# Foreword

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In 2012, Agence France-Presse interviewed a man said to be part of the extremist group controlling Timbuktu, Mali. “There is no world heritage,” he claimed. “It doesn’t exist.”[[1]](#endnote-1) This mindset encapsulates the challenge posed by the rise of a violent extremism that has perpetrated deliberate destruction of cultural heritage as well as mass atrocities against people on cultural and religious grounds, in not just Mali but also Afghanistan, Syria, Iraq, and elsewhere.

When I became director-general of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 2009 I could not have imagined that the organization, which is the standard-setter and guardian of world heritage and culture, would have to confront a brutal and systematic destruction of emblematic cultural sites in the Middle East that shocked the world. Most significantly, this destruction was not collateral damage. On the contrary, it was used as a tactic of war to intimidate populations, attack their identities, destroy their link with the past, eliminate the existence of diversity, and disseminate hatred—what I labelled “cultural cleansing” after my second visit to Iraq in May 2015.[[2]](#endnote-2) While not a legal term, it has since been used by myself and others in public statements, speeches, and interviews to raise awareness about the systematic and deliberate nature of attacks on cultural heritage and diversity perpetrated by extremist groups in Iraq and Syria.

The challenges have been enormous. How should we apply the international legal and institutional regime in such a way that it enables us to keep pace with new forms of “modern” warfare by nonstate actors? How can one make a convincing case that heritage is not only about bricks and stones but also about humanity in all its diversity, and that it gains meaning when it is inscribed in the lives of people and local communities? How can one convince the humanitarian and security communities therefore that heritage matters, that destroying heritage means destroying the social fabric of communities and societies, depriving people of their identity?

I was honored when my friends and colleagues James Cuno and Thomas G. Weiss asked me to write a brief essay to begin this edited volume, *Cultural Heritage and Mass Atrocities*. This collection of essays is an essential guide: it provides critically important reading for my former colleagues throughout the UN system and in governments, as well as for scholars and other practitioners, from humanitarians to international legal experts. It is a singular resource for all those interested in this essential topic.

My experience as head of UNESCO for two four-year terms strengthened my conviction in the growing relevance of heritage and culture. In the face of the deliberate destruction and looting of cultural heritage by extremist groups, a new understanding of why it matters has emerged: protection of heritage cannot be separated from that of human lives in times of conflict, and it is therefore a key security imperative. I also grew more convinced that protecting cultural heritage is not a luxury that can be left for better days but rather a tool for peace and reconciliation in many parts of the world today. Often the first victim of war, cultural heritage heals and can restore ties that have been broken. While it has always been the victim of war—as collateral damage or looting—what we have seen in the last few decades is quantitatively and qualitatively different.

The 1993 destruction of the Old Bridge in Mostar during the Yugoslav wars and that of the Bamiyan Buddhas in Afghanistan by the Taliban in 2001 were alarms that something had changed, with the intent behind these actions directly refuting the widely and unanimously accepted legal and ethical approach to the protection of heritage as a global public good. This was the deep and transformative meaning of the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage, which was based on the idea that the “outstanding universal value” of a site is the main criterion for its inscription on the World Heritage List.

What happened later was unthinkable. In 2012, extremists took control of the northern part of Mali and destroyed many of Timbuktu’s ancient mausoleums and mosques. About 4,200 manuscripts of the Institut des Hautes Etudes et de Recherches Islamiques Ahmed Baba (IHERI-AB) were also burned by the armed groups. This was in a city considered the center of Islamic learning from the thirteenth to seventeenth centuries, and that at one time counted nearly two hundred schools and universities attracting thousands of students from across the Muslim world. It is thanks to this history of enlightenment that the entire city of Timbuktu was inscribed on the World Heritage List in 1988.

In addition, all six World Heritage Sites in Syria have been damaged by fighting or performative actions over the last ten years, including the Old Cities of Aleppo and Damascus. Aleppo’s al-Madina Souk, the world’s largest covered historical market and part of the Old City, was burned and partly destroyed in fighting that began in 2012, and the following year the Umayyad Mosque became a battlefield, leading to the decision of the World Heritage Committee already in 2013 to place them both on the List of World Heritage in Danger so as to draw attention to the risks they were facing. Nonetheless, in 2015, the Arch of Triumph and the Temple of Bel, both part of the World Heritage Site of Palmyra, were blown up. On 18 August that year extremists from the Islamic State of Iraq and the Levant (ISIS, also known as ISIL or Da’esh) also publicly beheaded Dr. Khaled al-Asaad, the renowned guardian of Palmyra, who had helped evacuate the city museum before the takeover. He was tortured in an unsuccessful attempt to get him to reveal the location of hidden artefacts and then brutally murdered.[[3]](#endnote-3)

In autumn 2014 I decided to go to Iraq, which was then largely occupied by Da’esh, to see the destruction for myself and explore with the authorities how UNESCO could help to prevent further damage and looting of unique cultural sites. I chose the symbolic date of 2 November, on which the United Nations marked for the first time the International Day to End Impunity for Crimes against Journalists. In addition, I wanted to send a message that extremists not only destroy heritage but also persecute people and stifle freethinking and speech.

My conviction about the connection between the persecution of people and attacks on culture and heritage only deepened after visiting the Bagdad Museum, the city of Erbil and its Baharka refugee camp (where most of the refugees had fled Da’esh) in 2014, and after a long meeting with representatives of different minority communities: Christian, Turkomen, Yazedi, Assyrian, Chaledean, Turkomen, Shabak, Baha’i, Sabean Mandean, and Kaka’i. “Cultural cleansing” was not an exaggeration.

The case of Mali sounded another alert. In January 2013 the extremists were pushed out of the northern areas they had controlled. Subsequently, on 23 April, the UN Security Council adopted resolution 2100, which established the Multidimensional Integrated Stabilization Mission (MINUSMA). For the first time the protection of cultural and historical sites was included in the mandate of a peacekeeping operation,[[4]](#endnote-4) constituting a breakthrough in linking heritage protection to peace and security. It was a geopolitical recognition that heritage—both tangible and intangible—plays an important role in peace and reconciliation. While this part of MINUSMA’s mandate was eliminated by the Security Council in 2018, it remains an important reminder of why heritage and culture matter; it also suggests that concrete enforcement of international norms and mandates is feasible. One positive result of the original decision by the council was the introduction of training on cultural heritage protection for UN peacekeeping forces through the involvement of experts from the Blue Shield network, a nongovernmental organization established in the late 1990s to “protect cultural heritage in emergency situations.”[[5]](#endnote-5)

In May 2015, I returned to Iraq in order to launch a new UNESCO campaign called “#Unite4Heritage” at the University of Bagdad along with young Iraqi students. The campaign became a major social network platform for raising awareness about the importance of heritage, knowledge about the “other,” and respect and sharing of intercultural experience. My approach was strongly supported by the reports of two consecutive special rapporteurs for the UN Human Rights Council in the field of cultural rights, Farida Shaheen (2009–2015) and Karima Bennoune (since 2015), who have both defended the view that destruction of heritage is a human rights violation. Bennoune has stressed the protection of heritage in her reports: “Destruction of heritage is often accompanied by other grave assaults on human dignity and human rights. We must care not only about the destruction of heritage but also about the destruction of the lives of human beings. They are interrelated.”[[6]](#endnote-6)

Three lines of action emerged within UNESCO in response to the destruction: working closely with the humanitarian and security communities in member states and within the United Nations broadly; leveraging all relevant legal and institutional frameworks; and public awareness raising. In pursuit of the first, in November 2015, for example, UNESCO convened an expert meeting on the Responsibility to Protect (R2P). While most of those present agreed on the challenges and difficulties of applying the concept of R2P to heritage protection, and that it may not be realistic to expect that it represents a viable path for international cooperation vis-à-vis the destruction of heritage in Syria and Iraq, the meeting adopted recommendations that “highlighted the preventive aspect” of R2P and noted “that acts of intentional destruction and misappropriation of cultural heritage can constitute war crimes and crimes against humanity, can indicate genocidal intent, and are frequently associated with ethnic cleansing and its accompanying cultural cleansing.”[[7]](#endnote-7)

In relation to the second line of action, as the guardian of a comprehensive set of international conventions, covering tangible and intangible cultural heritage and the diversity of cultural expressions, UNESCO has the legitimacy and a particular responsibility for the protection of heritage and cultural diversity as a global public good. Over its seventy-five years of existence, the organization has created an entirely new space for international cooperation, adopting legal instruments and documents and coordinating practical action by governments, experts, and civil society. It was important to see how and to what extent these legal instruments could be applied within the framework of “modern” conflicts, where nonstate actors were often the main perpetrators of the destruction.

Four treaties have a particular relevance to the protection of heritage in conflict: the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (and its two 1999 protocols); the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage, mentioned earlier; and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.

Wider ratification of these treaties is still very much needed to enable further national legal and institutional measures for the strengthening of international cooperation. This is particularly the case with regard to the 1954 convention and protocols, and that of 1970, the latter of which still has important international players missing.

The 1954 convention was adopted in the wake of the massive destruction of cultural heritage during World War II, and was the first multilateral treaty focusing exclusively on the protection of cultural heritage in the event of armed conflict. It covered “immovable and movable cultural heritage, monuments of architecture, art or history, archaeological sites, works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections of all kinds regardless of their origin or ownership.”[[8]](#endnote-8) With French ratification of its second protocol in 2016, and the ratification by the United Kingdom the following year of the convention and both protocols, all five permanent members of the Security Council are now states parties to the treaty—important for its effective implementation and a strong message of the importance of heritage today.

While the 1970 convention was an important platform for international cooperation, it did not make provisions for a periodic monitoring body and lacked other mechanisms of monitoring and follow-up in terms of national legislation, training, and exchange of best practices. In addition, prior to 2012 only one meeting of its conference of states parties had ever been held, in 2003. In an attempt to remedy this, UNESCO’s executive board approved a proposal for a second meeting, held in June 2012.[[9]](#endnote-9) In order to monitor implementation, the states parties established a subsidiary committee and agreed to convene a further meeting every two years. These important changes created a concrete platform for stronger international cooperation in the fight against illicit trafficking of cultural objects, which saw a substantial increase with the conflicts in Syria and Iraq.

No doubt the emblematic 1972 convention, with 193 parties the most widely ratified international legal instrument in modern history, played a critical role. The World Heritage Committee, which administers the treaty, has taken numerous important decisions to raise awareness among the international community of states on the need to mobilize support for the protection of cultural heritage in conflict, including by placing sites that have been attacked and damaged on the List of World Heritage in Danger, such as Timbuktu and the Tomb of Askia in Mali,[[10]](#endnote-10) or the six Syrian World Heritage Sites;[[11]](#endnote-11) and by authorizing missions and creating funds for emergency conservation measures.

The implementation of a new comprehensive strategy became the primary vector for pursuing UNESCO’s second line of action—building broad coalitions by linking humanitarian, security, and cultural imperatives. In fact the adoption of the strategy for “Reinforcement of UNESCO’s Action for the Protection of Culture and the Promotion of Cultural Pluralism in the event of Armed Conflict” in November 2015 by the thirty-eighth General Conference of UNESCO was a milestone.[[12]](#endnote-12) This is especially the case considering the organization’s intergovernmental character, with the General Conference, which consists of representatives of UNESCO’s member states, responsible for setting its broad agenda. The strategy document made clear that “attacks on culture are characterized by the deliberate targeting of individuals on the basis of their cultural, ethnic or religious affiliation. Combined with the intentional and systematic destruction of cultural heritage, the denial of cultural identity, including books and manuscripts, traditional practices, as well as places of worship, of memory and learning, such attacks constitute ‘cultural cleansing.’” It went on to say that “cultural cleansing, intended in this way, aims to eradicate cultural diversity from a geographical area and replace it with a single, homogeneous cultural and religious perspective.”[[13]](#endnote-13)

In February 2015, the Security Council unanimously adopted resolution 2199, which broke new ground by banning trade in cultural heritage from Iraq and Syria; it also cited Chapter VII of the UN Charter as a means of enforcing counterterrorism. Linking cultural issues and security concerns, it acknowledged that cultural heritage should be placed at the forefront of security and political responses to the crisis. The resolution also gave special responsibility to various intergovernmental organizations, including UNESCO, the International Criminal Police Organization (Interpol), the UN Office on Drugs and Crime (UNODC), the World Customs Organization, and the International Council of Museums (ICOM). In response, and in further pursuit of the second line of action, UNESCO established a new platform for close cooperation among these organizations, with regular exchanges both at an expert level and that of the organizations’ heads.

Additionally, the Rome Statute of the International Criminal Court (ICC) has become critical to protecting heritage because it declares the intentional destruction without military justification of buildings dedicated to religion, education, art, science, or charitable purposes a war crime. And so a partnership was established between UNESCO and the ICC, seeking to bring to justice those who commit such crimes. After scrupulous joint work by the organizations’ teams, ICC chief prosecutor Fatou Bensouda declared on 1 July 2012 that the destruction of mausoleums in Mali constituted a war crime, and launched a preliminary examination into the violence that had been engulfing the country since January that year.[[14]](#endnote-14)

The first suspect for this destruction, Ahmad al-Faqi al-Mahdi,[[15]](#endnote-15) was arrested and transferred by the authorities of Mali and Niger to the ICC in The Hague on 26 September 2015. In August the following year he pled guilty before the court to the intentional damage of nine mausoleums and a mosque in Timbuktu. *The Prosecutor v. Ahmad Al Faqi Al Mahdi* was the first time the court took action for the war crime of cultural destruction. He was sentenced to nine years' imprisonment on 27 September 2016. This conviction made history in the fight against impunity, recognizing the restoration of justice and the rule of law as essential steps in any recovery process. Subsequently, in November 2017, the ICC and UNESCO signed a letter of intent formalizing and further enhancing collaboration.[[16]](#endnote-16)

Other important initiatives have also demonstrated the commitment of the international community of states to protect heritage in the face of extremism and conflict. For example, on 21 September 2017 the European Union adopted a policy to protect cultural heritage from terrorism and mass atrocities in cooperation with UNESCO and other international organizations.

Although it has long been recognized that intangible cultural heritage has direct relevance and is often affected during armed conflict, it has been ignored by decisionmakers and experts, including within UNESCO frameworks. Such destruction is sometimes “invisible” within policy-making circles, because the criteria for recognizing intangible heritage as part of the overall heritage of humanity is not its “outstanding universal value,” as it is for sites on the World Heritage List; yet, intangible heritage may have great value for a community. MINUSMA recognized the link between tangible and intangible protection in Mali, and that between heritage and recovery from violence: “The oral expressions and traditions existing in Mali allow populations to express and transmit their values and knowledge and are, in particular, tools for the resolution of conflicts and to create inter- and intra-community cohesion.”[[17]](#endnote-17) Peacekeepers from various countries, including France and Italy, have subsequently begun to integrate the protection of heritage into the training of their armed forces.

A telling example among the eight Malian items on the List of the Intangible Cultural Heritage of Humanity is the “Charter of Manden,” proclaimed in the early thirteenth century by the founder of the Mandingo Empire, which was situated between the present-day states of Guinea and Mali. The charter is one of the oldest constitutions in the world, albeit mainly in oral form, and contains a preamble of seven chapters advocating social peace in diversity, the inviolability of the human being, education, food security, and freedom of expression and trade. Although the empire disappeared, its charter’s words and the rituals associated with it are still transmitted orally.

In pursuit of the third line of action, raising public awareness of the scale of destruction and looting, UNESCO mobilized civil society, experts, academia, and youth around the common understanding of why protection of heritage matters, to counter the hateful narratives of extremists. These efforts were accompanied by a global coalition of the #Unite4Heritage campaign, which has touched millions by creating a platform for sharing experiences and stories that challenge the extremists’ narrative about identity, culture, and values. A 2016 memorandum of understanding[[18]](#endnote-18) was signed between Italy and UNESCO establishing a #Unite4Heritage Task Force for the protection of cultural heritage at risk. It was entrusted to the Special Cultural Command Unit of the Italian Carabinieri police force and tasked with intervening in crises, using its experience and technical knowledge to protect populations and cultural heritage worldwide. The task force also includes cultural heritage experts.

My tenure at UNESCO demonstrated the power of culture and heritage to mobilize, rebuild, reconcile, renew, and heal. Accompanying then French president François Hollande to Timbuktu in March 2013,[[19]](#endnote-19) I witnessed the pain, suffering, and devastating effect of the destruction of ancient heritage on local communities. Two years later I returned to inaugurate fourteen mausoleums which had been reconstructed by local masters with traditional materials under UNESCO’s guidance. The local communities had recovered their identities. The destruction and reconstruction of the mausoleums is a most compelling example of how attacks against culture are attacks against the very identity of communities and peoples, and the very notion of sharing common histories, narratives, and values: without reconstruction, reconciliation becomes all the more difficult. A decade earlier, in Bosnia and Herzegovina, we learned the same lesson when former enemies joined forces in 2004 to rebuild the Mostar Bridge. While there are over a thousand sites on the World Heritage List, only two were inscribed following their reconstruction: the Mostar Bridge and the Historic Centre of Warsaw, the latter almost totally destroyed during World War II.

The link between culture and heritage on the one hand, with humanitarian and security concerns on the other has been enshrined in several Security Council resolutions linking heritage protection and mass atrocities. Resolution 2347 of March 2017, promoted by UNESCO and sponsored by France and Italy, is a milestone in the efforts to preserve heritage amidst armed conflict. The first resolution to recognize that attacks on cultural heritage are a threat to international peace and security—the basis for council action—it not only deplored the unlawful destruction of cultural heritage, religious sites, and artefacts, as well as the smuggling of cultural property by terrorist groups during armed conflict, but also affirmed that such attacks might constitute a war crime. Also important is resolution 2379, in September the same year, related to Da’esh accountability, which similarly underscored the link between attacks on heritage and on human lives.

All of this strengthened the understanding that heritage is not just marvelous sites in tourist brochures; it entails a vision for peace and mutual respect, carved in stone and cultural landscapes, with the power to change the minds of women and men, and to shape a different future for all. Heritage preservation shows us that cultures have always influenced each other and are irresistibly intertwined. The result is a formidable and unprecedented diversity.

Balancing the benefits of integrating into a globalized world against protecting the uniqueness of local culture requires great care. Placing culture at the heart of development policies does not mean confining and fixing it but rather investing in the potential of local resources, knowledge, skills, and materials to foster creativity and sustainable progress. Recognition and respect for the diversity of cultures also creates the conditions for mutual understanding, dialogue, and peace.

Finally, cultural heritage can play a substantial role in the critical debate about living together in a globalized and connected world, about reconciling different cultures through intercultural dialogue, and using cultural diversity as a force for creativity and peace rather than for destruction, hatred, and conflict. World heritage is an open book of diversity and knowledge about the other that must be taught in schools and embraced by education systems globally. Cultural heritage can give confidence and help reconcile individuals with a globalizing world. Protecting cultural heritage of “outstanding universal value”—an idea that did not exist merely six decades ago—is an extraordinary way of knowing one another, of respecting one another’s cultures, and of living together.

Without cultural heritage and understanding the past, there can be no future. This is why I enthusiastically urge scholars and practitioners to read carefully the pages of *Cultural Heritage and Mass Atrocities.* Its five sections address the essential dimensions: values, concrete case studies, populations at risk, public international law, and military perspectives. Jim Cuno and Tom Weiss have assembled a diverse team of leading specialists who connect the dots between cultural, humanitarian, and security concerns.

In short, when cultural heritage is destroyed anywhere in the world, we are all diminished, whether it is from another region, another period, another culture, or another religion. My own years at the helm of the leading international organization charged with advancing culture lead me to salute this volume because it helps us to understand the crucial dimensions of how best to tackle the challenges of protecting heritage. It reminds us that preserving diverse cultural heritage, and particularly the concept of “world heritage,” is one of the most positive, visionary, and transformative ideas that have emerged in the last century, embodied in the 1972 UNESCO convention for the protection of the world’s cultural and natural heritage. Humanity stands united in all its diversity around shared values. All cultures are different but differences do not divide; they unite.

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