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Educational, Scientific and
Cultural Organization

“Heritage and Cultural Diversity at Risk in Iraq and Syria”

International Conference

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REPORT



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Executive Summary

On 3 December 2014, UNESCO hosted an International Conference on “Heritage and Cultural Diversity at Risk in Iraq and Syria” at its Paris Headquarters, as a means to raise awareness on the scale of devastation of cultural heritage in the region today.

The purpose of the Conference was also to highlight that the destruction of cultural heritage and the persecution of minorities are not merely a cultural emergency, but a political and security imperative for which adequate responses at the political and humanitarian levels are needed.

Against the background of increasingly violent sectarian conflict and the intentional destruction of places of cultural significance in Iraq and Syria, a process described by UNESCO’s Director-General Irina Bokova as cultural cleansing, the meeting sought to unite stakeholders in order to find innovative ways to more effectively protect cultural heritage under attack and to better integrate the cultural dimension into the political response to crises, as well as into security, peacebuilding, humanitarian aid and development strategies.

The term cultural cleansing refers to an intentional strategy that seeks to destroy cultural diversity through the deliberate targeting of individuals identified on the basis of their cultural, ethnic or religious background, combined with deliberate attacks on their places of worship, memory and learning. The strategy of cultural cleansing that can be witnessed in Iraq and Syria is reflected in attacks against cultural heritage, that is both against physical, tangible and built expressions of culture such as monuments and buildings, as well as against minorities and intangible expressions of culture such as customs, traditions and beliefs.

All speakers highlighted the many ways in which culture or cultural heritage are at the frontline of conflict today, and therefore why it is a necessity to take them into account in the design and implementation of any effective and sustainable response. In particular, the following links between culture and conflict were pointed out at the conference:

- The deliberate targeting of cultural heritage in an attempt to destroy the legitimacy of the other to exist as such, exemplifying the most violent forms of fanatic violence today;
- The most likely link between the illicit trafficking of cultural objects and the financing of terrorism and sectarian violence;
- The deliberate destruction of schools, cultural places, and institutions representing free speech and freedom of opinion as well as the deliberate targeting of journalists and professionals dedicated to reinforcing these values, which bears witness to a coherent strategy to destroy the foundations of human society.

The Conference also highlighted the evolving nature of conflicts in the 21st century, which are often taking place among many non-international actors and within urban areas and target civilian populations. Many cultural landmarks have thus been damaged or destroyed as collateral damage of the war, while unrest and the collapse of governance have fuelled the looting of museums and archaeological sites.

In response to these issues, five main concrete policy proposals were made by the participants to the conference:

1. An international ban on trade in cultural objects from Syria at the United Nations (UN) Security Council (SC) level, echoing a similar measure taken for Iraq through UN SC Resolution 1483 (2003).
2. The creation of “protected cultural zones” around major heritage sites as a way to reduce violence through negotiated ‘freezes’ of the hostilities, starting from places of shared cultural value, with the city of Aleppo as a pilot.
3. Stronger investment in access to quality education as the key to preventing further radicalization as well as to promoting respect for cultural diversity, pluralism and dialogue among different communities.
4. Wider ratification and stronger implementation of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its additional protocols, as well as putting an end to impunity for deliberate attacks against cultural heritage, which is recognized as a war crime under the Rome Statutes of the International Criminal Court.
5. An in-depth analysis of “cultural cleansing” as a process, including the relevance in its connection of the protection of human rights and the prevention of genocide.

UNESCO is following up on these issues, in collaboration with relevant agencies and partners. In this regard, the Director-General of UNESCO announced at the Conference the launching of a multidirectional outreach campaign for the protection of Syrian and Iraqi cultural heritage. This campaign uses different means of communication – from social media to the production of audio-visual materials – in order to broadly disseminate UNESCO’s message. This campaign also taps into the network of high-visibility museums (e.g. the Louvre), auction houses, as well as national and international media through the production of joint materials and social media campaigns.

The conference was organized with the generous support of the State of Kuwait and the Kingdom of Saudi Arabia. It brought together decision-makers, experts and representatives from both Iraq and Syria, as well as international curators, academics, decision- and policy-makers, representatives from international and non-governmental organizations, law-enforcement agencies and museum and auction house professionals at the highest level.

The following report gives an overview of each speaker’s main ideas and policy suggestions made at the three sessions of the Conference (see Programme in Annex I): the high-level segment, the panel on “Cultural Cleansing – Cultural Diversity under Attack” and the panel on “Protecting Cultural Heritage in Iraq and Syria – A Security Imperative”.

Finally, the report includes additional remarks from invitees who did not get an opportunity to intervene during the Conference, but who shared their ideas in writing (Section VII).

Setting the Stage

Ms Irina Bokova, Director-General of UNESCO

Ms Bokova highlighted that the protection of heritage is not only a matter of cultural urgency, but also a political and security necessity. Using a map of Iraq displaying the country's great cultural diversity, she demonstrated how culture must be a central consideration for any strategy for peace. She further stated that education is a vital resource in the fight against fanaticism, as it provides a platform for populations to forge collective identities, which is a fundamental element in overcoming conflicts. Through a series of images, Ms Bokova explained how Iraqi and Syrian people are being persecuted and chased from their homes based on their cultural and religious background. She referred to the examples of Aleppo and Apamea to illustrate that heritage is being specifically targeted and destroyed as part of a violent and premeditated cultural cleansing strategy, and noted how the illicit trafficking of cultural goods is likely to be directly financing terrorism.

Ms Bokova moreover underlined UNESCO's role in raising the alarm and in bringing partners together to find solutions, and that condemning the violence is not sufficient. In response to the conflicts in Iraq and Syria, she reminded the audience that UNESCO created an Emergency Response Action Plan in order to promote dialogue between parties and to work together towards protecting cultural heritage. For Syria, with the support of the European Union (EU), UNESCO has established a monitoring mechanism and is undertaking urgent measures to mitigate risks and to fight illicit trafficking. However, more must be done. Ms Bokova highlighted the need to integrate the cultural dimension into peace strategies, particularly in countries where cultural heritage is on the front line. She also proposed the creation of "protected cultural zones" around heritage sites through stronger engagement with local actors, and called for the UN Security Council to consider a ban on trade in Syrian cultural objects.



Fig. 1 – Ms Irina Bokova, Director-General of UNESCO © UNESCO

Mr Ban Ki-moon, Secretary-General of the United Nations

In his video address, the UN Secretary General Ban Ki-moon applauded the Conference as "a new stage" in efforts to protect the cultural heritage and the cultural diversity of Iraq and Syria. Stressing the fact that violations against heritage sites and minorities "fuel the cycle of sectarian vengeance and violence", he deemed the protection of cultural heritage a "political and security imperative" and called for it to be a "central component of peacebuilding and conflict resolution efforts and humanitarian and development policies".

Ms Emily Rafferty, President of the Metropolitan Museum

Ms Rafferty first reminded the audience of the 25 September 2014 launch of ICOM's Emergency Red List of Syrian Cultural Objects at Risk at the Metropolitan Museum in New York, which Ms Bokova attended together with US Secretary of State Mr John Kerry, and underlined the importance of "worldwide collaboration in preservation".

According to Ms Rafferty, because history is cyclical and cultural heritage and its preservation provide a direct link to human understanding and human dignity, the loss of cultural heritage represents a tragedy. Moreover, Ms Rafferty recalled the significance of culture as integral to economic growth and stability, notably through tourism.



Fig. 2 – Emily Rafferty, President of the Metropolitan Museum © UNESCO

Further, recalling museums’ role as “guardian[s] of ancient civilizations”, Ms Rafferty stressed their contributions in the direct conservation of objects and the training of conservation specialists, in the sharing of best practices as well as in the maintenance of archival records.

Lastly, Ms Rafferty reiterated the Metropolitan’s commitment to bringing attention to the devastation of Syria and Iraq’s cultural heritage. She also stressed the value of the gathered stakeholders’ “transparency, accessibility and openness to dialogue” as a “strike against the violence and hatred” afflicting Iraq and Syria.

Hon. Sheikh Humam Hamoudi, First Deputy Speaker of the Council of Representatives of Iraq

In his speech, Hon. Sheikh Hamoudi highlighted the fact that the Conference marked a growing international consensus for the protection of cultural heritage, building on resolutions by the UN Security Council, and demonstrating the existing awareness of the danger posed to cultural heritage in Iraq.

As the bearer of the birth of civilizations and of cultural and civilizational wealth, Mesopotamia, according to Mr Hamoudi, has been at the service of humankind, inventing writing and the wheel as well as granting Iraq with its specificity based on different people living side by side in peace.

He recalled that Iraq had previously been subject to attacks on its culture and knowledge and that it is today again subject to similar attacks from “forces of darkness and ignorance” that will, however, not prevail. He also reminded everyone that these forces represent a danger for all humankind, as they wish to “destroy the unity of human culture, the art of living together, the diversity and the cultural exchanges between cultural civilizations”. Because its culture does not belong to Iraq but to all humankind, Sheikh Hamoudi stressed the shared responsibility to protect it as well as Iraq’s urgent need for support to preserve its cultural heritage and to fight illicit trafficking. He invited all State Parties to the UNESCO 1954, 1970, 1972 and 2003 Conventions, as well as the supporters of the UNESCO Executive Board Resolution regarding the protection of Iraq’s cultural heritage to assist his country in fighting terrorism and helping it protect its cultural heritage with a view to building peace.



Fig. 3 – Hon. Sheikh Humam Hamoudi, First Deputy Speaker of the Council of Representatives of Iraq © UNESCO

Mr Nickolay Mladenov, Special Representative of the Secretary-General for Iraq and Head of United Nations Assistance Mission for Iraq (UNAMI)

Mr Mladenov stressed the dangers that the Islamic State in Iraq and the Levant (ISIL) presents to the Middle East and in particular to Iraq, as it challenges the sovereignty of countries through the use of strategies that promote the weakening of societies, the fermentation of sectarian division and the undermining of legitimate authorities. In order to attempt to resolve the issues faced in Iraq, he highlighted the importance of safeguarding Iraq’s long and rich historical heritage, which is gradually



Fig. 4 – Mr Nickolay Mladenov, Special Representative of the Secretary-General for Iraq and Head of United Nations Assistance Mission for Iraq (UNAMI) © UNESCO

being destroyed through conflict, and the need to rebuild an Iraqi education system founded on a modern understanding of human rights, the rule of law and the protection of minorities. However, he acknowledged the difficulty of such an undertaking in a traditional society that has recently undergone radical regime changes. In order to put these proposals into practice, he called upon the support and cooperation of the international community in working with local and national Iraqi authorities, as well as inviting neighbouring countries to enact initiatives and policies which would contribute to the future stability in the Middle East.

Mr Staffan de Mistura, UN Special Envoy of the Secretary-General for Syria

“Syria has been suffering too much”. It is with this strong statement that Mr de Mistura opened his speech, underlined by the terrible count of 2.3 million Syrian refugees, 7.2 million Internally Displaced People (IDPs) and 11 million people in need of humanitarian assistance facing 30 years of lost economic growth.

Mr de Mistura questioned the continuation of military activities as “everyone agrees there is no military solution” but only a political, Syrian-led one. Recognizing that a Conference to discuss peace was unfortunately still premature, de Mistura suggested a bottom-up plan of action based on three priorities. First, “do all we can, wherever we can” to reduce violence “on people, between people and on buildings”, that represent the “reality of the history of this wonderful country”. Based on this, aid could be increased to bring back normalcy to the daily lives of people. Third and last, a political process could be started to find an alternative to the currently prevalent zero-sum approach of the conflict parties. To implement this plan of action, Mr de Mistura suggested choosing one pilot project to set an example: Aleppo, a particularly valuable city in terms of cultural heritage and diversity, where all religions coexist, where all cultures of the Mediterranean have left their mark. Currently fought for by government and opposition forces, Mr de Mistura argued that ISIL, the “political Ebola” of our time, was only waiting for its turn to enter the city. In this context, he sought to mobilise the international community to save Aleppo, and particularly the Omayyad Mosque as “an optimal iconic symbol of what we should be protecting”, by advancing the idea of, at minimum, a fighting freeze as the signal of a “laboratory of hope” that could be spread to other parts of the country.



Fig. 5 – Mr Staffan de Mistura, UN Special Envoy of the Secretary-General for Syria & Mr Lakhdar Brahimi, his predecessor © UNESCO

Q&A

Replying to a question about measures to be taken to reform educational systems that teach hatred, the DG stressed that tolerance, respect of diversity and cultural literacy need to be taught in schools. She also gave practical examples of UNESCO activities in this regard, such as the reviewing of text books or the

elaboration of general histories. The Honourable Sheikh Hamoudi agreed with the DG's views, adding that "history is of the utmost importance in order to have a clear vision of oneself and the others" and that for coexistence to be possible, acceptance of each other was necessary. In this context, he reiterated the importance of education, as well as of political and religious democracy, and recalled that the Iraqi Constitution foresees coexistence in its text.

In his comment, Mr Bakhtiar Amin, former Iraqi Minister for Human Rights and Director of the Foundation of the Future, urged Sheikh Hamoudi to put on the agenda of the Parliament of Iraq first the ratification of the 1999 Second Protocol of the 1954 UNESCO Convention, and second the ratification by Iraq of the Rome Statute of the International Criminal Court, particularly to implement its Article 8 related to the targeting of cultural sites during armed conflict. Third, he suggested that the Citadel of Kirkuk, his home town, be put on the World Heritage List.

Cultural Cleansing – Cultural Diversity under Attack

The Conference's first panel paid particular attention to the issue of cultural cleansing, exploring its ideological, ethnic, religious and political sources, and discussed the role of culture as a bridge between peoples, source of resilience for communities and as a factor in reconciliation. It was moderated by H.E. Ambassador Pierre Morel, Director of the Observatoire Pharos, who introduced the session by reiterating Mr de Mistura's understanding of the Conference as a forum to raise awareness and consider concrete actions to take. Mr Morel defined the phenomenon of cultural cleansing underway in Iraq and Syria as a "strategy by certain forces to destroy the legitimacy of the other, deprived of his fundamental right of existence and expression", exemplified by physical aggression against people, objects, memory and traces of memory, as well by the revision of education curricula. He stressed that these processes in Iraq and Syria were part of a conscious policy, as opposed to deplorable, accidental occurrences, aimed at the reduction of cultural diversity. Moreover, he qualified this undertaking as at odds with human nature, as all identities and traditions are always plural.

Prof. Homi K. Bhabha, Director of the Mahindra Humanities Center at Harvard University

In his very eloquent intervention, Prof. Bhabha reiterated the Conference's purpose of "comprehend[ing] the tragedy of cultural cleansing and envisag[ing] a strategy of prevention and resolution" – not without acknowledging this to be "a daunting task" when living "in the midst of the fog of war".

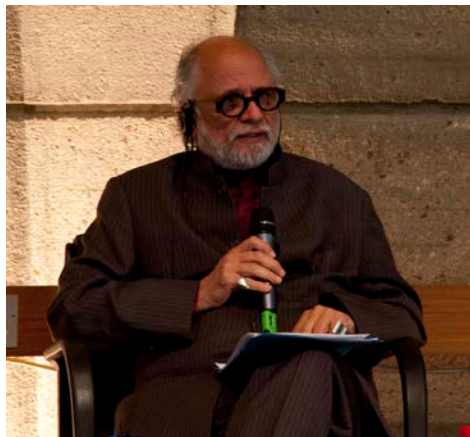


Fig. 6 – Prof. Homi K. Bhabha, Director of the Mahindra Humanities Center at Harvard University © UNESCO

Prof. Bhabha also took the opportunity to define the process of cultural cleansing further, comparing it to "death by hunger". According to him, "to starve a people to death is to reduce them to a blind physical drive that can no longer respect the boundary between human life and animalistic existence". Similarly, "the aim of cultural cleansing is to degrade the diverse cultural heritage of others in order to banish the oppressed into a state of barbarism outside human history altogether". He however rejected the tendency to brand the phenomenon of cultural cleansing as an effect of the clash of civilizations, categorizing the latter as "an idea of cultural conflict inspired by the bipolarities of Cold-War-thinking". Rather, cultural cleansing is, to him, the expression of "sectarian resistance to cultural heritage sites that have shared hybrid histories of intercultural affiliations". Looking forward, Prof. Bhabha suggested debating

the paradigm of Responsibility to Protect (R2P), and its possible implications for "cultural institutions, customs and practices".

Mr Adama Dieng, UN Special Adviser of the Secretary-General on the Prevention of Genocide

Mr Dieng started his intervention by emphasizing the urgency in responding to the human tragedy unfolding in Syria and Iraq. For him, "it is time to act". He described the current situation as the "unfortunate consequence of the deliberate exclusion of sectors of the population from participation in decision-making processes". In this context, he did not stand back from mentioning the previous Iraqi government's role in "deliberately pursu[ing] a policy of non-inclusion of Sunni communities", that contributed to increasing frustration and led to sectarian hatred that helped "facilitating the emergence" of ISIL. He, however, commended the formation of the current Iraqi unity government, as "a step in the right direction".

The Office of the Special Adviser of the UN Secretary-General on the Prevention of Genocide has developed an analysis framework “to assess the risk of atrocity crimes”. According to Mr Dieng, the destruction of “property of cultural and religious significance” is an indicator for an “increased risk of genocide, ethnic cleansing and crimes against humanity when combined with other risk factors”. Notwithstanding, Mr Dieng stressed that these types of destructions constitute a war crime in themselves, and are understood as a threat to their security by the concerned communities. In reverse truth, “attacks against people” inhibit the path to reconciliation and peace because they are also attacks against their culture.



Fig. 7 – Mr Adama Dieng, Special Adviser of the Secretary-General on the Prevention of Genocide © UNESCO

Finally, Mr Dieng emphasized the key role of education in building the “resilience of societies to atrocity crimes”, calling educators “agents of prevention” that should be supported.

Dr Antonella Caruso, Director of the UN Department of Political Affairs Middle East and Western Asia Division



Fig. 8 – Dr Antonella Caruso, Director of the UN Department of Political Affairs Middle East and Western Asia Division © UNESCO

Dr Caruso outlined the principle factors behind the rapid expansion of ISIL in Iraq and Syria, although she noted that the political situation in the two countries were different, but are often grouped together in modern discourse due to their common enemy: ISIL. According to her, ISIL’s rapid expansion in Iraq can be partially explained by the lack of progress in the reconciliation process after the civil war of 2006-2007, as this magnified identity politics and divisions among different components of Iraqi society and their political elites. Incomplete integration of members of the Sahawat, coupled with the revenge killing of the tribal leaders’ families, who were instrumental in preventing Al-Qaida from gaining influence in the region, have also contributed to the current crises. Moreover, socio-economic grievances have provided an environment conducive to ISIL’s inflammatory and revisionist rhetoric, as the Iraqi government never fully addressed the issues at the root of the demonstrations that took place in Anbar province throughout 2011-2013. By exploiting Sunni grievances, ISIL could rely on local armed groups. In addition to these events, ISIL’s rapid expansion has also

enabled the terrorist organization to acquire rich natural resources and to set up an efficient local administration, upon which it can start to build a proto-terrorist state. Lastly, Dr Caruso urged the people of Iraq and Syria to work together to bring down the wall of mistrust that divides the populations.

H.E. Prof. Adnan Badran, Representative of H.R.H. El-Hassan Bin Talal of the Hashemite Kingdom of Jordan

H.E. Prof. Badran questioned the current approach to fighting ISIL, as applying military force without addressing the root of the problem would never provide a sustainable solution. He emphasized that ISIL is trying to spread a fundamental extremist religious ideology similar to that of the dark medieval ages, and cannot be blocked except by enlightened ideology-thinking of moderate true Islam. He explained

that the killing of one ISIL militant could be used as a catalyst to recruit swathes of young people, and that development in the Middle East would be severely hindered for years to come, as petrodollars are used to finance militants rather than investing in future development. He stressed that the conflict only emphasized cultural and racial differences, as opposed to highlighting the common elements that unite people. Mr Badran insisted that we must not let these divisions harden, as it is the marginalization of religious groups that has led to the rise in extremism. He said that secular, civil and democratic states in the Middle East should be promoted, where all strata of society are free to participate, worship freely with no discrimination based on gender, religion, nationality, ethnicity or colour. He also stated that sheikhs and religious leaders in the Middle East must address ISIL's misinterpretation of Islam which promotes violence and killing, and call people back to the real meaning of Islam which is peace and harmony. Prof. Badran proceeded to explain that education was one of the most effective means of combatting ISIL, as it is only education that can bring about enlightenment and provide the key to easing religious and racial tensions. UNESCO, he explained, was a fundamental instrument in this process, as it not only promotes education and dialogue, but it also provides pedagogy and educational skills that are conducive to the development of culture and peace. He called for education systems to be reformed from early childhood in order to remove hatred and religious extremism from certain textbooks, and to identify the barriers which impede ethics and integration. Mr Badran concluded by emphasizing the important role the media, and notably social media, in bringing about a paradigm shift in the perception of other people, ideologies and value systems.



Fig. 9 – H.E. Prof. Adnan Badran, Representative of H.R.H. El-Hassan Bin Talal of the Hashemite Kingdom of Jordan © UNESCO

Q&A

Ms Maria Saadeh, a Syrian parliamentarian, took the floor to remind the audience that heritage can only be protected by its own society, with the help of the international community, based on international treaties and the acknowledgment of people's right to self-determination. Moreover, she argued that the destructuring of society on the basis of religion, as was currently the case in Syria, was a bigger threat than the destruction of cultural heritage. Lastly, she recalled the UN Charter, as well as UN Security Council Resolution 2170 (2014) calling for an end to these attacks on civilians.

Protecting Cultural Heritage in Iraq and Syria: a Security Imperative

The Conference's second panel focused on the adverse impact of conflict on the cultural heritage of Iraq and Syria, either as collateral damage or as a result of intentional destruction, and the means to reduce it in the future; measures to counter the illicit trafficking of cultural property, thereby reducing an important financial resource for terrorist groups; the legal prosecution of those responsible for the intentional destruction of cultural heritage as war crimes and, under certain conditions, as crimes against humanity. It was moderated by Mr Benjamin Goes, Chairperson of the Committee for the Protection of Cultural Property in the Event of Armed Conflict, established by the Second Protocol of the Hague Convention of 1954, who introduced the session by highlighting the ways conflicts in the 21st century differ from earlier ones and the impact of these differences on cultural heritage. Indeed, contemporary conflicts are characterized by their intra-state warfare, opposing government forces to irregular armed groups, questioning the applicability of international treaties.

Prof. Dr Maamoun Abdulkarim, General Director of Antiquities of Syria

Prof. Abdulkarim started by giving an account of the situation in his country, explaining that in the absence of public institutions, threats against heritage in Syria have increased and involved illegal excavations; destruction by armed groups specialized in antiquities threatening local populations when trying to intervene; as well as the use of sites as battlegrounds. Due to the impossibility to access some of the sites under ISIL control, no information on their actual state can be given. However, Prof. Abdulkarim assured that 99 per cent of Syrian cultural objects outside of the zones controlled by ISIL were out of danger. He also highlighted some of the actions taken by the Syrian Directorate General for Antiquities and Museums (DGAM), in particular awareness-raising campaigns among the population to protect the country's cultural heritage. He also mentioned the cooperation with international actors to inventorize the damages and losses occurred to the cultural heritage of Syria. He further recalled that the DGAM still works with all its branches in the Syrian cities, including in areas controlled by the opposition, as it considers "that it is a cultural battle to defend our heritage that represents our identity", specifying that their "initiative from the beginning was to gather people on [sic] what unites them not to divide them". Moreover, Prof. Dr Abdulkarim reminded the audience that the "DGAM appealed [to] all the parties more than once not to use the sites as battlegrounds".

Prof. Dr Markus Hilgert, Director of the Ancient Middle East Museum Berlin

In his intervention, Prof. Hilgert gave a comprehensive account of current German legislation against the trafficking of cultural objects and highlighted the areas needing improvement. He stressed the importance for market countries, such as Germany, in particular to have effective laws and other legal measures in place. A formal evaluation of Germany's 2007 law putting into practice the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property showed that "more comprehensive and effective import controls for cultural objects that were unlawfully removed from their original context are needed", as well as "more efficient mechanisms for the return of cultural objects" and the introduction of due diligence frameworks for all parties involved, as stipulated by EU Directive 2014/60. Hilgert also called for additional legislation at the EU level to "dry out the market for illegal antiquities". In this context, he explained the necessity for more research, in particular on the illegal antiquities trade and its "agents, networks", as well as the amount and value of the cultural objects moved. He also stressed the need for more research into "effective measures on how to clear this dark field of organised crime". Lastly, he held museums and other public collections accountable for undertaking research into the provenance of their own collections built up over time.

Dr Richard Kurin, Under Secretary for History, Art, and Culture at the Smithsonian Institution

Dr Kurin gave an overview of different activities undertaken by the Smithsonian Institution regarding protection of cultural heritage around the world. In Syria and Iraq, SHOSI (Safeguarding the Heritage of Syria Initiative), in partnership with the University of Pennsylvania, the American Association for the Advancement of Science (AAAS), the United States Institute for Peace (USIP), the Day After Association, the Syrian Heritage Taskforce and the US Committee of the Blue Shield, is creating no strike lists for the US military to help prevent damage to cultural heritage sites; monitoring sites and damage to them via satellite imagery; training and cooperating with civilians on the ground based on the recognition that they “have a foremost desire and need to safeguard the things that are closest to them”. In this context, Kurin stressed that “our recognition at the international level of the importance of [cultural heritage] locally or regionally [...] is a mark of our respect of what they value”, which in turn gives it universal value.



Fig. 10 – from left to right: Prof. Dr Markus Hilgert, Director of the Ancient Middle East Museum Berlin; Prof. Dr Maamoun Abdulkarim, General Director of Antiquities of Syria; Mr Benjamin Goes, Chairperson of the Committee for the Protection of Cultural Property in the Event of Armed Conflict; Dr Richard Kurin, Under Secretary for History, Art, and Culture at the Smithsonian Institution © UNESCO

Ms Gautier, Analytical Support and Sanctions Monitoring Team – 1267 Committee of the UN Security Council

The expert presented the Analytical Support and Sanctions Monitoring Team of the Security Council Al Qaida Committee and briefed the audience on its current activities, including threat assessment and evaluation of implementation of three major sanctions by UN Member States: the embargo on arms and related materials and services; the travel ban and the assets freeze. The latter sanction’s terminology was recently enlarged to also encompass works of art and cultural property and, as such, now considers the trafficking of cultural objects as a potential source of terrorism financing. Pursuant to UN SC Resolution

2170 dated 15 August 2014 imposing the assets freeze, travel ban and arms embargo on six new individuals affiliated to Al-Qaida, ISIL and Al Nusra Front (ANF) and directing the Monitoring Team to report to the Committee on the threat posed by ISIL and ANF, the Monitoring Team analysed, in partnership with UNESCO, the trafficking of cultural objects and its financing of the ANF and ISIL, among others. In this framework, the Monitoring Team issued a report and ten recommendations, including one (#6) dealing with the fight against illicit trafficking by terrorist groups. This recommendation requests the UN Security Council to mandate “a world-wide moratorium on the trading of antiquities from the Syrian Arab Republic or Iraq since the passing of resolution 2170 (2014) that lack clear, certified provenance”. The aim of this moratorium would be to “disrupt trafficking and reduce the potential revenues from this activity” for the ANF and ISIL.

In agreement with previous speakers, the expert reiterated that education lies “at the heart of the fight against terrorism”, giving the example of the Iraqi city of Mosul, in which ISIL is changing the curricula in as many as four universities under its control.

Q&A

In a direct reaction to the Monitoring Team Expert, the Permanent Delegate of Australia, the country that was holding the Presidency of the UN Security Council in November 2014, intervened to commend her speech. He urged “to put an end to this illegal trade” and recalled the “need to work through the instruments” provided by UN SC Resolution 2170 (2014) and through the recommendations provided by the Monitoring Team as well as to find out how to establish the proposed moratorium. He also suggested two additional actions to take. First, examine how to implement the “very important and forceful mechanism” that is §7 of UN Security Council Resolution 1483 (2003), that is, the total ban enforced on the sale or transfer of Iraqi cultural property of historic and archaeological value from unverifiable origin. Second, he recalled the statement of the President of the UN Security Council of 19 November 2014 calling on Member States “to take appropriate measures to prevent illegal trade in items of archaeological, historical, cultural and religious importance” and suggested to consider how to bring it into effect.

Dr Anne-Catherine Robert-Hauglustaine, the Director-General of the International Council of Museums (ICOM) took the opportunity in her intervention to present ICOM’s work and in particular its work related to the compilation of Red Lists, such as the Emergency Red List of Syrian Cultural Objects at Risk and the Emergency Red List of Iraqi Antiquities at Risk.

Finally, the Head of Operations at the Delegation of the EU in Syria, Mr Nadim Karkutli, presented his organization’s actions and reiterated its commitment to support and cooperate with UNESCO, including through a € 2.5 million grant.

In his closing remarks, Mr Goes, the session chair, put emphasis on the necessity to prevent cultural heritage from being threatened, calling on Member States to use mechanisms such as the 1954 Hague Convention in times of peace, as foreseen in the provisions of the Convention, and not only in times of conflict. In particular, he urged for the protection of cultural heritage to be part of the mandate of armed forces undertaking international engagements and called for the fight against legal impunity by pursuing those who attack cultural heritage as well as for the universal ratification of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols, allowing for enhanced protection of sites in cases of emergency, a measure similar to the “protected cultural zones” suggested by Mr de Mistura.

Closing remarks by Mr Alfredo Pérez de Armiñán, Assistant Director-General for Culture of UNESCO

To close the Conference, Mr Pérez de Armiñán thanked all speakers for their fruitful discussions acknowledging the cultural dimension in conflicts as a fundamental issue in the fields of security and humanitarian relief, and not only as a cultural emergency.

He also reiterated UNESCO's most sincere gratitude to H.E. Prof. Ali Ahmad Al Tarrah, Ambassador and Permanent Delegate of the State of Kuwait as well as H.E. Mr Ziad Aldrees, Ambassador and Permanent Delegate of the Kingdom of Saudi Arabia for their countries' long-standing commitment to UNESCO's mission and their invaluable support, without which this event would not have been possible.

He also mentioned representatives of museums that had taken part in the Conference, and notably the Louvre, which had agreed to partner with UNESCO in a social media campaign to sensitize the civil society about illicit traffic of cultural objects.

Mr Pérez de Armiñán moreover acknowledged with gratitude the contribution made by the EU, the Flemish Government and the Norwegian Government to UNESCO's activities in Syria and Iraq, thanks to which UNESCO is able to translate into action the recommendations developed in meetings such as this.

Summarizing, he reiterated that "culture is woven into the universal history of human kind, it is the basis of every society and by nurturing its diversity and heritage we can pave a path for reconciliation, dialogue and long-standing peace". Almost seventy years after its establishment, UNESCO seeks to once again unite the international community to combat the similar fate that has befallen states such as Iraq and Syria, and use this important date in its history as a landmark to upgrade its response to destruction, looting and cleansing of heritage and cultural diversity. Because no one actor can face these challenges alone, Mr Pérez de Armiñán concluded by calling on all the participants, from governments, the UN system, humanitarian institutions, military and security organizations, NGOs and the academic community, to work together with UNESCO in this collective effort and build on the insightful discussions of this high-level meeting to shift the cultural paradigm in conflicts and integrate culture into global peace-building efforts.

Additional written remarks sent in by participants

The following remarks have been sent to the Secretariat after the Conference in writing, and reflect the statements prepared by some of the special guests who, due to a lack of time, had not been given the floor despite having indicated their desire to contribute to the debate.

Mr Gaozhang Zhu, Director of Compliance and Facilitation, World Customs Organization (WCO)

“The plundering of cultural property is one of the oldest forms of organized cross-border crime and has become a world-wide phenomenon. It is widely recognized that international borders still offer the best opportunity to intercept stolen cultural artefacts, and to that end Customs play a fundamental role in the fight against the unauthorized export of cultural items.

Unfortunately and as you are well aware, cultural heritage smuggling continues to be a developing scourge that plagues countries’ patrimony all over the world. Every year, thousands of artefacts disappear from museums, churches, private collections or public institutions. From antique weapons to paintings, from coins to watches, from religious objects to archaeological and cultural heritage are stolen.

Clear linkages between this form of crime and tax evasion and money laundering were evidenced. Estimates of the size and profitability of black markets in looted, stolen or smuggled works of art are notoriously unreliable, but specialists agree that this is one of the world’s biggest illegal enterprises, worth billions of US dollars, which has naturally attracted interest from organized crime.

The diversification of the financing of terrorist organizations through the trade of cultural goods is also a focus. This sad reality also impacts conflict zones where cultural items are targeted and looted throughout the region from Mosul (Iraq) where shrines and tombs have been looted and pilfered to sites like Dura Europos where looting is at an unprecedented scale.

Taking this into account, the international Customs community has stood and remains ready to support international efforts in the field. As an example, a platform codenamed ARCHEO, hosted by the WCO, has been created and aims at bringing together a heart of professionals and experts committed to the protection of cultural heritage.

Thanks to the support of the WCO, UNESCO and INTERPOL, the network is operational for approximately 100 users so far from all across the globe. ARCHEO reaffirms the key role of Customs administrations in this fight and the need to collaborate closely with other agencies (Police, Ministries of Culture), international organizations and other partners in order to maximize efficient and effective enforcement in this area.

Ms Julia Brungs, Policy and Projects Office, International Federation of Library Associations and Institutions (IFLA)

“The *IFLA Principles of Engagement in library-related activities in times of conflict, crisis or disaster* outline IFLA’s position and what actions can be taken on behalf of IFLA when confronted with a disaster. One of IFLA’s strategic focuses is also dedicated to disaster reaction. In our Key Initiative 4: ‘The cultural heritage disaster reconstruction programme’, IFLA aims to create a risk register which gathers data on documentary heritage collections in countries and regions at risk world-wide. Both strategic strands feed into the work UNESCO is doing with regards to disasters. IFLA has a dedicated and highly skilled library network which is able to assist with information and data on disaster regions.

When documentary heritage is threatened by conflict, IFLA primarily works through the International Committee of the Blue Shield. The mission of the Blue Shield is closely related to IFLA’s aim to safeguard documentary heritage collections and together with the other main Blue Shield organizations (ICOM, ICOMOS and ICA) IFLA tries to raise awareness and involvement in countries affected by conflict.

The civil war in Syria over the last four years and the recent threat in Iraq have led to more libraries being destroyed and documentary heritage collections being either destroyed, looted or displaced. Information

on both countries is very difficult to obtain as often our library contacts have had to leave the area or are very restricted on what information can be shared as they otherwise might not be able to guarantee their own safety. Human lives and the safeguarding of librarians and information professionals in the area is always the first priority for IFLA.

IFLA will further expand the risk register in order to guarantee more detailed information in crisis situation and support cultural aid initiatives. Furthermore IFLA strongly supports the UNESCO action plans on both Syria and Iraq and will engage and further UNESCO's mission and implementation of these as much as possible."

Dr Kathryn Spellman Poots, Associate Professor, Institute for the Study of Muslim Civilisations, Aqa Khan University (International) in the United Kingdom

"Heritage sites are key components of the collective memory of many Iraqis and Syrians, including the new refugees. These sites, many of which are sacred sites, are also powerful symbols in the present-day. This is true not only for people in the region, but for many Muslims living around the globe. The destruction of these sites, or the threat of destruction, is felt by many Muslims (from a wide range of national backgrounds) and used to fuel divisions between Sunni and Shias. This is the case, for example, in some Muslim diasporic communities in western societies, particularly among the younger generations. The violence in the region, often symbolised through heritage and sacred sites, needs to be fully considered in relation to these transnational dimensions. Education must extend to diasporic communities in order to defuse high emotions on the ground level, which are often expressed divisively and violently through social media channels. The younger generations, who mostly manage their multiple identities very well, need to be reminded that these heritage sites are an integral part of wider regional and cultural histories. They need to be reminded that in the past, many of these sites represented a peaceful co-existence between sunni/shia/and non-Muslim communities."

Mr Marc Knobel, Directeur des Etudes, Conseil Représentatif des Institutions Juives de France (CRIF)

The crimes and massacres perpetrated in Iraq and Syria bear witness to the grandest barbarism, the most horrifying insanity, and the bloodiest of perversions. These crimes against Humanity are a challenge for the world. It is not simply cultural and religious heritage that insane and fanaticized terrorists pulverize and destroy, it is not simply territories which barbaric jihadists crush and subjugate, it is not simply populations that are being martyred, it is the Human condition that is being wronged, that bleeds and suffers.

It is for this reason that UNESCO was right in alerting us, in exposing the current situation, to make known the state of cultural diversity when it is under threat and destroyed, and in recalling that it is the entire Iraqi and Syrian cultural heritage in conflict situations that is under threat of annihilation and destruction. Indeed, let us not doubt one moment that this heritage belongs to Humanity as a whole. Collectively, we are its stewards, and collectively we should be its guardians.

Beyond the awareness raising programmes and international conferences which expose or have yet to expose the current situation, beyond the alerts and warnings of actors and/or specialists, it is to Humanity as a whole to react. It is not just a question of destroying the far reaching tentacles of terrorist organizations, of saving what can (still) be saved, of helping and saving entire populations but to rebuild in their entirety everything that will have been destroyed and all that will have been martyred.

We have known since the dawn of time what Man can do to his fellow Man. We have known since the dawn of time what atrocities Man is capable of committing against his fellow Man. It now belongs to Man to urgently show and prove that he is capable of ending this insane barbarity and, thereby, saving Humanity as a whole.

Against evil and fanaticism, we have the chance to stand amongst the Righteous. As long as we want to.

Ms Elisabeth Decrey Warner, President, Geneva Call

Today's conflicts no longer take place between States, but between States against one or more armed groups or armed groups against themselves. The conflicts in Syria and Iraq are a concrete example.

Cultural heritage and ethnic or religious minorities are especially at risk.

To preserve the cultural heritage and defend minorities, it is of course important to sensitize, train and engage local communities, regional and national authorities, and government forces. It is also important to do the same with the various armed groups active in and/or controlling different regions. In the Syrian and Iraqi conflicts armed groups have abused minorities such as Yazidis and Christians, and destroyed cultural heritage.

The "Islamic State" is immediately mentioned but it is not the only actor in this conflict. Numerous groups emerged during this war: the Free Syrian Army, the Kurdish Forces, the Islamic Front, the Hazzm, etc. It is essential to dialogue with these groups so they do not attack heritage and minorities. It is also important to encourage them to implement protection and prevention measures.

It is imperative to start developing programs in Syria and Iraq, for armed groups involved in the conflict. It is crucial to make them understand that deliberate attacks against cultural buildings as well as lootings will destroy their identity and reduce the possibilities of restoring peace among the population. People deprived of their historical identity will have difficulty reconstructing their society.

One should also train the combatants to avoid jeopardizing the heritage through their military activities. Minorities must be spared and protected, not only as human beings, but also as historical witnesses.

Geneva Call has engaged armed groups to respect international humanitarian norms for over 15 years. The organization has worked with more than 90 groups in conflict areas around the world. In Syria and Iraq, several have shown their interest in the protection of cultural heritage and minorities. One of them told Geneva Call: "Cultural heritage belongs to the common values of humanity. Those who do not defend cultural heritage cannot claim to defend humanity".

The international community should be aware of the positive role that armed groups can play. It should include in its strategies the principle of engagement with such groups and support organizations specialized in dealing with them.

Mr Dominique Chevalier, President, Syndicat National des Antiquaires

We are told that the trafficking of works of art represents the 3rd largest market of trafficking in the world.

Too often, fingers are pointed at antique dealers, considered as providers in this illegal art market. In my position as President of the Syndicat National des Antiquaires, I wanted to make clear that, we, professionals of the art market, are particularly sensitive and vigilant regarding the conservation of each state's cultural heritage.

Our profession relentlessly denounces and deplores the destruction of archeological sites and their looting.

It shouldn't be ignored that the research and verifications we undertake regarding the origin and history of the objects, of which we need to be aware of, can contribute to discovering lost works of art and hence permit their restitution.

Our profession is not regulated and it is easy, without verification, to declare oneself an antique dealer. Some dealers, without doubt, are not very meticulous and participate in this trafficking.

However, an antique dealer, worthy of this name, the one I represent, is vigilant as to the regulations regarding the circulation of cultural objects.

On this basis, the Syndicat National des Antiquaires maintains ongoing relations and collaborates efficiently with the Central Office for the Fight against Trafficking in Cultural Goods (OCBC).

Moreover, the Syndicat has always denounced the existence of disparate legislations within the EU, if only regarding the obligation of keeping a "police book".

I wanted to affirm that the antique dealer, if he's a seller, is foremost an enthusiast, a researcher, a conveyor of history and participates in the conservation of heritage – and to take up a concept sadly en vogue, it would be appropriate not to make generalisations.

Annex I – Background Note – The Protection of Heritage and Cultural Diversity: A Humanitarian and Security Imperative in the Conflicts of the 21st century

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.”²

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”³.

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 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

² Address by Irina Bokova on the occasion of the ICOMOS Gala to commemorate the 40th Anniversary of the World Heritage Convention, 2 December 2012.

³ Preamble of the UNESCO Constitution:

http://portal.unesco.org/en/ev.phpURL_ID=15244&URL_DO=DO_TOPIC&URL_SECTION=201.html

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

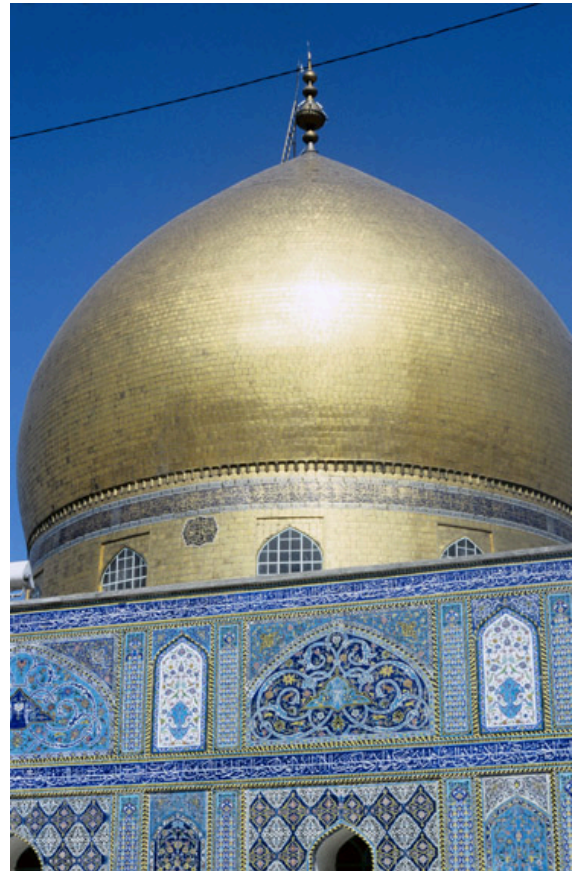
Cultural heritage has increasingly become the direct target of systematic and deliberate attacks since the 1990s.

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



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

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.

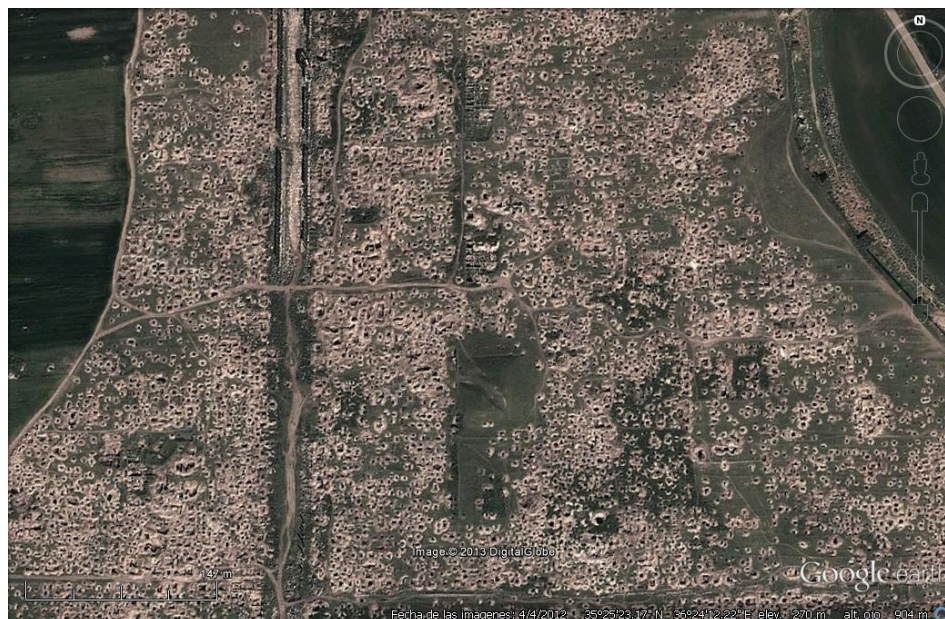


Fig. 4 - Extensive looting at the archaeological site of Apamea, Syria – Google Earth

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 looters⁴. 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 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

⁴ 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.

and the other”⁵. 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)⁶.

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 heritage⁷.

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 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 Convention⁸. 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

⁵ Michelle LeBaron <http://www.beyondintractability.org/bi-essay/culture-conflict>.

⁶ 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

⁷ Forrest, C. (2011). *International Law and the protection of Cultural Heritage*. P. 403. Routledge.

⁸ Accessible from: http://portal.unesco.org/en/ev.php-URL_ID=15207&URL_DO=DO_TOPIC&URL_SECTION=201.html

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”⁹, 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.”¹⁰

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

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

⁹ Art. 1, UNESCO Universal Declaration on Cultural Diversity (2001).

¹⁰ Nordstrom, C. (1998) Terror Warfare and the Medicine of Peace. *Medical Anthropology Quarterly*, 12(1), pp. 105-108.

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



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

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.

Annex II – Conference Programme

Setting the Stage (14:30-15:30 pm)

Introduction by Irina Bokova, Director-General of UNESCO

- Mr Staffan de Mistura, UN Special Envoy of the Secretary-General for Syria
- Mr Nickolay Mladenov, Special Representative of the Secretary-General for Iraq and Head of United Nations Assistance Mission for Iraq (UNAMI)
- Hon. Sheikh Humam Hamoudi, First Deputy Speaker, Parliament of Iraq
- Ms Emily Rafferty, President, The Metropolitan Museum of Art, New York City

Cultural Cleansing – Cultural Diversity under Attack (15:30-16:30 pm)

Panel Discussion followed by Q&A

Session Chair: H.E. Ambassador Pierre Morel, Director, Observatoire Pharos

Panelists (5 minutes statements followed by a discussion)

- Mr Adama Dieng, UN Special Adviser of the Secretary-General on the Prevention of Genocide
- Prof. Homi K. Bhabha, Director of the Mahindra Humanities Center, Harvard University
- Dr Antonella Caruso, Director, UN DPA Middle East and Western Asia Division
- H.E. Prof. Adnan Badran, Representative of H.R.H. El-Hassan Bin Talal, Jordan

Protecting Cultural Heritage in Iraq and Syria : a Security Imperative (16:30-17:30 pm)

Panel Discussion followed by Q&A

Session Chair: Mr Benjamin Goes, Chair, Committee for the Protection of Cultural Property in the Event of Armed Conflict, established by the Second Protocol of the Hague Convention of 1954

Panelists (5 minutes statements followed by a discussion)

- Prof. Dr Markus Hilgert, Director, Ancient Middle East Museum, Berlin
- Prof. Dr Maamoun Abdulkarim, General Director of Antiquities, Syria
- Dr Richard Kurin, Under Secretary for History, Art, and Culture, Smithsonian Institution
- Ms Gautier, Expert, Analytical Support and Sanctions Monitoring Team - 1267 Committee, UN Security Council

Conclusion by UNESCO Representative

Special Guests

- H.E. Ambassador Ali Al Tarrah, Permanent Delegate of Kuwait to UNESCO
- Ms Julie Tenenbaum, Regional Legal Adviser at ICRC mission for Europe, Paris
- Dr Kathryn Spellman Poots, Associate Professor, Institute for the Study of Muslim Civilisations, Aga Khan University (International) in the United Kingdom
- Mr Jonathan N. Tubb, Keeper, Middle East Department, The British Museum
- Mr Alberto Vial, Musée du Louvre

- Mr Lakhdar Brahimi, former UN Special Envoy for Syria
- H.E. Ambassador Boutros Assaker, Permanent Delegate of the League of Arab States to UNESCO
- Mr Nadim Karkutli, Head of Operations, EU Delegation to Syria
- Dr Michael Danti, co-Director, ASOR Syrian Heritage Initiative
- Mr Bertrand du Vignaud, President, World Monuments Fund France
- Ms Alessandra Peruzzetto, World Monuments Fund
- Ms Annika Magnusson, Secretary-General, Cultural Heritage Without Borders
- Mr Marc Lebeau, Syrian Heritage in Danger - International Research Initiative and Network (SHIRIN)
- Ms Julia Brungs, International Federation of Library Associations and Institutions (IFLA)
- Mr Gaozhang Zhu, Director of Compliance and Facilitation, World Custom Organization (WCO)
- Ms Anne-Catherine Robert-Hauglustaine, Director-General, International Council of Museums (ICOM)
- Mr Samir Abdulac, Vice President, International Council on Monuments and Sites (ICOMOS) France
- Ms Flora van Regteren Altena, Chair, Meeting of the State Parties to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
- Mr Mauricio Escanero, Chair, Subsidiary Committee of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
- Mr Daniel Rondeau, United Nations University Representative to UNESCO
- Mr Fabrizio Panone, Criminal Intelligence Officer, Works of Art Unit, INTERPOL
- Prof. Shmuel Moreh, Chairman, Association of Jewish Academics from Iraq
- Mr Antoni Yalap, Chairman, Comité de Soutien aux Chrétiens d'Irak (CSCI)
- Mr Surik Safoyan, Chairman, Union des Yezidis en France
- Mr Kendal Nezan, Chairman, Fondation Institut Kurde de Paris
- Mr Marc Knobel, Directeur des Etudes, Conseil Représentatif des Institutions Juives de France (CRIF)
- Ms Christa Meindersma, Director, Prince Claus Fund
- Ms Lyn Julius, Founder, Harif: UK Association of Jews from the Middle East and North Africa
- Ms Elizabeth Decrey Warner, Executive President, Geneva Call
- Mr Philippe Leclerc, UNHCR Representative in France and Monaco
- Dr Hillary Wiesner, Director of Programmes, King Abdullah bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue (KAICIID)
- Mr Yousif Al-Khoei, Executive Director, Al-Khoei Foundation
- Mr Hosham Dawood, Researcher, Centre National de la Recherche Scientifique (CNRS)
- Mr Bakhtiar Amin, President, Foundation for the Future

Annex III – Speakers’ Profiles Panel I

Cultural Cleansing - Cultural Diversity under Attack (3:30-4:30PM)



H.E. AMBASSADOR PIERRE MOREL – Moderator
Director of the Pharos Observatory of Cultural and Religious Pluralism

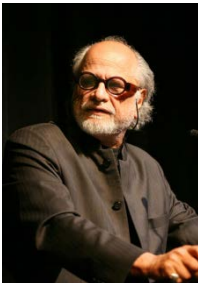
H.E. Ambassador Pierre Morel is a French diplomat. He was the European Union’s Special Representative for Central Asia and for the Georgian crisis in particular, as well as French Ambassador in Rome, Beijing and Moscow, Diplomatic Adviser to former President François Mitterrand and French Ambassador at the Conference on Disarmament in Geneva.

SPEAKERS’ PROFILES



H.E. PROF. ADNAN BADRAN
Representative of HRH El-Hassan Bin Talal, and former Prime Minister of Jordan

H.E. Prof. Adnan Badran is a Jordanian scientist, academic and politician. He was also the Secretary General of Jordan’s Higher Council for Science and Technology and served as Minister of Agriculture and Education and Deputy Director General of UNESCO. He received his Master’s and PhD degrees from Michigan State University, and founded, as well as presided over, the Yarmouk University.



PROF. HOMI K. BHABHA
Director of the Mahindra Humanities Centre and Anne F. Rothenberg Professor of American Literature and Language at Harvard University

Among his many achievements, Prof. Bhabha is a Trustee of the UNESCO World Report on Cultural Diversity, a member of the Steering Committee of the Aga Khan Architectural Prize, and has served as Chair of the World Economic Forum’s Global Agenda Council on Human Rights. He is also one of the most influential thinkers in postcolonial criticism. His seminal work *The Location of Culture* explores his theory of cultural hybridity showcasing the relation between colonialism and globalization.



MR ADAMA DIENG

UN Special Adviser of the Secretary-General on the Prevention of Genocide

Mr Adama Dieng is a former Registrar of the International Criminal Tribunal for Rwanda, holding degrees in law from Dakar University and International Law from the Research Centre of The Hague Academy. He started his legal career in Senegal where he held several positions before becoming Registrar of the Supreme Court of Senegal. From 1990 to 2000, he served as Secretary-General of the Geneva based International Commission of Jurists. He has been Board Member of various Institutions including the International Institute for Democracy and Electoral Assistance, Africa Leadership Forum and the International Institute of Humanitarian Law. Mr Dieng was the driving force behind the establishment of the African Court on Human and People’s Rights and also drafted the African Convention to fight corruption.



DR ANTONELLA CARUSO

Director of UNDPA’s Middle East and West Asia Division

A former advisor to Italy’s Minister of Foreign Affairs, Dr Caruso brings to the position more than 20 years of experience working in the Middle East. In her last position before joining DPA, she was the founder and director of a “track two” project to support the Iraqi Dialogue on National Reconciliation, which brings together leading politicians and parties in the Iraqi Parliament. Dr Caruso has also worked in the private sector as an analyst and advisor with emphasis on North Africa, the Middle East and the Gulf. She speaks four languages including Arabic.

Annex IV – Speakers’ Profiles Panel II

Protecting Cultural Heritage in Iraq and Syria: A Security Imperative (4:30-5:30PM)



MR BENJAMIN GOES – Moderator

Chairperson of the Committee for the Protection of Cultural Property in the Event of Armed Conflict, established by the Second Protocol of the Hague Convention of 1954

Benjamin Goes is the Legal Adviser at the Chancellery of the Prime Minister of Belgium, where he presides the national coordination platform for the implementation of the provisions of international law related to the protection of cultural property. He has also co-authored an informative brochure on the subject. In December 2012, he was (in his personal capacity), elected President of the Committee for the Protection of Cultural Property in the Event of Armed Conflict, established by the Second Protocol of the Hague Convention of 1954, and was reelected the following year. With the support of the Committee, he aims to develop synergies within UNESCO as well as with all other institutional and associative actors, and has implemented a proactive strategy for the ratification of the aforementioned 1954 Convention and its Protocols, to facilitate the development of the Committee’s missions by helping them become more useful, efficient and concrete. In this context, he has participated in a large number of national and international events.

SPEAKERS’ PROFILES



PROF. DR MAAMOUN ABDULKARIM

Director-General of the Directorate General of Antiquities & Museums(DGAM), Syrian Arab Republic

In addition to his position as Director-General at the DGAM, Prof. Dr Abdulkarim is also a professor at the Department of Archaeology at the University of Damascus, which he headed until 2012. He received his bachelor degree from the University of Damascus, and a PhD in archaeology and history at Université de Versailles-Saint-Quentin-en-Yvelines.



PROF. DR MARKUS HILGERT

Specialist in Ancient Near Eastern Studies and current Director of the Ancient Near East Museum at the Pergamonmuseum, Berlin

From 2007 until early 2014, Prof. Dr Hilgert held a chair for Cuneiform Studies at Heidelberg University (2007-2014). In 2009, Prof. Dr Hilgert was elected president of the Deutsche Orient-Gesellschaft, a learned society established in 1898 in order to support German archaeological research in the Near East. He is also the founding director of the “Heidelberg Center for Cultural Heritage”, an interdisciplinary expert network for cultural heritage research established at Heidelberg University in 2013.



DR RICHARD KURIN

Under Secretary for History, Art, and Culture at the Smithsonian Institution

Dr Richard Kurin earned his Ph.D. in cultural anthropology from the University of Chicago, specializing in South Asian ethnography and taught at The John Hopkins University Nitze School of Advanced International Studies. Prior to his becoming Under Secretary, he directed the Smithsonian’s Center for Folklife and Cultural Heritage for two decades, organizing its annual Folklife Festival, Smithsonian Folkways Recordings and a variety of educational and research programs. He collaborated with UNESCO in the development and drafting of the 2003 Convention on Safeguarding Intangible Cultural Heritage and served on the jury of its masterpieces program. He was appointed to the U.S. National Commission for UNESCO, and represents the Smithsonian with the U.S. President’s Committee for the Arts and the Humanities and numerous other boards. After the 2010 earthquake, he organized the Haiti Cultural Recovery Project—which saved some 35,000 artworks and artifacts and trained some 150 Haitians in conservation. He oversees the Smithsonian’s cultural recovery efforts — typically partnerships with other organizations to save endangered heritage in Mali, Egypt, Syria and other countries.

MS GAUTIER

Expert, Analytical Support and Sanctions Monitoring Team - 1267 Committee, UN Security Council