

FORUM: General Assembly 3

QUESTION OF: The question of the intentional destruction and misappropriation of cultural heritage

SUBMITTED BY: Iran

CO-SUBMITTERS: Czech Republic, Vietnam, Sri Lanka, Uganda, United Kingdom, St Vincent & the Grenadines, Malta, Human Rights Watch, Angola, Belgium, Belarus, Russian Federation, UN Habitat, Georgia, Antigua & Barbuda, Solomon Islands, Netherlands, Chile, Burundi, Andorra

THE GENERAL ASSEMBLY,

Affirming the importance of cultural heritage as a universal resource for developing education and cultural identity, both key assets to any society, and which none should be deprived of, especially by foreign powers or authorities,

Deeply concerned about the use of cultural heritage as a bargaining chip in international conflict due to its importance to its possessor, a behaviour which neglects their universal value,

Recalling the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed conflict, and its inability to address contemporary challenges to cultural heritage which involve both militia organisations unaccountable to international legislation, as well as individuals and organisations seeking to benefit from the exploitation of cultural property in the under-regulated art market,

Further recalling the UN resolution 2347, of 2017, addressing for the first time the role of states in countering destruction by terrorist organisations, militias, placing responsibility and ability to act in the hands of the state in possession of the heritage,

Observing that the rules of war, as well as the UN Human Rights Charter, under-represent the universal right to access the cultural heritage of humanity as a whole, which does not conform to present day political or religious entities, and should be available to all in a productive capacity,

Recognising the merits of the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation as an authority on the rightful possession of artifacts of cultural heritage,

1. Regrets the targeting and planned destruction of cultural heritage in inter-state conflicts, particularly as it is used as a strategic target, or a bargaining chip to assert pressure on member states in possession of universally valuable cultural heritage, which in the whole is an affront to the rules of war, as well as an attack on universal human heritage which sees no borders;
2. Invites UN member states to condemn any military action taken against UNESCO recognised cultural heritage regardless of their political or military affiliations, as cultural heritage is universal and should be non-excludable;
3. Draws the attention of UN member states to the destruction of cultural heritage by militia organisations which perceive them as easily accessible, visible, strategically valuable, and profitable targets for operations especially during religious or civil war, due to their under-protection, which could be remedied by:
 - a) the designation of sites of cultural heritage as strategic locations, or locations of importance of the same category as key civilian settlements during warfare, both by national and international forces such as:
 - i. peacekeepers, which could be deployed as to key civilian areas
 - ii. NATO, or other relevant regional organisations entering domestic conflicts to secure key areas or combat a violent threat
 - b) addressing attacks on cultural heritage as violations on laws of war, in the manner that

attacks on civilian locations are, to utilise the powerful legislative framework that surrounds such acts

- c) recognising the sales of looted cultural artifacts, their transport and retailing as a form of terrorist funding, as they often serve to fund the military expenses of militias seizing those sites, so that the full counter-terrorist measures of the UN and member states can be levelled towards these actions:
 - i. interfered on by any national or international military organisation
 - ii. tracked, if recognised through any of the measures later proposed
 - iii. seized and returned without overdue jurisdiction
 - d) additionally, by proposing threats to sites of cultural heritage as a potential impetus for the issuance of peacekeeping forces to those areas and sites for protecting, disincentivising of potential attackers and exploiters, or to assist in the implementation of the measures outlined in the resolution for the general protection of cultural heritage sites;
4. Calls upon UN member states to interfere in the passive destruction of sites of cultural heritage by environmental factors such as climate change or social factors such as tourism by implementing measures such as:
- a) bans on large-scale infrastructure projects that could threaten the cultural heritage of the world, such as various dam, railway and highway projects
 - b) regulation on tourism at cultural heritage sites, such as:
 - i. controlling the overall levels of tourism to a sustainable degree
 - ii. maintaining an appropriate distance from the artifacts
 - iii. banning irresponsible conduct by tourists
 - iv. provision of services such as appropriate waste management to prevent undue damages inflicted on the sites by pollution
 - c) regulation on the level of natural resource exploitation in areas of cultural heritage, as procedures such as fracking can have unpredictable adverse environmental consequences
 - d) the promotion of the economic and academic uses of cultural heritage, by opening them to a sustainable level of tourism, exploration, and study
 - e) the dedication of revenue incurred by tourism towards the preservation and research of these sites, as professional maintenance is essential for their well-being;
5. Encourages all UN member states to consider inaction, when positive action to counter destruction is viable, to be an active act of destruction of sites of cultural heritage, and to discourage these as well as other acts of destruction of cultural heritage by any appropriate non-violent foreign policy approach;
6. Designates sites and objects that constitute recognised significant cultural heritage to be outside the bounds of religious and political beliefs, in the belief that cultural heritage is universally applicable and valued, and destruction of them should not occur on the grounds of:
- a) “blasphemy,” whether that be determined by national or religious laws of an opposed faith
 - b) the belief that they may radicalise, or dilute, any particular faith, as their value does not derive from active religious convictions
 - c) the heritage being relics of a culture or political system opposed to the present one
 - d) use as a threat to a country to which the heritage rightfully belongs to;
7. Endorses any sets of measures to counteract the misappropriation of cultural heritage both preceding and following its misplacement, including:
- a) efforts to determine sites of cultural heritage which are under significant threat from militia groups by national and international authorities such as the UNESCO, potentially establishing a ranking of threat to cultural heritage to utilise in gauging the need for international support in maintaining the health and safety of the site
 - b) the appropriate documentation of sites of cultural heritage by professionals, including mapping of sites, construction of digital models, and thorough accounting of objects

conducted by the UNESCO with peacekeeping or regional military support in case said sites are under threat, to enable

- i. research of cultural artifacts and sites if destroyed
 - ii. their tracking by implementation in lost artifact databases in cases where misplacement and sales are suspected
 - iii. addition to the Interpol Stolen Works of Art database, which should be expanded to include stolen artifacts, to enable international cooperation in their retrieval
 - c) enabling a reasonable level of tracking and monitoring of art and artifact markets by national intelligence organisations, or Interpol, by recognising the possibility that a cultural artifact of significance may be under sale or transport as a valid reason to impose surveillance to locate it;
8. Notes the threat to cultural heritage posed by misappropriation by state-affiliated military, cultural, or social organisations, for the exclusive benefit of that state and to the detriment of the universal value of sites and objects of cultural heritage, which should be addressed by transparency and collaboration through means such as:
 - a) an issuance of a set of UNESCO-drafted guidelines for the appropriate treatment, maintenance, and documentation of cultural heritage, specified for each category of object or site
 - b) state authority cooperation with UNESCO to review the current state of cultural heritage under the aforementioned guidelines
 - c) interference by other states and organisations which may become aware of damaging transportation or misuse of items of cultural heritage by state organisations, which should be reported to the UNESCO authorities
 - d) bans and measures to disincentivise the undue placement of cultural heritage under private possession which could jeopardise their treatment and openness to universal enjoyment and study, by
 - i. reporting by cultural organisations on key items in possession of private individuals or organisations
 - ii. providing subsidies and support through varying UN organisations to state organs appropriately taking care of items of cultural heritage;
9. Deplores the use of sites of cultural heritage as sites for military exercises, or other strategic usage, by any military unless it has been recognised as under threat by a hostile organisation such as a militia which could consider it blasphemous, therefore prone to destroy the sites;
10. Calls not only UN member states, but also any relevant organisations in the markets in which cultural heritage may illicitly appear, to engage in preventive measures for misappropriation of cultural heritage through any of the following measures which UN support can be requested for:
 - a) background checks in all organisations involved in the supply chains of sales of arts and artifacts of sufficient value to be considered major cultural heritage in order to weed out unreliable individuals and groups which could act as sources of illicit heritage items to the market
 - b) comparison of major items of sales against all databases of lost items of cultural heritage
 - c) the introduction of legislation and measures to punish, as a form of theft, all those knowingly involved in the acquisition, transport, and sales of items of cultural heritage without making productive efforts towards the recuperation of those items by appropriate authorities;
11. Congratulates all efforts made for a peaceful and productive repatriation of items of cultural heritage to their countries and organisations of origin, which UN member states can assist and encourage by:
 - a) mirroring the efforts for repatriation conducted by the state of France of items previously residing in their national galleries, museums, and other academic institutions to their original owners, to whom they constitute a far more essential cultural possession and which

- France has unfairly excluded them from
- b) condemning the “custodian” argument introduced by numerous states in possession of misplaced and misappropriated items, as they exclusively benefit from
 - i. revenue due to tourism
 - ii. a higher availability to objects of cultural and historical importance
 - iii. an industry and productive academic environment constructed around the possession and study of these items
 - c) cooperation with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation amongst other key UN organisations to facilitate the return of these items to countries of origin
 - d) normalising the act of returning cultural heritage in the international community.