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UNITED NATIONS EDUCATIONAL,
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at the Opening of the Fifth Meeting of the States Parties
to the 1954 Hague Convention for the
Protection of Cultural Property in the Event of Armed Conflict

UNESCO, 5 November 2001

Ladies and Gentlemen,

It gives me great pleasure to welcome you to the fifth meeting of States Parties to the 1954 *Convention for the Protection of Cultural Property in the Event of Armed Conflict*. This meeting occurs just after the 31st session of UNESCO's General Conference, which will be remembered as a landmark event as far as the protection of cultural heritage is concerned. By taking the important step of adopting the *International Convention on the Protection of the Underwater Cultural Heritage*, the General Conference has completed the international legal framework pertaining to the protection of the **tangible** cultural heritage.

The General Conference also opened up a major new avenue of standard-setting action in regard to the protection of the **intangible** cultural heritage. I am pleased to inform you that I have been authorized to start preparatory work towards an international convention for the protection of intangible cultural heritage, to be elaborated in the coming years.

Meanwhile, it is increasingly evident that we need to strengthen and broaden our capacity for prevention and protection by putting in place a system of sanctions against those who deliberately destroy and damage cultural heritage. The Hague Convention, of course, already provides a good example of how such sanctions may operate. Our need for the Convention is not lessening with time: whether inter-state or intra-state in character, armed conflict increasingly includes attacks upon cultural heritage. Sadly, the importance of protecting and conserving cultural property in the midst of violent conflict is paid no heed by some. For them, indeed, the cultural heritage of an enemy is a legitimate target.

However, the sanctions available under the terms of the Hague Convention are limited to circumstances of armed conflict or occupation. But there is now a disturbing new development at large in the world, namely, attempts to kill part of the identity of a people through the destruction of cultural heritage. The demolition of the Bamiyan statues in Afghanistan was not due to actual conflict, but was the act of an occupying power. This destruction was aimed at erasing part of the very identity of the Afghan people. In light of such shocking types of deliberate destruction, the General Conference has invited me to prepare a Draft Declaration against the Intentional Destruction of Cultural Heritage. It is imperative that we respond quickly and effectively to these new threats, which put at risk the cultural heritage of particular peoples and the common heritage of humanity. A new system of prevention is required to respond to these new realities.

Ladies and Gentlemen,

Let me now turn to the main agenda of this meeting of States Parties to the Convention. The meeting has three main purposes: first, to assess the implementation of the Convention and its two Protocols since the last meeting of this kind, which took place in November 1999; second, to identify problems in such implementation; and, third, to seek their solutions. Clearly, your agenda is a serious one, with far-reaching consequences.

I am pleased to note that the number of States party to the Hague Convention now totals one hundred and one, representing all geographical groups in UNESCO. I would like to have more States acceding to the Convention in order to further reinforce the universal character of the Convention.

The health of the Convention, however, cannot be measured only by the number of signatories. In your discussions, therefore, several questions must be asked. Is the Convention implemented evenly by all States Parties? Is it implemented consistently by each State Party? Have all States Parties taken the necessary measures to ensure the safeguarding of and respect for cultural property? Have they adopted all the necessary administrative, legal, military and technical measures so that the Convention is operational within their territory? The same issues must be raised with regard to the 1954 and 1999 Protocols. I am sure that these are the kinds of questions that you will consider during your deliberations.

Our meeting is the second since the adoption of the Second Protocol by the Hague Diplomatic Conference held in March 1999. As you know, this new instrument has not yet entered into force. However, there are now nine States party to the Second Protocol, which is an encouraging sign. However, eleven more acceptances, accessions, approvals or ratifications are needed in order to make this new instrument operational and allow for the establishment of the Committee for the Protection of Cultural Property in the Event of Armed Conflict.

May I take this opportunity, therefore, to call on those countries which have not yet become party to the Second Protocol to speed up the necessary steps to become so. Let me also remind you that a number of measures called for under the Second Protocol are not only necessary in cases of armed conflict, but will be of assistance also in cases of natural disaster and in the fight against art theft.

I would like to stress one crucial consideration - the need for increased involvement by civil society in the implementation of the Convention. This issue emerged with great clarity from an important meeting in Bregenz in September, organized by the Austrian Society for the Protection of Cultural Property within the framework of NATO's Partnership for Peace Programme. This meeting showed the importance of close cooperation between the military and civil society in order that cultural property is better protected.

Ladies and Gentlemen,

At the same time as we reject categorically the idea of an inevitable 'clash of civilizations', we must also be realistic in recognizing that attacks upon the cultural heritage of enemies have become a tool of war. Here, I return again to the importance of sanctions against those who destroy cultural heritage. We must recognize that such attacks do not arise simply from 'the heat of the moment' but are calculated, pre-meditated and deliberate; in fact, they often form part of a strategy of hostility, especially in inter-ethnic conflicts. We must get to grips with these sobering realities. In facing them, we must not tire, we must not doubt the importance of our work, and we must not allow setbacks and disappointments to deter us. I can assure you that UNESCO remains resolute in its determination to do all it can to protect the world's cultural heritage in all its rich diversity.

I have spared no effort in my endeavour to protect and preserve the world's cultural heritage. In its work, UNESCO depends upon the support of governments and a variety of partners. I would like to take this opportunity to thank all of them for encouraging and assisting our efforts to make the Convention and its two Protocols more widely known, more respected and more fully implemented. Rest assured that your work within this, the fifth meeting of States Parties to the Convention, is vitally important for carrying forward the struggle to protect cultural property whenever and wherever armed conflicts occur.

Thank you for your attention. I hereby declare the meeting open and wish you every success in your deliberations.