



Schweizerische Eidgenossenschaft
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CONFERENCE PROGRAMME

International Conference on the 20th anniversary of the 1999
Second Protocol to the 1954 Hague Convention

Geneva, 25-26 April 2019

**« Since wars begin in the minds of men and women,
it is in the minds of men and women that the defences
of peace must be constructed. »**

UNESCO Constitution

**« ..damage to cultural property belonging to any people
whatsoever means damage to the cultural heritage
of all human-kind... »**

1954 Hague Convention

CONFERENCE PROGRAMME

THURSDAY, 25 APRIL 2019

08:30 – 10:00

Registration

10:00 – 11:00

Opening Ceremony

H.E. Ms Pascale Baeriswyl

State Secretary, Federal Department of Foreign Affairs, Switzerland

Mr Ernesto Ottone Ramírez

Assistant Director-General for Culture, UNESCO

Mr Balthasar Staehelin

Deputy Director-General, International Committee of the Red Cross

Mr Michael Møller

Director-General, United Nations Office at Geneva

11:00 – 12:15

Ministerial Panel

Keynote speech

H.E Ms N'Diaye Ramatoulaye Diallo

Minister of Culture, Mali

Moderator

H.E. Mr Frank Grütter

Ambassador, Federal Department of Foreign Affairs, Switzerland

MINISTERIAL PANEL

H.E. Mr Abulfas Garayev

Minister of Culture, Azerbaijan

H.E Mr Abdulameer Al-Hamdani

Minister of Culture, Tourism and Antiquities, Iraq

H.E Mr Mohammad Daoud

Minister of Culture, Lebanon

H.E Mr Abdullahi Godah Barre

Minister of Education, Culture and Higher Education, Somalia

H.E Mr Jean Pierre Nirua

Minister of Education and Training, Vanuatu

12:15 – 13:00

Interventions by State representatives

Two minutes intervention for each State

13:00 – 13:15

Group photo op at the lobby of the Conference venue

13:15 – 14:30

Lunch

14:30 – 15:45

PANEL 1

Historical perspectives: Relevance and the added-value of the 1999 Second Protocol

Moderator

Ms Laurence Boillat

Cantonal Prosecutor, Swiss Commission for UNESCO, Switzerland

Panellists

Mr Patrick Boylan

Professor Emeritus of Heritage Policy and Management, City University, London, United Kingdom

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| | <p>Mr Thomas Desch Head of the Sub-Division on International Law, Federal Ministry of Defence, Austria</p> <p>Mr Yaron Gottlieb Visiting Professor on International and European Law, University Jean Moulin Lyon III, France</p> <p>Mr Jan Hladík Culture and Emergencies, UNESCO</p> <p>Mr Roger O’Keefe Professor of International Law, Bocconi University, Milan, Italy</p> |
| 15:45 – 16:15 | Coffee break |
| 16:15 – 17:30 | <p>PANEL 2</p> <p>National implementation: Successes and Challenges</p> <p>Moderator Ms Justine Ferland UNESCO Chair in the International Law of the Protection of Cultural Heritage and Art-Law Centre, University of Geneva, Switzerland</p> <p>Panellists</p> <p>Mr Axel Bérengier Focal point on cultural heritage issues, Ministry of Europe and Foreign Affairs, France</p> <p>Mr Rino Büchel Head of Section for the Protection of Cultural Property, Federal Office for Civil Protection, Switzerland</p> <p>Ms Sophio Chikhradze Leading Specialist, Legal Department, National Agency for Cultural Heritage Preservation, Georgia</p> <p>Mr Joseph King Director of Sites Unit, International Center for the Study of the Preservation and Restoration of Cultural Property, ICCROM, Italy</p> <p>Mr Gianpietro Romano Lieutenant Colonel, Expert of Carabinieri Department for the Protection of Cultural Heritage, Italy</p> |
| 17:30 – 18:00 | <p>“Protecting humanity’s fragile heritage” Closing ceremony of the replica of Palmyra’s Arch of Triumph at the Place des Nations</p> |
| 18:00 – 20:00 | Reception (Sponsored by the Government of Switzerland) |

FRIDAY, 26 APRIL 2019

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| 09:00 – 09:30 | <p>Presentation on human rights approach on the protection of cultural heritage Video message by Ms Karima Bennoune, Special Rapporteur in the Field of Cultural Rights</p> |
| 09:30 – 10:45 | <p>PANEL 3</p> <p>The role of non-governmental actors in supporting the implementation the 1999 Second Protocol</p> <p>Moderator Mr Nicolas Mathieu Secretary-General of the Swiss Commission for UNESCO and Head of UNESCO Section, Federal Department of Foreign Affairs, Switzerland</p> <p>Panellists</p> <p>Mr Benjamin Charlier Legal Adviser and Head of the Advisory Service, International Committee of the Red Cross, Geneva, Switzerland</p> <p>Ms France Desmarais Deputy Executive Director and Scientific Director, International alliance for the protection of heritage in conflict areas (ALIPH); Geneva, Switzerland</p> |

10:45 – 11:15

Mr Karl von Habsburg-Lothringen

President, Blue Shield International

Ms Lisa Ott

Head “Dealing with the Past Program”, swisspeace, Geneva, Switzerland

Mr Frederik Rosen

Director, Nordic Center for Cultural Heritage and Armed Conflict, Copenhagen, Denmark

11:15 – 12:30

Coffee break**PANEL 4****Modern Armed Conflicts: Emergency response mechanisms****Moderator****H.E. Mr Mounir Anastas**Chairperson of the Meeting of the Parties to the Second Protocol
Ambassador of the Permanent Delegation of Palestine to UNESCO**Panellists****Mr Maamoun Abdulkarim**

Former Director-General of Antiquities and Museums, Syria

Mr Lassana Cissé

Independent expert on Cultural Heritage Protection, Mali

Mr Lazare Eloundou

Director, Culture and Emergencies, UNESCO

Mr Peter Bille Larsen

Senior Lecturer, University of Geneva, Switzerland

Mr Peter Keller

Director-General, International Council of Museums, Paris, France

12:30 – 14:00

Lunch

14:00 – 15:15

PANEL 5**Protection of Cultural Property under International Criminal Law****Moderator****Mr Benjamin Charlier**

Legal Adviser and Head of the Advisory Service, International Committee of the Red Cross, Geneva, Switzerland

Panellists**Mr Serge Brammertz**

Prosecutor, International Criminal Tribunal for the former Yugoslavia, The Hague, Kingdom of the Netherlands

Mr Gilles Dutertre

Prosecutor, International Criminal Court, The Hague, Kingdom of the Netherlands

Mr Fausto PocarPresident, International Institute of Humanitarian Law
Professor Emeritus of International Law, University of Milan, Italy**Mr William Schabas**

Professor of international law, Middlesex University, London, United Kingdom

15:15 – 15:45

Coffee break

15:45– 17:00

PANEL 6

The practice and future perspective of the institutional framework of the 1999 Second Protocol

Moderator

Mr Jonathan Cuénoud

Senior Legal Advisor on International Humanitarian Law at the Swiss Federal Department of Foreign Affairs, Switzerland

Panellists

Mr Nout van Woudenberg

Former Chairperson of the 1999 Second Protocol Committee (2010-2012)
Strategic Policy Adviser Kingdom Affairs of the Ministry of Foreign Affairs, Kingdom of the Netherlands

Ms Artemis Papatthanassiou

Former Chairperson of the 1999 Second Protocol Committee (2014-2016)
Attorney at Law and Senior Legal Advisor at the Ministry for Foreign Affairs, Greece

H.E. Ms Lorena Sol de Pool

Chairperson of the 1999 Second Protocol Committee (2018-2019)
Ambassador, Permanent Delegate of El Salvador to UNESCO

Mr Benjamin Goes

Former Chairperson of the 1999 Second Protocol Committee (2012-2014)
Advisor at the Chancellery of the Prime Minister, Belgium

17:00 – 17:15

Chair's summary

H.E. Mr Frank Grütter

Ambassador, Federal Department of Foreign Affairs, Switzerland

17:15 – 17:30

Closing ceremony

Mr Ernesto Ottone Ramírez

Assistant Director-General for Culture, UNESCO

H.E. Ms Lorena Sol de Pool

Chairperson of the 1999 Second Protocol Committee
Ambassador, Permanent Delegate of El Salvador to UNESCO

Mr Christoph Flury

Deputy Director, Federal Office for Civil Protection, Switzerland

OPENING CEREMONY

PASCALE BAERISWYL



Pascale Baeriswyl joined Switzerland's diplomatic service in 2000. After completing her diplomatic service internship in the Directorate of International Law and at the Swiss embassy in Hanoi, she worked as deputy head of the Human Rights Policy Section for the Asia-Pacific region in the Human Security Division. From 2005 to 2008, she was responsible for foreign and security policy matters at the Swiss mission to the European Union in Brussels.

From 2008 to 2013, she headed the political team of the Swiss mission to the United Nations in New York. She returned to the Directorate of International Law in 2013 as the head of the Task Force Asset Recovery and later took over the International Law and Treaties section as an assistant director with the title of ambassador. On 30 September 2016, the Federal Council appointed Pascale Baeriswyl as State Secretary of the Federal Department of Foreign Affairs. She took up her post on 1 December 2016.

She studied in Basel, Geneva and Paris, graduating from the University of Basel with a master's degree in private and public law (specialising in European Law) and a second master's degree in history, French literature and linguistics. As a researcher, she contributed to a study on domestic violence and headed the office against domestic violence Halt-Gewalt where she also worked as a legal adviser. She was a judge at the Civil Court of the Canton of Basel-Stadt for several years.



ERNESTO OTTONE RAMÍREZ

Mr Ernesto Ottone Ramírez is the Assistant Director-General for Culture of UNESCO. Prior to this position, Mr Ottone Ramírez served as Chile's first Minister of Culture, Arts and Heritage from 2015 to 2018. As Minister of Culture, he created a Department of First Peoples, a Migrants Unit and strengthened copyright laws and heritage protection. During this time, he also chaired the Regional Centre for the Promotion of Books in Latin America and the Caribbean (2016 – 2017).

From 2011 to 2015, Mr Ottone Ramírez served as Director-General of the Artistic and Cultural Extension Center of the University of Chile, which manages the National Symphony Orchestra of Chile, the Chilean National Ballet (BANACH), the Chile Symphony Choir and the Vocal Camerata. From 2001 to 2010, he held the position of Executive Director at the Matucana 100 Cultural Center in Santiago.

Mr Ottone Ramírez holds a Master's degree in Management of Cultural Institutions and Policies from the University of Paris IX Dauphine (1998) and a Bachelor of Arts in theatre from the University of Chile (1995).



BALTHASAR STAEHELIN

Balthasar Staehelin is deputy director-general at the International Committee of the Red Cross. He joined the ICRC in 1993 and has served in the Middle East, Africa, the Balkans and at headquarters. From 2002 to 2006, he was delegate-general for the Middle East and North Africa, overseeing all ICRC work in that region, including the operation in Iraq. He served as Deputy Director of Operations for policy and global affairs from 2006 to 2008.

In 2008, he left the ICRC to join the local government in Geneva where he ran the department providing social welfare, housing, health and integration programmes for asylum-seekers and refugees. He returned to the ICRC in August 2012 to take up his current position.

Mr Staehelin holds a master's degree in History, English literature and Constitutional Law from the University of Basel, Switzerland.



MICHAEL MØLLER

Michael Møller is the 12th Director-General of the United Nations Office at Geneva (UN Geneva). Mr Møller has over 38 years of experience as an international civil servant in the United Nations. He began his career in 1979 with the United Nations High Commissioner for Refugees and worked for the United Nations in different capacities in New York, Mexico, Iran, Haiti, Cyprus and Geneva.

In 1995-1997, he served as Senior Political Adviser to the Director-General of UN Geneva. Between 1997 and 2001, he was Head of the Office of the Under-Secretary-General for Political Affairs at United Nations headquarters; between 2001 and 2006 he was Director for Political, Peacekeeping and Humanitarian Affairs in the Office of the Secretary-General, while serving concurrently as Deputy Chef de Cabinet of the Secretary-General for the last two years of that period. Mr Møller also served as the Secretary-General's Special Representative for Cyprus from 2006 to 2008 and was the Executive Director of the Kofi Annan Foundation from 2008 to 2011.

In recognition of his efforts to deepen public understanding of the vital role of the United Nations and its partners in Geneva, Mr Møller received a series of prizes from the City of Geneva, the Union Suisse des Attachés de Presse and, most recently, the Fondation pour Genève.

MINISTERIAL PANEL - Moderator



FRANK GRÜTTER

Ambassador Frank Grütter is currently the Head of the United Nations and International Organisations Division, Directorate of Political Affairs, Federal Department of Foreign Affairs, Berne.

From 2016 to 2018, he was the Head of the Division for Security Policy in the Swiss Federal Department of Foreign Affairs. From 2012 to 2016, he was Deputy Head of Mission at the Embassy of Switzerland in London, responsible for political and legal affairs as well as public communication. From 2010 to 2012, he was the Chief of Staff of the State Secretary at the Swiss Federal Department of Foreign Affairs in Berne. Prior to this, he worked on United Nations affairs, first as a Counsellor at the Permanent Mission of Switzerland to the UN in New York, then as the Deputy Head of UN Coordination in Berne. From 2000 to 2004, he was a member of the team that negotiated the second package of bilateral agreements between Switzerland and the EU, dealing with financial affairs as well as legal and administrative assistance. Frank Grütter joined the Federal Department of Foreign Affairs in 1998 and completed his diplomatic training in the Economic and Financial Affairs Section in Berne and at the Embassy of Switzerland in Madrid. Frank Grütter was born in 1968. He graduated in Law and Economics at the University of St. Gallen and studied International Affairs at the Spanish School of Diplomacy in Madrid.

PANEL 1: Historical perspectives: Relevance and the added-value of the 1999 Second Protocol

MODERATOR

Ms Laurence Boillat,
Cantonal Prosecutor,
Swiss Commission for UNESCO,
Switzerland

PANELLISTS

Mr Patrick Boylan,

Professor Emeritus of Heritage Policy and Management, City University, London, United Kingdom

Topic: Perceived weaknesses in the implementation of the 1954 Hague Convention triggering early 1990s proposals for its updating

Mr Thomas Desch,

Director of International Law, Federal Ministry of Defence, Austria

Topic: The Second Protocol supplements the 1954 Hague Convention's general provisions regarding protection

Mr Yaron Gottlieb,

Visiting Professor at International and European Law, University Jean Moulin Lyon III, France

Topic: The Protocol at 20: Observations on two legal challenges, enforcement and inter-disciplinary partnerships

Mr Jan Hladík,

Culture and Emergencies, UNESCO

Topic: Review of the 1954 Hague Convention resulting in the adoption of the Second Protocol

Mr Roger O'Keefe,

Professor of International Law, Bocconi University, Milan, Italy

Topic: The application of the Second Protocol to non-international armed conflicts

Background

Criminal acts committed against cultural property during conflicts in the early 1980s and late 1990s revealed numerous weaknesses in the application of the Hague Convention, calling for a review of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (hereinafter "1954 Hague Convention"). The review initiated in 1991, drew up a new agreement with the view of strengthening the treaty, taking into account not only experiences from recent conflicts but also the progress of international humanitarian and cultural property protection law since 1954. Consequently, a Second Protocol to the Hague Convention was adopted at a Diplomatic Conference held at The Hague in March 1999.

The Second Protocol further elaborates the provisions of the 1954 Hague Convention relating to the safeguarding of and respect for cultural property and the conduct of hostilities; thereby aiming to provide greater protection than before. Enhanced protection, a new category of protection for cultural property of national, regional and universal value and of particular importance to humankind was created. It also specifies the sanctions to be imposed for severe violations concerning cultural property and defines the conditions in which individual criminal responsibility shall apply. Finally, it establishes a twelve member Intergovernmental Committee to oversee the implementation of the Second Protocol and de facto the Convention.

Panel Objective

This panel will aim to shed light on the historical perspectives of the Protocol in the context of modern conflicts and every changing global events. The speakers will shed light on historical events leading to the adoption of the 1999 Second Protocol and how this international treaty compliments the international legal framework governing the protection of cultural property in times of armed conflict. Discussions will also elaborate on the relevance and effectiveness of the 1999 Second Protocol today after 20 years of the adoption and provide recommendations of its future.



LAURENCE BOILLAT

Laurence Boillat was head of the Judicial Police of the Canton of Jura from 1998 to 2003. She worked for the Federal Office of Police (fedpol) until 2006, within the General Staff for International Development and Crisis Management in charge of strategic police cooperation issues and then joined the Public Prosecutor's Office of the Confederation where she remained active until the end of 2015, before joining the cantonal prosecution service. As Federal Prosecutor, Ms Boillat was responsible for investigating, and charging at national criminal proceedings and providing legal assistance concerning financial crime, money laundering, organised crime, state protection or terrorism. She is the president of the military court as a senior officer in the Swiss army. As a member of the Expert Pool for Civilian Peacebuilding and Justice Rapid Response, Laurence Boillat participated in the United Nations International Independent Investigation Commission in Beirut in 2005. The OHCHR Commissions of Inquiry in Conakry in 2009 and Abidjan in 2011, as well as two missions to Bamako in July 2014 and October 2015 to support the Malian judicial authorities in the prosecution of war crimes committed on their territory. Specialised in criminal prosecutions of international crimes since 2011, she became head of the International Criminal Law Competence Centre in 2012 and was involved in the application of the rules aimed at ensuring respect for the world's cultural heritage in armed conflicts. Thus presented her convictions in this area under the theme of Criminal justice in the protection of cultural property during the 2012 International Congress on the Protection of Cultural Property. Laurence Boillat holds a law degree from the University of Fribourg and a law degree from the Canton of Jura.



PATRICK BOYLAN

Mr Boylan was the Centenary President of the UK Museums Association, 1988-90, and held many different offices and roles in the International Council of Museums (ICOM) from 1977 to 2007. He is now an Honorary Member of ICOM. Mr Boylan directed several UK local government arts, museums, archives and environmental services for 22 years before being appointed Professor at City, University of London, responsible for postgraduate research and teaching department. Which covered all areas of national and international cultural and heritage policy and management, and he now holds the University's title of Professor Emeritus of Heritage Policy and Management. From 1992 to 2009 he took a leading role in developing and promoting the updating of the international law internationally on the protection of cultural property in time of armed conflict, particularly developing the 1999 Hague Second Protocol to the 1954 Hague Convention. He holds the degrees of BSc Geography and Geology, University of Hull, and PhD Geology and History of Science, University of Leicester. He is among other things a Fellow of the Geological Society, the Royal Society of Arts, the Museums Association and the Chartered Institute of Management.



THOMAS DESCH

Thomas Desch is Head of the Sub-Division on International Law in the Federal Ministry of Defence of the Republic of Austria. As expert adviser on international humanitarian law Thomas Desch is, inter alia, member of the Austrian national committee on IHL. In 1997 he was the legal adviser to the Austrian Delegation preparing and negotiating the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. In 1997 and 1998 he was member of the Austrian Delegation to the international conferences to prepare and negotiate the Rome Statute of the International Criminal Court. In 1999, after having been legal adviser to the Austrian delegation in the preparatory process, he was Chairman of the Working Group on Chapter 2 established by the Conference on the Second Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict. From 2006 to 2013 Thomas Desch was expert adviser to the Austrian member in the Committee for the Protection of Cultural Property in the Event of Armed Conflict. In December 2007 he was elected Chairperson of the Seventh Meeting of the High Contracting Parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict.

YARON GOTTLIEB



Dr Gottlieb works as an Assistant-Director at INTERPOL's Office of Legal Affairs, which he joined in 2005. In this position, he leads the legal team in charge of advising on police programs in various crime areas such as organised crime, terrorism, and illicit trafficking in works of art. His unit is also in charge of drafting and negotiating cooperation agreements between INTERPOL and other partners.

Since 2009 and in parallel to his work at INTERPOL, Mr Gottlieb has served as a Visiting Professor at the International and European Law LL.M. programme at University Jean Moulin Lyon III, Lyon, France, where he teaches a course on the protection of cultural property under international law. Prior to joining INTERPOL, Mr Gottlieb worked at the Human Rights and Genocide Prevention Clinic at Cardozo School of Law in New York and as an attorney in Israel.

Mr Gottlieb has published on a variety of topics related to public international law, including on the protection of cultural property, combating maritime piracy, and international law enforcement cooperation.

Mr Gottlieb holds a PhD. from the University of Amsterdam and is a member of the Bar in New York and Israel.

JAN HLADÍK



Jan Hladík works as head of the team of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols in UNESCO, which he joined in January 1992. In this position, he leads the team in charge of advising on different aspects of the implementation of those agreements, preparing holding and following-up to meetings of statutory bodies of the 1954 Convention and its Second Protocol. Prior to working in UNESCO, Mr Hladík worked in the International law Department of the Federal Ministry of Foreign Affairs of Czechoslovakia.

Mr Hladík has published a number of articles on the Hague Convention, its Second Protocol and law of the international civil service in professional publications and journals. He participated in numerous intergovernmental and expert meetings related to the protection of cultural property including the March 1999 Hague Diplomatic Conference on the Second Protocol to the Hague Convention. He is a member of the American Society of International Law, the Czech Society of International Law and the International Society for Military Law and the Law of War. His professional expertise is in the field of cultural heritage protection law, law of armed conflicts, law of the international civil service, law of international organisations and international public law in general. Mr Hladík graduated with honours in 1988 from the International Law Faculty of the Moscow State Institute of International Relations (MGIMO) and obtained the title *iuris doctor* the same year from the Charles University in Prague.

ROGER O'KEEFE



Roger O'Keefe is Professor of International Law at Bocconi University in Milan. Previously he was Professor of Public International Law at University College London and before that Senior Lecturer in Law and Deputy Director of the Lauterpacht Centre for International Law at the University of Cambridge. He is joint General Editor of the Oxford University Press series Oxford Monographs in International Law and a full member of the International Institute for Humanitarian Law, Sanremo. His many publications include *The Protection of Cultural Property in Armed Conflict* (Cambridge University Press, 2006; paperback reissue 2011). He has spoken on the international legal aspects of cultural heritage protection in fora from The Hague Academy of International Law, the European Society of International Law, and the American Society of International Law to UNESCO headquarters, the NATO Science for Peace and Security Programme, and the UK House of Commons Select Committee on Culture, Media and Sport. He was the academic coordinator of the drafting team responsible for *Protection of Cultural Property: Military Manual* (Paris: UNESCO, 2016). Mr O'Keefe holds a PhD from the University of Cambridge and an LL.M. (with First Class Honours and the Clive Parry Prize for International Law).

PANEL 2: National implementation: successes and challenges

MODERATOR

Ms Justine Ferland,

UNESCO Chair in the International Law of the Protection of Cultural Heritage and Art-Law Centre, University of Geneva.

PANELLISTS

Mr Axel Bérengier,

Focal point on cultural heritage issues, Ministry of Europe and Foreign Affairs, France

Topic: The 1999 Second Protocol and France: national implementation pursued by international action for heritage in conflict areas

Mr Rino Büchel,

Head of Section for the Protection of Cultural Property, Switzerland

Topic: Implementation of the Second Protocol in Switzerland

Ms Sophio Chikhradze,

Leading Specialist, Legal Department, National Agency for Cultural Heritage Preservation, Georgia

Topic: The implementation of the 1999 Second Protocol of the 1954 Hague Convention in Georgia, achievements and challenges

Mr Joseph King,

Director of Sites Unit, International Center for the Study of the Preservation and Restoration of Cultural Property, ICCROM, Italy

Topic: ICCROM's experience in helping countries to improve capacity in preparation for, and in times of emergency

Mr Gianpietro Romano,

Lieutenant Colonel, Expert of Carabinieri Department for the Protection of Cultural Heritage, Italy

Topic: The experience of the Italian Carabinieri in protecting cultural property

Background

The 1999 Second Protocol includes numerous provisions requiring States Parties to put in place measures to strengthen the protection of cultural property in peacetime, as well as in the event of armed conflicts. These include, among others, preparatory measures – the preparation of inventories; the planning of emergency measures for protection against fire or structural collapse; the preparation for the removal of movable cultural property or the provision for adequate in situ protection of such property, and the designation of competent authorities responsible for the safeguarding of cultural property against the foreseeable effects of an armed conflict, legislative measures related to the individual criminal responsibility and jurisdiction, as well as capacity-building initiatives to improve the implementation of the 1954 Hague Convention and its Protocols.

Panel Objective

In this context, panelists will share national practices on the implementation of the 1999 Second Protocol, focusing primarily on the success as well as the challenges States face. Recommendations on how these challenges can be addressed to improve the effectiveness of the Protocol will be provided.



JUSTINE FERLAND

Ms Ferland is an attorney-at-law (Quebec Bar, Canada) and collaborator at the University of Geneva's Art-Law Centre. She is also a UNESCO Chair in the international law of the protection of cultural heritage led by Professor Marc-André Renold. Since joining the University of Geneva in 2015, she has spoken at multiple arts and cultural property law conferences and has been involved in various national and international research projects on the protection of cultural heritage.

Concurrently to her work at the Art-Law Centre, Ms Ferland completed a Master's Degree in International and European Law at the University of Geneva, following which she received the Law Faculty's "Best Master's Thesis Award" for her thesis entitled *Le Canada face au trafic international illicite des biens culturels*.

Prior to joining the University of Geneva, Ms Ferland practised civil and commercial litigation in the Montreal branch of an international law firm. She holds a master degree in International and European Law.



AXEL BÉRENGIER

Axel Bérengier is in charge of cultural heritage issues at the Ministry of Europe and Foreign Affairs of France, where he develops bilateral and multilateral cooperation in heritage matters, including in conflict areas and participates in the fight against illicit trafficking in cultural property. Previously, Mr Bérengier was Chargé de mission at the Ministry of Culture for the implementation in France of the European Year of Cultural Heritage 2018, and also worked in 2014 at the UNESCO World Heritage Centre.

In 2016, Mr. Bérengier produced a brief on the role of cooperation between international organizations in combating illicit trafficking in cultural property.

Mr. Bérengier holds a Master in International Affairs from Sciences Po Paris (2018), a Master in Global Security from the University of Glasgow (2016), a Licence in Art History from the University of the Sorbonne (2015) and a Licence in Law from the University of Aix-Marseille (2013).



RINO BÜCHEL

Rino Büchel is responsible for implementing the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflicts and the Second Protocol of 1999 in Switzerland. As a member of the Swiss Delegation in The Hague, he was influential in drafting the Second Protocol and has been engaged in the Division for the Protection of Cultural Property in the Federal Office for Civil Protection since 1989. Rino Büchel led as Head of the Division the revision of the Swiss Inventory in 2009. He also guided the elaboration of the New Protection of Cultural Property Act, which was adopted by the Swiss Parliament in 2015. He represented Switzerland from 2005 to 2013 in the International States Committee for the Protection of Cultural Property in the Event of Armed Conflicts at the UNESCO in Paris. He studied history at the University of Bern.

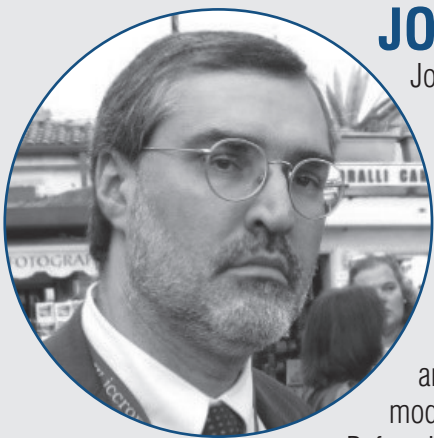


SOPHIO CHIKHRADZE

Sophio Chikhradze is the Legal Service Chief Specialist at the National Agency for Cultural Heritage Preservation of Georgia.

For the last five years, as a lawyer, she has been involved in granting the Monument Status to culturally valuable objects and has actively participated in protecting cultural heritage, representing the Agency in numerous court hearings. She is also a member of the Georgia Bar Association (GBA) and trainer for lawyers in administrative law.

Prior to being employed by the Agency, she was covering legal as well as social and cultural issues as a journalist at the State Radio. Within the competency of the National Agency for Cultural Heritage Preservation of Georgia, she was responsible for the reporting on the implementation of the 1954 Hague Convention and its protocols.



JOSEPH KING

Joseph King is the Unit Director of the Sites Unit at ICCROM, responsible for capacity building programmes for the conservation of immovable cultural heritage around the world. He also leads a team of professionals in all aspects of ICCROM's role as an Advisory Body to the World Heritage Committee. Previously at ICCROM, he was a Senior Project Manager working on the AFRICA 2009 programme, a long-term regional programme for the conservation of immovable cultural heritage in Sub-Saharan Africa. He was also involved in the development of the first Integrated Territorial and Urban Conservation course and the development and implementation of courses related to the conservation of stone, wood, and modern architecture.

Before joining ICCROM, he worked as a consultant to UNESCO on a project to write a conservation plan for the Old Town of Mombasa in Kenya. He has also worked on projects related to urban planning and conservation in the United States and Italy.

From 1999 – 2002 he served as Secretary-General of the ICOMOS International Training Committee.

Joseph King received a degree in Architecture from the University of Maryland (1983) and a Master of City Planning and a Master of Science in Historic Preservation from the University of Pennsylvania (1995). He also attended the Architectural Conservation Course at ICCROM (1991).



GIANPIETRO ROMANO

Gianpietro Romano, Lieutenant Colonel of the Italian *Carabinieri* Corps. As of the 1st of July 2015 he serves at the Permanent Delegation of Italy to UNESCO in his capacity of expert in the protection of Cultural Heritage.

He entered the *Carabinieri* Corps in 1985, at age 18. He graduated in Law in 2005 then he earned a Master's degree in Art and Historical studies and protection of Cultural Heritage. During his career, he has conducted many successful investigations, the last of which concerned the *Girolamini's* library despoliation.

He was presented with some of the *Carabinieri* Department's most prestigious awards, including the Knighthood of the Italian Republic, the bronze medal for cultural commitment, the silver medal for a long stretch of command and the silver Cross for a long stretch of duty. From 2007 to 2015 he was in charge of the Antiques Section of the *Carabinieri* Department for the Protection of Cultural Heritage (TPC). In this capacity he was in command of a team of investigators working on crimes related to Cultural Heritage.

PANEL 3: The role of non-governmental actors in supporting the implementation of the 1999 Second Protocol

MODERATOR

Mr Nicolas Mathieu,

Secretary-General of the Swiss Commission for UNESCO and Head of UNESCO Section, Federal Department of Foreign Affairs, Switzerland

PANELLISTS

Mr Benjamin Charlier,

Legal Adviser and Head of the Advisory Service, International Committee of the Red Cross, Geneva, Switzerland

Topic: The role of the ICRC in supporting the implementation of the 1999 Second Protocol

Ms France Desmarais,

Deputy Executive Director and Scientific Director, International alliance for the protection of heritage in conflict areas (ALIPH); Geneva, Switzerland

Topic: Protecting heritage to build peace: How a public-private partnership such as ALIPH can help protect culture in conflict

Mr Karl von Habsburg-Lothringen,

President, Blue Shield International

Topic: The work of the Blue Shield

Ms Lisa Ott,

Head “Dealing with the Past Program”, swisspeace, Geneva, Switzerland

Topic: Guiding Principles for Safe Havens for Archives at Risk in a nutshell: purpose, goal and role of Swisspeace in the process

Mr Fredrik Rosen,

Director, Nordic Center for Cultural Heritage and Armed Conflict, Copenhagen, Denmark

Topic: Finding the way: Research as a tool for supporting the implementation of the Second Protocol (Lessons learned from using strategic academic research in support of the 1954 Hague Convention and its two protocols, 1954 and 1999)

Background

Although the primary responsibility of the implementation of the 1999 Second Protocol lies with States that are a party to it, the role of non-governmental actors in supporting those States is vital. Depending on their mandate and area of expertise, this support includes activities such as advocacy and awareness-raising, capacity building, the provision of technical, military or legal expertise (including in relation to the accession to the 1999 Second Protocol and to the drafting of relevant implementing laws), monitoring and law-enforcement.

NGOs have strong capacity to plan, propose and implement concrete action programmes based on a high level of expertise that represents a valuable asset for States.

Panel Objective

Panelists will deliberate and share experiences on how non-governmental actors assist States in discharging their obligations under the 1999 Second Protocol. Recommendations on how best to improve and harness effective cooperation at international and national levels will be provided.



NICOLAS MATHIEU

Nicolas Mathieu is the Secretary-General of the Swiss Commission for UNESCO (CSU) and responsible in the FDFA for the coordination of Switzerland-UNESCO relations since 2012. A graduate in literature from the University of Geneva, Mr Mathieu joined the Federal Office of Culture, where he was in charge of international affairs and then youth issues. He then served as Deputy Permanent Delegate of Switzerland to UNESCO before joining the CSU Secretariat, first as Deputy Secretary-General.



BENJAMIN CHARLIER

Benjamin Charlier works for the ICRC's Advisory Service on international humanitarian law. He acts as the ICRC's focal point with UNESCO on matters related with the protection of Cultural property in armed conflict as well as with international tribunals and courts on matters related to the prevention and repression of international crimes. Prior to joining the ICRC, Mr Charlier worked as a legal adviser in the international cooperation department of the Office of the Belgian federal Prosecutor, in Brussels. He joined the ICRC in 2005 as a Protection delegate and carried out field humanitarian missions in Myanmar, Darfur, Kosovo and Rwanda. He then joined ICRC's legal division in 2010 in Geneva, as the legal adviser to the operations in charge of Africa and of the follow up of international criminal justice mechanisms (ICTY, ICTR and ICC). He joined the ICRC Advisory Service in 2016.



FRANCE DESMARAIS

France Desmarais is Deputy Executive Director, Scientific and Programmes Director of the International alliance for the protection of heritage in conflict areas (ALIPH), a newly created Swiss Foundation that was granted the status of an international organisation.

France is a recognized global expert of cultural heritage protection. As such, she authored a report for UNESCO on the protection of cultural heritage in conflict and occupation. Prior to joining ALIPH, she worked as the International Council of Museums' (ICOM) first Director of Programmes and Partnerships. For eight years she led the institution's work in favour of the protection of cultural heritage in danger, most notably by creating the International Observatory on Illicit Traffic in Cultural Goods, and by leading ICOM's global fight against illicit traffic in cultural goods, which includes the well-known Red Lists of Cultural Objects at Risk.

She was an active Executive Board member of the Blue Shield and Permanent Secretary of the ICOM Disaster Risk Management Committee. In 2017, France was named, in her personal capacity, on both ALIPH's Scientific Committee and on the Advisory Group of the Cultural Protection Fund of the British Council.

Ms. Desmarais has lived and worked in Central Africa, in the Middle East, lecturing at Lebanese University, as well as in Canada where she was Head of Strategic Initiatives at the McCord Museum.



KARL VON HASBURG-LOTHRINGEN

Mr. Karl von Hasburg-Lothringen has long career in politics, media, and the military and cultural property protection. Since 2003 he has been a Cultural Property Protection Officer, first with the staff of the Military Command of Salzburg, later with the Armed Forces High Command, currently with IHSW at Staff College.

He has presented/contributed to, more than 500 lectures and publications as an expert in International Humanitarian Law concerning the military aspects of Cultural Property Protection. He was Vice President of the Austrian Society for the Protection of Cultural Heritage since 2003; President of the Association of National Committees of the Blue Shield (ANCBS – 2008-2016); and currently Interim President of the Blue Shield.

Since 2010 he has been Chairman of the Advisory Board of the Competence Center for Cultural heritage and Cultural Property Protection at the University of Vienna, and since 2012 a member of the Editorial Board of the Series Heritage and Identity (Brill). In 2012, with Dr. Joris Kila, he presented with the annual Award of the Association for Research into Crime against Art, for Blue Shield work in Egypt and Libya.



LISA OTT

Dr Lisa Ott is the head of the Dealing with the Past (DwP) program at swisspeace. She joined swisspeace in 2014 and focused on archives and DwP, enforced disappearances in the framework of the right to truth and the prevention of violent conflicts.

Before joining swisspeace, from 2011 to 2014 (partly seconded by the Swiss Expert Pool of Civilian Peacebuilding), she worked with the UN Office of the High Commissioner for Human Rights (OHCHR) in Colombia to support its human rights monitoring, namely with view to the situation of human rights defenders at risk, reparations and land restitution in the context of the peace process. Prior to this, she worked with the field monitoring and reporting unit at OHCHR Nepal. From 2006 to 2009, she was as a research and teaching assistant with the Chair for Constitutional and

Public International Law at the University of Lucerne. She has also worked with NGOs in El Salvador on indigenous rights and migration.

She holds an MA and a PhD on enforced disappearance in international law from the University of Lucerne, as well as a 'Certificat de Droit Transnational' from the University of Geneva.



FREDRIK ROSEN

Mr Rosen currently directs the Nordic Center for Cultural Heritage and Armed Conflict (CHAC), which assists international organizations, governments, military organizations, museums and the academic community to develop better approaches to the developing role of cultural heritage in the 21st century armed conflicts. CHAC was founded in 2017 to sustain initiatives and networks developed by the NATO SPS CPP.

His previous positions include Senior Researcher at the Danish Institute for International Studies and Associate Professor at the Faculty of Law, University of Copenhagen. Dr. Rosén directed the NATO Science for Peace and Security Project on Best Practices for Cultural Property Protection in NATO-led Military Operations (NATO SPS CPP) (2014—2017). He has published widely on International Security and the Laws of Armed Conflict. His acclaimed 2016 monograph, *Collateral damage. A Candid History of a Peculiar Form of Death*, addresses the challenges of handling the collateral effects of military operations. Besides his wide international engagement related to military protection of cultural heritage, he has directed projects for among other the Danish Ministry of Defence on topics such as the Protection of Civilians in UN Peacekeeping, Technology and Innovation in UN Peace operations, and Capacity Development in Post-Conflict States. Dr. Rosén holds a Ph.D. in security studies from the department of Political Science at the University of Copenhagen, Denmark.

PANEL 4: Modern armed conflicts: Emergency response mechanisms

MODERATOR

H.E. Mr Mounir Anastas,

Chairperson of the Meeting of the Parties to the Second Protocol. Ambassador of the Permanent Delegation of Palestine to UNESCO

PANELLISTS

Mr Maamoun Abdulkarim,

Former Director-General of Antiquities and Museums, Syria

Topic: The action of the General Directorate of Antiquities and Museums of Syria between 2012-2017 for the protection of the Cultural heritage

Mr Lassana Cissé,

Independent expert on Cultural Heritage Protection, Mali

Topic: A brief history in the management of Mali's cultural heritage in the context of armed conflict

Mr Lazare Eloundou,

Director, Culture and Emergencies, UNESCO

Topic: UNESCO's actions to protect cultural heritage in conflict

Mr Peter Keller,

Director-General, International Council of Museums, Paris, France

Topic: What is ICOM doing for the protection of cultural property in the event of armed conflict?

Mr Peter Bille Larsen,

Senior Lecturer, University of Geneva, Switzerland

Topic: Modern conflict, emergencies and cultural heritage: exploring the relevance of cultural rights

Background

The nature and impact of armed conflicts affecting cultural property has changed since 1999. In 2019, armed conflicts not of an international character pose a critical threat to our shared cultural heritage, impact cross-national borders and threaten international peace and security. Urban areas stand on the frontline of contemporary conflicts. As a result, heritage properties suffer from important collateral damage. Moreover, through the deliberate targeting of minorities, schools, cultural heritage sites and property, the foundations of society are undermined in a durable manner and social fragmentation accelerated. These attacks are often compounded by the looting and illicit trafficking of cultural objects, which contribute to global organized crime and, in turn, to fueling armed conflict. Deterring non-state armed groups committing crimes against cultural property and bringing perpetrators of such crimes to justice is more important now more than ever. In this context, protecting cultural heritage and integrating the cultural dimension in conflict prevention and resolution constitutes more than a cultural emergency – it is a political, humanitarian and security imperative.

Developments mentioned above require a new perspective on cultural heritage protection. It requires us to rethink our existing protection mechanisms and, if necessary, to invent new tools and approaches to facilitate compliance with international rules governing the protection of cultural property.

Panel Objectives

Drawing on recent experiences and interventions, such as in Mali and Syria, the panelists will give insights into emergency response mechanisms put in place by UNESCO and other actors over the past years, as well as the challenges they faced and how their response adapted. The panel will aim to highlight the best national and international practices for responding to emergencies. Finally, the panel will touch upon remaining challenges in protecting cultural property in complex crises and possible ways forward.



MOUNIR ANASTAS

Ambassador of the Permanent Delegation of Palestine to UNESCO, Mr Anastas, is the current President of the 7th Meeting of the Parties to the 1999 Second Protocol to the Hague Convention, he began his diplomatic career in 1999 as a cultural attaché. In recent years, he has chaired several UNESCO cultural conventions: the 5th Meeting of the Parties to the 1999 Second Protocol to the Hague Convention (2013-2015); the 3rd Meeting of States Parties to the 1970 Convention (2015-2017); the 11th Meeting of the High Contracting Parties to the Hague Convention (2015-2017); and the 7th Meeting of the Parties to the 1999 Second Protocol to the Hague Convention (2017-2019). He has also chaired various working and drafting groups on cultural conventions. Last February, he was elected co-chair of the open working group for the revision of the Memory of the World Programme.

In addition, Mounir Anastas is a composer of contemporary music. He has worked with great masters such as: Iannis Xenakis, Olivier Messiaen, Pierre Boulez, Toru Takamitsu, Eliot Carter, Luigi Nono, John Cage. His musical works highlight the promotion of peace and respect for international law, including: *Sentence funèbre* (against the death penalty), *Le verbe séquestré* (tribute to journalists prisoners around the world), *Break down the walls*, *Petite étude pour la paix*. He has taught musicology and psychoacoustics at ENSATT (Ecole Nationale Supérieure d'Arts et Techniques du Théâtre). As part of his missions with UNDP and the Consulate General of France in Jerusalem, he has implemented several cultural projects in Palestine and an important cultural infrastructure project, the creation of the Conservatory of Music in Bethlehem.



MAAMOUN ABDULKARIM

Mr Abdulkarim is the co-director of the joint Franco-Syrian archaeological mission in northern Syria since 2000. He was appointed to Damascus University and graduated to become a full professor in the Department of Archaeology in 2010. He was the Director of Scientific and Museum Affairs at DGAM between 2000 and 2004, he was also Head of the Department of Archaeology at Damascus University between 2009 and 2012. From August 2012 to September 2017, he was appointed Director General of Antiquities and Museums in Syria, when violence intensified in Syria and it was important to develop an emergency scientific plan to save Syrian heritage from theft and destruction. Thus, he developed an action plan that was adopted to encourage all Syrians to participate in the defence of their heritage, far from political differences. This resulted in the maintenance of the scientific institution unity, ensuring the security of the majority of museum collections in Syria. He has published numerous books and dozens of scientific researches in several languages. He has participated in dozens of scientific conferences to protect cultural heritage during the wars. He has received numerous international awards and distinctions for his efforts to preserve Syrian cultural heritage during the war years. He obtained his doctorate from the University of Versailles-Saint-Quentin (France) in 1997 in classical archaeology on the development of the city of Homs in Syria during the Roman period.



LASSANA CISSE

Mr Cisse has been working for more than 20 years with the Ministry of Culture and is the Manager of Bandiagara Cliffs World Heritage Site. He is an expert in heritage and local development. From 2013 to 2016, he was the National Director of Cultural Heritage of Mali, and National Coordinator of the program for the reconstruction of damaged heritage in the northern regions of Mali (Timbuktu and Gao) after armed conflict in 2012. This program was implemented in close collaboration with UNESCO and other technical and financial partners. Mr Cisse has been an independent expert since January 2017, he is part of UNESCO's network of African experts for the 1954, 1972, 2003 and 2005 Conventions. He is a Member of the Board of ISCEAH (one of the ICOMOS International Scientific Committee) and is often contracted for the provision of services to ICOMOS (expertise), UNESCO-WHC. He carried out several missions to study and evaluate the World Heritage site in West Africa and elsewhere. He attended a lot of conference and meeting on an international level and represented Mali, as an expert, at World Heritage Committee Sessions since 1998. Lassana Cissé holds a Master of Philosophy.



LAZARE ELOUNDOU

Lazare Eloundou Assomo is the Director for Culture and Emergencies at UNESCO, since November 2018. From October 2016 to October 2018, he was Deputy Director of the Division for Heritage and the UNESCO World Heritage Centre. The entity for which he is responsible deals with all matters regarding Museums, Restitution and fights against illicit traffic, protection of cultural heritage in conflict situations, and underwater cultural heritage. He is an architect conservator, and town-planner specialised in earthen architecture and cultural heritage. Before October 2016, he was UNESCO Head of Office and representative in Mali and mainly responsible for coordinating UNESCO's actions to rehabilitate Mali's cultural heritage and ancient manuscripts.

It is in this capacity that he has successfully coordinated the rapid reconstruction of the destroyed mausoleums in Timbuktu by violent extremist groups, in close cooperation with MINUSMA, the United Nations peacekeeping mission in Mali. Before being posted in Mali, Lazare Eloundou Assomo was the Chief of Unit for Africa at the UNESCO World Heritage Centre, where he was in charge of coordinating cooperation between UNESCO and the African Member States for all issues related to World Heritage. He is the author of the book "African World Heritage, a remarkable diversity" recently published by UNESCO.



PETER KELLER

Peter Keller is the Director-General of the International Council of Museums (ICOM). Mr Keller served as ICOM Treasurer and has been Director of the Salzburg Cathedral Museum (Dommuseum), Austria, since 2002. From 2007 to 2014, he managed a merger with three other museums to form the DomQuartier Salzburg, an innovative institution whose visitor numbers multiplied those of the Dommuseum. For three years, he worked at the Staatliche Museen zu Berlin before joining the Dommuseum. In addition to his role of Treasurer at ICOM, Keller has also served as Chair and Secretary of the organisation's International Committee for Historic House Museums (DEMHIST) and as a board member of the Austrian National Committee. In Austria, he was also a member of the jury for museum accreditation and of the national advisory council for museums. Peter Keller studied art history in Vienna, Bonn and Cologne as well as museology in Paris.



PETER BILLE LARSEN

Dr Peter Bille Larsen is a Danish anthropologist who works on conservation and social justice at both local and global levels. After initial experiences in Oxford, Geneva and Lucerne, he is currently a Senior Lecturer at the University of Geneva. He has worked extensively with UNESCO, the Advisory Bodies to the World Heritage Convention and academic partners to strengthen analysis and policy discussions on human rights and heritage. Recent books include *Post-frontier resource governance* (Palgrave, 2015), *The Anthropology of Conservation NGOs* (Palgrave 2018), *World Heritage and Human Rights* (Routledge, 2018) and *World Heritage and Sustainable Development* (Routledge, 2018).

PANEL 5: Protection of Cultural Property Under International Criminal Law

MODERATOR

Mr Benjamin Charlier,

Legal Adviser and Head of the Advisory Service,
International Committee of the Red Cross,
Geneva, Switzerland

PANELLISTS

Mr Serge Brammertz,

Prosecutor, International Criminal Tribunal for the former Yugoslavia, The Hague, Kingdom of the Netherlands

Topic: From Dubrovnik to Palmyra: criminal prosecutions of the destruction of cultural property in armed conflict

Mr Gilles Dutertre,

Prosecutor, International Criminal Court, The Hague, Kingdom of the Netherlands

Topic: Topic to be provided

Mr Fausto Pocar,

President, International Institute of Humanitarian Law.

Professor Emeritus of International Law, University of Milan, Italy

Topic: Protection of cultural property and military necessity in International Humanitarian Law

Mr William Schabas,

Professor of international law, Middlesex University, London, United Kingdom

Topic: Inadequate definitions in the Rome Statute

Background

Individual criminal responsibility for the deliberate destruction of cultural property in the event of armed conflicts has long been recognised under international law. From the 1907 Hague Regulations to the 1977 Additional Protocols to the Geneva Conventions, the 1954 Hague convention as well as the Statute of both the ICTY and the ICC, unjustified endangering or destruction of cultural property in time of armed conflict has been recognized as a serious violation of international humanitarian law and has now acquired the status of a customary norm.

The contribution of the 1999 Second Protocol, which in many aspects represents the most comprehensive international instrument in this field, to this list of legal instruments the aim of which is to deter and for some of them to sanction crimes against cultural property has been substantial. Not only has it further clarified those acts which constitute serious violations requiring a criminal sanction if committed intentionally, but it has also strengthened the way States can arrive at effective national enforcement.

International criminal justice mechanisms, namely the ICTY and more recently the ICC, have delivered judgements concerning the protection of cultural heritage in armed conflict, some of which have contributed in clarifying the scope of this category of war crimes.

Panel Objectives

In this context, the panel will discuss the prohibition and sanctioning of the destruction of cultural property under international criminal law. The panellists will speak, based on their practice and research, on existing international legal instruments and how these instruments, including the 1999 Second Protocol, have been applied to bring perpetrators of the crimes against cultural property to justice. They will also share thoughts on the effectiveness of the international judicial mechanisms as a way to deter the destruction of cultural property in time of armed conflict.



BENJAMIN CHARLIER

Benjamin Charlier works for the ICRC's Advisory Service on international humanitarian law. He acts as the ICRC's focal point with UNESCO on matters related with the protection of Cultural property in armed conflict as well as with international tribunals and courts on issues related to the prevention and repression of international crimes. Prior to joining the ICRC, Mr Charlier worked as a legal adviser in the international cooperation department of the Office of the Belgian federal Prosecutor, in Brussels. He joined the ICRC in 2005 as a Protection delegate and carried out field humanitarian missions in Myanmar, Darfur, Kosovo and Rwanda. He then joined ICRC's legal division in 2010 in Geneva, as the legal adviser to the operations in charge of Africa and of the follow up of international criminal justice mechanisms (ICTY, ICTR and ICC). He Joined the ICRC Advisory Service in 2016.



SERGE BRAMMERTZ

Dr Serge Brammertz has served for more than a decade in senior positions charged with investigating and prosecuting grave international crimes. On 28 November 2007, Dr Brammertz was appointed by the United Nations Security Council to serve as Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia. Dr Brammertz was subsequently appointed by the Security Council to serve concurrently as Chief Prosecutor of the Mechanism for International Criminal Tribunals in 2016. From January 2006 to December 2007 he was Commissioner of the United Nations International Independent Investigation Commission into the assassination of former Lebanese Prime Minister Rafik Hariri. Previously, he was the first Deputy Prosecutor of the International Criminal Court. Prior to his international appointments, Dr Brammertz was first a national magistrate then the head of the Federal Prosecution of the Kingdom of Belgium. Dr Brammertz is currently a member of the Executive Committee of the International Association of Prosecutors and previously served as Chairman of the European Judicial Network. He has published and lectured widely.



GILLES DUTERTRE

From 1997 to 2002, Gilles Dutertre served as a prosecution trial lawyer and, subsequently, as a sentence enforcement judge in France. From 2002 to 2005, he was posted to the Human Rights Department of the Legal Affairs Division of the Ministry of Foreign Affairs in Paris, where he served as co-agent of the French Government before the European Court of Human Rights. During this time, he also took part in various multilateral negotiations, including for the establishment of the International Convention for the Protection of All Persons from Enforced Disappearance. He was also a member of the Steering Committee for Human Rights of the Council of Europe. He is the author of Key case-law extracts - European Court of Human Rights. From 2005 to 2008, Gilles Dutertre practised as a Trial Attorney at the International Criminal Tribunal for the former Yugoslavia. He was then recruited by the Office of the Prosecutor of the International Criminal Court as a Trial Lawyer and later promoted to Senior Trial Lawyer. In this capacity, he is leading the case relating to the attack carried out on historical monuments and buildings dedicated to religion in Timbuktu in 2012, currently pending before the ICC.



FAUSTO POCAR

Fausto Pocar is Professor Emeritus of International Law, former Dean and Vice-Rector at the University of Milan, Italy. As of 2012, he serves as President of the International Institute of Humanitarian Law. In 2015 he was re-elected for another four-year mandate. He has more than 30 years of association with the United Nations. Since 2000 Appeal Judge of the International Criminal Tribunal for the former Yugoslavia (ICTY) and for Rwanda (ICTR), he has served as Vice-President and subsequently as President (2005-2008) of the ICTY, and has presided over many Yugoslavian and Rwandan cases, both at The Hague and Arusha. He has served for sixteen years, including as Rapporteur and Chairman, in the UN Human Rights Committee under the International Covenant on Civil and Political Rights. Further, he served as Special Representative of the UN High Commissioner for Human Rights for visits to Chechnya and the Russian Federation during the first conflict in 1995-1996.

He has also been a Legal Adviser of the Italian delegation to the UN General Assembly and the Commission on Human Rights, and has chaired the informal working group that drafted, within the Commission on Human Rights, the Declaration on the rights of people belonging to national or ethnic, religious or linguistic minorities, adopted in 1992 by the General Assembly. He has also been for a decade the Italian Delegate to the UN Committee on the Peaceful Uses of Outer Space and its Legal Subcommittee and is currently a member of the panel of arbitrators on outer space matters of the Permanent Court of Arbitration.



WILLIAM SCHABAS

Professor William A. Schabas is a professor of international law at Middlesex University in London. He is also a professor of international humanitarian law and human rights at Leiden University distinguished visiting faculty at Sciences Po in Paris and honorary chairman of the Irish Centre for Human Rights. He is the author of more than twenty books in the fields of human rights and international criminal law. He drafted the 2010 and 2015 UN quinquennial reports on the death penalty. Mr Schabas was a member of the Sierra Leone Truth and Reconciliation Commission and is an Officer of the Order of Canada. He was a member of Royal Irish Academy in 2007.

Professor Schabas holds a BA and MA degrees in history from the University of Toronto and LLB, LLM and LLD degree from the University of Montreal, as well as several honorary doctorates.

PANEL 6: The practice and future perspective of the institutional framework of the 1999 Second Protocol

MODERATOR

Mr Jonathan Cuénoud,
Senior Legal Adviser on International
Humanitarian Law, Federal Department of
Foreign Affairs, Switzerland

PANELLISTS

Mr Nout van Woudenberg,

Former Chairperson of the 1999 Second Protocol Committee (2010-2012).
Strategic Policy Adviser Kingdom Affairs of the Ministry of Foreign Affairs, Kingdom of the Netherlands

Topic: 1999 – 2019: New security threats for cultural property

Ms Artemis Papathanassiou,

Former Chairperson of the 1999 Second Protocol Committee (2014-2016)
Attorney at Law and Senior Legal Advisor at the Ministry for Foreign Affairs, Greece

Topic: New challenges and recent achievements of the Second Protocol Committee: a need to refocus on the Committee's potential

H. E. Ms Lorena Sol de Pool,

Chairperson of the 1999 Second Protocol Committee (2018-2019)
Ambassador, Permanent Delegate of El Salvador to UNESCO

Topic: Identifying synergies among UNESCO Culture Conventions: improving the efficiency of governing mechanisms

Mr Benjamin Goes,

Former Chairperson of the 1999 Second Protocol Committee (2012-2014)
Advisor at the Chancellery of the Prime Minister, Belgium

Topic: Developing better collaboration between the Committee and its natural partners: an opportunity to be seized

Background

States adopted the 1999 Second Protocol to strengthen the 1954 Hague Convention and render it more effective. On governing mechanism, as the case with many other international treaties, a twelve member Intergovernmental Committee of the 1999 Second Protocol was established under its Article 24 with the core mandate to monitor and supervise the implementation of the Second Protocol. More specifically, the Committee is charged to review the enhanced protection applications, consider requests of the granting of international assistance and to determine the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict. The Committee meets once a year to discuss many other issues for the better protection of cultural property. The first meeting of the Committee was held on 26 October 2006.

Panel Objectives

This panel will aim to shed light on the past and present practices of the institutional framework of the 1999 Second Protocol. How these practices have henceforth served to promote the effective implementation of the Protocol (promoting ratification, supporting and monitoring national implementation through the Fund, sharing best practices through national reporting mechanisms etc.) will be considered. The speakers will shed light on their personal experiences as chairpersons of the Committee, highlight the main challenges, successes and provide recommendations on how to improve and support the work of the Committee for institutional effectiveness.



JONATHAN CUÉNOUD

Jonathan Cuénoud is Senior Legal Advisor on International Humanitarian Law at the Swiss Federal Department of Foreign Affairs (FDFA). He has been the special legal officer of the Ambassador-at-large for IHL (FDFA) from 2011 to 2013. He also served in the FDFA as a legal officer in the International Humanitarian Law and International Criminal Justice Section of the Directorate of International Law. Prior to joining the FDFA, Jonathan worked as Legal Attaché at the ICRC (Legal Division) and UNHCR (Liaison Service for Switzerland and Liechtenstein). Jonathan holds an LL.M. in International Humanitarian Law and Human Rights from the Geneva Academy of International Humanitarian Law and Human Rights, a Master of International and European Law as well as a BA in Law from the University of Neuchâtel (Switzerland).



NOUT VAN WOUDENBERG

Dr Nout van Woudenberg is Strategic Policy Adviser Kingdom Affairs of the Ministry of Foreign Affairs of the Kingdom of the Netherlands. Before, he worked as Legal Counsel at the International Law Division of the same Ministry and in that capacity acted as vice-Chair and Chair respectively of the UNESCO Committee for the Protection of Cultural Property in the Event of Armed Conflict until the end of 2012. He was also a member of the Dutch negotiation delegation on the return of cultural objects displaced during WW II and a member of the EU OMC Working Group on Mobility of Collections (2008–2012). He co-edited *Protecting Cultural Property in Armed Conflict* (Leiden-Boston: Brill, 2010) and authored *State Immunity and Cultural Objects on Loan* (Leiden-Boston: Brill, 2012). He holds a doctorate in International Law.



ARTEMIS PAPATHANASSIOU

Dr Artemis Papathanassiou is an Attorney at Law and Senior Legal Advisor at the Ministry for Foreign Affairs of Greece. She is specialised (PhD) in Public International Law. As a Legal Advisor of the Greek Ministry of Foreign Affairs, she specialises and produces legal opinions on Greek-Turkish relations, international terrorism, international space law and international cultural property law. She has participated and participates in a large number of bilateral and multilateral negotiations, representing her country in the UN General Assembly, UNESCO, the International Atomic Energy Agency, the UN Committee on the Peaceful Uses of Outer Space (COPUOS) and the Council of Europe. She is former Chairperson (2014-2016) of the Intergovernmental Committee of the Second Protocol to the 1954 Hague Convention. She was the Facilitator of the negotiations within the UN General Assembly for the elaboration of General Assembly Resolutions A/RES/70/76 and A/RES/73/130 “on the Return or Restitution of Cultural Property to the Countries of Origin”, adopted unanimously by the UNGA in December 2015 and 2018, respectively. She is former Chairperson (2011-2012) of the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (ICPRCP). Greece Mediator /Conciliator nominated her for International Cultural Disputes in the List of Mediators and Conciliators of UNESCO.



LORENA SOL DE POOL

Ms Sol de Pool is the Ambassador, Permanent Delegate of El Salvador to UNESCO. Since 2015, she also serves as the Chair of the Finance and Administrative (FA) Commission and the Joint Chair of the Joint Commissions (Programme and External Relations and Finance and Administrative Commission) of UNESCO's Executive Board. Previously, she served as Vice President of the Programme and External Relations Commission of the Executive Board (2007-2011), as well as Chairperson of the UNESCO Headquarters Committee (2012-2013). During her mandate, El Salvador has been a member of the Executive Board for two terms (2007-2011 and 2013-2017). Ambassador Sol De Pool's experience in the Executive Board has made her fully aware of the importance of consensus and inclusion for the optimisation and safeguarding of UNESCO's mandate and delivery. Her time in the Finance and Administrative Commission also allowed her to develop in-depth knowledge on UNESCO's functioning, its daily management, as well as operational and financial matters. Prior to UNESCO, Ms Sol de Pool served as a career member of El Salvador's Foreign Service. Following nearly 25 years of professional experience as a diplomat, in 2009 she was appointed Ambassador and Permanent Delegate to UNESCO. Throughout her distinguished public service career, Ms Sol de Pool has developed the firm conviction of the power of dialogue and multilateralism as the beacons of peace and sustainable development.



BENJAMIN GOES

Benjamin Goes is Advisor at the Chancellery of the Prime Minister (Belgium). On a proposal from the Prime Minister, he was appointed as a permanent expert to the Inter-ministerial Commission for Humanitarian Law (CIDH/ICHL) where he chairs the working group dealing with the protection of cultural property. This inter-federal working group is responsible for ensuring the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols and for supporting the coordination of international positioning regarding these instruments. Benjamin Goes was Chairman of the Intergovernmental Committee for the Protection of Cultural Property in the event of armed conflict (UNESCO) from 2012 to 2014 and is Member of the Legal Affairs Committee (LEAC) of the International Council of Museums (ICOM) since 2016. He is also a member of the International Law Association (ILA). He regularly speaks as a lecturer and is the author of various articles in his field of expertise.

CLOSING CEREMONY



CHRISTOPH FLURY

Christoph Flury, from Domat/Ems, was appointed to the position of Deputy Director of the Federal Office for Civil Protection and Head of the Civil Protection Division as of 1 January 2013. After completing his teacher training, Mr Flury obtained a degree in history from the University of Fribourg in 1994. In 1995, he joined the former Federal Office of Civil Protection as an instructor.

Within the Federal Office of Civil Protection, later renamed the Federal Office of Civil Protection, he was a member of the DDPS project management for the reform of population protection and head of the specialist area of strategy from 1998 to 2003. In 2007, he was appointed Head of the Design and Coordination Division and a Member of the Executive Board. Since March 2012, Mr Flury has been acting as Acting Director of the Federal Office of Civil Protection.