LXIV
SIXTY-FOURTH SESSION

Arab League

Berkeley Model United Nations

Dear Delegates,

Welcome to the 64th session of BMUN! It is my pleasure and privilege to welcome you to the Arab League for what I am sure will be a stimulating discussion of some of the most significant issues facing not just the Middle East, but also the international community at large.

My name is Gloria Cheung and I am a third-year at Cal specializing in Political Science and Middle Eastern Studies. I'm an international student from Singapore, currently pursuing my third year of Arabic and specializing in topics ranging from counter-terrorism tactics in South-east Asia to security and political transition in the Levant. In my summers I have backpacked Europe and Morocco, and worked in a boutique Political Consulting firm in DC that builds craft industry capacity in developing countries. Outside of my academic interests, I love photography, cooking, and reading. So if you want to hear about any of my secret recipes or favourite books, feel free to shoot me an email and we can swap!

Additionally, I'd like to introduce you to my two lovely vice-chairs, Zoë Brouns and Alex Wilfert.

Zoë is a junior at Cal, majoring in Political Science. She grew up moving around, mostly in the Netherlands and Namibia, which has given her a fascinatingly international background. In high school, Zoë participated in a variety of conferences, from Model European Parliament to the first annual Namibian MUN. This past summer Zoe worked at a non-profit in DC that specialized in educational and creative writing work with low-income students in DC public schools. She is especially excited to be serving on the Arab League committee dias this year because she is currently in her second year of learning Arabic at Berkeley. Outside of her MUN and academic interests, Zoë is heavily involved in student government, enjoys playing hockey and going to concerts. She is super excited to meet you all at BMUN 64!

Alex is a freshman majoring in Economics and History. He grew up mostly in London England but also Cambridge and Seattle. Due to this international upbringing, Alex was able to attend THIMUN conference in The Hague twice. He's excited to bring his experience from this international conference to BMUN. Outside of MUN and his academics, Alex loves supporting Cal sports and is involved in Greek Life and Coaching Corps. Alex can't wait for BMUN and to meet everyone!

The Arab League is an extension of our passion for the MENA region as well as our collective experiences as MUN delegates on the international circuit; thus the Arab League will be conducted in a THIMUN-inspired style this year. We will be discussing the conflict in Yemen as well as the problem posed by the destruction of cultural property. These topics represent two core complexities of the region - security and culture. I cannot wait to see how you guys approach what may be considered one of the most dynamic and tumultuous decades for the region.

BMUN is an incredible opportunity for you guys to not just branch outside of your comfort zone academically but also to try new experiences and meet people from all walks of life. As you embark on your research and position papers, I would encourage you not just approach the issues from the perspective of the country you have been given, but to attempt new ideas to change the status quo and really aspire to envision a new era of change for the Arab League.

My dais and I are looking forward to getting to know you guys better through the blog and as chairs this is the time of the year we all look forward to the most, we can't wait to meet you during the conference itself in March! Please feel free to reach out at any point if you have any questions or if you just want to check in and say hi!

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Introduction

Long seen as a symbolic organization with more bark than bite, the Arab League has far too long been uninvolved with the politics of the region - until the advent of the Arab Spring. Faced with the bleak possibility of engaging in an extended and drawn-out conflict against Gaddafi in Libya, the international community was surprised when the usually ambivalent and passive Arab League was the first to propose the imposition of a "no-fly zone" over Libya.

With the growing prominence of other regional organization such as the African Union (Foreign Affairs) and Association of Southeast Asian Nations (ASEAN) playing key stabilizing roles within their own regions respectively, this could bode well for the Arab League as a dominant player within the Middle East and North Africa (MENA) region. As such it is apt for this committee to explore some of the threats plaguing the region now. The question of security will always be in the frontline of Middle Eastern concerns, in particular our first topic will examine the conflict in Yemen and how it has and will shape conceptions of peace and the regional balance of power. To counter-balance the ever-present focus on security issues, the second topic will address the danger posed to Middle Eastern cultural heritage with the destruction of cultural property of both the past and possibly the future.

Nevertheless, the increasing resoluteness of the Arab League is still hinged on the cooperation of its member states – a problem that plagues all multilateral organizations, big and small, of our current time.

1. The Situation in Yemen

Yemen is in the midst of a full-scale civil war between the previous administration of Abd Rabbuh Mansur Hadi and the Houthi-led '*Revolutionary Committee*' which holds substantial power over state institutions and at the time of writing and whom is also in control of Sana'a, the capital of Yemen. Though some may argue that the conflict has its roots in a much longer passage of history, the civil conflict as we see it now began between 2014 to 2015 in the form of a power struggle between Hadi and the Houthis.

In August 2014, after weeks of street protest against Hadi, the Houthis seized the capital, Sana'a in a show of power and forced the government to resign and appoint Houthis as political advisors, giving them significant influence in state politics ("Houthis sign deal with Sana'a to end Yemen crisis"). This was the first significant expansion of the political and military might of the Houthis.

Subsequently in January 2015, disagreement over the contents of a draft constitution proposal prompted a Houthi takeover of the presidential compound in Sana'a that led to the resignation of Hadi and the formation of the current 'Revolutionary Committee' as a replacement governing body. Hadi flees to Southern Yemen in February, and by March, the Houthis have successfully captured the capital, Sana'a, and advanced south toward the Gulf of Aden in March. In response, Saudi Arabia and a coalition of other Arab nations launched an air campaign to protest the overthrow of the Hadi government, severely escalating the civil conflicting.

Most recently in September 2015, Saudi-backed government forces have recovered the southern region of Aden, and there are talks of launching an offensive aimed at recapturing Aden from the Houthi forces. However the fight ahead does not look to be simple considering the multitude of other factors / influences that have found their way into the conflict. Ranging from accusations of other regional powers using Yemen as a proxy for their regional conflicts, to worries over the involvement of the Islamic State (IS) and Al-Qaeda in the Arabian Peninsula (AQAP), there is much more to be considered in Yemen than the immediate civil conflict.

In particular, the instability in Yemen has brought into limelight concerns over limits to the role of the Arab League in solving regional problems. Efforts at addressing political crisis in the region have been beset with bilateral efforts that have been uncoordinated at best and diametrically in opposition at worst. While the question of what the Arab League can actually do as a regional organization remains, other concerns over how political crises in the region should be tackled are equally central to the topic.

1.1. Topic Background

Arguably the events of 2014 and 2015 are part of Yemen's greater political transition beginning in 2011. Inspired by the 'Arab Spring' happening in Tunisia and Egypt, protests spread across the cities of Sana'a, Taiz, and Aden, demanding for then-President Ali Abdullah Saleh to step down. Saleh's rule of over three decades finally ended through a deal brokered by neighbouring Gulf States on the 23rd of November, putting then-Vice-President Hadi in power.

1.2. Key Domestic Players

a. Houthis

The Houthis are commonly known in the present day as a rebel militia group who are sometimes identified as Ansar Allah. They identify with a branch of Shia Islam known as Zaidism and are considered the second largest ethnic / religious group after the Sunnis in Yemen. There has previously been a history of turmoil between the Sunni government and the Houthis from 2004 to 2010, when the group signed a ceasefire with the government.

More recently, the Houthis began gaining widespread popularity in August 2014 when thousands of protesters stormed the streets demanding that fuel subsidies be reinstated and that the government take measures to be more representative in incorporating the opinions of independent activists and political groups("Yemen capital hit by anti-government rallies"). Despite attempts at reconciliation such as the signing of a peace deal in September 2014 ("Yemen rivals sign peace agreement") and Hadi's

choice to name the country's envoy to the US as the new prime minister, tensions flared again in January 2015. Arguably the fundamental split between the administration and the rebels over the contents of a draft constitution presented in January 2015 is the ultimate catalyst for the current state of crisis in Yemen.

Nevertheless, the current sectarian differences between the Zaidis and the Sunni majority in Yemen belie the historical tensions between the two; the Zaidis ruled North Yemen separately from the south for almost 1,000 years until 1962 when revolutionary forces deposed them. Even after the shift in power, the Houthis maintained a stronghold in the northern province of Saada, away from the revolutionary forces situated in the South. ("Who are the Houthis in Yemen?")

These historical and geographical notions of power have informed the vision each side has of Yemen's future; the Houthis are opposed to any power reconfiguration that would dilute the traditional northern stronghold they have claimed for themselves ("What do the leaders of Yemen's Houthis want?").

b. Hadi

Ex-President Abdrabbuh Mansour Hadi is widely considered the legitimate leader of Yemen considering the fact that he was put into power in 2011 after a peace agreement brokered by the Gulf Cooperation Council (GCC) forced his predecessor Ali Abdullah Saleh to step down. Not only does he enjoy support from the international community and regional players such as Saudi Arabia and other members of the GCC, he is also widely supported in the Sunni-majority south of Yemen. ("Yemen crisis: Who is fighting whom?")

Both President Hadi and his government were forced to resign in January 2015 after a disagreement with the Houthis over the contents of the draft constitution turned violent. Nevertheless, the UN, GCC, and US have all refused to recognize the new transitional council declared subsequently in February by the Houthi rebels.

c. Saleh

Ali Abdullah Saleh was the President of Yemen from 1990 to 2012. His reign of power ended in 2011 after weeks of nationwide protests inspired by the Arab Spring; The GCC brokered a peace agreement that made his then vice-president Hadi, acting President. Moreover, the peace agreement granted Saleh immunity from prosecution, which has created a political environment amenable to Saleh returning to politics. Inadvertently this possibility has only exacerbated the power struggle between the two main parties in the Yemeni conflict. Despite his formal cessation of power, Saleh has formally allied with the Houthis in the current conflict; his intention is to regain power in Yemen by balancing between helping the Houthis take over key cities in Yemen and serving as an intermediary negotiator between Saudi Arabia and the Houthis ("In Cahoots With the Houthis").

1.3. Important Events in the Conflict

Since we are examining the conflict in Yemen specifically rather than observing a general trend or characteristic of many case studies of conflicts, this section will focus on key events or turning points within the Yemeni conflict to illustrate the flow of political developments so that we may better understand the underlying tensions and interactions that inform the politics of this conflict. The main types of interactions this section seeks to illustrate includes: internal political turmoil between warring faction, the efficacy of reconciliation and what the main points of disagreement are, and the role of external support in influencing domestic political developments.

Nevertheless it is important to keep in mind that the crisis in Yemen is a "live" conflict, meaning that it is ongoing and subject to continuous changes. It is likely that in the near future, other significant events are likely to happen that may change the course of the conflict. The highlighted events below are used as a starting point to examine the conflict critically through the progression of the conflict and understand how underlying factors have caused them.

a. 2011 Arab Spring Protests

Arguably the events of 2014 and 2015 are part of Yemen's greater political transition beginning in 2011. Inspired by the 'Arab Spring' happening in Tunisia and Egypt, protests spread across the cities of Sana'a, Taiz, and Aden, demanding for then-President Ali Abdullah Saleh to step down. Yemen has been hailed as a successful model of peaceful political transition in the Middle East since 2011, when a GCC-brokered power sharing agreement, known as the Gulf Initiative, seemed to successfully contain the Arab Spring protests in Yemen; Saleh's rule of over three decades finally ended through a deal brokered by neighbouring Gulf States on the 23rd of November, putting in power then-Vice-President Hadi. Yet, despite the short-lived nature of this peace agreement and its failure to persist in the current political climate, this political transition is still significant in understanding the backdrop of interactions in Yemen.

The forces of the Arab Spring no doubt influenced the pattern of political transition in Yemen, inspiring large scale protests against the Saleh regime that

cumulated in the transfer of power from former president Ali Abdullah Saleh to incumbent president Hadi. But arguably the most important player in the process was not the Yemeni politicians or factions themselves but instead the GCC. The GCC served as a third-party mediator brokering a power-sharing agreement between the many different factions in Yemen, creating what was thought to be at that time, a peaceful transition that would avoid the violence that has characterized the Arab Spring in some other Arab countries. (Green)

b. 2015 Saudi-led Intervention

In March 2015, the governments of Saudi Arabia, the United Arab Emirates (UAE), Bahrain, Qatar, Kuwait and Jordan launched a joint aerial intervention against the Houthis in response to a request for outside intervention by deposed President Hadi ("GCC Statement: Gulf countries respond to Yemen developments"). Though the intervention, dubbed Operation Decisive Storm, was initially a collaborative effort between Turkey and Qatar, and was even backed by the United States, its current and enduring form reveals that it is primarily a Saudi effort.

It is worth considering the Saudi effort not just in relation to the dynamics of regional politics but also the domestic political developments and how they have influenced Saudi Arabia's foreign policy choices (Riedel). Changes in the line of succession have placed Saudi Arabia's new defense minister, Prince Mohammed bin Salman, into a tight spot. His lack of military experience has drawn heavy criticism from other countries in the region, while the possibility of failure has forced Saudi measures to become more heavy-handed, and its rhetoric more extreme.

The Saudi-led airstrikes have continued to date, contributing to a climate of instability and violence in Yemen. A report published by Amnesty International has accused the coalition of contributing to the deteriorating human rights situation by carrying out unlawful attacks on sites densely populated by civilians with no military targets in sight (Amnesty International).

Moreover, many analysts see the intervention of Saudi Arabia in Yemen as part of a greater regional power struggle with Iran. The conflict in Yemen is primarily driven by

local issues, but the competition between Iran and Saudi Arabia for regional power continues to exacerbate the situation and influence the calculations of both sides. On one hand, Saudi Arabia is accused of unduly meddling in the domestic situation in Yemen by supporting fighters loyal to President Hadi in the south in their northward onslaught against the Houthis. On the other hand, Iran is accused of supporting the Houthi rebels, providing them with arms, training, and financing ("Iranian Support for Yemen's Houthis goes back years").

While it is recognizably difficult to ascertain whether both players are really waging a proxy war, what is more important is that the mere perception and suspicion that each other is motivated by regional power aspirations is enough to explain some of the hardline rhetoric and actions both countries have employed in recent months ("Yemen and the Saudi-Iranian 'Cold War'"). Most recently, Saudi-backed forces have managed to not only drive the Houthis out of the southern port of Aden, allowing President Hadi to return from exile in September 2015, they have also launched an advanced on Sanaa.

c. 2015, Failed June Peace Talks

Attempts at resolving the conflict through peace talks and ceasefires have failed repeatedly. While typically ceasefires and peace talks fall through because opposing parties are unable to come to an agreement on certain central issues, previous attempts at holding Yemen peace talks have collapsed simply because parties have refused to partake in the talks ("Hopes Fade As Yemen Peace Talks Falter"); first in late May, and then on June 19 in Geneva ("Yemen peace talks in Geneva collapse"). Combatants from both sides have refused to even observe ceasefires that would allow for the delivery of much needed humanitarian relief. In particular the Geneva talks in June failed because delegates refused to meet face-to-face, requiring U.N. officials to mediate between rooms and pass messages.

On one hand their immediate failure can be attributed to the stubborn intransigence of representatives of both sides, without the shared belief for peace, clearly neither side is ready to begin talking. On the other hand, analysts point to the fact that even without the physical stubbornness of representatives posing as an obstacle, the fact

that not all the parties engaged in conflict were represented at the talks could have signalled a potential failure once negotiations began ("Why Yemen's peace talks failed").

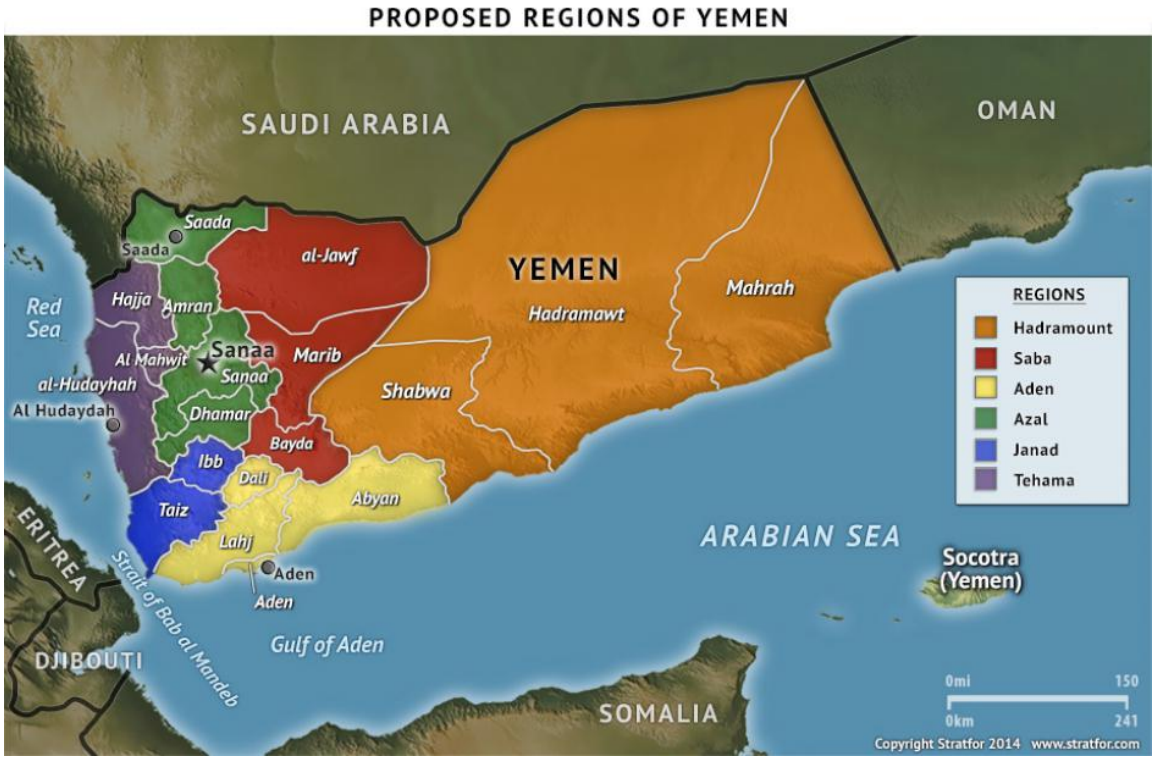
Likewise, as of this time of writing, the U.N. or other third-party mediators have been trying to initiate another round of peace talks in October or November. Yet there seems to be no positive result. President Hadi has been suspected of trying to put a halt to the process, for fear that a new negotiated power-sharing agreement, much like the original one that put him in place, would have no place for him in the future ("Diplomats see Yemen's Hadi undermining U.N. peace talks").

1.4. Areas of Concern

In no particular order of importance, here are some areas of concern that have been expressed by regional players and members of the international community alike. As a domestic conflict that has since blossomed into a regional problem, many of these issues are closely intertwined and a comprehensive solution to the Yemeni crisis would have to consider addressing these issues together.

a. Political Transition and National Reconciliation

A key disagreement in the Yemeni power struggle is how the division of power and land should be conducted. Analysts such as Peter Salisbury believe that the collapse of the Hadi-led transitional government were inevitable considering their failure to hold real and tangible dialogue between the north and south ("UN Must Break Cycle of Transitional Failure in Yemen"). A draft federal constitution that proposed to divide Yemen into six regions to be ruled by different tribal powers was presented in January 2015; yet it was rejected by the Houthis ("Al Houthis block Yemen's new constitution") and is widely considered the trigger for the subsequent escalation in violence in 2015. This is due to the fact that even from the the beginning stages of the drafting process in 2014, the Houthis had already voiced their objections to moving forward with a federalist solution that would split the country into six. Yet it is clear that the final product ignored these objections, and the result of that decision has unfolded in recent times.



The Six Proposed Regions of Yemen (Photo Credits: Stratfor)

In particular the Houthis are disatisfied that the demarcated region for their control, Azal (in green), has no access to the red sea, and minimal water or natural resources. They have made alternate claims to the coastal province Hajja, as well as the al-Jawf province in the Saba region. Statements made by Houthi representatives have been relatively intransigent over their demands for a two-region division of Yemen into merely northern and southern regions, which would cement their current hold on power ("In Yemen, a Rebel Advance Could Topple the Regime").

Moreover the Houthis and the government are not the only parties in the conflict, there are many other tribes in Yemen that are strategically important in the conflict. (BBC.com) From the opposite perspective, the solution demanded by the Houthis is deemed untenable by other tribal groups in Yemen such as the Hirak al-Janoubi (known as the Hirak), as well as Saudi Arabia. Thus any solution for Yemen not only has to address the two warring factions between the Houthis and the old government, it also has to address the secessionist aspirations in other parts of Yemen in order to create a lasting solution.

A sustainable solution to the Yemeni crisis goes beyond the immediacy of establishing a ceasefire or creating an interim government, it also requires a plan for national reconciliation to address the atrocities committed in the past by the Saleh regime as well as in the current crisis (Ibrahim). It is imperative that the committee examines previous solutions to the conflict to extrapolate reasons for their failure and better inform future resolutions. For example, the clauses of the Gulf Initiative laid the foundations for Saleh's current attempt to return to Yemini politics (Al-Muslimi); by insisting on a gradual compromise solution that granted the previous regime immunity, it created a loophole that not only allowed Saleh to escape prosecution, but it also indirectly allowed him to further a political campaign aimed at overthrowing Hadi and restoring his presidency.

b. Humanitarian Crisis

The situation in Yemen is as much a humanitarian crisis as it is a political one. Overshadowed by its wealthy Gulf neighbours, Yemen is the poorest nation in the Middle East and potentially the first country in the world to run out of water ("Qat Crops Threaten to Drain Yemen Dry.") Even prior to the revolution and civil war, there was international concern over the water crisis in Yemen and how it would affect the quality of life for millions of Yemenis. Now, the security crisis has made the delivery of humanitarian aid and resources more difficult.

The Humanitarian Situation in Yemen (Photo Credits: BBC.co.uk)

The Saudi-led intervention has not only exacerbated the violent character of the Yemeni crisis but it has also been an obstacle to humanitarian efforts in the region ("Yemen Conflict: Saudi-led air strikes resume as truce ends"). The result is that an estimated 12.9 million are considered food insecure as of August 2015, with over 20.4 million people also lacking access to safe drinking water and basic sanitation, according to the World Food Program. This is especially because Yemen is heavily import-dependent for its basic necessities such as food and water; the naval blockade ("Saudi-led naval blockade") and severe contestation around the southern port of Aden have cause imports to become nothing more than a trickle of goods, creating a severe food shortage and contributing to skyrocketing food prices ("Yemen Crisis: How bad is the humanitarian situation?").

Likewise the Houthi fighters and their allies are equally guilty of perpetuating the humanitarian crisis in Yemen by blocking the delivery of humanitarian supplies from NGOs such as the UN. IN an attempt to cement their hold on the city of Taiz, the Al-Houthi have blocked supply routes and refused to allow the UN and other aid agencies

entry through checkpoints surrounding the city ("UN Accuses Houthis of blocking aid into Yemen's Taiz").

c. Terrorism

The crisis is further complicated by concerns of terrorism in the form of jihadist militants in the South declaring their loyalty to the recognized terrorist organizations of al-Qaeda and the Islamic State. Terrorism has always been a concern in Yemen, since the founding of AQAP in 2009. Since then, Yemen has been a frequent target of drone strikes by the U.S. as well as other counter-terrorism activities aimed at eliminating the presence of AQAP in the Gulf region. If Yemen devolves into a power vacuum, the country could turn into a satellite state for militias and terrorist groups to operate from much like Libya ("Yemen Crisis: Power Vacuum Puts Future Into Peril").

Presently, the concern over AQAP and IS is two-fold; on one hand they have claimed responsibility for numerous deadly attacks across Yemen ("Yemen: Bombs Kill 137 at mosques; ISIS purportedly lays claim"), on the other hand the increasing lawlessness and sectarian nature of the conflict is facilitating the consolidation and strengthening of such organizations. AQAP has presented itself as the only Sunni stronghold against the Houthis' southward onslaught. As the Houthis continue to push from Sanaa into predominantly Sunni areas, paranoid Sunni tribesmen have chosen to strike alliances with AQAP (Amr). The extreme rhetoric used by both sides has only perpetuated sectarian tensions in Yemen.

1.5 Questions to Consider

- Considering the fact that the effectiveness of non-governmental organizations and regional organizations alike are limited by the willingness of their participating states, do you think this renders solutions by the Arab League toothless? Explain.
- In this globalized world, no country or region can operate independently from its neighbours. How do you think the Arab League can cooperate with other members of the international community to resolve the situation in Yemen?
- Civil wars and conflict are unpredictable by nature, sudden developments can render the best made plans invalid. What is the most important function of the Yemen Crisis that you think must be addressed / will remain relevant throughout the conflict?
- The GCC (and the countries within this group) has clearly had a history of action in the Yemeni crisis, how can the Arab League mitigate the effects of their actions both past, present and future?

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2. Protection of Cultural Property in Armed Conflict

Historically, cultural pillage and destruction have been part and parcel of warfare as a means of eradicating all traces of the enemy and cementing the victor's predominance. However in the last two decades, the Arab world has witnessed the destruction of Arab cultural property and monuments at a horrifying scale in times of conflict. At times, this destruction is not only seen as a tactic of warfare but has also been justified using radical religious rhetoric. At other times, the looting and pillaging of cultural property has occurred as a consequence of ineffective security measures and the chaos created by instability and conflict in the region. The multitude of causes contributing to the destruction of cultural property has only made it more difficult for countries in the region to establish a cohesive policy to address the problem.

Moreover the recent actions of ISIS in the historical site of Palmyra has only further highlighted the urgent need for a consolidated regional response to how Arab states should strive to protect regional cultural property. The alarming rate at which the organization has been targeting cultural and archaeological sites in the region has raised worries that thousands of years on antiquities will be lost in the mere span of a decade. The Arab League should discuss first and foremost the effective preservation and protection methods for these national monuments. Other considerations such as measures to counter the implications the pillaging and looting of cultural artifacts has on regional security and stability should also be addressed.

2.1 Topic Background

While the Arab League itself lacks any concrete agreements or conventions addressing the question of the protection of cultural property, there exists some international conventions and norms that underlie the topic at hand. In the aftermath of World War II, the 1954 *Hague Convention For the Protection of Cultural Property in the Event of Armed Conflict* was developed in response to the excessive plundering and destruction of European cultural artifacts by the German invaders.

The Hague Convention defines cultural property as:

> "…movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above (Hague Convention 1954, Art. 1a)

Nevertheless the caveat remains that the job of deciding which property is to be considered of "great importance" is typically left to individual states to decide and enforce.

The convention was also the first multilateral attempt at enshrining the normative value of preserving cultural heritage. First, it stipulates that parties to an armed conflict are not allowed to direct hostilities against cultural property or use it for military purposes. One of the few exceptions is when the property has been turned into a military objective, thus requiring an attack. Second, though the convention specifies that the responsibility to safeguard cultural property falls upon the state itself, the convention also recognizes the role of other actors such as occupying powers in supporting efforts to protect cultural relics from theft, pillage, or misappropriation ("Protection of cultural property in the event of armed conflict").

More importantly, it created rules designed to safeguard cultural property in times of conflict, such as the establishment of an International Registry of Cultural Property under Special Protection, to which states can submit lists of sites that are of cultural significance and thus require protection in times of turmoil. This was instrumental in the protection of historical, religious and archaeologically sensitive installations in Iraq and Kuwait during the Gulf War, parties in the conflict produced a joint no-fire target list of places where cultural relics were known to exist and were therefore to be avoided (Hensel, 2005).

Likewise another significant document enshrining the elevated immunity of cultural sites are the 1977 Geneva Conventions, which establishes that the destruction of cultural property during an armed conflict, similar to the destruction of schools or hospitals, should be considered a war crime.

Even if the auspices of international law is limited by the lack of effective enforcement mechanisms, the onus is on the Arab League to consider the question of cultural property within their shared historical experiences and cultural values to ascertain the significance to be attributed to cultural relics and property in the region, and how this heritage may be preserved and protected for future generations.

2.2. Case Studies & Past Actions / Important Events (or Turning Points)

a. Iraq

Iraq's cultural history has long been a victim of war since the original siege of Baghdad in 1258 – the National Museum of Iraq was heavily looted in the Iran-Iraq War and the 1991 Gulf War. During the 2003 Iraq War, thousands of items were looted from the National Museum. Estimates have place the Museum's losses at around thirty-three major pieces and an additional 8,000 - 18,000 artifacts. In particular, the war marked a key turning point in the debate on the protection of cultural property (Stone, Bajjaly and Fisk); whilst in the past, destruction or pillaging of cultural property happened as a symptom of war and conflict between nations, 2003 saw the emergence of non-state actors as a key concern. There was systematic looting, theft and destruction of archaeological sites, the Iraqi National museum, and the famous libraries in Baghdad by opportunistic - or distressed - civilians. The fact that these acts were perpetrated within an estimated span of four days between 8 April and 12 April by individual civilians only further complicates the question of how to prevent such crises in the future.

In light of the previous incidents of pillaging, officials (both American and Iraqi alike) had acknowledged the vulnerability of the Iraq National Museum as a prominent target of looting. Despite attempts to replace genuine artifacts with casts and photographs to mitigate any future losses, 13 years of sanctions on Iraq had significantly reduced the capacity of Iraqi cultural efforts, making the complete dismantling and safeguarding of the museum's items in the leadup to the invasion impossible (Youkhanna, 2010). The museums in Iraq were wholly unprepared for the social unrest that occurred during the invasion, making them and the antiquities within them victims of looting and destruction.

Moreover, the fact that the crisis happened in the midst of the American invasion of Iraq focused international attention on the extent of American political, moral and legal obligation to protect the cultural property of the Iraqi people. While the discussion of American obligations towards Iraqi cultural property may fall outside the purview of the Arab League, it draws our attention towards the potential responsibilities external players and military personnel may have toward cultural property outside of their country

of origin (Thurlow, 2014). The American military's inability to act and stop the Iraqi looting is testament to the limitations of existing international conventions on the protection of cultural property such as the 1954 Hague Convention. The Hague Convention for instance, despite having an important impact in contributing to shifting neoliberal conceptions of international norms, is basically impotent when it comes to serving as an enforceable body of law. With increased instances of regional and international intervention in civil conflicts, the question then arises of what obligations foreign militaries may have toward the protection of cultural property.

In the aftermath of the Iraq War, the focused of the debate has shifted from the prevention and mitigation of such destructive acts to the recovery and restitution of cultural objects (Phuong, 2004). While much of the effort amongst members of the international community is in the form of enacting domestic legislation to prevent the illicit trade of stolen antiquities, the effectiveness of such measures is dependent on a wider network of cooperation between law enforcement agencies, museums, art experts, and international organizations.

b. Bombing of the Bamiyan Buddha Statues in 2001

On the other side of the debate on the destruction of cultural property, the demolition of the Bamiyan Buddha Statues by the Taliban in 2001 has long been used as a textbook example of the havoc radical fundamentalist groups can wreak on cultural property. In March 2001, contradicting all of its previous promises of protection and ignoring the protests made by the international community, the Taliban destroyed two pre-Islamic monumental statues depicting the Buddha that were carved into the side of a cliff in the Bamyan valley in Afghanistan.. The destruction of the Bamiyan Buddha statues were accompanied by the obliteration of a majority of the Buddhist art left in the Taliban-controlled areas of Afghanistan. This incident was widely condemned in the international community, especially by Western media and countries, as an act of religious fanaticism.

There have been conflicting accounts for why this event transpired the way it did, with most of the international community, media and the Afghani government pointing to

the ‘idolatrous’ nature of the Buddha statues being perceived as antithetical to the radical branch of Islam the Taliban abides by (Jean-Michel Frodon, 2002) (Jean-Francois Clement, 2002). However, other analysts discount this iconoclastic explanation in favour of the political explanation that they were destroyed to protest international aid that was exclusively reserved for statue maintenance whereas meanwhile the rest of Afghanistan was experiencing severe famine. Taliban envoy Sayed Rahmatullah Hashimi, justified the incident as a political retaliation to the UN; he was quoted as saying, “if you are destroying our future with economic sanctions then you have no right to protect our heritage” (“Taliban Explains Buddha Demolition”). Even more so, others point to the coincidental timing between the actual destruction and the international community’s imposition of fresh sanctions on Afghanistan (and the Taliban) in the same period (Harding) as the cause.

First, the difficulty in this situation is ascertaining how the Taliban’s actions fit into the greater debate over cultural property. On one hand, the intentional destruction of cultural heritage of significant value may constitute a breach of international law (Francioni and Lenzerini). On the other hand, to what extent can non-state actors such as the Taliban be held to international standards and even so, how can/should the international community and Arab League respond to such a situation?

Second, a completely secondary issue would be how the Taliban’s supposed motivation for their actions can inform and shape our policy towards any similar attacks in the future. A clear understanding of how the situation devolved so quickly is essential to not only understanding what transpired in Afghanistan in 2001, but also how to conduct negotiations and prevent a similar backlash in future situations. Particularly how negotiations with the Taliban fell through and what triggered their choice of aggression.

c. ISIS and Syria

The latest developments in Syria and Iraq have resurfaced international concerns over the need to protect cultural property in times of armed conflict. The Islamic State has demonstrated a systematic and deliberate intent to destroy, pillage, and loot the vibrant cultural heritage of Syria and Iraq. The militant group has not only smashed relics

at a museum in Mosul, demolished the ancient walls of Nineveh, it also is in control of some key historical cities such as the ancient Syrian city of Palmyra – a 2,000 year old UNESCO world heritage site ("Palmyra Is Captured by ISIS; What Now for its Ancient Relics?")

What separates ISIS' campaign from the Taliban and other historical examples is the fact that ISIS is waging a multifaceted campaign that not only demonstrates religious iconoclasm (in the case of the Assyrian relics in Neneveh, Nimrud and Khorsabad), it also includes the deliberate pillaging that funds their organization and militant campaign (Al Azm). The problem of antiquity trade goes beyond the simple pillaging and selling, ISIS has also created a network of control over locals, imposing a sales tax (as well as other taxes). This gives them an indirect form of revenue over the large swath of land that they control, and also encourages citizens living under ISIS' jurisdiction to contribute to the looting and sell their spoils on the black market created by ISIS.

The distinctly political (Gonzalez), religious and social (Romey) elements to ISIS' strategy means that any solution needs to address all these different dimensions in order to successfully address the situation. While this has no direct impact on the crafting of a protection strategy for cultural antiquities, it does give us some insight into what kind of political actions may be undertaken to avoid triggering the aggression of non-state actors.

Yet, an ISIS centric explanation is insufficient to explain the current state of cultural property destruction in Syria. Other contributing factors include previous policies adopted by the Syrian government prior even to the rise of ISIS (Fisk). The government had established 25 cultural museums all over the country in the decade prior to the Arab Spring in order to encourage tourism and demonstrate their might. However, this subsequently made ancient artifacts vulnerable to the fighting and looting by civilians and militants alike during the civil war.

In response to the atrocities conducted by ISIS, the UN General Assembly has adopted a resolution in March 2015 titled "Saving the cultural heritage of Iraq" that includes a set of measures to end the destruction and looting of archaeological sites and cultural artefacts in Iraq. The resolution specifically calls for states to prevent the trade of items of cultural importance illegally removed from Iraq by ensuring that items are accompanied by verifiable documentation (GA A/69/282). Moreover, The Louvre

Museum in Paris has a live list of objects that are suspected to be victim to the illegal pillaging activities of the Islamic State and are therefore prohibited from being exported or traded from Iraq; this list is maintained in conjunction with UNESCO Director-General Irinia Bokova ("UN General Assembly calls for an immediate halt to 'wanton' destruction of Iraq's cultural heritage").

2.3 Areas of Concern

In no particular order of importance, here are some dimensions of the problem that the committee may wish to consider in order to create a comprehensive solution to protect cultural property.

a. Non-State Actors

The effectiveness of international conventions is not only dependent on the participation and compliance of member states, it also has a realm of applicability limited to sovereign states. These conventions fail to account for the participation of non-state actors; in particular, the Second Protocol of the Hague Convention explicitly limits its scope of application, stating that it "shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature" (Second Protocol). However in recent years, non-state actors have experienced a resurgent intensification in iconoclastic behaviour. The range of non-state actors encapsulates a wide variety of significant actors from opposition groups, rebel militia, and terrorist organizations, to even lone individuals taking advantage of the chaos to benefit their self-interest.

This brings to light the difficulty of reconciling and adapting international law that was written with a different paradigm of conflict, with the current occurrences in the Middle East. This is especially difficult since the decentralized nature of non-state actors such as rebel groups makes it nearly impossible for them to be signatories to any international treaties such as the Hague Convention, thus rendering them unable to accept or be bound by the obligations and expectations outlined by the treaty (Howe, 2012).

b. Protection vs Escalation

International treaties and agreements have long been used as a way to demarcate the limits of moral acceptability and normalize ethical standards of behaviour. However in recent times, the morally outraged responses of the international community to instances of cultural and religious iconoclasm has not only failed to inspire repention amongst the actual perpetrators, but has even possibly escalated the degree of violence ("ISIS' destruction of cultural anqituities").

The limits of international conventions is beyond the infamous toothlessness of non-governmental organizations; designating special status for certain sites or items of cultural significance has in recent years made them calculated targets for destruction as part of political and military strategy. For instance in Croatia, in compliance with the 1954 Hague Convention, government officials submitted a list of sites regarded as being of particular cultural significance to UNESCO. The unfortunate result was that opposition forces specifically targeted all of these flagged sites as an attempt to undermine the incumbent government (Chapman 1994).

c. Terrorist Financing

While the destruction and pillaging of historical artifacts is deplorable, countries are equally concerned with the implications ISIS' actions may have on their current security environment. In May 2015, in response to the growing strength of ISIS and news of its black market, 10 nations from the Middle East and North Africa (MENA) region signed the Cairo Declaration as a stepping stone to regional cooperation to prevent further laundering of antiquities ("Countries Sign Declaration to Prevent Antiquities Looting in the Middle East"). The declaration was written specifically to prevent terrorist funding and to put a stop to the illegal trade of "blood antiquities". Likewise the UN Security Council has passed a resolution that calls on countries to prohibit the trade of illegally removed cultural objects from Iraq and Syria (UNSC 2199 (2015)).

The proliferation of videos depicting ISIS militants destroying ancient statues and temples in the cities of Palmyra and Nimrud belie the fact that the rest of the relics are looted to fund ISIS' operations. With over a third of Iraq's archaeological sites situated in

territories within ISIS' control, and with many of these cultural objects undocumented in the last decade, it has been extremely difficult to track the exact origin of antiquities being sold and stop the illegal trade of goods in ISIS' possession. While there is little the international community can do to counter the radical ideology used by ISIS to justify their policy of iconoclasm, putting a halt to the illegal trade of cultural relics could be the first step to stopping the organization as well as their looting and pillaging.

2.4. Questions to Consider

- Where should international organizations draw the line in trying to preventively prevent potential backlash as we see in the case of the Taliban, and trying to prevent potential crises?
- Are humanitarian aid and cultural preservation necessarily mutually exclusive? Why or why not? And how should we prioritize these responsibilities and interests accordingly?
- In cases where there is a power struggle between the incumbent government and a rising political competitor, how can (and should) regional and international non-governmental bodies / organizations conduct themselves in the interest of successful cultural preservation?
- Are there situations where the protection of cultural property does not fall under the jurisdiction of the international community or other external players? Explain your stance and list an example to illustrate your explanation.

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