



## Resolution 2057 (2015)<sup>1</sup>

# Cultural heritage in crisis and post-crisis situations

Parliamentary Assembly

1. The Parliamentary Assembly notes with great concern that the deliberate eradication of culture, identity and existence of the “other” through a systematic destruction of cultural heritage has become a central component of modern conflicts that are ethnically driven, featuring the use of paramilitary forces and rarely preceded by a formal declaration of war. This change challenges the application of relevant international legal instruments, including the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and the Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949) and its protocols (1977). The Assembly believes that the protection of cultural heritage during and immediately after a conflict is a human rights issue and should involve international responsibility.

2. Conflict resolution and reconciliation are complex processes which may take several generations. They require sensitivity to engage first in creating tolerance and a peaceful coexistence before moving towards building trust, acceptance and co-operation. The Assembly underlines that the restoration and reconstruction of built cultural heritage and raising awareness of its “common value” (its intrinsic, cultural and historic value) to all communities in a society are very important elements in conflict resolution.

3. The process of reconstruction of cultural heritage has a strong potential for reconciliation and creating social cohesion, but it can also be misused to reignite division and hatred. The Assembly therefore asserts that a sound political, legal and judicial framework is essential to form a basis for confidence-building measures in post-crisis recovery.

4. Accordingly, the Assembly recommends that the member States of the Council of Europe concerned by crisis and post-crisis situations:

4.1. sign and ratify the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS No. 199, “Faro Convention”) and the European Landscape Convention (ETS No. 176), if they have not yet done so, and develop national strategies for the restoration and reconstruction of cultural heritage, consistent with the principles laid down in these conventions;

4.2. depoliticise the process of reconstruction of cultural heritage and create the necessary conditions for independent technical committees to work without pressure from political and/or religious authorities, in order to avoid imposing heritage reconstruction policies based on ethnicity and religion and to ensure instead a non-discriminatory and impartial heritage protection regime;

4.3. as a first step, during and immediately after a crisis, integrate cultural heritage into emergency humanitarian programmes, and in particular:

4.3.1. take ownership of cultural heritage and its diversity, rather than devolving responsibility to external aid agencies;

4.3.2. undertake damage assessment of cultural heritage and ensure coherence between immediate humanitarian aid (for example the standards of the Office of the United Nations High Commissioner for Refugees (UNHCR) concerning housing and shelter) and heritage requirements;

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1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 22 May 2015 (see [Doc. 13758](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Ms Ismeta Dervoz).*

See also [Recommendation 2071 \(2015\)](#).



- 4.3.3. include damaged built heritage into emergency repair programmes, especially buildings which can provide shelter for the displaced population, while making use of appropriate methods (authentic materials and techniques) for their restoration and reconstruction;
- 4.3.4. incorporate destroyed built heritage into the recovery programmes for towns and villages, using all available heritage records and encouraging local communities to contribute to this process;
- 4.3.5. preserve the identity of a place and protect areas where built heritage has been deliberately targeted and destroyed against any temporary or permanent construction except restoration of damaged buildings;
- 4.3.6. preserve from deterioration, by means of urgent remedial works, other damaged built heritage which is not suitable for integration into emergency programmes;
- 4.4. as a second step, strengthen public institutions and governance and define the framework for the restoration and reconstruction of cultural heritage, and in particular:
  - 4.4.1. review legislation and urban planning control systems, and strengthen monitoring mechanisms to ensure high technical standards in restoration and reconstruction and avoid threats from development that is uncontrolled and disrespectful of local heritage;
  - 4.4.2. link restoration and reconstruction of cultural heritage with the return of refugees and displaced persons;
  - 4.4.3. develop national programmes for the restoration and reconstruction of damaged or destroyed cultural heritage as part of a broader national strategy for cultural heritage; involve international organisations and donors in this process;
  - 4.4.4. encourage the setting up of participatory structures, such as local cultural heritage forums, based on the principles of open dialogue, transparency and accountability, to develop local cultural heritage plans; and engage in wide public consultation to identify priorities;
  - 4.4.5. in the assessment of post-crisis areas, include an estimation of the value and significance of cultural heritage in the production of inventories, along with technical information on the condition of a cultural heritage site;
  - 4.4.6. preserve authenticity and respect all layers of history in the restoration and reconstruction process to maintain the atmosphere and character of original heritage sites;
  - 4.4.7. in addition to iconic monuments, give due consideration to other local heritage sites of vernacular architecture, including their urban or natural landscape context, to avoid the fragmentation of communities and loss of identity;
- 4.5. as a third step, consolidate the reconciliation process and develop the sustainability of projects, and in particular:
  - 4.5.1. ensure that short-term, project-led reconstruction does not take precedence over a long-term, broad strategy for sustainable development;
  - 4.5.2. engage in participatory processes and public consultation to integrate local heritage plans into socio-economic development plans;
  - 4.5.3. develop local heritage management plans focusing on use, activities, funding, partnerships and community involvement to ensure that, where feasible, the site becomes, over time, self-sustaining "living heritage";
  - 4.5.4. use the process of restoration and reconstruction of cultural heritage to build capacity and skills, to build partnerships across sectors (education, tourism, media, economy) and to raise awareness of its "common value" (its intrinsic, cultural and historic value) to all communities;
  - 4.5.5. undertake certification of crafts, training and accreditation to stimulate local employment.

5. The Assembly urges international and national donor organisations to assist the institutions of the recipient State at national and local levels to take ownership of cultural heritage and to establish together common objectives and priorities based on a non-discriminatory and impartial cultural heritage protection regime, giving particular attention to the preservation of local cultural identity and the diversity of cultural heritage; and abide by those principles.

6. The Assembly invites the Congress of Local and Regional Authorities of the Council of Europe to promote co-operation, exchange of expertise and practical experience between local and regional authorities, in order to successfully manage the restoration and reconstruction of cultural heritage as a key element in the processes of post-crisis recovery and reconciliation.

7. The Assembly recommends that all member States of the Council of Europe, in co-operation with the United Nations and other relevant organisations:

7.1. consider reviewing and strengthening the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and the Geneva Convention relative to the Protection of Civilian Persons in Time of War and its protocols, providing for more robust pre-emptive protective mechanisms and stronger sanctions, including reparations, for destruction that is unnecessary from a military perspective; acknowledging that such destruction is not just an assault on built cultural heritage but also on its significance and on the community that it serves;

7.2. legally consolidate the notion that systematic, deliberate and targeted destruction and looting of cultural property can be considered as a crime against humanity and develop further mechanisms to bring perpetrators before national and international courts.