

Forum: United Nations Educational, Scientific & Cultural Organization

Issue: Safeguarding culturally rich archaeological sites from destructive conflict

Student Officer: Ruhaan Malhotra

Position: Deputy Chair

Introduction

Cultural heritage and pluralism are increasingly the direct targets of systematic and deliberate attacks in numerous conflicts around the world. Cultures are particularly vulnerable to collateral damage, looting and vandalism, often accompanied by persecution of individuals based on cultural, ethnic or religious affiliation and the denial of the identity of other communities. More broadly, contemporary conflicts are constantly evolving, from interstate to intrastate, posing significant challenges to the current world order based on international treaties and decision-making. Arming non-state actors is an increasing challenge to domestic governance and is often not bound by decision-making at the international level. These conflicts are increasingly affecting culture, challenging the response of organizations such as UNESCO, whose programmes are based on international conventions signed by countries.

Sometimes disaster-related conflicts create complex humanitarian emergencies. Populations may be displaced and dependent on humanitarian aid for a period of time. The lack of a clearly differentiated post-conflict phase and the large number of protracted conflicts that could escalate at any time require sustained international commitment to basic humanitarian assistance and protection mandates, including the guarantee of cultural rights.

Cultural heritage resources are also increasingly affected by disasters around the world due to a variety of potential factors such as natural and man-made disasters and

climate change. The adverse effects of global climate change have triggered a wave of profound socio-environmental changes, with increasing vulnerability and endangerment of cultural heritage. Climate change, including changes in the intensity and frequency of natural phenomena, is expected to affect tangible and intangible cultural heritage worldwide. The long-term effects of floods, fires, high winds and adverse climatic conditions have the potential to cause significant damage to cultural and natural heritage sites designed for specific local climates. In addition, sea level rise threatens numerous coastal areas, and the migration of pests may also negatively affect the protection of cultural heritage sites.

Because of how important culture is to communities and individuals, maintaining it can be a potent tool for fostering resilience and laying the groundwork for long-lasting recovery. Likewise, by enabling communities to regain a feeling of optimism, dignity, and empowerment, heritage rehabilitation can help heal the wounds left by war and natural calamities. Culture may be a potent tool for rapprochement and a foundation for social cohesion as a visible statement of shared ground between groups. UNESCO supports the protection of human rights, the avoidance of conflict and establishment of peace, the upholding of international humanitarian law, and the development of community resilience through the preservation of cultural heritage and the promotion of cultural pluralism in emergency situations.

Definition of Key Terms

Cultural Heritage

Cultural heritage includes conventions, practices, places, artifacts, creative manifestations, and values. It is a representation of the ways of life that a community has established and passed down from generation to generation. Intangible or tangible cultural heritage are two common terms used to describe cultural heritage.

Pluralism

Because of societal diversity, no one group can become dominant. They think that combining preferences is essentially what politics is all about. As a result, competition can be easily maintained because coalitions are fundamentally unstable.

Socio-Environmental

The social environment of a business is made up of the traditions and conventions of that community. It takes into account the people's lifestyle, preferences, and degree of education in the community where the business is located.

Rehabilitation

The ultimate goal of rehabilitation is to provide individuals with opportunities for full and effective participation and inclusion in society, including study, work and access to all services, on the same basis as other citizens.

Rapprochement

An establishment or reestablishment of harmonious relations. A rapprochement reached between warring factions

Social Cohesion

Social concord includes constructing shared values and groups of interpretation, lowering disparities in wealth and income, and usually allowing humans to have an experience that they may be engaged in a common enterprise, dealing with shared challenges, and that they may be contributors of the equal community.

International Humanitarian Law

A set of guidelines aimed at reducing the effects of armed conflict. During an armed conflict, it outlines the responsibilities of states and non-state armed groups.

Among its definitions are: humanitarian aid moving quickly and unhindered through armed conflict

Humanitarian Aid

While development aid addresses ongoing structural issues, particularly systemic poverty, that may impede economic, institutional, and social development in any given society, humanitarian aid is intended to save lives and alleviate suffering during and immediately following emergencies.

Key Issues

Iraq's Cultural Heritage in Wake of Massive Destruction

Islamic State is systematically destroying Mosul's cultural heritage system. Just before Daesh attacked northern Iraq, it released a list of 40 monuments in Nineveh province on social media and their intention to remove them. This "purification" has proven to be very broad in scope. About 80 heritage experts from around the world and government officials from Iraq agreed to form a joint UNESCO-Iraqi Steering Committee to coordinate and advocate for the numerous national and international efforts to restore Iraq's cultural heritage.

Violent extremists, according to Iraq's Vice-Minister of Culture for Antiquities and Tourism Affairs, have severely damaged world-renowned archaeological sites, destroying up to 70% of Nineveh and 80% of Nimrud. In an effort to acquire antiquities for the black market and the Internet, they methodically dug tunnels in Mosul and other heritage sites.

Armed Conflict & Natural Disasters

World Heritage sites face significant challenges from armed conflict and war, natural disasters like earthquakes and poaching, pollution, uncontrolled urbanization, and

unchecked tourist development. When a property is confronted with threats that could have a negative impact on its World Heritage values, threats can be referred to as "potential" or "ascertained," both of which refer to specific and proven imminent threats.

Along with the direct harm that disasters and conflicts, which frequently feed off one another, inflict on tangible assets, they also have a negative impact on the governance of the cultural sector, the transmission of intangible cultural heritage, the loss of traditional knowledge and practices, the economic opportunities associated with the cultural industries, including tourism, and generally the ability of the affected populations to access and benefit from their cultural resources. The most significant loss of cultural heritage since the Second World War has occurred in recent years, affecting both tangible and intangible cultural heritage, as well as archives and documentary heritage. Damage is now considered more than just collateral in many armed conflicts; Intentionally, cultural property is also targeted.

Major Parties Involved and Their Views

Switzerland

Since the protection of cultural heritage is very important to everyone and therefore requires universal protection, the Convention for the Protection of Cultural Property in the Event of Armed Conflict was adopted in 1954 under the auspices of UNESCO. Now commonly referred to as the 1954 Hague Convention, it was the first and most comprehensive multilateral agreement dedicated to the protection of cultural heritage in times of peace as well as during armed conflict. Since 1962 and 2004, respectively, Switzerland has been a party to the Hague Convention of 1954 and its two Protocols. The Federal Act on the Protection of Cultural Property During Armed Conflicts, Disasters, and Emergencies (CPPA) was enacted in 2014 to take into account the changes made by the Second Protocol. It was a complete rewrite of the 1966 law. In

comparison to a Second Protocol, the CPPA covers not only armed conflict but also natural disasters and other emergency situations.

This can be accomplished, for instance, by moving such property away from potential or actual military action, or, in the case of historical sites, by avoiding positioning military targets in close proximity to those locations. In this spirit, the CPPA makes Switzerland the first nation in the world to offer such a safe haven for the movable cultural goods of other states. Switzerland adopted a national strategy on March 8, 2019, to better define the country's position and areas of action in protecting endangered cultural heritage.

Iraq

Since 2003, Iraqi elites have used the country's rich cultural heritage to serve various agendas. These range from commercialization to spreading sectarian and exclusive political or religious narratives. Much of Iraq's cultural heritage is now being used for private gain, diminishing its role as a public good available to all Iraqis. However, extremists deliberately targeted the city's cultural heritage from 2014 to 2017, destroying historical landmarks like the Nabi Younis Shrine, the archaeological site of Nimrud, the Museum of Mosul, and the alNuri Mosque with its iconic leaning al-Hadba Minaret. UNESCO led international efforts to rehabilitate the city through culture and education when it launched a flagship initiative in February 2018 to "Revive the Spirit of Mosul" following the liberation of the city. The initiative is the Organization's most ambitious rehabilitation and recovery campaign in recent years, with the revitalization of the city's cultural life as one of the key forces for unity, reconciliation, and sustainable peace. It was developed in partnership with the Iraqi Government and draws on the efforts of the Iraqi people.

Development of Issue/Timeline

Date	Event	Outcome
08/1999	Introduction of Second Protocol to Hague Convention	<p>The Second Protocol promised a higher level of protection in administrative, legal, military, and technical areas as a complement to the 1954 Hague Convention. It introduced new developments in international humanitarian law regarding cultural property. The 1954 Convention, the first international document dedicated to the protection of cultural property during armed conflicts, must first be ratified by all states before they can become Parties. The 1977 Additional Protocols to the Geneva Conventions and the 1998 Statute of the International Criminal</p>

		Court add further support.
11/2014	Swiss Federal Act	After analyzing Hague Convention protocols, Switzerland enacted the Federal Act on the Protection of Cultural Property During Armed Conflicts, Disasters, and Emergencies (CPPA) as a full revision of the 1966 law to take into account the Second Protocol's new developments. In comparison to the Second Protocol, the CPPA covers not only armed conflict but also natural disasters and other emergency situations.
11/2015	Post-Disaster Needs Assessment (PDNA)	The interagency Post-Disaster Needs Assessment (PDNA), a government-led process supported by the United Nations system in collaboration with the World Bank and the European Union, included

		a specific chapter on culture as a result of UNESCO's advocacy efforts.
09/2016	Sendai Framework for Disaster Risk Reduction 2015-2030	On March 18, 2015, the Third United Nations World Conference in Sendai, Japan, approved the Sendai Framework for Disaster Risk Reduction 2015-2030. Stakeholder consultations that began in March 2012 and intergovernmental negotiations that lasted from July 2014 to March 2015, supported by the United Nations Office for Disaster Risk Reduction at the request of the United Nations General Assembly, led to this conclusion.

Previous Attempts to Solve the Issue

Post-Disaster Needs Assessment (PDNA)

A process led by the government with support from the UN system, the World Bank, and the European Union. Multiple assessments, carried out by a large number of organizations and encompassing a wide range of industries, typically follow major

disasters. These evaluations cover a wide range of topics, from the simplest evaluation of immediate requirements to the most complex evaluation of long-term recovery and risk reduction requirements. As stakeholders plan the recovery phase, there is a risk that a lack of clarity and confusion will be brought on by the sheer number of assessments conducted and the various methodologies. This guide's overarching objective is to offer practitioners technical assistance in planning and carrying out the needs assessment and designing the recovery framework. It is hoped that the guide will make it possible to take a consistent and coherent approach to the post-disaster assessment, give an accurate estimate of the recovery requirements, and make it easier to make quick decisions and take action.

Sendai Framework for Disaster Risk Reduction

Recognizes the crucial connection that exists between various cultural aspects, disaster risk, and resilience. Stakeholder consultations that began in March 2012 and intergovernmental negotiations that lasted from July 2014 to March 2015, supported by the United Nations Office for Disaster Risk Reduction at the request of the United Nations General Assembly, led to this conclusion. The Sendai Framework incorporates a number of innovations that were requested during the consultations and negotiations and is based on elements that ensure continuity with the work done by states and other stakeholders. The definition of seven global targets, the reduction of disaster risk as an expected outcome, a goal focused on preventing new risk, reducing existing risk, and strengthening resilience, as well as a set of guiding principles, including the primary responsibility of states to prevent and reduce disaster risk, all-of-society and all-State institutions engagement, have been identified by many commentators as the most significant shifts. Additionally, the focus of disaster risk reduction has been significantly expanded to include both naturally occurring and man-made hazards, as well as the environmental, technological, and biological risks associated with them. Throughout, health resilience is heavily promoted.

Second Protocol

The Second Protocol promised a higher level of protection in administrative, legal, military, and technical areas as a complement to the 1954 Hague Convention. It introduced new developments in international humanitarian law regarding cultural property. The 1954 Convention, the first international instrument devoted to the protection of cultural property during armed conflicts, can only be ratified by states. It is strengthened by the 1977 Additional Protocols to the Geneva Conventions[1] and the 1998 Statute of the International Criminal Court. States can only become Parties if they have ratified the 1954 Convention. The same year's adoption of the First Protocol to the 1954 Hague Convention aims to prevent the export of cultural property from occupied territory.

Possible Solutions

Increasing Legal Framework Promulgation

To begin, in order to increase the number of ratifications of the 1954 Hague Convention and its Second Protocol, the legal framework needs to be better understood. Moreover, states and other stakeholders must continue to receive innovative and pertinent capacity-building tools and training activities to assist in the domestic adoption of all necessary concrete legal, administrative, and policy measures and the translation of their interest in the protection of cultural heritage into military doctrine. Thirdly, in addition to these preventative measures, when fighting breaks out, cultural property protection must be seen as an essential component of humanitarian efforts, not as an unfortunate side effect of the conflict. The risk to protected cultural property during active hostilities and occupation must be discussed with both States and non-State armed groups if the issue is to be addressed seriously.

Safeguarding Property

In order to protect its cultural assets from armed attack, each state must take action. This can be accomplished, for instance, by moving such property away from potential or actual military action, or, in the case of historical sites, by avoiding positioning military targets in close proximity to those locations. In this spirit, the CPPA makes Switzerland the first nation in the world to offer such a safe haven for the movable cultural goods of other states. Switzerland adopted a national strategy on March 8, 2019, to better define the country's position and areas of action in protecting endangered cultural heritage.

Incorporate consequences of Global Antiquities Trade into Curriculum

Another important strategy for fighting destruction and looting is education. The threat to cultural heritage is not known to many common people, and as a result, they are unaware that there is a problem. Incorporating education about the costs and consequences of global antiquities trade into school and university curricula or through local outreach in community organizations, libraries, churches, or other public settings is one of the most important ways to address the problem of the ongoing loss of global heritage. Cultural heritage awareness can be incorporated into existing courses in anthropology, archaeology, art history, ethics, history, international affairs, law, and political science at the secondary school or university level. Journalists also play a crucial role in educating the public about the harm caused by heritage theft and trafficking. On their website, SAFE (Saving Antiquities for Everyone) offers a wealth of resources to get you started if you are unsure where to begin. The idea of heritage as a "global" or "universal" concern presents a problem when considering education because, while useful in many contexts, it can be used to shield owners from the claims of source cultures.

Works Cited

Paris, Club de. “London Terms. *Club de Paris*, 25 Sept. 2015, clubdeparis.org/en/communications/page/london-terms.

“Finding Solutions to the Debt Problems of Developing Countries.” *Report of the Executive Committee on Economic and Social Affairs of the United Nations*, United Nations, 20 May 1999, repositorio.cepal.org/bitstream/handle/11362/7480/S9970483_en.pdf?sequence=1&isAllowed=y.

Adviser, Jonathan Cuénoud Legal. “Cultural Heritage Under Attack.” *Humanitarian Law & Policy Blog*, 27 Aug. 2021, <https://blogs.icrc.org/law-and-policy/2021/02/18/cultural-heritage-under-attack/>.

Gropa, Maria. “Biodiversity, Reconciling with the Living.” *UNESCO.org*, 2019, <https://www.unesco.org/en>.

“Sendai Framework for Disaster Risk Reduction (2015-2030): United Nations Development Programme.” *UNDP*, 7 Sept. 2016, https://www.undp.org/myanmar/publications/sendai-framework-disaster-risk-reduction-2015-2030?utm_source=EN&utm_medium=GSR&utm_content=US_UNDP_PaidSearch_Brand_English&utm_campaign=CENTRAL&c_src=CENTRAL&c_src2=GSR&gclid=CjwKCAjw-rOaBhA9EiwAUkLV4juvhAyeALuy9nWPI1N69r-mPAAGE10KSkHNC24zVJ8TiUWG4G0ZQRoCGqMQAvD_BwE.