

Expert meeting on the 'Responsibility to Protect' and the protection of cultural heritage

Recommendations

The participants in the expert meeting on the 'responsibility to protect' and the protection of cultural heritage, held at UNESCO Headquarters on 26–27 November 2015:

Recalling the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and *highlighting* their preventive aspects,

Noting that acts of intentional destruction and misappropriation of cultural heritage can constitute war crimes and crimes against humanity, can indicate genocidal intent, and are frequently associated with ethnic cleansing and its accompanying 'cultural cleansing',

Noting further that the intentional destruction and misappropriation of cultural heritage and the violation of cultural rights are aggravating factors in armed conflict and represent major obstacles to dialogue, peace and reconciliation,

Emphasizing that the ultimate objective of protecting cultural heritage is the protection of the living culture of populations and humanity, of human rights and dignity, and of the interests of past and future generations,

Stressing the role of all forms of co-operation in protecting cultural heritage,

Recalling also the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols, as well as UNESCO's Declaration on the Intentional Destruction of Cultural Heritage, Universal Declaration on Cultural Diversity and Declaration on the Responsibilities of the Present Generations Towards Future Generations,

Recalling further all other relevant international legal instruments,

Bearing in mind UNESCO's constitutional mandate to assure the conservation and protection of the world's cultural heritage,

Drawing attention to 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,¹

1. *Recommend* that UNESCO Member States take all appropriate measures, including through bilateral and multilateral co-operation, and with the support of relevant intergovernmental and nongovernmental organizations, to exercise their responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity through protecting cultural heritage situated in their territory from intentional destruction and misappropriation,

¹ UNESCO document 38 C/49.

2. *Recommend also* that UNESCO Member States and the UNESCO Secretariat take all appropriate measures, including through bilateral and multilateral co-operation, and with the support of relevant intergovernmental and nongovernmental organizations, to encourage and help states to exercise their responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity through protecting cultural heritage situated in their territory from intentional destruction and misappropriation,
3. *Recommend further* that UNESCO Member States and the UNESCO Secretariat give due consideration to the idea of 'safe havens' for cultural property situated in states outside the conflict zone, as envisaged in Article 18 of the Regulations for the Execution of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and paragraph 5 of the 1954 Protocol to the Convention,
4. *Recommend furthermore* that UNESCO Member States and the UNESCO Secretariat give due consideration to the idea of 'cultural protected zones', in accordance with Article 24 of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, Articles 59 and 60 of 1977 Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts, and the Charter of the United Nations.

Paris, 27 November 2015