



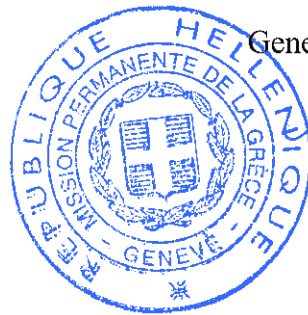
PERMANENT MISSION OF GREECE
GENEVA

Ref. No. 6171.2/35/1097

NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the questionnaire of the Special Rapporteur in the field of cultural rights, dated 10 May 2016, has the honour to attach herewith the responses of the Ministry of Culture and Sports.

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 10 June 2016

A handwritten signature in blue ink, appearing to read 'Alaprio'.

To: The Office of the High Commissioner for Human Rights
Special Rapporteur in the field of cultural rights

srculturalrights@ohchr.org

Att.: 2 pages

HELLENIC REPUBLIC
MINISTRY OF CULTURE
AND SPORTS

Athens, June 8, 2016

DIRECTORATE SPECIAL
FOR THE PROMOTION AND ENHANCEMENT
OF CULTURAL HERITAGE
AND CONTEMPORARY CREATION

**INTENTIONAL DESTRUCTION OF CULTURAL HERITAGE AS A VIOLATION OF
CULTURAL RIGHTS**

The access and enjoyment of cultural heritage are associated without any doubt with the right to the free development of personal identity. It is fairly certain, therefore, that the intentional destruction of cultural heritage not only consists a violation of human rights but also disrespect to the cultural practices of all humankind and is considered by the International Humanitarian Law as a war crime.

International Organizations such as UNESCO and the European Council link directly the violation of cultural and human rights as is recognized especially by the UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage.

The greek legislation is in compliance with the spirit of the International Law as it protects cultural heritage within greek territory in a uniform way, without any discriminations.

The Greek delegation in UNESCO has proposed the **development of synergies between two UNESCO Cultural Conventions**, namely the Convention for Safeguarding Intangible Cultural Heritage and the two Protocols (of 1954 and 1999) of the Hague Convention for the Protection of Cultural Property in the event of Armed Conflict which are the key legal instruments for the protection of cultural property in cases of armed conflict at the international level.

In the **10th Meeting of the Intergovernmental Committee of the ICH Convention**, Nov. 2015, Namibia, in the **Code of Ethics of the Convention** there has been included special paragraph for the protection of ICH in cases of Armed Conflict. **The 5th Ethical Principal** reads as follows:

“Access of communities, groups and individuals to the instruments, objects, artefacts, cultural and natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage should be ensured, including in situations of armed conflict”.

Furthermore, **the Committee of the Second Protocol adopted the following Decision in its 10th Meeting, in December 2015**, again after a Greek initiative:

“DECISION 10.COM 4

The Committee,

1. Having examined document CLT-15/10.COM/CONF.203/4,

2. Welcomes Decision 39 COM 11 of the World Heritage Committee adopted at its 39th session (Bonn, Germany) on the development of synergies and coordinating reporting mechanisms between the World Heritage Convention and the 1999 Second Protocol;
3. Invites the Secretariat to pursue discussions with the World Heritage Centre in order to achieve concrete synergies for enhanced protection, in particular through the revision of the periodic reporting format of World Heritage and finally, in the framework of monitoring missions related to cultural property inscribed both on the World Heritage List and the List of Cultural Properties under Enhanced Protection, to report back to the next Committee;
4. Also welcomes further development of synergies with other UNESCO standardsetting instruments, programmes and other relevant international humanitarian law instruments, and the strengthening of partnerships;
5. Notes with appreciation the organization of the first meeting of the Chairpersons of UNESCO's Culture Conventions on 29 June 2015 (Bonn, Germany) and recommends the organization of the next respective meeting in September 2016;
6. Notes as part of good practice the joint meeting of its Bureau and that of the Subsidiary Committee of the 1970 Convention and invites its Bureau to also develop such synergies with the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage;
7. Also notes UNESCO's action for the "Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict" (Document 38 C/49) and invites the Secretariat to continue the development of synergies with UNESCO's standard-setting instruments, including the Convention for the Safeguarding of the Intangible Cultural Heritage, and programmes and the strengthening of partnerships and to inform the Committee at its Eleventh Meeting of the progress achieved."

We firmly believe that although ICH is in danger in armed conflict situations, there is also a great potential in overcoming the direct results of a conflict through ICH. Around elements of ICH, community identities and sense of belonging are being formed. This is the strength of ICH. **Enhancing the value of ICH in peaceful times and stressing its inherent and invaluable potential for reconciliation after the conflicts is vitally important.**