

Agenda item 14. Culture of peace

Saving the cultural heritage of Iraq

*The General Assembly,*

[PP 1] *Recalling* its resolutions 66/180 of 19 December 2011 and 68/186 of 18 December 2013 entitled “Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking”, 67/80 of 12 December 2012 entitled “Return or restitution of cultural property to the countries of origin”, 69/196 of 18 December 2014 entitled “International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences”, and 69/197 of 18 December 2014 entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, as well as the Global Counter Terrorism Strategy (A/RES/60/288) and its biannual reviews (A/RES/62/272, A/RES/64/297, A/RES/66/282, A/RES/68/276),

[PP 2] *Recalling also* the Regulations Concerning the Laws and Customs of War on Land annexed to the Convention (IV) Respecting the Laws and Customs of War on Land (1907), the Four Geneva Conventions (1949), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and its First and Second Protocols (1954 and 1999), the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (1972), the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995), the United Nations Convention against Transnational Organized Crime (2000), the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (2003), the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), other relevant international legal instruments and customary international law,

[PP 3] *Recalling further* all relevant Security Council resolutions, including resolutions 1267 (1999), 1373 (2001), 1483 (2003), 2161 (2014), 2170 (2014), 2178 (2014), 2195 (2014) and 2199 (2015),

[PP 4] *Mindful of* the UNESCO Universal Declaration on Cultural Diversity (2001), the UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage (2003), UNESCO Executive Board decision 196 EX/29 of 21 April 2015, the UNESCO World Heritage List, which contains several sites in Iraq, including Hatra, as well as the Doha Declaration adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (12-19 April 2015),

[PP 5] *Appalled by* the destruction and looting, carried out by the Islamic State of Iraq and the Levant (ISIL) (also known as Da’esh), of the cultural heritage of Iraq, cradle of the Mesopotamian civilization, found in its museums, libraries, archives and archaeological sites, places of worship, including mosques, shrines and churches, and of religious and cultural artifacts, which are irreparable losses for Iraq and for humanity as a whole,

[PP 6] *Alarmed by* the increasing number of intentional attacks against and threats to the cultural heritage of countries affected by armed conflict as well as of the organized looting and trafficking in cultural objects, which occurs on an unprecedented scale today,

[PP 7] *Deeply concerned* about such acts generating income for terrorist groups which can support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks,

[PP 7bis] *Recognizing* the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner,

[PP 8] *Affirming* that the destruction of cultural heritage, which is representative of the diversity of human culture, erases the collective memories of a nation, destabilizes communities and threatens their cultural identity and *emphasizing* the importance of cultural diversity and pluralism as well as freedom of religion and belief for achieving peace, stability, reconciliation, and social cohesion,

[PP 8bis] *Underlining*, therefore, the necessity to take measures to safeguard and protect the tangible and intangible heritage of communities against the effects of armed conflict at all times,

[PP 9] *Resolved* to stand up against attacks on the cultural heritage of any country as attacks on the common heritage of humanity as a whole,

1. *Condemns* the barbaric acts of destruction and looting of the cultural heritage of Iraq carried out by ISIL and *deploras* the rising incidence of intentional attacks against and threats to the cultural heritage of countries affected by armed conflict as well as damage to cultural property resulting from indiscriminate attacks and the organized looting and trafficking of cultural objects;
2. *Expresses outrage* that attacks on cultural heritage are used as a tactic of war in order to spread terror and hatred, fan conflict and impose violent extremist ideologies;
3. *Calls for* an immediate halt to the wanton destruction of Iraq's cultural heritage, including religious sites or objects, *emphasizes* that no such acts committed in Iraq by ISIL or other individuals, groups, undertakings and entities associated with Al-Qaida will be tolerated and also *calls for* the preservation of Iraq's cultural heritage by protecting cultural and religious properties and sites consistent with international humanitarian law;
4. *Recalls* that under the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict all parties to an armed conflict shall refrain from committing any act of hostility directed against cultural property, that the use of cultural property, its immediate surroundings or of the appliances in use for its protection, for purposes which are likely to expose it to destruction or damage in the event of armed conflicts, is prohibited and may be waived only in cases where military necessity imperatively requires such a waiver, and that all parties to an armed conflict shall prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property;
5. *Affirms* that attacks intentionally directed against buildings dedicated to religion, education, art, science or charitable purposes, or historic monuments may amount to war crimes;
6. *Stresses* the importance of holding accountable perpetrators of attacks intentionally directed against buildings dedicated to religion, education, art, science or charitable purposes, or historic monuments, provided they are not military objectives, and of other violations of international legal instruments on the protection of cultural heritage, and *calls* upon all States to take appropriate action to this end within their jurisdiction in accordance with applicable international law;
7. *Affirms* its support for the Iraqi Government in protecting the heritage of Iraq, an inseparable and permanent part of its national identity, and safeguarding its rich cultural, religious and ethnic diversity, which has an important role to play in its efforts of national reconciliation and reconstruction;
8. *Calls upon* community leaders to stand up and reaffirm unambiguously that there is no justification for the destruction of humanity's cultural heritage, and *appeals* also to cultural institutions, museums, archives, libraries, journalists, and scientists to explain the necessity of safeguarding and protecting this heritage and, in this regard, *welcomes* the launch of the sensitization campaign 'Unite 4 Heritage' by the government of Iraq and UNESCO;
9. *Calls upon* all States to assist the Iraqi authorities in fighting against trafficking in cultural property illegally excavated from archaeological sites and taken from museums, libraries, archives and manuscripts collections, as required in Security Council Resolutions 1483 (2003) and 2199 (2015), including through international cooperation regarding the restitution of stolen or illicitly exported cultural property, as appropriate, as well as in criminal justice matters and in meeting the

challenge of repairing, restoring and conserving damaged or destroyed cultural heritage when security conditions allow;

9bis. *Expresses concern* that ISIL and other individuals, groups, undertakings and entities associated with Al-Qaida, are generating income from engaging directly or indirectly in the looting and trafficking of Iraqi cultural heritage items, which is being used to support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks;

10. *Welcomes*, in this regard, the adoption of Security Council Resolution 2199 (2015), which aims to counter terrorism financing, in particular the decision in paragraph 17 that all Member States shall take appropriate steps to prevent the trade in Iraqi cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990, which complements a similar provision for Iraq in place since 2003 found in paragraph 7 of Security Council Resolution 1483 (2003), *calls for* full and timely implementation by all Member States of this decision, *recalls* the obligation of all States to provide the committee established pursuant to Security Council resolutions 1267 (1999) and 1989 (2011) with information pertaining to violations of the sanctions regime as well as to provide all other necessary assistance to the committee, *calls on* UNESCO, INTERPOL and other international organizations, as appropriate, to assist all Member States in its implementation, as requested by paragraph 17 of Security Council Resolution 2199, and *welcomes* the actions already undertaken by UNESCO, INTERPOL and UNODC in this regard;

11. *Urges* all States to take appropriate measures to ensure that all actors involved in the trade in cultural property including, but not limited to, auction houses, art dealers, art collectors and museum professionals, are required to provide verifiable documentation of provenance as well as export certificates related to any cultural property imported, exported or offered for sale, including through the internet;

12. *Encourages* States that are not already Parties, to consider ratifying or acceding to relevant legal instruments, in particular the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970);

13. *Invites* all States, intergovernmental bodies, the United Nations system, relevant non-governmental organizations and all other stakeholders to support existing national legal frameworks and policies for the protection and preservation of cultural heritage and the return of cultural property, and especially identify and close any gaps in the national regulations against trafficking in cultural property;

14. *Calls for* the urgent implementation and strengthening of the UNESCO Emergency Response Action Plan on Iraq adopted in July 2014, which provides for close monitoring of the conservation status of Iraqi heritage, training of professional curators and support for staff in place, including by taking emergency measures for the transfer of any cultural property at risk, in particular from museums, libraries, archives and manuscripts collections;

15. *Calls for* intensified efforts by States to protect, preserve, inventory, and document items of cultural heritage endangered by armed conflicts, including through close cooperation and exchange among museums, libraries, archives and manuscript collections or other institutions or persons dealing with cultural heritage.