. XI, Milano, 1962, p. 93 e ss.
- Rodotà, "Les aspects de droit civil de la protection internationale des biens culturels", in *La protection juridique internationale des biens culturels (actes du treizième Colloque de droit européen)*, Council of « urope, Strasbourg, 1994, p. 108 ss.
- Rolla, "Bene culturale e funzione sociale", in *Scritti in onore di M.S. Giannini*, vol. II, Milano, 1988, pp. 563-595.
- Santoro Passarelli, "I beni della cultura secondo la Costituzione", in *Studi in Memoria di Carlo Esposito*, Padova, 1973, vol. I., p. 1425 e ss.
- Stella Richter e Scotti, "Lo statuto dei beni culturali tra conservazione e valorizzazione", in Catalani e Cattaneo, *I beni e le attività culturali, in Trattato di Diritto Amministrativo*, Santaniello (a cura di), vol. XXXIII, Padova, 2002, pp. 385-425.

Sicilianos, "Les mécanismes de suivi au sein du Conseil de l'Europe", in Rutz Fabri, Sicilianos, Sorel (a cura di), *L'effectivités des organisations internationales: mécanismes de suivi et de contrôle*, Paris, 2000, p. 249 ss.

Web Sites

- Accettura, *I beni culturali tra ordinamento europeo e ordinamenti nazionali*, Aedon (2) 2003.
<http://www.aedon.mulino.it/archivio/2003/2/accettura.htm>
- Chiti, *La nuova nozione di "beni culturali" nel decreto legislativo 112/1998: prime note esegetiche*, Aedon, (1) 1998.
<http://www.aedon.mulino.it/archivio/1998/1/chiti.htm>
- Chiti, *La tutela e la valorizzazione dei beni culturali in ambito internazionale (art. 20 d. lgs. 490/1999)*, Aedon, (1) 2000.
<http://www.aedon.mulino.it/archivio/2000/1/ch.htm>
- De Santis, *L'evoluzione del concetto di bene culturale*, Aedon, Dibattito.
http://www.aedon.mulino.it/risorse/dib_tu/desantis.htm
- Ferretti, *Prime riflessioni e spunti critici sul Codice dei beni culturali*, Altalex, 2004.
<http://www.altalex.com/index.php?idstr=124&idnot=2119>.
- Fontana, *Beni culturali della civiltà industriale: distruzione, tutela, valorizzazione, Patrimonio Industriale*, 2000.

<http://www.patrimonioindustriale.it/PatInd/progettii.nsf/0/c1256b9c005c8fdec1256968004b1d75?OpenDocument>

- Novali, *Workshop su intelligenza artificiale e beni culturali*, Enea, 1999.
<http://studi131.casaccia.enea.it/enea/apps/aiia/novali.pdf>
- Pastori, *Tutela e valorizzazione dei beni culturali in Italia: situazione in atto e tendenze*, Aedon, (3) 2004.
<http://www.aedon.mulino.it/archivio/2004/3/pastori.htm>
- Pitruzzella, *La nozione di bene culturale (artt. 1, 2, 3 e 4 d. Lgs. 490/1999)*, Aedon, (1) 2000.
<http://www.aedon.mulino.it/archivio/2000/1/pit.htm>
- Poggi, *Verso una definizione aperta di "bene culturale"? (a proposito della sentenza n.94/2003 della Corte costituzionale)*, Aedon, (1) 2003.
<http://www.aedon.mulino.it/archivio/2003/1/poggi.htm>
- Scazzosi, *Leggere e valutare i paesaggi*, Politecnico di Milano, 2003.
<http://www.paesaggio-territorio.polimi.it/rtf/modulo02contributi.rtf>

Documents

- Comunità europee, Direttiva 93/7/CEE del Consiglio, del 15 marzo 1993, relativa alla restituzione dei beni culturali usciti illegalmente dal territorio di uno Stato membro, G.U. L 74 del 27 marzo 1993.
- Conferenza Internazionale di Atene, The Athens Charter for the Restoration of Historic Monuments, Adopted at the First International Congress of Architects and Technicians of Historic Monuments, Athens, 1931, in http://www.icomos.org/athens_charter.html
- Council of Europe, Statute of the Council of Europe, London, 5.V.1949, CETS n.001.
- Council of Europe, Statutory Resolution, adopted by the Committee of Ministers, 3 May 1951, Res (51)30.
- Council of Europe, European Cultural Convention, Paris 19 December 1954, CETS n.018.
- Council of Europe, European Convention on the Protection of the Archaeological Heritage, London, 6 may 1969, CETS n.066.
- Council of Europe, Congress on the European Architectural Heritage. The Declaration of Amsterdam. 21-25 October 1975, in <http://www.coe.int>
- Council of Europe, European Charter of the Architectural Heritage, Adopted by the Council of Europe, October 1975, in Council of Europe, Council of Europe and cultural heritage. 1954-2000, Strasbourg, 2001, p.149-152.
- Council of Europe, Resolution concerning the adaptation of laws and regulations to the requirements of integrated conservation of the architectural

heritage, adopted by the Committee of Ministers on 14 April 1976 at the 256th meeting of the Ministers' Deputies, Res (76)28E.

- Council of Europe, Convention for the Protection of the Architectural Heritage of Europe, Granada, 3 October 1985, CETS n.121.
- Council of Europe, European Convention on Offences relating to Cultural Property, Delphi, 1985, ETS n.119.
- Council of Europe, Third European Conference of Ministers responsible for the cultural heritage, Malta, 16-17 January 1992, in <http://www.coe.int>
- Council of Europe, European Convention on the Protection of the Archaeological Heritage (Revised), La Valletta, 1992, CETS n.143.
- Council of Europe, Final Declaration of the 1st Summit of the Heads of States and Governments of the Council of Europe, Vienna, 9 October 1993, in <http://www.coe.int>
- Council of Europe, Resolution on the honouring of commitments entered into by member States when joining the Council of Europe, Strasbourg, 1994, Res (94)1031.
- Council of Europe, Framework Convention for the Protection of National Minorities, Strasbourg, 1 February 1995, CETS n.157.
- Council of Europe, Recommendation on the integrated conservation of cultural landscape areas as part of landscape policies, 11 September 1995, Rec (95)9E.
- Council of Europe, Helsinki Declaration on the political dimension of cultural heritage conservation in Europe. IVth European Conference of Ministers responsible for the cultural heritage, Helsinki, 30-31 May 1996, in <http://www.coe.int>
- Council of Europe, Recommendation on sustained care of the cultural heritage against physical deterioration due to pollution and other similar factors, Strasbourg, 4 February 1997, Rec (97)2E.
- Council of Europe, Final Declaration of the 2nd Summit of the Heads of States and Governments of the Council of Europe, Strasbourg, 5-6 November 1997, in <http://www.coe.int>.
- Council of Europe, Building Greater Europe without Dividing Lines, (report of the Committee of Wise Persons), in <http://assembly.coe.int/Documents/WorkingDocs/doc99/edoc8299>
- Council of Europe, Guidance on the development of legislation and administration system in the field of cultural heritage, Strasbourg, 2000.
- Council of Europe, Guidelines for the protection of the Archaeological Heritage, Strasbourg, 2000.
- Council of Europe, European Landscape Convention. Florence, 20 October 2000, ETS n.176.

- Council of Europe, Explanatory Report of the European Landscape Convention, Florence, 20 October 2000, in <http://www.coe.int>.
- Council of Europe, Resolution n.1 on the role of cultural heritage and the challenge of globalization. 5th European Conference of Ministers responsible for the cultural heritage, Portoroz, Slovenia, 5-7 April 2001, in <http://www.coe.int>.
- Council of Europe, Guidance on Inventory and Documentation of the Cultural Heritage, Strasbourg, 2001.
- Council of Europe, The Council of Europe and Cultural Heritage 1954-2000, Strasbourg, 2001.
- Council of Europe, Vilnius Declaration, Vilnius, 2002, in <http://www.coe.int/Documents>
- Council of Europe, European Cultural Heritage (Volume I) – Intergovernmental Co-operation: Collected Texts, Strasbourg, 2003.
- Council of Europe, Guidance on Urban Rehabilitation, Strasbourg, 2004.
- Council of Europe, Framework Convention on the Value of Cultural Heritage for Society, Faro, 27 October 2005, CETS n.199.
- Council of Europe, Explanatory Report to the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27 October 2005, in <http://www.coe.int>
- Council of Europe, Namur Declaration on the cultural heritage in the 21st century for living better together. Towards a common strategy for Europe. Vith Conference of Ministers responsible for the cultural heritage, Namur, 22-24 April 2015, in <http://www.coe.int>
- Siracusa Declaration on the Submarine Cultural Heritage of the Mediterranean Sea, Siracusa, 2001, in <http://www.un.org/Documents>
- Corte di Giustizia delle Comunità europee, sent. 10 dicembre 86, causa 7/68, in Foro Italiano V/69, 89.
- Decreto del Presidente della Repubblica 30 settembre 1963, n. 1409, Norme relative all'ordinamento e al personale degli Archivi di Stato, G.U. n. 285 del 31 ottobre 1963.
- Decreto del Presidente della Repubblica 24 luglio 1977, n. 616, Attuazione della delega di cui all'art.1 della legge 22 luglio 1975, n. 382, G.U. n. 234 del 29 agosto 1977.
- Experts Group on Environmental Law of the World Commission on Environment and development, Environmental protection and sustainable development. Legal principles and recommendations, London, 1987.
- Governo italiano, Decreto Legge 27 giugno 1985, n. 312 Disposizioni urgenti per la tutela delle zone di particolare interesse ambientale, G.U. n. 152 del 29 giugno 1985.

- Governo italiano, Decreto legislativo 31 marzo 1998, n. 112 "Conferimento di funzioni e compiti amministrativi dello Stato alle regioni ed agli enti locali, in attuazione del capo I della legge 15 marzo 1997, n. 59", G.U. n. 92 del 21 aprile 1998, suppl. ord. n. 77.
- Governo italiano, Decreto Legislativo 20 ottobre 1998, n° 368, Istituzione del Ministero per i beni e le attività culturali, a norma dell'articolo 11 della legge 15 marzo 1997, n. 59, G.U. n. 250 del 26 ottobre 1998.
- Governo italiano, Decreto Legislativo 29 ottobre 1999, n. 490, Testo unico delle disposizioni legislative in materia di beni culturali e ambientali, a norma dell'articolo 1 della legge 8 ottobre 1997, n. 352, G.U. n. 302 del 27 dicembre 1999, suppl.ord. n. 229.
- Governo italiano, Decreto Legislativo 22 gennaio 2004, n. 42, "Codice dei beni culturali e del paesaggio, ai sensi dell'articolo 10 della legge 6 luglio 2002, n. 137", G.U. n.45 del 24 febbraio 2004, suppl. ord. n. 28.
- Parlamento italiano, Legge 1 giugno 1939, n. 1089, Tutela delle cose di interesse artistico e storico, G.U. n.184 del 8 agosto 1939.
- Parlamento italiano, Legge 8 agosto 1985, n. 431, Conversione in legge, con modificazioni, del decreto-legge 27 giugno 1985, n. 312, recante disposizioni urgenti per la tutela delle zone di particolare interesse ambientale , G.U. n.197 del 22 agosto 1985.
- Parlamento italiano, Legge 15 marzo 1997, n. 59, Delega al Governo per il conferimento di funzioni e compiti alle regioni ed enti locali, per la riforma della Pubblica Amministrazione e per la semplificazione amministrativa, G.U. n.63 del 17 marzo 1997.
- Relazione della Commissione d'indagine Franceschini, 9 ottobre 1964, in Gli Atti della Commissione Franceschini. Per la salvezza dei beni culturali in Italia, Roma, 1967.
- Senato del Regno, Disegno di Legge "Per la tutela delle bellezze naturali e degli immobili di particolare interesse storico", A.S.204, Legislatura xxv.
- The Venice Charter, Internationale Charter for the Conservation and Restoration of Monuments and Sites,, II International Congress of Architects and Historic Monument Technicians, Venice, 1964, in http://www.icomos.org/Venice_charter.html
- UN, Declaration of the United Nations Conference on the Human Environment, Stockholm, 1972, in <http://www.unep.org/Documents>
- UN, Law of the Sea Convention, Montego Bay,1982, in http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm
- UN, Conference on Human Settlements, Istanbul, 3-14 giugno 1996, in <http://www.un.org/Conferences/habitat/>.

- UNEP, "Rio Declaration on Environment and Development", in <http://www.unep.org/Documents.multilingual/Default.asp?DocumentID=78&ArticleID=1163>
- UNESCO, Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 14 May 1954, U.N.T.S., t.249, p.240.
- UNESCO, Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, Paris, 14 November 1970, U.N.T.S., t.823, p.231.
- UNESCO, Convention Concerning the Protection of the World Cultural and Natural Heritage, Paris, 17 October 1972, U.N.T.S., t.1037, p.151.
- UNIDROIT, Convention on Stolen or Illegally Exported Cultural Objects, Roma, 1995, in [http:// www.unidroit.org](http://www.unidroit.org)