

Summary

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Title: Hague Convention and its 2nd Protocole, the Values of Cultural Heritage and their Safeguarding threatened by Conflicts

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Cultural heritage has various values not only intrinsic and historic, but also social which nurtures the identity of communities. Because of these values, cultural heritage has been the objects of attacked during conflicts, while the return of cultural properties to the countries of origin and the safeguarding cultural heritage sustained damages during conflicts have been playing an important role in re-constituting the community identity and social cohesion weakened during conflicts, and restoring lost history and memory of peoples. The assessment of the development of normative instruments and the World Heritage inscription made in this paper shows that, in evaluating the values of the cultural heritage affected by conflicts, the international heritage community has put values not on the authenticity of cultural heritage but on the commitment to the preservation of memory and the determination for recovery through heritage safeguarding.

Through the examination of the development of international normative instruments relating to conflicts and cultural heritage, this paper sheds light on the fact that the adoption of the 1999 Protocol to the 1954 Hague Convention was supported not only by other UNESCO Conventions but also the advancement of international humanitarian laws and international criminal laws achieved during the 20th century. Furthermore, the assessment of concrete cases of heritage safeguarding during and after conflicts made in this paper also show that the 1954 Convention has been achieving certain results at operational level through the integrated application of the 1970 Convention and 1972 World Heritage Convention. The paper also highlights the fact that the Operational Guidelines of the 2nd Protocol to the 1999 Convention elaborated during the period of 2006 and 2009 ensures the linkage between the 1999 Convention and the World Heritage Convention and other programmes of UNESCO, providing new possibilities of its effective application.

This paper concludes in recommending to the Japanese government, experts and civil society, their active engagements in international cooperation through the 2nd Protocol of the Hague Convention by ensuring the establishment of the Japanese Committee of ICBS, the exploration of the possibility of nominating World Heritage Sites in Japan for inscription on the Enhanced Protection List, the intellectual and technical contribution to the comprehensive World Heritage Risk Management Strategy covering both natural and human-induced disasters by using their extensive knowledge and experience in the area of natural disaster risk management.