

**Statement by Ms Mechtild Rossler,  
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UNESCO Culture Sector**

On the occasion of an Information Meeting for Member States  
on the Action Plan for the implementation of the *Strategy for the protection of culture  
and the promotion of cultural pluralism in the event of armed conflict*  
2 March 2017, 10am-1pm

- Welcome Delegations to this Information meeting on the draft Action Plan for the implementation of the *Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict* and practical ways for implementing a mechanism for the rapid intervention and mobilization of national experts;
- Explain that this meeting offers the opportunity to continue the discussion on the draft Action Plan that was initiated on the occasion of the 8<sup>th</sup> intersessional meeting of the Executive Board on 22 February;
- Recall that what is proposed is entirely within the scope of the UNESCO cultural Conventions as well as of the existing administrative practices within the Organization. What the Action Plan does is to identify a specific set of priority activities to give concrete application to the adopted Strategy through a more effective implementation of the Conventions, and to define their cost. It is meant to provide a programmatic framework for the implementation of which resources need to be mobilized and partnerships developed;
- Recall also that the version of Action Plan discussed today is the product of consultations with Member States held via a written questionnaire that lasted from 28 October to 9 January and to which 19 Member States and 2 regional groups replied;
- Note that all comments received from Member States are accessible online in their original language, as shown on the screen;
- Recall that many Member States had asked questions on the occasion of the 8<sup>th</sup> Intersessional Meeting of the Executive Board on 22 February and that additional ones were on the speakers' list but that time did not allow for them to take the floor;
- Suggest to start by answering the questions already raised by Member States at the Intersessional Meeting and to then take additional questions from States that were on the speakers' list:
  - **Ecuador, St Vincent & the Grenadines and Italy** expressed their concern about the lack of time dedicated to discussing the revised version of the Action Plan.
  - **Ecuador, Russia and the USA** considered that a consensus was needed before its adoption.
    - This Information Meeting should provide for additional time ahead of the Executive Board in April, in order to achieve consensus on a text.
    - Reiterate that as a living document, the idea is to not formally adopt the Action Plan, in order to adapt it, whenever needed, to the quickly evolving

situations on the ground as per the nature of emergency preparedness and response;

- Recommend hence that the 201<sup>st</sup> Executive Board merely take note of and welcome the Action Plan.
- **The Dominican Republic, St Vincent & the Grenadines and China** stressed the need for sustainable funding including the strengthening of partnership development in that regard.
  - Remind Member States that the Management and promotion of the Heritage Emergency Fund constitutes a dedicated Activity (32) in the Action Plan;
  - Add as well that the corresponding staff has already been hired, thanks to extrabudgetary contributions;
  - Reassure the Member States that the Secretariat is fully engaged in mobilizing extrabudgetary resources in order to further strengthen the Conventions – in fact, approximately USD 4 million were raised over the past year, both into the Heritage Emergency Fund as well as via other financial mechanisms.
- **St Vincent & the Grenadines** stated that the General Conference should adopt any use of Regular Programme for the implementation of the Action Plan.
  - Recall that the General Conference, with its adoption in 2015 of the *Strategy*, already referred to an estimated budget composed of 20% Regular Programme, corresponding to USD 5 million.
  - Explain that in reality, over 6 years, these USD 5 million, are already made available for emergency-related activities, via the Conventions and in Field Offices, as well as to a smaller extent through the coordination work of the Emergency Preparedness and Response Unit;
  - Stress that, therefore, the *Strategy's* impact on the Conventions, both in terms of financial and human resources, is positive and that, if anything, the low amounts of Regular Programme available for emergency-related activities are enhanced with extra-budgetary funds specifically raised for these issues.
- **St Vincent & the Grenadines and the USA** asked how activities for implementation would be prioritized if a funding gap remained.
  - Explain that the choice of activities for implementation will be made based on expressed needs and requests from countries, our in-house ongoing risk assessment, as well as the feasibility of the proposed activities, which depend on the availability of resources and security considerations.
- **St Vincent & the Grenadines** requested that Human Resources components benefitting the 2003 and 2005 Conventions be added.
  - Explain that the current priorities lie with other Conventions but that Governing Bodies of the 2003 and 2005 Conventions have started discussing the subject of emergencies, exploring their Conventions' possible contribution and role;

- Add that for now their concerns are covered through existing financial and human resources.
- **China** requested that reporting on the Action Plan implementation be against defined Performance Indicators and encouraged partners to increase their involvement.
  - Inform that a new transversal Expected Result for emergencies will be presented in the draft Programme and Budget and that, if approved, biannual reporting on all activities related to culture in emergencies will take place at the Board, monitored against defined Performance Indicators and targets.
- **Turkey and the USA** reiterated the risk of legitimizing non-state armed groups in the context of a possible engagement of UNESCO with them.
  - Reiterate that Activity 26 was reformulated to reflect language of the 1954 Convention, which Turkey and the USA have ratified;
  - Add that, as per the 1954 Convention, this would not affect the legal status of the parties in question;
  - Stress that engaging with non-state armed groups, for strict humanitarian purposes, is an established policy within the UN that the UN Secretary-General has underlined several times, in his reports to the UN General Assembly on civil protection, to be important for the purpose of promoting the respect of International Humanitarian Law;
  - Suggest to take out, in order to avoid any possible ambiguity, in the second to last sentence of Activity 26, the part from “directly or through relevant NGOs” to the end of that sentence.
- **The Dominican Republic and Italy** reiterated the request that the Action Plan also apply to emergency situations resulting from natural disasters.
  - Explain that the *Strategy* does not refer to natural disasters at this stage and is limited to armed conflict;
  - Suggest, however, that, considering that many of the activities included in the Action Plan could also apply to emergencies resulting from natural disasters, reference to this could be included with an additional note at the beginning of the Action Plan in order to clarify its extended scope.
  - Recall that the Secretariat had previously suggested that the General Conference confirm this extended scope before making changes to the Action Plan, however, these changes could be made now if the Executive Board agrees to.
- **Italy** asked that a reference to the possibility of deploying teams through partnerships with governments, in addition to individual experts, be included in Annex II concerning the rapid response mechanism, and stated that it would forward a written proposal to the Secretariat to this end.
  - Confirm that a written request in that sense has been received and thank Italy for it;

- Reassure Italy that it will be added in the framework of the morning's revisions to the Action Plan and Annex II and specifically in the part of Annex II referring to the different deployment modalities on page 3.
- **Sweden** stressed the importance of considering the promotion of the safety of artists and cultural institutions in specific activities and asked the Secretariat to explain how they envisaged this to happen.
  - Acknowledge Sweden's support to the 2005 Convention and in particular to the project on "Enhancing Fundamental Freedoms through the promotion of the diversity of cultural expressions";
  - Express the Secretariat's interest in deepening this cooperation further;
  - Inform that the addition of practical training elements on the promotion of the safety of artists was added, upon the suggestion of Member States, to Activities 2 on First Aid Training and 13 on Preparatory documentation, risk assessment and emergency plans for heritage.
- **The USA** 1) questioned the cooperation with the International Criminal Court, as well as requested clarification on the 2) definition of "access to culture", on the 3) security arrangements for the deployment of the Rapid Response Mechanism (RRM) when organized by UNESCO and 4) a clearer breakdown of costs associated with the establishment of the roster for the RRM, including in relation to the human resources component of the Action Plan.
  - Explain that it is UNESCO's understanding that if the ICC opens a legal case, it does so in accordance with International Law and that UNESCO is then held to provide factual information if requested to do so by the ICC;
  - Add that "access to culture" is guaranteed by international human rights law, a core feature of cultural rights and derives from the "right to take part in cultural life", as recognized in the Universal Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights, as well as the right conferred to persons belonging to minorities to "enjoy their own culture", as stipulated in the International Covenant on Civil and Political Rights;
  - Underline that this reference in the Action Plan was included in reference to UNESCO's human rights based approach to the protection of cultural heritage;
  - Reiterate that the deployment of experts as part of UNESCO's Rapid Response Mechanism will be carried out in the framework of existing rules and regulations, that is, subject to the granting of security clearance by the United Nations Department of Safety and Security (UNDSS);
  - Explain that the costs related to the RRM are approximately made up of the following:
    - Coordination represented by human resources costs (40% of P3 Project Officer position for "Coordination of Heritage Emergency Fund and RRM = USD 441.590,40 over 6 years)

- Costs of USD 400,000 as indicated for Activity 9, of which USD 100,000 would go to the establishment of the RRM and USD 300,000 for the deployments.
  - Deployment costs include training, travel, per diem, salaries, security and equipment for the implementation of a given mission's mandate.
- **Canada** stressed the need to 1) ensure the compatibility with existing legal frameworks of the planned review of legal and policy frameworks on safe havens, 2) making sure that the type of agreements on cooperation in the fight against illicit trafficking remain at the discretion of Member States including the option to conclude bilateral agreements between UNESCO and Member States as well as 3) asked for information on the origin of a change made to the Action Plan regarding the promotion of the safety of artists in two activities.
  - Explain that the review of legal and policy frameworks on safe havens is meant to take stock of and assess existing frameworks, in order to, on this basis, develop non-binding recommendations for an international, common, framework, compatible with other international regulations.
  - Reassure that the type of cooperation in which Member States choose to enter for the fight against illicit trafficking will remain at their discretion, with all recommendations and guidelines remaining non-binding, unless decisions such as Resolution 2199 of the UN Security Council are taken at their initiative;
  - Inform that the addition of practical training elements on the promotion of the safety of artists was added, upon the suggestion of Member States, to Activities 2 on First Aid Training and 13 on Preparatory document, risk assessment and emergency plans for heritage.
- Proceed to recalling that additional Member States – Brazil, Iran, Oman, Morocco, Paraguay, Argentina, Japan and Uganda – had been on the speakers' list at the Intersessional meeting and ask whether they wanted to raise their questions;
- If so, give the floor to these Member States;
- Answer their questions;
- Ask whether anyone has additional specific amendments to make;
- Explain that, based on the outcomes of the present meeting, the Secretariat will modify further the Action Plan in view of developing a consensual version to be presented to and further discussed at the Executive Board in April.