



**General Directorate of Cultural, family & Social Affairs**

*Submission to study on International destruction of cultural heritage  
To be submitted to the Special Rapporteur in the field of cultural rights  
Ms. Karima Bennoune - United Nation Human Rights  
Office of the High Commissioner*

In response to the letter sent by the High Commissioner of Human Rights (OHCHR), on behalf of the Special Rapporteur in the field of cultural rights, Ms. Karima Bennoune, dated 10 May 2016; requesting the OIC General Secretariat's contribution on the assessment of the international destruction of cultural heritage as a violation of human rights report (A/HRC/17/38), and its impact on the exercise of the rights to enjoy and access cultural heritage, to access, contribute to and enjoy the arts and to participate in cultural life; kindly find below inputs from the Directorate of Cultural, Social and Family Affairs – at the General Secretariat of the OIC:

***a) What is the impact of the intentional destruction of cultural heritage on the enjoyment of human rights, and particularly, on cultural rights? What is the impact of destruction of tangible cultural heritage or intangible cultural heritage, on cultural practices and beliefs, and on the right of concerned persons to participate in cultural life?***

The General Secretariat of the OIC appreciates the collective global efforts to protect cultural heritage through a “human rights approach”. The rising shocking events of deliberate destruction of cultural heritage used recently with and without the framework of war around the world including in a number of OIC Member States call for renewed efforts from all stakeholders at national, regional and international levels. OIC considers the destruction of cultural heritage a violation of human rights and keep their protection as one of its high priorities. The OIC General Secretariat supported by its subsidiary, specialized and affiliated institutions remains committed to addressing the pressing concerns of the Member States in all spheres including cultural issues.

The General Secretariat of the OIC believes that these acts of human rights violations practiced within or without the framework of war are an expression of intended threat to the very existence, including the history, presence and future of the peoples/communities concerned and that they are an attack on the freedom of thought, conscience and belief, which are inherent parts of fundamental human rights.

Notwithstanding their specificities as indicators of discernible cultural identities, both tangible and intangible cultural heritage are products or expressions not only of a single purely identifiable distinct culture but of interactions, transmissions and multicultural processes. Therefore, intentional destruction of cultural heritage has a severe impact and constitutes an attack on intellectual, spiritual, educational, artistic, occupational and other activities that are of

exercise and enjoyment of human rights practices, and destroying cultural heritage of mankind is a violation of human rights on world scale.

Concerning the impact of destruction of tangible or intangible heritage, it must be underlined that: i) tangible and intangible heritage are not dissociable and destruction of tangible heritage involves destruction of various forms of intangible heritage it embodies or its usage is associated with; ii) destruction of tangible heritage not only destroys the outcome/product of intangible heritage but more than that, it stops/impedes continuation and transmission of the customs, beliefs, traditions, social practices and other intangible cultural heritage embodied in it and associated with it; iii) eventual restoration or replica of destroyed tangible cultural heritage cannot revive or substitute the intangible heritage – artistic expression, thought or need – that was at its origin.

***b) What are examples of different situations illustrating the above (situations of armed/ non-armed conflict or international/internal conflict; destructions by States/ Non-States actors; geographical or other diversity etc.?***

Examples illustrating situations of destructions of culture by States/Non-States actors, unfortunately became more frequent in the context of ongoing wars and conflicts. Well-known examples among many, of destruction of intangible heritage together with tangible heritage include the continuing excavations being carried out by Israel under Al-Aqsa Mosque, from the 1990s, deliberate destruction of the historical Mostar Bridge and its surrounding and of the Oriental Institute, Sarajevo that housed invaluable intangible multicultural heritage, from the 2000s destruction of cultural heritage in various regions and museums of Iraq during the Iraq war, most recently , among many others , deliberate destruction of the heritage cities of Aleppo and Palmyra in Syria. Other examples include actions of destruction of world heritage and sites in Mali, Libya and other OIC Member States.

***c) What are examples of good practices especially with regard to prevention and protection against destruction, as well as preparation and reconstruction measures of cultural heritage, including through human and cultural rights education and awareness?***

There are numerous examples of good practices particularly with regard to prevention and protection against destruction, and preparation and reconstruction measures of cultural heritage. These examples are provided within activity programs of the Research Centre for Islamic History, Art and Culture (IRCICA), Istanbul, Turkey- one of the OIC Subsidiary Organs. These programs are provided in the context of its research, publication of educational materials, scholarly congress and training programs, as well as in its collaboration with international bodies active in this field such as UNAOC, IRCICA adopted strategy that promotes the appreciation of cultural diversity, interactions and exchange, the mentality of pluralism, culture, peace and knowledge of a global cultural history, all with direct references to cultural heritage as an embodiment of cultural identity and therefore of cultural rights.

A good practice for promoting awareness on the safeguarding, restoration and promotion of cultural heritage and respect to protection of cultural rights is reflected in series of short-term courses on “Islamic Urban Heritage” developed by IRCICA. Research preservation and Management that IRCICA and Al-Turath Islamic Heritage Foundation, Saudi Arabia, jointly organize biannually since 2011. These programs gather graduate students and young professionals from around the world around themes of multicultural heritage, its recording and revitalization.

These academic/educational strategy runs along key notions such as the information that speaking about tolerance of people of different faiths, all major religions asked for protection of the latter's lives, sanctities and properties; therefore, assault on cultural heritage cannot be justified with reference to any religion or its established schools of jurisprudence. Its action along these lines contributes to the "prevention" aspect of the strategy.

Pointing to the two main dimensions of policy action against international destruction of cultural heritage can be deemed useful/complementary, whereby **a.** "preventive" action would encompass opinion and awareness-building, education and effective sanctions and punishment of destructive acts among others and **b.** "rehabilitation" including restoration, reconstruction, revitalization and re-use, among others. Both lines of action should be linked to sensitization of people about their cultural heritage as an element of cultural identity to be considered in the sphere of cultural rights and therefore to be conceived as an integral part of human rights.