

**Forum:** United Nations Educational, Scientific and Cultural Organization

**Issue:** Ensuring the Protection of Cultural Property in Times of Armed Conflict

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## Introduction

To each country, a rich cultural heritage is important, for no other reason than because it reinforces national and cultural identity. It is also significant internationally because it helps promote an appreciation of cultural diversity, awareness of human culture and understanding of our history.

Cultural heritage includes physical sites (such as historical sites and buildings) and mobile artifacts (such as collections of archives, libraries, art, and museum collections). These are also referred to collectively as cultural property. This also contains intangible remnants of the past, such as music, dance, and oral practices.

Cultural property has suffered significant damage in recent armed conflicts and is in growing danger of destruction due to developments in warfare techniques. Damage to cultural property belonging to any individual means harm to the cultural heritage of all humanity, as each individual contributes to the world's culture. The protection of the cultural heritage is of great importance to all the members of the international community and it is vital that this heritage is preserved appropriately. War and other armed conflict present one of the greatest threats to cultural heritage and yet it was only fairly recently that it was provided defense by relevant international laws.

The damage of these objects often leads to the destruction of cultural heritage. In schools we are taught that culture makes up our identity and the lack of cultural heritage due to loss of artefacts in a country could be robbing a very essential part of what the future generations could learn from these. It is no lie that each artefact holds value and has a story and due to problems such as colonization decades ago, countries often seem to lose these stories to tell.

Clearly, human conflict and military action will continue. Cultural property is part of human inheritance and should never be deliberately assaulted as a symbolic act of power, nor should it suffer avoidable and incidental loss.

## Definition of Key Terms

### Cultural Property

Cultural property is physical property that is a part of a community or society's cultural heritage. These include objects such as historic buildings, art works, archeological sites, museums and libraries.

### Armed Conflict

Armed conflict is an open, armed, sometimes prolonged state of conflict between nations, States, or parties.

### Diversity

Knowing that each person is unique, and acknowledging the differences between us. This may be along the dimensions of race, ethnicity, gender, sexual orientation, socioeconomic status, age, physical capacity, religious views, political beliefs or other ideologies.

### Heritage

The background from which one comes, or any inherited property or assets of some kind.

### The Hague Convention

The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict is the first international treaty specifically focused on the protection of cultural property in armed conflict. This was signed on 14 May 1954 at The Hague , Netherlands and came into effect on 7 August 1956.

### Culture

The ideas, customs and social conduct of a particular person or community.

### Preservation

Act, process or result of preserving something: such as the activity or method of keeping something valued alive, intact or free from damage or decay.

## Key Issues

### Governmental Inaction

A lot of the lessons of the Second World War have been forgotten in the years after the [Hague Convention was first drafted in 1954](#). Few governments have adopted the Convention's safeguard provisions to proactively prepare for armed conflict during peacetime. Although some museums have individually prepared refuges for their collections, governments have remained largely uninvolved in either refuge or in situ security measures requirements. Recent developments have demonstrated that when there are either armed conflicts or environmental disasters, many countries are caught unprepared. In the field of cultural heritage, assistance, including support, and is seen to be easier to access after a conflict or disaster.

### Lack of Military Awareness

Government inaction leads to a lack of military awareness, as the armed forces represent state policies. Several armed forces have set up their own professional staff or are conducting cultural property protection (CPP) training as required by the Convention. Perhaps the most simple lesson, why CPP matters, needs to be reconsidered. While several armed forces are studying how best to effectively implement their responsibilities, establishing the value of the CPP in military minds remains a challenge.

Recent conflicts in Iraq, Egypt, Libya, Mali, and Syria have spurred renewed interest in the protection of cultural property (CPP). CPPs obligations are included in international treaties and military regulations, and complicated by different stakeholders with different levels of understanding and willingness to invest in training and implementation.

Lack of CPP preparation will intensify civil unrest; erase national, cultural, and religious identities; bring about international condemnation; and prolong conflict. If properly planned and executed, CPP can be a force multiplier by contributing to both international and domestic stability and goodwill at the same time.

### Increasing Threat

These issues are all set against a backdrop of increasing danger to cultural property. In addition to the threats of direct targeting due to intentional use of conflict and the ever-present danger of collateral harm, both compounded by the the destructive force of modern weapons, cultural heritage destruction is now part of modern extremist wars of identity in which it is targeted for no other purpose than its connection with erasure-marked communities.

## Colonization

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Colonization caused the damage of these artefacts and has caused a negative impact after another such as the protest breaking out. The artefacts that used to lie in France were also colonial artefacts. These artefacts that lie in Europe were taken in the 19th century when parts of Africa were colonised by the European. Back in 2018, the Africa Museum of Belgium re-opened with its story revised after it was forced closed due to protests.

## Major Parties Involved and Their Views

### Iraq

Babylon, Iraq's 4,000-year-old town popular for its Hanging Gardens and Babel Tower, has been badly damaged by decades of use and violence, and is now trapped in a controversy about how best to return it to splendour. In the 19th century, archeologists carved off some of its most valued treasures, including the Hammurabi Code. Then, in the 1980s, Saddam Hussein embellished the site with his own badly constructed buildings, rendering it a theme park.

The 2003 U.S.-led Iraq invasion added insult to injury. For three years, it was a military base, a usage that a UNESCO study called "a grave encroachment on this archeological site that is internationally recognized."

## France

In 2017, France had promised the repatriation of artefacts from France back to their origin countries in Africa. However, after not following through on the commitment, the government received never-ending criticism which caused them to plan a reinforcement of repatriation in late 2019 for 26 artefacts including thrones and statues back to Benin. This was decided when Benin's president and the French minister of culture both sat a meeting regarding this and talked about how these artefacts will be returned from a very controversial museum 'Musée du Quai Branly–Jacques Chirac in Paris' where artefacts from Oceania, Africa and Asia are held.

## Afghanistan

In 2001, a pair of 1,500-year-old Buddha giant statues carved into the side of a sandstone cliff in the Bamiyan Valley in Afghanistan were demolished by the Taliban with explosives because they were considered idolatrous under Islamic law. The international community was outraged. At the time, UNESCO Director-General Koïchiro Matsuura said that "destruction is a true cultural crime, the damage is permanent."

## China

During the Anglo-French invasion of 1860 an imperial garden in Beijing which is today considered a masterpiece of Chinese landscape garden design was torched. The long cultural history of China is remarkable and incredibly rich, with numerous sites attesting to that. Those include old suburbs, archeological sites, temples, architectural landscapes, etc. besides the well-known World Heritage Sites. The Chinese government has rediscovered the great importance of China's cultural heritage in recent years, and implemented several legislative actions to preserve it.

Given the need for a complete overhaul of China's legal system after the Cultural Revolution, substantial progress has been made in implementing the 'Open Door Policy' of the 1970s. However, China's increased efforts to protect China's heritage face the consequences of rapid economic and social development for the country. Heritage conservation organizations

lack the requisite resources and funding to protect heritage sites from further degradation or plundering by criminals supplying the illegal art market.

## Greece

The Parthenon, a temple on the Acropolis at Athens , Greece, completed in 432 B.C., ranks among the most commonly known ruins in the world. The ruinous state of the temple is attributed largely to the battle in 1687 when Athens was invaded by Venetian troops. In the ancient temple, the Ottomans, who had taken over the town in the 15th century, were stashing gunpowder. The gunpowder exploded as a mortar struck the temple. Walls crumbled , sculptures fell, and the roof caved.

## The United Kingdom

Many UK institutions have a variety of cultural artefacts and human remains from countries around the globe. The large collections stem from the British Empire's centuries of discovery and development by colonisation. At least as far back as the fifteenth century, the collection of cultural objects and human remains from other countries was recorded.

## Development of Issue/Timeline

Date	Event	Outcome
1951	UNESCO's General Conference agreed to convene a committee of government experts to draft a convention.	This speeded up the process of the creating the Convention.
1952	This committee met and sent its draft versions to the General Conference.	N/A
1954	The Hague Convention for the Protection of Cultural Property in	Provision of legislative frameworks, augmented by

	the Event of Armed Conflict is established.	human rights and international criminal law and UNESCO conventions.
<b>1954</b>	The Second Protocol to the 1954 convention is established.	Reinforced and elaborated on many provisions of the Convention on the Protection and Respect of Cultural Property or conduct during hostilities.
<b>1990's</b>	Several conflicts erupted, particularly those in Yugoslavia.	Revealed the various gaps in the Hague Convention.
<b>23 and 24 November 2009</b>	Third meeting of the Parties to the Second Protocol held at the headquarters of UNESCO.	The Second Protocol also provides for the possibility of various forms of aid being granted.

## Previous Attempts to Solve the Issue

### The 1954 Hague Convention

In case that there have been previous attempts to solve the issue at hand, please state and evaluate them shortly. Use headings and subheadings where necessary.

The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 was adopted in 1954 in the aftermath of the systematic destruction of cultural property during World War II. The Hague Convention is the first multilateral treaty to focus specifically on the preservation of cultural heritage during warfare.

### Resolution 2347 of the United Nations Security Council

Formally recognizes the obligation to preserve cultural heritage. The first to focus specifically on the preservation of cultural heritage and the need for peace and stability is this Resolution. It reinforces Resolution 2199, which was partly adopted in February 2015 to combat

the financing of international terrorism, and prohibits the illicit trafficking of cultural goods from Iraq and Syria.

This Resolution provides a detailed understanding of the role of culture as a source of unity and inclusion, and as a catalyst of reconciliation and resilience. It is the result of UNESCO's efforts in recent years at the United Nations to include and stress the value of heritage in our international efforts to establish peace and to preserve stability.

### Using the Military

The importance of protecting cultural property in armed conflict through the military forces is abstract, strategic, and legal. Cultural property is a crucial part of persons, families, cultures and all of humanity's cultural heritage. This is the visible manifestation of the unchanging human condition and of humanity's artistic spirit, plurality and memory.

In legal terms, the failure of military forces to take all steps needed by international law to protect the effects of cultural property during armed conflict, first, in their state's international legal duty. This state may be forced to make reparations to another state or individuals for the destruction, damage or misappropriation of objects, buildings, etc. in armed conflict.

## Possible Solutions

### Using Inventories

Accurate, accurate, accessible, and safe inventories of all forms of cultural property are an obvious requirement to manage these resources well - including archeological sites, historical buildings, museums, and archives and libraries.

Unfortunately, these inventories still only exist as aspirations. When natural and human-induced tragedy occurs, the lack of reliable data is cruelly revealed and, along with the knowledge it provides, important heritage is also lost. Events of the last decade show the need for these inventories, particularly during armed conflict.

### Raise Awareness

It is also important to raise awareness among local communities of the importance of safeguarding cultural heritage, while highlighting the possible long-term economic benefits of preserving cultural heritage through means such as cultural tourism.

Activities that raise awareness can lead to a change in behavior within the civil society. These activities should focus not only on cultural heritage values but also on criminal sanctions that could be imposed as a result of committing crimes against it.

### Address The Youth

Youth and children play an instrumental role in sustaining heritage in the present and the years to come, several initiatives have been launched such as media and awareness-raising campaigns in Central America (under the slogan “El patrimonio es de todos”), and the Maghreb region respectively including communication materials, poster competitions, radio messages, videos, video games, comic strips.

The youth is the generation of tomorrow and will have as much power in their hands as communities do now. They will have even more power if they are given the right education about it.

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