

University of Bologna, McGill University and University of Mississippi, in collaboration with Sapienza University of Rome, Pisa University, Palacký University Olomouc and Universities Network for Children and Armed Conflicts, are pleased to announce the third edition of the International Symposium on Cultural Heritage in War and Peace:



TANGIBLE AND INTANGIBLE CULTURAL HERITAGE THROUGH PAST, PRESENT AND FUTURE

18-19 January 2024

FORLÌ CAMPUS

UNIVERSITY OF BOLOGNA

**FOR ALL
MOONKIND**



Scientific Committee:

Ahmed Aubais Alfatlawi

Full Professor at the Faculty of Law of University of Kufa; specialist in IHL; member of the Scientific Committee in the National Committee of IHL, Prime Minister Office of Iraq

Tania Atilano

Postdoctoral Researcher at University of Zurich; Expert of International Criminal Law

Marco Balboni

Full Professor of International Law at Alma Mater Studiorum - University of Bologna; Head of Headquarters Organizational Unit (UOS) Forlì - Department of Political and Social Sciences

Gianluigi Mastandrea Bonaviri

Adjunct Professor of International and European Diplomatic and Consular Law - Alma Mater Studiorum - University of Bologna; First Secretary at the Embassy of Italy in Cairo

Raffaele Cadin

Associate Professor of International Law and Director of the Master's Degree Course in "International Protection of Human Rights 'Maria Rita Saulle'" at Sapienza University of Rome

Yaëll Emerich

Full Professor and Canada Research Chair in Transsystemic Property and Sustainable Communities at McGill University, Faculty of Law

Ahmed F. Khalifa

Assistant Professor of International Criminal Law, Ain Shams Law School, Il Cairo; Consultant with the Legal Department of ICRC, MENA region

Martin Faix

Assistant Professor of Public International Law and Head of the Centre for International Humanitarian and Operational Law at Palacký University Olomouc; Assistant Professor of Public International Law at Charles University in Prague

Maria Font i Mas

Senior Lecturer of Private International Law at Universitat Rovira i Virgili

Emanuela Fronza

Associate Professor of Criminal Law at Alma Mater Studiorum - University of Bologna; Expert in International, Comparative and European Criminal Law

Laura Guercio

Associate Professor at the University of Perugia and University of Cusano; Member of the European Law Institute Consilium, Secretary General of the Universities Network for Children in Armed Conflict

Andrea Harrington

Associate Professor and Co-Director, McGill University, Institute of Air and Space Law

Michelle L.D. Hanlon

Executive Director of the Center for Air and Space Law, Editor-in-Chief, Journal of Space Law, Editor-in-Chief, Journal of Drone Law and Policy, The University of Mississippi School of Law

Mirosław M. Sadowski

Doctor of Civil Law, Lecturer at the School of Law, University of Strathclyde; Research Assistant at Institute of Law Studies (Polish Academy of Sciences); Researcher at the Centre for Global Studies at Universidade Aberta

Andrea Manzo

Full Professor of Nubian Archaeology, Ethiopia Archaeology and Archaeology of the Nile Valley at the University of Naples

Nicolò Marchetti

Full Professor of Archeology and Art History of the Ancient Near East at Alma Mater Studiorum - University of Bologna and Oriental Archeology at the School of Specialization in Archaeological Heritage

Frédéric Mégret

Full Professor and William Dawson Scholar at McGill University, Faculty of Law; Co-director of the Centre for Human Rights and Legal Pluralism

Gianluca Miniaci

Associate Professor of Egyptology at the University of Pisa; Honorary Researcher at the Institute of Archaeology in London; Associate Researcher at the Ecole Pratique des Hautes Etudes in Paris

Pierre-Emmanuel Moyse

Full Professor at McGill University, Faculty of Law

Ermanno Napolitano

Doctoral Candidate at McGill University, Faculty of Law

Lorenzo Nigro

Full Professor of Near Eastern Art & Archaeology at Sapienza University of Rome

Federica Piccirillo

General Secretariat Italian Minister of Culture, Office of International Relations

Fausto Pocar

Italian Jurist and Judge, Emeritus Professor in International Law at the University of Milan; Former President of the International Tribunal for Crimes in Former Yugoslavia

René Provost

Full Professor and James McGill Professor at McGill University, Faculty of Law

Francesca Ragno

Associate Professor of International Law at the University of Verona

Andrea Sòcrati

Specialist Teacher for Support and Inclusion, Responsible for Accessibility and special projects of the Omero State Tactile Museum

Ipek Türeli

Associate Professor and Canada Research Chair in Architectures of Spatial Justice at the Peter Guo-hua Fu School of Architecture at McGill University

Nora V. Weller

PhD in Cultural Heritage Protection, Cultural Heritage Research Centre, Division of Archaeology, University of Cambridge. Fellow of the Royal Society of Arts (FRSA), Legal advisor on Heritage and International Law

Symposium organizers:

Paolo Galdenzi

Project Manager at Eastwest European Institute

Hani El Debuch

UNHCR Egypt; Expert in IHL and MENA Region

François Le Moine

Doctoral Candidate at McGill University, Faculty of Law

Valerio Minervini

*Graduate student in International Relations at Sapienza University of Rome;
Expert in digitalization*

Gianfranco Nucera

Adjunct Professor of Environmental Justice and Climate Change at Sapienza University of Rome

Giulia Parenti

Curator of the Virtual Museum on Cultural Heritage; Expert in International Security and Cultural Heritage and UNESCO Policies

Andrea Maria Pelliconi

PhD candidate at the City Law School, University of London; Teaching Associate, University of Nottingham

Camilla Saler

PhD student in History, Department of Civilizations and Forms of Knowledge, University of Pisa

Isabella Spano

Doctoral Candidate at McGill University, Faculty of Law; Graduate Fellow at McGill University's Center for Human Rights and Legal Pluralism

Yuxiao Zhang

Doctoral Candidate and Research Assistant at McGill University, Faculty of Law

Art Director:

Sergio Iovino

International Artist, Art Director of the Virtual Museum on Cultural heritage, Director of Short Videos and Movies presented at the United Nations Human Rights Council, songwriter

CONCEPT NOTE

We all live within - and experience - diverse landscapes of natural and manufactured cultural heritage in our daily lives. Remnants of the past are present in a tangible form, as objects and structures, or in an intangible form, as storytelling, tradition, or collective memory. They live on and serve different purposes: often, they guide us through the present, they inspire a better-curated future but, at times, they are more of a cautionary tale that serves as a reminder of a difficult past, which is often abused, reshaped and repurposed by those in positions of authority. The third edition of the International Symposium on Heritage in War and Peace will be held under the following theme: “*Tangible and Intangible Cultural Heritage through Past, Present and Future*” (hybrid event).

This theme invites participants to look in greater depth at the very notion of cultural heritage. It proposes to focus on diverse aspects of heritage protection in conflict and peace, conceptualize more critically the notion of tangibility and intangibility, address heritage issues beyond planet Earth and put forward innovative ways to deal with heritage preservation and management.

Particular attention will also be devoted to the innovative management of cultural heritage from the point of view of accessibility and inclusive education for vulnerable groups. Cultural heritage, indeed, should be an irreplaceable source of knowledge, growth, identity, enjoyment and care for everyone.

The 20th anniversary of the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage prompts reflection on the importance to protect oral traditions, social practices, performing arts, traditional craftsmanship and other similar cultural manifestations in promoting cultural identity and human rights. Intangible cultural heritage currently faces many challenges, such as cultural globalization, economic pressure, and loss of territories and languages. It also lacks specific protection during armed conflicts, unlike tangible cultural heritage, which is safeguarded by the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and its Optional Protocols.

On the other hand, tangible cultural heritage faces risks from climate change, desertification, and natural disasters worldwide. Ongoing wars escalate the danger for cultural sites, including those registered in the UNESCO lists, and sometimes lead to destruction, looting, and illicit trafficking of heritage objects, thus disrupting social cohesion and communities' practices and identity. Throughout history, cultural heritage theft and plundering during wars have been widespread and such practices persist today. International Conventions attempt to protect and facilitate the return of cultural heritage, but private disputes over ownership of cultural objects are common and very complex, since they raise complicated questions about the jurisdiction of the courts seized, the applicable property regime and the circulation of judgements.

The protection of cultural heritage requires collaboration between experts and local communities, both in times of peace and armed conflict, to ensure the retention of valuable knowledge acquired from the discovery, study, exploration and conservation of heritage. Unfortunately, this information is often at risk due to the lack of systematic preservation and an excessive reliance on individual experts.

On a different note, it should be emphasized that human activity on celestial bodies is increasingly recognized as common human heritage that needs to be protected. However, the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage (1972) does not apply to outer space, and the Outer Space Treaty has no provisions disciplining human heritage in outer space. Yet, despite some steps to protect such heritage have been taken – e.g. section 9 of the Artemis Accord or the USA’s “One Small Step to Protect Human Heritage in Space Act”, they do

not seem sufficient to grant adequate preservation and protection of the already existing outer space heritage, let alone of the future one.

In the belief that digital language can be a fundamental tool for promoting the importance of cultural heritage and providing a further possibility of conservation, the International Symposium will also host the Virtual Museum on Cultural Heritage, promoted by the Italian Ministry of Foreign Affairs and International Cooperation together with the Italian Ministry of Culture. The Virtual Museum is the first initiative at a global level on such an important topic, offering an example of digital interpretative exegesis of cultural heritage that combine different digitization models.

Considering the above, we present the third edition of the Symposium in the hope of exploring innovative approaches to the issues at stake and promoting policy responses for more effective protection of tangible and intangible heritage, both in times of war and peace, in order to pursue the full enjoyment of cultural rights and sustainable development.

The suggested areas of focus include, but are not limited to:

1. The interplay between tangible and intangible cultural heritage

- Current challenges surrounding the protection of tangible and/or intangible cultural heritage.
- A comprehensive concept of cultural heritage: the need for a closer integration of the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003).
- The identification, conservation, and interpretation of tangible and intangible cultural heritage.
- Exceptional combinations of landscape/natural – both tangible and intangible – cultural elements in heritage studies.

2. Value and interpretation of intangible cultural heritage

- 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage - Impact and Prospects: lessons on inscription and effective protection.
- Collective memory and the relationship with tangible and intangible aspects of cultural heritage.
- Intangible aspects of cultural heritage as a means to ensure sustainable peace building.

3. Cultural heritage and human rights

- Accessibility to cultural heritage as a human right.
- The interplay between cultural rights and tangible and intangible cultural heritage.
- Cultural heritage, community and human rights.
- Tangible and intangible cultural heritage between poverty and wealth.
- Politicization: how it affects effective preservation, scholarly research and interpretations of the past.

4. Cultural heritage in conflicts and post-conflicts situations

- Protection of intangible cultural heritage during armed conflicts: should the bearers of such arts and practices be under special protection?

- Crimes against tangible and/or intangible cultural heritage in armed conflicts: Documentation and accountability of perpetrators.
- Protection of cultural heritage under international criminal law (concept of cultural heritage, new attitude of the ICC introduced in Policy on Cultural Heritage issued by the Office of the Prosecutor of the ICC in 2021).
- The concept of cultural genocide, its past and presence – an outdated, but returning concept?
- Cultural heritage as a tool for conflict prevention and reconciliation.
- The role of women in heritage creation and management during armed conflicts.

5. The restitution of cultural objects on an international level

- The restitution of cultural objects: regulatory framework and specific rules of private international law (coherence and legal vacuums).
- The notion of cultural objects, the export of objects by museums, from an international legal perspective.
- Donation, inheritance and sale of cultural objects at the international level.
- The claim to ownership of cultural objects: forum rei sitae or forum necessitatis and other forums.
- The claim to ownership of cultural objects: lex originis or lex rei sitae and overriding mandatory provisions.

6. Outer Space

- Protection of cultural heritage in space: compatibility of the Outer Space Treaty, particularly of articles I and II with the protection and preservation of relevant evidence of human activity in space as common heritage of humankind.
- Article 17 of the Universal Declaration of Human Rights vs article II of the Outer Space Treaty: do we really need “property” to protect cultural heritage in space?
- The World Heritage Convention and the Outer Space Treaty: the question of “state’s territory”.
- Which role could the principle of due regard of article IX of the Outer Space Treaty play with regards to the protection of cultural heritage in space?
- How to define cultural heritage in space so as to establish what and why needs to be protected and preserved as common heritage of humankind? Which steps ought to be taken to establish a legal regime for the protection and preservation of cultural heritage in space?

7. Cultural Heritage and digitalization

- Advantages and disadvantages of heritage digitalization.
- Strategies, methods and techniques for the digitalization of cultural heritage.
- Digitizing cultural heritage as a mean to maintain and preserve cultural objects and sites.
- Application of digital technology in intangible cultural heritage protection: how to digitalize intangible heritage?
- Digitalization of heritage and human rights.
- Accessibility to digital heritage.
- A sustainable paradigm of heritage digitalization.
- The impact and the debate on digitizing heritage in the XXI Century: which way forward?
- Is there an emerging digital heritage? New perspectives regarding the UNESCO’s Charter for the Preservation of Digital heritage (2003).

8. Children in armed conflicts and heritage

- Protection of cultural heritage as an aspect of the children's rights to education, cultural expression, and cultural identity.
- The role of cultural heritage in preserving children's identity and sense of belonging.
- The impact of armed conflict on cultural heritage, particularly concerning children.
- The challenges faced by children in conflict zones and the effects of conflict on their cultural identity.
- Initiatives and best practices for safeguarding cultural heritage and supporting children's well-being in conflict-affected regions.
- The role of education and cultural awareness in preserving heritage and promoting resilience among children in conflict-affected areas.

Participants should send 500 words abstracts for papers or roundtables by September 30, 2023, to Mirosław M. Sadowski and Gianluigi Mastandrea Bonaviri at miroslaw.sadowski@mail.mcgill.ca and gianluigimastandreabonaviri@gmail.com.

Upon the contest deadline (September 30, 2023), the Scientific Committee will convene to evaluate all submitted works and will select the most outstanding entries. The participants selected by the Scientific Committee will be asked to send the full final paper (maximum 4000 words without spaces) by **December 23, 2023** and to present it at the International Symposium on Heritage in War and Peace: “Tangible and Intangible Cultural Heritage through Past, Present and Future” (**hybrid event**), **January 18 and 19, 2024**. The winners of the Call for Papers will be divided into the four/five sessions that will be included in the final agenda of the Symposium together with the high-level special sessions.

The Scientific Committee will choose **3** (three) winners who will each receive, at the end of the Symposium, a **parchment certificate** to commemorate and honor their achievement, contribution, and dedication.

In particular, **the first-place winner** will be granted the prestigious opportunity to publish their work in a specialized journal on cultural heritage. In addition, the first-place winner will be invited to hold a university lecture at *Alma Mater Studiorum - University of Bologna* and *McGill University*.

The second-place winner will also be invited to hold a university lecture.

Please note that no reimbursement for travel, lodging and other expenses will be provided to the participants. To facilitate attendance at the symposium, the Scientific Committee may assist participants in obtaining their visas.

Artistic component of the Symposium

The Symposium will have an artistic component in the form of an open competition, aimed at selecting innovative artistic products representing cultural heritage. The selected ones will be exhibited during the Symposium, as well as disseminated on-line, both on general and professional social platforms. The artists shall feel free to express, through any form of art, the silent cry of the Earth, so rich in natural and cultural heritage, both material and immaterial, tangible and intangible, increasingly under threat.

The artistic creations could include inter alia: brief dancing choreography, photographs, shorts videos, sculptures, paintings, prints, films, collages, storytelling, audios, songs, monologues, short acting dialogues and any other artistic tool the artists would like to employ in order to highlight the importance of heritage protection. All use of digital and virtual art in these creations will be much appreciated.

Artists willing to participate should send their creations to Sergio Iovino at sergio.iovino1@gmail.com by 30 September 2023.