



UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL  
ORGANIZATION

## **FINAL RECOMMENDATIONS**

**INTERNATIONAL COORDINATION COMMITTEE FOR THE  
SAFEGUARDING OF THE CULTURAL HERITAGE OF IRAQ**

**Third Plenary Session**

(Paris, 13-14 November 2007)

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL  
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L'ÉDUCATION, LA SCIENCE ET LA CULTURE**

**INTERNATIONAL COORDINATION COMMITTEE FOR  
THE SAFEGUARDING OF THE CULTURAL HERITAGE OF IRAQ**

**COMITE INTERNATIONAL DE COORDINATION POUR LA  
SAUVEGARDE DU PATRIMOINE CULTUREL DE L'IRAQ**

**Third Plenary Session / Troisième session plénière**

(Paris, 13-14 November 2007 / Paris, 13-14 novembre 2007)

### **RECOMMENDATIONS**

*The Members of the ICC convened by the Director-General of UNESCO, Mr Koichiro Matsuura, at the Third Session of the International Coordination Committee for the Safeguarding of the Iraqi Cultural Heritage, at UNESCO Headquarters on 12 and 14 November 2007,*

Thanking the Director-General of UNESCO for calling the third session of the ICC,

Taking note of the achievements of the Government of Iraq, under the prevailing circumstances, in protecting and rehabilitating the Iraqi cultural heritage,

Recognizing the work done by the National Coordination Committee in Baghdad (NCC), as a counterpart of the ICC, and its efforts in implementing nationally the recommendations of the second ICC meeting,

Praising the heroic work of Iraq's State Board of Antiquities and Heritage, the sole organisation in Iraq that is charged by law with protecting, preserving and studying Iraq's rich tangible cultural heritage,

Acknowledging the experts' contributions made during the debates,

Stressing that UNESCO should continue to coordinate international contributions made for the purpose of protecting, conserving and promoting the Iraqi cultural heritage,

Considering the existing constraints for implementing activities on the ground,

Decide to establish a Sub-Committee for the protection and safeguard of the site of Babylon;

Decide to reactivate the Sub-Committee on Libraries and Archives;

Agree on the following recommendations:

## **1. ADVOCACY**

### **Recommendations to the Iraqi authorities**

- To inscribe cultural heritage as a priority on the national agenda, recognising its importance for the reconstruction of Iraq, social cohesion and peace building;
- To improve the coordination and communication among the various governmental institutions at national and local levels, and in particular between the SBAH and local authorities;
- To obtain free access to archaeological sites for concerned experts authorized by the SBAH in view of resuming research and preservation activities;
- To obtain that prior consultation with the SBAH be undertaken before any installation, especially public works and military installations, is planned on or in the vicinity of the archaeological, heritage and cultural sites;
- To continue the process of separating the archives from libraries...

### **Recommendations to the international community and UNESCO:**

- To call on all parties in Iraq, including government from the national to local levels and all international forces, to respect and support the mission, unity and integrity of the SBAH and the INLA;
- To inform the World Heritage Committee on the state of conservation of the World Heritage sites of Iraq, based on the information provided by the Iraqi authorities or other sources (in particular Ashur and Samarra);

## **2. STANDARD SETTING**

### **Recommendations to the Iraqi authorities to:**

- Encourage the Iraqi authorities to ratify the Second Protocol of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1999), notably by providing increased support to the intergovernmental mechanism and by intensifying the international cooperation for the restitution of illegally exported property;
- Encourage the Iraqi authorities to ratify the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995);

- Develop the Iraqi legislation for a still more efficient transformation of the 1970 UNESCO Convention on the means of prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, notably via revision and completion of administrative law (*illegally* exported cultural property becomes automatically *public property*, every *cultural property is in an official inventory*, administrative aid) and civil law (for *public property*, there is no statute of limitation and no good faith acquisition and the claim action is *imprescriptible*);
- Encourage negotiation of bilateral agreements for the restitution of illicit cultural property with States which ratified the 1970 UNESCO Convention;
- Encourage the Iraqi authorities to ratify the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage;
- To introduce rapidly the Iraqi legislation in the UNESCO Cultural Heritage National Laws Database;

#### **Recommendations to the international community and UNESCO:**

- To consider ratifying relevant international treaties and conventions such as:
  - The second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1999);
  - The UNIDROIT Convention of 1995 on stolen or illegally exported cultural objects;
  - The 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage;
- To consider developing the international legislation for a more efficient implementation of the 1970 UNESCO Convention on the means of prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, notably via revision and completion of administrative law and civil law;
- To facilitate an international import-ban restriction on transfer of ancient Iraqi cultural property, as requested by UN Security Council Resolution 1483, and to encourage all countries to keep the recovered items in established safe havens, under the auspices of UNESCO and/or Iraqi diplomatic missions, in view of their restitution to Iraq when the adequate conditions are met;
- To encourage the implementation of the UNESCO-INTERPOL-ICOM Basic Actions concerning Cultural Objects being offered for Sale over the Internet,
- To cooperate with INTERPOL and communicate details on the criminal individuals and networks involved in the illicit trafficking of Iraqi cultural objects and on the roads and destinations of cultural property.

### 3. AWARENESS RAISING

#### Recommendations to the Iraqi authorities:

- To integrate awareness materials on cultural heritage in the curriculum for both formal and informal education, using *inter alia* the World Heritage in Young Hands kit prepared by UNESCO;
- To develop a cultural heritage communication policy;
- Sensitization of the public at large, notably children and young people, to the importance of the cultural heritage.
- Alert the international community, in particular politics, art-market actors (antique dealers, collectors, auctions houses) acting notably on the Internet, as well as museums (curators, security staff, restaurateurs) to prevent from illicit trafficking of cultural property originating from Iraq.
- Improve the transmission of information about cultural property thefts, stolen or recovered objects to the Interpol General Secretariat for data entry and crime analysis purposes and creates a central collecting point ("safe havens") for recovered items.

#### Recommendations to the international community and UNESCO:

- To alert the international community, in particular decision-makers, art-market participants (antique dealers, collectors, auction houses), present notably on the Internet, as well as museums staff on the responsibilities and penalties attached to illicit trafficking of cultural property originating from Iraq and to launch a one-year world awareness campaign to this end;
- To develop an awareness campaign at the regional level, specifically aimed at the law-enforcement agencies, in order to improve the control of circulation of cultural property at borders;

### 4. CAPACITY BUILDING

#### Recommendations to the Iraqi authorities:

- Introduce rapidly the Iraqi legislation in the UNESCO Cultural Heritage National Laws Database.
- Organise a long term training action aiming at providing sustainable capacities in the fight against illicit traffic:
  - a. capacity to ratify the above mentioned normative instruments,
  - b. capacity to develop national legislation on the administrative and private law levels (on the base of the law n° 55 of 2002 (Qanun al-athar al-turath),

- c. capacity to negotiate bilateral agreements on the restitution of illicitly trafficked cultural properties with the States parties to the 1970 UNESCO Convention,
  - d. capacity to use the UNESCO/WCO model export certificate as well as the Object ID standard form for the inventories.
- To establish an evidence-based national strategy for the development of the human resources in the field of cultural heritage preservation and management, that would serve as a framework for international assistance;
  - To strengthen national legal capacities needed for an efficient action against illicit trafficking, in particular in applying international instruments and in using standardised tools for inventories (Object ID) and the UNESCO/WCO export certificates;

**Recommendations for the international community and UNESCO:**

- To favour, within such a framework, long and sustainable training programmes rather than short training sessions, in all fields covered by the ICC mandate;
- To harmonise survey tools and inventory standards and to facilitate their access by the Iraqi cultural heritage professionals so as to establish reliable documentation on archaeological sites, cultural objects and intangible heritage;
- Impose an international import-ban restriction on transfer of all ancient Iraqi cultural objects (more than 100 years old) and encourage all countries to keep all recovered items in safe place, in collaboration with local Iraqi diplomatic missions and under UNESCO auspices, in order [à terme] to reconstitute them.
- Regularly check offers on the art market and the sales of cultural property over the Internet, and encourage the implementation of the UNESCO-INTERPOL-ICOM Basic Actions concerning Cultural Objects being offered for Sale over the Internet,
- Cooperate with INTERPOL and communicate details on the criminal individuals and networks involved in the illicit trafficking of Iraqi cultural objects and on the roads and destinations of cultural property.



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### **RECOMENDATIONS ON THE ARCHAEOLOGICAL SITE OF BABYLON**

*The participants in the Third Special Session on the archaeological site of Babylon*

*Thanking the Director-General of UNESCO, the Minister of Culture of Iraq, the Minister of State for Tourism and Antiquities of Iraq for convening the Third Special Session on Babylon in Paris, UNESCO Headquarters;*

*Recalling the outcomes and the main lines of action agreed during the First & Second Special Sessions on Babylon (24<sup>th</sup> June & 22<sup>nd</sup> November 2005),*

*Emphasizing the importance of coordination under UNESCO umbrella, to produce a thorough assessment on the conditions of Babylon,*

*Recognizing the work already carried out by the State Board of Antiquities and Heritage (SBAH) and international experts in this regard, and regretting the absence of SBAH Staff from Babylon,*

Agreed on the following recommendations:

#### **Recommendation 1**

To the International Coordination Committee for the Safeguarding of the Cultural Heritage of Iraq (ICC), to recognize the steps already undertaken by the experts during the three Special Sessions on Babylon (Paris, 24 June; Berlin, 22 November 2005, and Paris, 12 November 2007) and to establish an ICC Sub-Committee for the protection, conservation and management of the archaeological site of Babylon.



To recommend to the ICC Iraq to set up an ICC Sub-Committee for the protection, conservation and management of the archaeological site of Babylon. It is proposed that the ICC Sub-Committee should benefit from the participation of the following Iraqi Officials: the Chairperson of SBAH; Director General of Excavations and Investigations Directorate of SBAH, and international experts: Prof John Curtis (UK), Prof John Russell (USA), Prof McGuire Gibson (USA), Dr Fawwaz Al Khrayesheh (Jordan), Prof George Tate (France), arch. Roberto Parapetti (Italy), Dr Margareta Van Ess (Germany), Prof Antoine Cavigneaux (France), Prof Elizabeth Stone (USA), Prof. Ken Matsumoto (Japan), Dr Gaetano Palumbo (Italy), Dr René Teygeler (Netherlands), Prof Andrew George (UK), Dr Neville Agnew (USA), and Prof. Piotr Bielinski (Poland). It should also include at the very least specialists in urban planning, hydrology, environmental ecology, landscape architecture, cultural resources management, and conservation

### **Recommendation 2**

The reports compiled by SBAH, by the Polish archaeologists, by Dr J. Curtis, by information supplied by individuals, including Prof E. Stone, Prof. Parapetti and Prof. J. Russell should be completed and presented in another working meeting in Berlin in June 2008 in order to review them and compiled a final assessment of the damage caused to Babylon during the period March 2003 to December 2004 that should be presented to the ICC for its approval.

### **Recommendation 3**

The disturbed areas should be archaeologically investigated by SBAH and reported upon.

Based on the results of the assessment and aforementioned archaeological investigations, preparation of a comprehensive conservation and management plan for the site of Babylon, with a view *inter alia* to its nomination for inscription on the UNESCO World Heritage List, should be developed.

### **Recommendation 4**

Urgent conservation work should be undertaken by SBAH and reported upon.

### **Recommendation 5**

The provisions of the Iraqi Antiquities' Law should be observed on the Site of Babylon.

## ANNEX 1



**UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL  
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