



Tana High-Level Forum
on Security in Africa



Pre-Tana Multi-Stakeholders Dialogue

The Impact of Peace & Security on Culture & Heritage Protection in Africa

21 April 2022 Hybrid | Zoom and Hayat Regency
Concept Note

1. Introduction

The 10th edition of the Tana High-Level Forum on Security in Africa will take place in 2022 in Bahir Dar in hybrid format under the theme, “Managing Security Threats: Building Resilience for the Africa We Want”. In line with this, the secretariat holds the multi-stakeholders forum on a selected theme that resonates with the main forum to reach more constituencies across the continent and popularize the outcomes of the forum among wider constituencies. Hence, the Tana Forum Secretariat in partnership with Oxfam will organize a regional multi stakeholders hybrid forum on the theme “The Impact of Peace and Security on Culture and Heritage Protection in Africa” to be held on 21 April 2022. This concept note is developed to guide this forum.

2. Background

Culture combines communal conduct and customs as well as language, knowledge, beliefs, traditions, arts, customs, capacities and habits. Heritage is the legacy of physical artefacts that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations. Heritage includes tangible culture (such as buildings, monuments, landscapes, and natural heritage (including culturally significant landscapes, and biodiversity)). The deliberate act of keeping cultural heritage from the present for the future is known as Conservation (British English). Cultural heritage is often unique and irreplaceable, which places the responsibility of preservation on the current generation. The critical, non-renewable, component of human civilization, expressed through natural and cultural heritage, should be preserved protected by current and future generations.

From a utilitarian standpoint, our heritage embodies invaluable non-replicable information and data about the historic and prehistoric story of humankind. Such information may relate to the social, economic, cultural, environmental, and climatic conditions of past peoples, their evolving ecologies, adaptive strategies, and early forms of environmental management. The destruction of these storehouses of knowledge, and the information contained in these libraries of life, could critically affect how we respond

to the continuing challenges of population growth, resource exhaustion, pollution, and environmental management.

According to Article 4 of the 1872 Convention Concerning the Protection of the World Cultural and Natural Heritage: *“Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation, and transmission to future generations of the cultural and natural heritage referred in Article 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial ,artistic, scientific and technical ,which it may be able to obtain”*¹

The World Heritage Committee, in charge of ensuring the protection of world heritage sites, has strategic objectives that include.

- Credibility (strengthening the credibility of the world Heritage List),
- Conservation (ensure effective conservation of heritage properties),
- Capacity building (promote the development of capacity building measures),
- Communication (increase public awareness, involvement and support, for world heritage through communication) and
- communities (enhance the role of communities in the implementation of the world Heritage convention).²

The current World Heritage Committee has **21** States Parties including 7 African Countries Namely Egypt, Ethiopia Mali Nigeria, Rwanda, South Africa and Zambia.

The international legal protection of cultural heritage has long mirrored the traditional nature of international law, made by States and for States. In other words, international law has perceived cultural heritage as the exclusive domain of States. Indeed, the original fundamental rationale of the international cultural heritage legislation consisted in recognition of the right of every State to identify, physically control, and protect its tangible cultural heritage against irreparable loss in the event of armed conflict, and to prevent its unlawful removal from a state’s territory during both war and peacetime. This State-oriented perspective, aimed at preserving national heritage against ‘external’ threats to its integrity, has been gradually broadened and today encompasses a vast range of cultural manifestations and interests attached to them. Moreover, cultural heritage has increasingly been perceived as a holistic concept inherently connected with

¹ World Heritage Convention, 1872

² World Heritage Committee (<https://whc.unesco.org/en/committee/>)

the identity of peoples as well as with the human rights of all, both in their individual and collective dimensions, thus raising the question of efficient legal mechanisms to be applied in the cultural sphere of human existence.^[4] In fact, the regulatory basis for the protection and enjoyment of cultural heritage belongs to truly diverse and complex areas of international law

Undoubtedly, the most developed international legal framework has been established in relation to the protection of cultural heritage in the event of armed conflict. The tragic experiences of the wars in the former Yugoslavia and the destruction of world-famous statues of Buddha in Bamiyan raised global awareness about the need for a more efficient legal system for the protection of cultural heritage during armed conflicts, driven by the general interest of humanity.^[6] Since then, the general humanitarian regime established by the Convention for the Protection of Cultural Property in the Event of Armed Conflict (the 1954 Hague Convention)^[7] has become nearly universal. Most of the States of the world have already become parties to this treaty, including those powers which had long opposed to it.^[8] Also the First Protocol to the 1954 Hague Convention,^[9] regarding the restitution of cultural property unlawfully removed in connection with an armed conflict, and the Second Protocol to the Convention,^[10] establishing a new category of enhanced protection for cultural heritage that is particularly important for humankind, have also received a large number of ratifications. Accordingly, the legal regime set up by the 1954 Hague Conventions and its Protocols, supported and supplemented by other humanitarian law instruments, in particular the 1977 Additional Protocols to the 1949 Geneva Conventions,^[11] today constitutes an important segment of the global legal framework for the protection of cultural heritage in armed conflict.

Significantly, most of the rules set forth in these treaties are also perceived as corresponding to customary international law.^[12] Furthermore, the intentional destruction and plunder of cultural heritage during armed conflicts have also been widely recognized by various international bodies as affecting the general interest of humanity,^[13] as well as constituting serious violations of human rights,^[14] together with a call for the 'combating of impunity'^[15] of perpetrators. Notwithstanding the wide recognition of the international obligations to protect cultural heritage from destruction and plunder in armed conflicts, such properties are still subject to attacks and looting. The destruction of the protected monuments in Timbuktu (Mali) in 2013 and the ongoing tragedy of historical and cultural heritage in Syria and Iraq are the most shocking examples of the failure to comply with the international law rules in this regard. Indeed, apart from the actual fulfilment of the obligation to protect cultural heritage during armed conflicts, particularly in those involving terrorist groups, the other

major question regards the consequences of the violation of such obligations. Various entities may bear responsibility for international offences against cultural heritage committed during an armed conflict. However, the rules governing their responsibility are regulated under distinct, albeit interconnected, regimes of international law.

The African Union declared 2021 the Year of Arts, Culture and Heritage, to celebrate and to position cultural heritage as a driver of political, economic, social, environmental and technological events on the continent. While there are many factors that have contributed to the neglect of arts, culture, and heritage as drivers of social and economic transformation, it is important to pay attention to dominant narratives and attitudes about African cultures and heritage perpetuated over time since Africa's encounter with colonialism. There is need to create platforms for telling stories about Africa's history of struggle through slavery, colonialism and neo-colonialism and the linkages to African cultural heritage.

There is a growing movement of African thought leaders, activist and youth who are driving the timely discourse on restitution of Africa's heritage currently held in Europe. Aspiration 5 of Africa Agenda 2063, which is related to cultural identity, common heritage, values and ethics, provides a continental framework for a discourse on restitution and a shared vision of culture and belonging. The restitution movement embodies this and continues to call on European countries to do what is morally right: Return that which was taken from Africa through slavery and colonialism. Many of the African artifacts gracing prestigious museum in Europe were acquired through colonial violence meant to suppress African uprising in resistant to colonialism. Even in occasions where cultural products were given away as 'gifts' to colonial administrators and researchers, power imbalances existed.

While African heritage collections continue to build the museums, tourism industry, university libraries and cultural centres of colonial powers the consequence is Africa was, is and continues to be starved of its cultural heritage and history and continues to suffer from a skewed narrative about its past. Africa has a right to its cultural heritage so that it can learn and tell its stories, its way.

2022 is the African Union (AU) Year of Nutrition and Food Security; there is yet another opportunity to link this to arts culture and heritage especially on indigenous methods of food production, preservation and building resilience for a food secure Africa. The ongoing Russia invasion in Ukraine is also significant to Africa's nutrition and food security. The conflict is impacting food supply and prices in Africa and Middle East. Food prices reached a new all-time high in February according to United Nations Food and Agriculture Organization (FAO) Food Price Index. Because of disruptions in the food

supply chain caused by the pandemic and the conflict has added to that. Many countries in Africa and the Middle East are reliant on Ukrainian grain and seed oil, and consequently vulnerable to food shortages and price shocks. Current crisis has shown that African countries are heavily dependent on foreign imports from countries such as Russia and Ukraine failing to invest in their own production and rural development.

3. Objectives

The main objectives of the forum are:-

- To unpack the concept and nature of peace and security's contribution for culture, and heritage protection and to expand the understanding of issues related to culture and heritage protection during armed conflict and examine efforts to prevent and mitigate potential risks caused by this.
- To expand Africa Decolonizing agenda in relation to cultural heritage peace and security
- To identify practical lessons to be put in place for the maintenance of peace and stability in Africa which will enable the flourishing of culture and art.
- To explore the nexus of peace and security to food security, explore how African cultures and traditions relating to food preservation, protection, and preparation can contribute to improving food security on the continent and how conflict disrupts these important indigenous practices.

4. Outcomes

The expected outcomes of the forum are:-

- Common understanding on the current situation and regional responses to the damages done to world heritage sites because of armed conflict as well as identify challenges faced, lessons learnt, and ongoing initiatives/measures put in place to protect world heritage sites during armed conflict.
- Advance the decolonizing agenda on cultural heritage and African Identities
- Advance the role African Citizens, member states, regional organizations, communities, and other stakeholders in deterring the effects of armed conflict on heritage protection and engaging with traditional food practices to support food security and reduce the impact and harm of conflict on African cultures and traditions related to food preservation, protection and preparation.
- Propose practical and sustainable policy recommendations targeting relevant stakeholders.

5. Proposed Approach

The format of the dialogue will comprise of experts, political and technical consultations resulting in practical recommendations and networking opportunities for stakeholders working in the field of peace and security. The consultation will take place in a hybrid format where not more than 50 participants will be physically present while the rest of the audiences join online.

6. Participants Profile

Participants will include representatives from AU Member States, AUC, RECs/RMs, experts, funding partners, development partners, representatives of foreign governments, research organizations, think tanks, academics as well as media.

7. Forum Language

The discussion will take place in English with simultaneous interpretation in French.

8. Venue & Date

The forum will take place in Addis Ababa on 21 April 2022 at Hayat Regency from 09.30 a.m. -03.30 p.m.(EAT)