

**Forum:** General Assembly 3 (SOCHUM)

**Issue:** Safeguarding the Cultural Heritage of Different Communities

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## Introduction

Culture is defined as the customs, arts, social institutions, and achievements of a particular nation, people, or other social groups. This includes cultural heritage, the legacy of physical remains and intangible attributes of a group of society that is inherited from past generations, which has been at the center of debate for centuries due to its significance. The most common issue regarding cultural heritage is the conservation, preservation, and/or protection of it and by extension, the safeguarding of it. Safeguarding is defined as protecting from harm or damage with an appropriate measure. Seeing as cultural heritage is generally passed down from one generation within a culture to the next, it is the safeguarding of it is imperative as it will determine whether or not future generations will be able to access these heritages.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) is responsible for safeguarding the cultural heritage of different communities and has done so through different conventions and resolutions. The International Council on Monuments and Sites (ICOMOS) works closely with UNESCO and offers advice on the World Heritage Site. Cultural sites deemed as a World Heritage Site are legally protected by international treaties that allow for them to be safeguarded. As of 2018, there are a total of 1092 World Heritage Sites.

## Definition of Key Terms

### Cultural Heritage

Cultural heritage is the legacy or remains of tangible (physical) or intangible (non-physical) attributes of a culture that is passed down through generations. The need to safeguard cultural heritage has been the center of many debates for a long time and is the focus of this topic.

### Tangible Cultural Heritage

Tangible cultural heritage is the physical aspects of a specific culture, which are further categorized into immovable (e.g. monuments, buildings) and movable (e.g. books, documents) heritage, also known as cultural property.

### **Intangible Cultural Heritage**

Intangible cultural heritage is the non-physical aspects of a specific culture, which includes the ways of a society such as traditions, customs, beliefs, and language. The UNESCO Intangible Cultural Heritage Lists aim to ensure better protection and raise awareness since they are harder to preserve.

### **Natural Heritage**

Natural heritage is the natural environment and biodiversity of a specific culture, which includes flora and fauna, ecosystems, and geological structures. An example of natural heritage is Yellowstone National Park.

### **Safeguard**

The act of safeguarding something is the measure taken to protect something from harm or damage with an appropriate measure or to prevent something unwanted from happening.

### **Enhanced Protection**

Enhanced protection is a mechanism established by the *1999 Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict*, which aims to ensure full protection of cultural property during armed conflict. This ensures that safeguarding is possible even during armed conflict.

### **Conservation**

Conservation is the preservation, protection, and care of tangible cultural heritage. Conservation includes all measures and actions aimed at safeguarding cultural heritage while ensuring its accessibility for current and future generations.

### **Culture**

A culture is a group which share common beliefs, ideas, social customs and behaviors.

### **Community**

A community is a group of people living in the same general area or having similar characteristics that make them unique as a group.

## World Heritage Site

A World Heritage Site is a place deemed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as having cultural significance. These places are usually protected/safeguarded by the United Nations.

## Background Information

### Brief History on the Safeguarding of Cultural Heritage

The idea of creating an international movement responsible for the conservation and protection of cultural heritage emerged during World War I. One particular event ignited international concern and debate. In 1959, the decision to build the Aswan High Dam in Egypt, which would have led to the flooding of the valley containing the Abu Simbel temples, resulted in an appeal by the governments of Egypt and Sudan. The United Nations Educational, Scientific and Cultural Organization (UNESCO) launched an international safeguarding campaign as a response to the appeal. The Abu Simbel temples were dismantled, relocated, and reassembled. The campaign cost altogether USD \$80 million, half of which was donated by 50 countries. This has led to other campaigns such as Venice and Its Lagoon (Italy), the Archaeological Ruins at Moenjodaro (Pakistan), and the Borobudur Temple Compounds (Indonesia).

Following this particular event, UNESCO initiated, with the help of the International Council on Monuments and Sites (ICOMOS), the preparation for a draft convention on the protection of cultural heritage. The *Convention Concerning the Protection of World Cultural and Natural Heritage* adopted by the General Conference of the (UNESCO) defined what kind of cultural and natural sites could be considered for inscription on the World Heritage Site. It also set out the responsibilities of State Parties in identifying such sites and protecting them. A World Heritage Site is legally protected by international treaties. To date, there are 1092 World Heritage Sites, of which 845 are cultural, 209 are natural, and 38 are mixed properties.



## **Safeguarding in Armed Conflict**

On 18 October 1907, the Second Hague Convention regarding the sparing of heritage sites and historical monuments in times of war or conflict occurred. This was an extension on the original international peace conference that adopted a *Convention with Respect to the Laws and Customs of War on Land*. The Convention formed the basis for the drafting of international text to UNESCO on the protection of cultural property in times of armed conflict outlined in the *Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict*.

The safeguarding of cultural heritage has become a growing issue due to local conflicts in less economically developed countries (LEDCs), demonstrating the lack of awareness and care for the significance of cultural heritage sites being destroyed and damaged. Wars and conflicts between two or more opposing factions present a serious threat to the safety of cultural heritage located in the regions affected. This threat is often seen in the form of the destruction of cultural property (movable and immovable), such as monuments, religious sites, archives, etc. This threat is also seen in the form of the pillaging of cultural property known as “spoils of war”.

To prevent the destruction and promote the protection of cultural heritage in times of armed conflict, the international community adopted three main documents. The first is the *1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict*, which encourages State Parties to adopt peacetime protective measures for the safeguarding of cultural property. The Convention lays out a minimum level of protection that State Parties have to respect in times of conflict. The second is the *1954 First Protocol*, which prohibits the export of movable cultural property from zones of conflict. The third is the *1999 Second Protocol*, which strengthens the content of the *1954 Hague Convention*.

## **Terrorist Groups**

Armed conflicts resulting in the destruction of historic sites by terrorist groups has escalated since the 1980s, making the issue more prominent than ever. The Islamic State of Iraq and the Levant (ISIL) has been deliberately destroying cultural heritage since 2014 in Iraq, Syria, and Libya. The targets include various places of worship under ISIL control and ancient historical artefacts. In Iraq, between the period of the fall of Mosul in June 2014 and February 2015, ISIL had pillaged and destroyed at least 28 historical religious buildings. The destroyed cultural heritage includes mosques, shrines, churches, monasteries, ancient and medieval sites, and libraries. ISIL has a special unit called the *Kata'ib Taswiyya* (settlement battalions) that are responsible for selecting targets.

In response to the destruction done by ISIL, UNESCO Director-General Irina Bokova called the atrocities committed "a form of cultural cleansing" and launched the *Unite4Heritage* campaign, which aims to protect heritage sites threatened by extremists and terrorists.

## Major Countries and Organizations Involved

### Egypt

Egypt played a huge role in bringing the issue of safeguarding cultural heritage to the forefront with its appeal by the government. The Ministry of State for Antiquities (MSA) formed in 2011 is the government organization responsible for protecting and preserving the heritage and ancient history of the country. The country has experienced several threats to its cultural heritage in the past, most prominently, grave robbers. The MSA works to retrieve stolen artefacts and restore them back to Egypt.

### India

The Ministry of Culture is the Indian government organization responsible for the preservation and promotion of Indian art and culture. There have been preservation efforts in the past, although carried out in a scattered form. As a result, the government has created an institutionalized and centralized Scheme called the *Scheme for Safeguarding the Intangible Heritage and Diverse Cultural Traditions of India* to increase awareness and interest in intangible cultural heritage and safeguarding.

### South Africa

South Africa has a rich cultural heritage that still remains mostly unprotected, unknown, and undiscovered. Section 50 of the *South African Heritage Resources Act, Act No 25 of 1999* gives the South African Heritage Resources Agency (SAHRA) the mandate to monitor and manage the country's heritage resources and provide guidance to communities in areas with National Heritage Sites. SAHRA also provides advocacy to ensure the safeguarding of such cultural heritage.

### United Kingdom

Responsibility for cultural heritage is with the Department of Culture, Media and Sport (DCMS), which acts as the United Kingdom "State Party" to the *1972 World Heritage Convention*. Each country in the United Kingdom also has its own bodies in charge of heritage matters. For example, in England, English Heritage (government body) and National Trust for Places of Historic Interest or Natural Beauty (charity) manage historic sites, artefacts, and natural environments.

### United States of America

The United States holds 23 World Heritage Sites recognized by UNESCO. The majority of these sites can fall under the categories of being national parks (due to holding significant cultural roles in American history) or being lands which are rich in Native American histories and cultures. The United States finds it imperative to preserve such lands as with the decreasing Native American population, it is important that their history and culture is not forgotten. Thus, the preservation of their ancestors' homes is of high priority.

### **United Nations Educational, Scientific and Cultural Organization (UNESCO)**

The United Nations Educational, Scientific and Cultural Organization (UNESCO) is responsible for the safeguarding and promoting of cultural heritage in all its forms (tangible, intangible, and natural), which the organization believes is the “key to achieving dialogue, sustainable development and social cohesion”.

### **International Council on Monuments and Sites (ICOMOS)**

The International Council on Monuments and Sites (ICOMOS) is one of the three advisory bodies to the World Heritage Committee, established in the *1972 World Heritage Convention*. The ICOMOS is the professional and scientific advisor on all aspects of cultural heritage. It participates in the implementation and enforcement of the Convention along with the International Union for the Conservation of Nature (IUCN). It also has the responsibility of evaluating nominations of cultural and mixed properties.

## **Timeline of Events**

<b>Date</b>	<b>Description of event</b>
29 July 1899	The Hague Convention took place as an international peace conference adopting a <i>Convention with Respect to the Laws and Customs of War on Land</i>
18 October 1907	Second Hague Convention regarding the sparing of heritage sites and historical monuments in times of war/conflict took place
September 1948 - 1954	Drafting and implementation of international text to UNESCO concerning the protection of cultural property in times of armed conflict (First Protocol) outlined in the <i>Hague Convention for the Protection of Cultural Property in the Event of</i>

### *Armed Conflict.*

16 November 1972	The convention concerning the <i>Protection of the World Cultural and Natural Heritage</i> was adopted by the General Conference of UNESCO. The purpose of the Convention is to define the cultural and natural sites suitable for inclusion on the World Heritage Site.
17 July 1998	Under the <i>Rome Statute of the International Criminal Court</i> , the destruction of cultural property is deemed as a war crime under Article 8.
March 1999	Second Protocol of the <i>Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict</i> was adopted at a Diplomatic Conference held at The Hague.
17 October 2003	The <i>Convention for the Safeguarding of the Intangible Cultural Heritage</i> was adopted. The Convention refers to existing human rights documents, including the <i>Universal Declaration on Human Rights of 1948</i> and considers the interdependence between intangible cultural heritage, tangible cultural heritage, and natural heritage.
February 2015	Fifty nations adopted the UNSC Resolution 2199, acknowledging that cultural heritage stands at the frontline of conflicts today.
3 May 2017	The <i>Council of Europe Convention on Offences relating to Cultural Property</i> was adopted. The purpose of the Convention is to combat the intentional destruction or damage and trafficking of cultural property and hopes to facilitate co-operation on an international level. The work is being carried out in collaboration with several international organizations, including UNIDROIT, UNESCO, and UNODC.

## Relevant UN Resolutions and Treaties

- Brussels Declaration (Article 8), 27 July 1874

- Treaty on the Protection of Artistic and Scientific Institutions, 1935
- Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, 1954
- Convention for the Safeguarding of the Intangible Cultural Heritage, 17 October 2003
- Resolution 2199, 12 February 2015 (**S/RES/2199**)
- Return or restitution of cultural property to the countries of origin, 17 December 2015, (**A/RES/70/76**)
- Resolution 2347, 24 March 2017 (**S/RES/2347**)

## Possible Solutions

**Education means educating people about the significance of safeguarding cultural heritage and the importance of preserving culture for future generations.** This could include creating courses in schools and universities that focus on all aspects of cultural heritage not just relevant to the corresponding culture but other cultures too. The benefit of educating people about the significance of safeguarding cultural heritage is raising awareness that they may not otherwise have and help them gain a deeper appreciation and understanding. However, while education could allow for an increase in awareness, the problem could still persist if people do not change their ways.

**Tourism allows countries to benefit off the revenue generated from marketing cultural heritage thus giving the incentive to preserve it.** Tourism would be a form of investment for the government of different countries. By investing money into attracting more tourists to their respective countries, the revenue created from the tourism sector could bring in a flow of income for the country and create new jobs. Unfortunately, there is the possibility that increasing tourism could worsen the situation. Tangible and natural heritage could be affected the most as increased visitors can result in problems such as environmental damage and the commercialisation of culture.

**Legislation creates deterrents to the destruction of cultural heritage through the implementation of laws by legislative bodies.** Legislation is perhaps the most effective solution since it would make it illegal to cause damage to cultural heritage. It also means that the safeguarding of cultural legislation is something that the government recognises as something of importance. That being said, legislation would only be a plausible solution in countries whose governments choose to recognise the effort to safeguard as one of significance. There could be governments who do not wish to create legislation or do not regard it as a problem that needs to be solved.



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