

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## STEERING COMMITTEE FOR CULTURE, HERITAGE AND LANDSCAPE (CDCPP)

CDCPP-Bu(2015)21

Strasbourg, 9 November 2015

**9th meeting of the Bureau  
23-24 November 2015  
Council of Europe, Strasbourg  
Agora, room G06**

---

### **DESTRUCTION OF HERITAGE – LIST OF RELEVANT DECLARATIONS AND INTERNATIONAL CONVENTIONS (a follow-up to the Namur Call)**

---

Secretariat memorandum prepared by the  
Directorate of Democratic Governance, DG II

Secretariat Memorandum  
prepared by the  
Directorate General of Democracy  
Democratic Institutions and Governance Department

---

This document is public. It will not be distributed at the meeting. Please bring this copy.  
Ce document est public. Il ne sera pas distribué en réunion. Prière de vous munir de cet  
exemplaire

## **Introduction**

At the 6th Conference of Ministers responsible for cultural heritage (Namur, 23-24 April 2015), the Ministers adopted the Namur Declaration and the Namur Call.

The Ministers affirmed that cultural heritage is a key component of the European identity; it is of general public interest and its transmission to future generations is a shared responsibility; it is a unique resource, fragile, non-renewable and non-relocatable, contributing to the attractiveness and the development of Europe and, crucially, to the creation of a more peaceful, just and cohesive society.

The Ministers also expressed their alarm at the increasing number of acts of deliberate destruction of cultural heritage in the context of conflicts all over the world.

In the light of recent events in Syria and Iraq, the Council of Europe is currently examining the possibility of revising the "European Convention on Offences relating to Cultural Property," (ETS 119, also known as the Delphi Convention) which was drawn up in 1985. The Directorate General of Human Rights and Rule of Law, through its European Committee on Crime Problems (CDPC) which was at the time responsible for the drawing up of ETS 119, will present the proposal to revise the Delphi Convention to the Committee of Ministers before the end of 2015. If the Ministers' Deputies endorse the CDPC's proposal, work could start in early 2016. In this context, experts from the heritage and culture sector would be involved in the activities.

As regards the destruction of heritage, the Secretariat has prepared, as requested by the CDCCP, a list of relevant declarations and international conventions. The aim is to take stock of the existing texts in view of a possible initiative by a member States in line with the Namur Call.

## **Action**

The Bureau is invited to take note of the information provided in the Appendix and of any additional information that delegations may wish to provide. It might possibly recommend that an assessment of these conventions and declarations is made (by a consultant) with a view to identifying possible gaps or lacunae which might justify action.

## Appendix

### Destruction of cultural heritage: a non-exhaustive list of relevant declarations and international conventions

#### Council of Europe

##### Conventions:

- [European Cultural Convention](#) (Paris, 1954)
- [European Convention on Offences relating to Cultural Property](#) (Delphi, 1985)
- [Convention for the Protection of the Architectural Heritage of Europe](#) (Granada, 1985)
- [European Convention on the Protection of the Archaeological Heritage \(revised\)](#) (Valletta, 1992)
- [European Landscape Convention](#) (Florence, 2000)
- [Framework Convention on the Value of Cultural Heritage for Society](#) (Faro, 2005)

##### Declarations:

- [Declaration on the protection and rebuilding of places of worship in Kosovo<sup>1</sup> and the wider Balkans](#) (2001)
- [The Namur Call](#) from the 6<sup>th</sup> Conference of Ministers responsible for cultural heritage, Namur, Belgium, 23-24 April 2015

##### Recommendations and Resolutions:

- [Recommendation 880 \(1979\) on the Conservation of the European architectural heritage](#)
- [Recommendation 1072 \(1988\) on International protection of cultural property and the circulation of works of art](#)
- [Recommendation No. R\(96\) 6 on the protection of the cultural heritage against unlawful acts \(1996\)](#)
- [Recommendation 1372 \(1998\) on the Unidroit Convention on stolen or illegally exported cultural property](#)
- [Recommendation 1687 \(2004\) Combating terrorism through culture](#)
- [Resolution 1981 \(2014\) Europe's endangered heritage](#)
- [Recommendation 2038 \(2014\) Europe's endangered heritage](#)
- [Resolution 2057 \(2015\) Cultural heritage in crisis and post-crisis situations](#)
- [Recommendation 2071 \(2015\) Cultural heritage in crisis and post-crisis situations](#)

<sup>1</sup> All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

**ICOMOS**

- [Statement on Crac des Chevaliers and the continuing destruction of the cultural heritage of Syria](#)

**NORDIC COUNCIL OF MINISTERS**

- [Declaration by Nordic Ministers: Appeal to halt illicit trafficking of cultural objects from Iraq and Syria - 12 May 2015](#)

**UNITED NATIONS**

- [Resolution adopted by the General Assembly on 18 December 2014](#)  
International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences
- [Saving the Cultural Heritage in Iraq](#), 28 May 2015

**UN Security Council**

- [Resolution 1483](#) – prohibiting trade in cultural objects from Iraq – May 2013
- [Resolution 2170](#) – threats to international peace and security caused by terrorist acts – August 2014
- [Resolution 2199](#) obliging member countries to take action to prevent extremist groups in Iraq and Syria from raising money to fund crimes against both the population of the region and the global community – February 2015

**UNESCO****Conventions:**

- [The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict \(1954\)](#) and its protocols, in particular the [second protocol of 1999](#)
- [Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property \(Paris, 1970\)](#) - see also the [Meeting of States Parties to the UNESCO 1970 Convention](#), 18-20 May 2015
- [The World Heritage Convention \(1972\)](#)
- [Convention on the Protection of the Underwater Cultural Heritage \(2001\)](#)

**Recommendations:**

- [Recommendation on the Means of Prohibiting and Preventing the Illicit Export, Import and Transfer of Ownership of Cultural Property \(1964\)](#)

- [Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private works](#) (1968)
- [Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage](#) (1972)
- [Recommendation concerning the International Exchange of Cultural Property](#) (1976)
- [Recommendation for the protection of movable cultural property](#) (1978)

#### **Declarations:**

- [Declaration on the Responsibilities of the Present Generations Towards Future Generations](#) (1997)
- [Declaration concerning the Intentional Destruction of Cultural Heritage](#) (2003)

#### **Other:**

- [Decision 196 EX/29 - Culture in conflict areas: a humanitarian concern and a safety issues. UNESCO's role and responsibilities](#) – April 2014
- [Decision 195 EX/31 - Protection of Iraqi Cultural Heritage](#) – November 2014

#### **UNIDROIT**

- [Convention on Stolen or Illegally Exported Cultural Objects](#) (Rome, 1995)  
see also [Recommendation 1372 \(1998\)](#) of the Parliamentary Assembly of the Council of Europe on the Unidroit convention

#### **Other recent international declarations and resolutions**

- [Statement of the International Association for Assyriology concerning the cultural heritage of Syria and Iraq - August 2014](#)
- [Illicit trafficking of cultural property in the Middle-East - Cairo Declaration - 14 May 2015](#)
- [Final Declaration on Protection of World Cultural Heritage Threatened with Destruction - 15 May 2015](#)
- [Statement of the 3<sup>rd</sup> Meeting of States Parties to the UNESCO 1970 Convention \(Greek Initiative\), 18-20 May 2015](#)
- [Ministerial Meeting of the Small Group of the Global Coalition to Counter Dae'esh, 2 June 2015](#)
- [The Bonn Declaration on World Heritage adopted by the World Heritage Committee during its 39th session in Bonn, Germany - 29 June 2015](#)
- [Culture as an Instrument of Dialogue among Peoples](#) on the occasion of the 2015 Milan Expo, International Conference of the Ministers of Culture, held in Milan, Italy
- [Fighting the looting of Syria's cultural heritage –16 September 2015](#)

- [Resolution on the destruction of cultural sites perpetrated by ISIL](#), European Parliament, 30 April 2015

#### European Union texts

- [Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State](#)
- [Council regulation \(EC\) No 116/2009 of 18 December 2008 on the export of cultural goods](#)
- [Study on preventing and fighting illicit trafficking in cultural goods in the European Union \(2011\)](#)
- [Council of the European Union - conclusions on preventing and combating crime against cultural goods \(2011\)](#)