

**The Protection of Heritage and Cultural Diversity:  
A Humanitarian and Security Imperative in the Conflicts of the 21<sup>st</sup> century**

Background note to the International Conference  
“Heritage and Cultural Diversity at Risk in Iraq and Syria”

UNESCO Headquarters, Paris  
3 December 2014 Room II 2.30 – 5.30 pm

*This background note to the International Conference “Heritage and Cultural Diversity at Risk in Iraq and Syria” explores the impact on cultural diversity and heritage of the current crisis in Iraq and Syria, as well as ways of better integrating their protection into security, conflict resolution, humanitarian aid and development policies.*

**1. Introduction**

*“Culture and heritage are not about stones and buildings – they are about identities and belongings. They carry values from the past that are important for the societies today and tomorrow. [...] We must safeguard the heritage because it is what brings us together as a community; it is what binds us within a shared destiny.”<sup>1</sup>*

Established in the aftermath of the Second World War, on the conviction that economic and political treaties would not suffice for building a long-lasting peace, UNESCO was created to promote mutual understanding among people through cooperation in education, culture and the sciences. This conviction underlies the opening line of UNESCO’s Constitution: “Since wars begin in the minds of men, it is in the minds of men that the defences of peace must be built”<sup>2</sup>.

Almost 70 years later, this message is as relevant as ever, in the face of recent reports of systematic persecutions of minorities and destruction of Muslim, Christian, Turkmen, Kurdish, Yezidi and Jewish heritage, among others, in parts of Iraq and Syria.

Attacks against heritage and cultural diversity have become a recurrent phenomenon in a number of recent armed conflicts. Such attacks, combined with the persecution of minorities, as witnessed both in Iraq and Syria, represent a form of cultural cleansing that seeks to destroy the legitimacy of the “other” to exist as such. Through the deliberate targeting of minorities, schools, cultural heritage sites and property, the foundations of society are undermined in a durable

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<sup>1</sup> Address by Irina Bokova on the occasion of the ICOMOS Gala to Commemorate the 40th Anniversary of the World Heritage Convention, 2 December 2012.

<sup>2</sup> Preamble of the UNESCO Constitution:

[http://portal.unesco.org/en/ev.phpURL\\_ID=15244&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.phpURL_ID=15244&URL_DO=DO_TOPIC&URL_SECTION=201.html)

manner and social fragmentation accelerated. These attacks are often compounded by the looting and illicit trafficking of cultural objects, which contribute to global organized crime and, in turn, to fuelling armed conflict. In this context, protecting cultural heritage and integrating the cultural dimension in conflict prevention and resolution constitutes more than a cultural emergency – it is a political, humanitarian and security imperative.

It is imperative that the United Nations and the entire international community gain a better understanding of these forms of violence in order to further integrate the protection of cultural heritage and cultural diversity into policies related to security, conflict resolution, humanitarian aid and development. This Note describes how cultural heritage and diversity are directly affected by conflict today and, explores how consideration for cultural heritage and diversity can be more effectively integrated into security, conflict resolution, humanitarian aid and development processes and policies.

## **2. Cultural heritage affected by conflict**

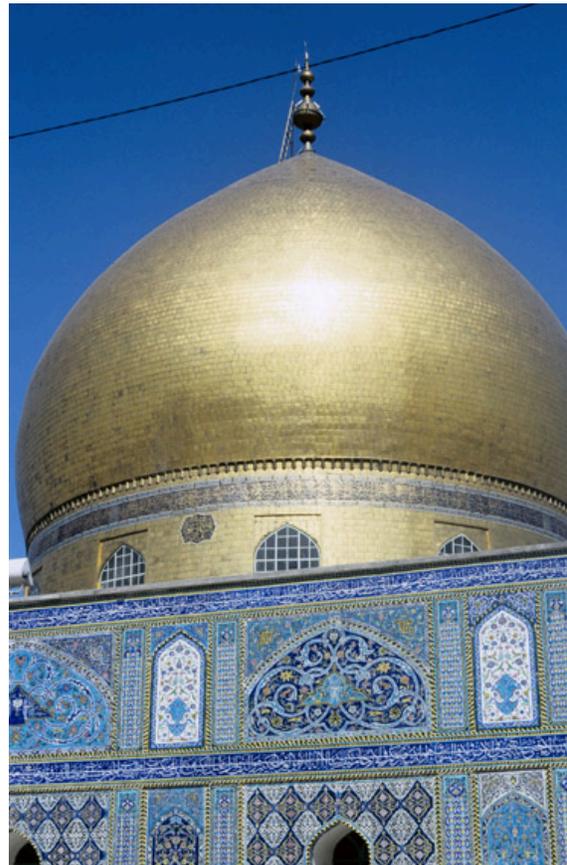
### *Cultural heritage as the target of intentional destruction*

Cultural heritage has increasingly become the direct target of systematic and deliberate attacks since the 1990s.

Heritage, as an expression of cultural identity, embodies a community's identity and feeling of belonging. As such, in times of conflict, cultural heritage is particularly at risk of attacks, for the high value attributed to it by the community to which it belongs. As a source of resilience and strength, and particularly for its association with stories and memories that reinforce the bonds of these communities to their land, cultural heritage can become a strategic target.

Examples in recent history include the deliberate destruction of parts of Dubrovnik in former Yugoslavia (1991-1992), of the Buddha statues of Bamiyan in Afghanistan (2001) and of 14 of the 16 ancient mausoleums of Timbuktu, Mali (2012).

The ongoing conflicts in Iraq and Syria have witnessed a number of attacks on cultural heritage. Over the past year, several religious heritage sites were targeted in and around the city of Mosul (Iraq), including the Shrine of Jonas, the Shrine of Prophet Daniel, as well as tombs of Sufi Sheikhs. The archaeological site of the Green Church in Tikrit, dating from the 8th century, as well as the Citadel of Tikrit also known as



**Fig. 1 - The Al Askari shrine, Samarra –  
Photographer Alessandra Peruzzetto © UNESCO**

Salaheddin's citadel/castle, have both been destroyed, together with the Shrine of Imam Dur, near Samarra.

It is also worth recalling that when the Al Askari Shrine in Samarra – one of Shi'ite Islam's holiest sites - was bombed in February 2006, no-one was killed in the blow. The symbolic meaning of the attack, however, was immediately understood by local populations. Within hours of the destruction, sectarian violence spread across Iraq, leading to thousands of deaths and to civil war, as it was very probably intended by the perpetrators of the destruction. This triggered the most important wave of internal displacement of Shia, Sunni and Christian populations, at the time, in Iraq.



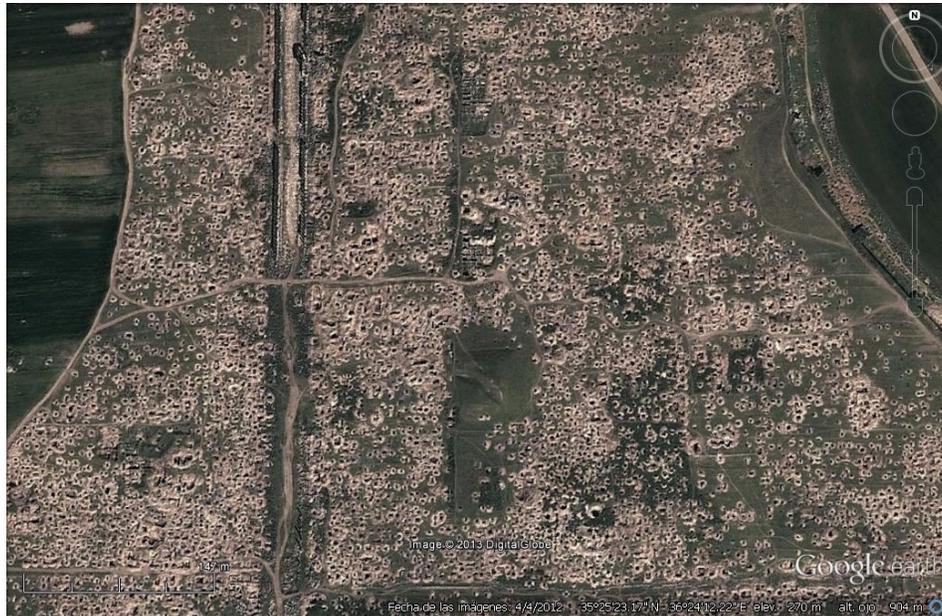
Fig. 2, 3 - The Al Askari shrine, Samarra © UNESCO

UNESCO's rehabilitation of the Al-Askari shrine in Iraq, after the two attacks on the shrine in 2006 and in 2007, entailed intense dialogue between Sunni and Shia religious and tribal leaders in Samarra. Indeed, a key condition for a successful and durable rehabilitation of the shrine was a joint commitment to its rehabilitation without interference of a sectarian nature, as well as the commitment by both Sunni and Shia communities and authorities to its future protection. In this sense, the rehabilitation of the al-Askari shrine was not only about cultural heritage conservation – it raised issues of intercultural dialogue and, most importantly, peaceful coexistence between Sunni and Shia communities.

### *Collateral damage*

Urban areas stand on the frontline both in Iraq and Syria. As a result, heritage properties suffer from important collateral damage. In Syria, for example, from Aleppo to Homs, cultural heritage sites, including UNESCO World Heritage sites, such as the Citadel of Aleppo and the Old City, have been heavily damaged during fighting.

In Syria, moreover, a large number of cultural heritages sites, including properties inscribed on the UNESCO World Heritage Sites list, have or are still allegedly used for military purposes, including the Citadel of Aleppo, the citadel of the archaeological site of Palmyra, the Crac des Chevaliers, the Saint Simeon complex of the ancient villages of Northern Syria and the Nabatean and Roman city of Bosra, in addition to other major sites, such as the Mesopotamian archaeological sites of Ebla and Mari. Many of these sites have been affected and damaged as a result.



**Fig. 4 - Extensive looting at the archaeological site of Apamea, Syria – Google Earth**

#### *Looting and illicit trafficking of cultural property*

Cultural heritage has been further affected by widespread looting and the illicit trafficking of cultural objects. The looting of cultural heritage sites and illegal excavations result in the loss of highly valuable cultural objects, and of the irreplaceable information they provide on the history of the countries concerned. Looting deprives the concerned communities of important points of reference to support their identity, and undermines the potential contribution of cultural heritage to their sustainable economic and social development. In addition, illegal excavation of archaeological sites and trade in antiquities contribute to global organized crime in support of military operations.

According to reports, confirmed by satellite images, looting is taking an unprecedented scale and is sometimes organized by armed groups themselves. For instance, according to the Directorate-General of Antiquities and Museums of Syria, 300 persons were digging at the major archaeological site of Dura Europos, in January 2014. There is evidence that contractors are hired and provided with heavy equipment, such as bulldozers, to dig at the sites. Additional revenue stems from the taxing of small-scale looters<sup>3</sup>. In Iraq, looting and illegal excavations in Mosul and the surrounding area are a great concern, and the smuggling of manuscripts has been reported.

Smuggling nourishes a system of illicit trafficking of cultural properties that is among the main sources of income for organized crime (between 7 to 15 billion USD every year, according to some sources). Trafficking routes cross neighbouring countries, including Lebanon, Turkey and the United Arab Emirates, to supply art markets in the UK, Switzerland and the US, amongst others. This is a global concern and can only be fought at the international level, involving

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<sup>3</sup> Letter dated 13 November 2014 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities addressed to the President of the Security Council, 14 November 2014, p. 24.

government agencies such as police and customs services, as well as stakeholders in the art market, including auction houses, museums and private collectors.

*The role of cultural heritage in post-conflict reconciliation*

The destruction of cultural heritage is perceived by the communities concerned as a direct threat to their security. Moreover, it weakens a community's capacity for resilience and recovery and makes post-conflict reconciliation much more difficult. Conversely, the rehabilitation of cultural heritage, in the post-conflict stage, may play a decisive role in rebuilding the fabric of societies and in creating the foundations for long-lasting peace and security.

As Michelle Le Baron stated, "Cultures are like underground rivers that run through our lives and relationships, giving us messages that shape our perceptions, attributions, judgments and ideas of self and the other"<sup>4</sup>. In post-conflict situations, cultural heritage often becomes a strong symbol and tool for the rebuilding of communities, helping them to break the cycle of violence and heal the scars of war.

*The attacks on cultural heritage as a crime of war*

Various international UNESCO Conventions establish legal systems for the protection of cultural heritage. Three conventions in particular -- the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols; the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; and the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (more commonly known as the World Heritage Convention) -- consider attacks on cultural heritage as attacks against shared identity.

Building on more than a century of jurisprudence in international law, there is increasing recognition of the connection between attacks against cultural heritage, human rights and security. The Rome Statute of the International Criminal Court, adopted in 1998, specifies that "intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, or against historical monuments, provided they are not military objectives, is considered to fall within the meaning of war crimes, both in the framework of international armed conflicts and armed conflicts not of an international character" (Art. 8)<sup>5</sup>.

This reaffirmed the approach adopted earlier by the International Criminal Tribunal for the Former Yugoslavia, established in 1993, which considered that "the intentional destruction of particularly religious buildings has been equated to cultural genocide", thereby indirectly referring to the destruction of cultural heritage<sup>6</sup>.

On 1 July 2012, Fatou Bensouda, the International Criminal Court's newly appointed Prosecutor, declared that the destruction of Sufi shrines in Timbuktu constituted a war crime under the Rome Statute. Three weeks later, following Mali's self-referral to the Court, the Office of The

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<sup>4</sup> Michelle LeBaron <http://www.beyondintractability.org/bi-essay/culture-conflict>.

<sup>5</sup> Article 8, comma (2), (b), (ix) of the Rome Statute of the ICC. This is accessible online from: [http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome\\_statute\\_english.pdf](http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf)

<sup>6</sup> Forrest, C. (2011). *International Law and the protection of Cultural Heritage*. P. 403. Routledge.

Prosecutor (OTP) officially launched a preliminary examination into the violence that had engulfed the country since January 2012.

These are encouraging developments, supporting efforts to deal with the protection of cultural heritage as a political, humanitarian and security imperative.

Despite these advances, however, the scale of the problem seen in Iraq and Syria highlights the urgent need for stronger responses on the part of the international community to attacks on cultural heritage and cultural diversity, including in legal terms.

In the case of Iraq and Syria, for example, action by the ICC is currently hampered by the fact that neither of the two countries has ratified the Rome Statute or the Second Protocol (1999) to the 1954 Hague Convention<sup>7</sup>. The latter is especially relevant as it provides for the possibility by a State Party to request, on an emergency basis, the granting of “enhanced protection”, with a view to ensuring “the immunity of cultural property ... by refraining from making such property the object of attack or from any use of the property or its immediate surroundings in support of military action” (Art. 12).

### **3. Cultural Cleansing – Cultural diversity under attack**

Cultural diversity, “embodied in the uniqueness and plurality of the identities of the groups and societies”<sup>8</sup>, is also at risk in both Iraq and Syria, threatened by sectarian agendas and religious fanaticism.

The *modus operandi* consists of an extremely coherent and violent attempt to “cleanse” the society from any form of diversity, as well as and from all its places and vectors of cultural practice and free thinking. This includes deliberate attacks on places of worship and memory, as well as the killing of journalists and teachers, and the revision of education curricula to foster hatred against the other. All of this is integrated into a conscious communication strategy, with a sophisticated use of the mass media, including through the Internet. As such, cultural cleansing is an instrument of warfare -- which Nordstrom described as the destruction of “what military strategists conceive of as humanity. This form of terror is not directed at the destruction of life and limb, but against all sense of a reasonable and humane world.”<sup>9</sup>

In Iraq notably, major concerns about the safeguarding of the country's cultural diversity, already fragile from previous conflicts, have resurfaced, especially in light of last summer's wave of systematic persecutions of cultural and religious minorities in areas under the control of the Islamic State of Iraq and the Levant (ISIL) and associated armed groups. The persecution of Iraq's minority communities such as Yezidis, Christians, Fayli Kurds, Shabaks and Turkmen, as well as of Sunni communities, has included arbitrary killings and arrest, torture, slavery, intimidation and marginalization. For instance, homes in Mosul inhabited by Christians have been marked with

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<sup>7</sup> Accessible from: [http://portal.unesco.org/en/ev.php-URL\\_ID=15207&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15207&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>8</sup> Art. 1, UNESCO Universal Declaration on Cultural Diversity (2001).

<sup>9</sup> Nordstrom, C. (1998) Terror Warfare and the Medicine of Peace. *Medical Anthropology Quarterly*, 12(1), pp. 105-108.

the Arabic letter “noun”. These systematic violations of international human rights and international humanitarian law may in some instances amount to war crimes and crimes against humanity.



Fig. 5 - Homes marked with the Arabic letter “noun”

These persecutions on the basis of cultural and religious identity have triggered a massive forced displacement of populations in Iraq from areas traditionally hosting a vast diversity of cultural minorities. To date, more than 2 million people have fled to other regions of the country, in particular to the Kurdistan Region.

Similarly, the crisis in Syria has triggered massive internal displacement of more than 6 million people. It has also resulted in more than 3 million Syrians seeking refuge in neighbouring countries.

The forced displacements in both Iraq and Syria are threatening to cause an irreversible modification of these country’s social fabric and cohesion, with far-reaching consequences not only for their rich cultural diversity, but also for stability in the region and national reconciliation.

Affected people are suffering from the disruption of their cultural practices, skills and expressions of intangible cultural heritage. In the longer-term, if these populations are left without a prospect for the safe return to their homes the cultural diversity in Iraq and in Syria will be irreversibly lost. Another critical challenge is for people to regain trust and confidence in peaceful coexistence within a society composed of diverse cultural and religious groups.

As a source of identity, meaning and belonging, culture can both facilitate social cohesion and fuel social exclusion and discrimination. In this respect, it is worth recalling the UNESCO

Universal Declaration on Cultural Diversity (2001), which emphasizes how, in addition to safeguarding the reality of cultural diversity, it is essential to “ensure (the) harmonious interaction among people and groups with plural, varied and dynamic cultural identities as well as their willingness to live together”, through “policies for the inclusion and participation of all citizens” and the development of so-called multi-cultural competency , which “are guarantees of social cohesion, the vitality of civil society and peace”.

Acknowledging and promoting respect for cultural diversity, within a framework based on human rights and through appropriate educational and cultural initiatives, can facilitate intercultural dialogue, prevent renewed conflicts and protect the rights of marginalized groups, thus creating optimal conditions for achieving peace. Dialogue and reconciliation processes, along with missions and humanitarian interventions sensitive to the cultural context and the particularities of a place and its community, can help to safeguard the cultural heritage associated to all groups within society and to advance a human-centred approach. On this basis, such peacebuilding strategies are likely to be more effective and sustainable.

In the short-term, as hundreds of thousands of IDPs and refugees are preparing to spend the winter in camps or host communities in Iraq, Syria and neighbouring countries, the risk of inter-cultural tensions among different communities and with host communities is considerable and may have long-lasting effects.

Affected populations are subject to extreme living conditions, exacerbated by the fact that they are away from their homes, places of cultural and religious practices and expression. In this context, integrating consideration for culture, and in particular for cultural diversity, into the planning and management of the temporary re-settlement of IDPs and refugees, both in camps and host communities, combined with activities aimed at the resumption of cultural practices would be a critical step to avoid culture becoming further instrumentalized in the current crisis.

Lastly, activities aimed at fostering mutual understanding and at creating opportunities for dialogue between members of different ethnic, cultural or religious groups within the camps and host communities, would permit to ease tensions in the short-term and pave the way for future peaceful co-existence.

Such attacks against places of knowledge, memory and culture of universal significance bear witness to a process of cultural cleansing underway and nurture a spiral of vengeance over the long term. They also highlight that culture is a deliberate target at the frontline of contemporary crises and that it should therefore be also at the heart of security, humanitarian and peace strategies against persecution based on identity, culture or religion.