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Heritage and cultural healing: Iraq in a post-Daesh era

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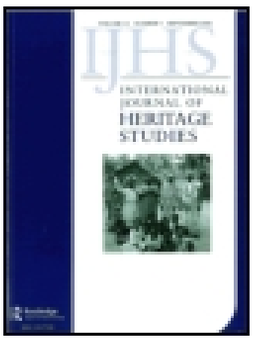

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Heritage and cultural healing: Iraq in a post-Daesh era

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ABSTRACT

Against the backdrop of the destruction of Iraqi heritage over the past quarter of a century, this article critically reviews key aspects of the current state of Iraq's cultural heritage, including damage to heritage buildings caused by Daesh in Iraq's second largest city, Mosul. We bring together Iraqi and non-Iraqi expertise in heritage, archaeology, and human rights law to frame our approach, building on the movement to link cultural diversity, heritage, and cultural rights. We emphasise the need for planning to enhance protection of Iraq's heritage, in particular through the preparation of inventories, the provision of resources for heritage education in schools and the development of Iraq's museum sector. Iraq's presence on the UNESCO World Heritage Lists needs to be enhanced, and the issues of illicit site looting and traffic in looted antiquities must be addressed within international contexts. Iraq's future accession as State Party to the 1999 Second Protocol to the 1954 Hague Convention is a priority in achieving these goals. The paper stresses the need for co-creation of heritage knowledge and a gender-sensitive human rights approach for the future of Iraq's globally significant cultural heritage.

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Introduction

The cultural heritage of Iraq, specifically its archaeological and historical heritage, is of major significance for understanding global-scale developments in human history, including some of the world's earliest examples of farming villages, cities, writing, mathematics, empires and many other socio-cultural attributes of human societies (Foster and Foster 2009; Bahrani 2017). Iraq's cultural heritage has suffered for decades from a range of destructive impacts, which have received widespread coverage in international media. Geopolitical causes of such impacts over the past 30 years include the Iran-Iraq War (1980–1988), the Kuwait War (1990–1991), the spring 1991 insurrections in south and north Iraq, the imposition of devastating UN and international sanctions on Iraq (1990–2003), the 2003 US/UK-led invasion of Iraq and the subsequent breakdown in law and order across much of the country, the occupation of parts of north and west Iraq by Daesh (2014–2017) and the expulsion by force of Daesh from all of Iraq in 2017. Furthermore, the destruction of heritage in Iraq has consistently been underpinned by the expansion of the

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illegal trade in antiquities, despite the sanctions imposed on such activities at national and international levels (Brodie 2011a). The involvement of scholars in the appraisal and marketisation of high-value artefacts such as cuneiform tablets has remained a contested practice since the First Gulf War (Brodie 2011b).

The case of Iraq's heritage highlights the impact on cultural heritage from geopolitical and economic factors, as well as a disjuncture between approaches taken by heritage and human rights practitioners. The aim of this article is to analyse the damage to cultural heritage in Iraq within a human rights framework, and to investigate the roles that state and non-state actors have in the effective development of heritage enhancement as a human rights-based practice, putting forward proposals for cultural healing as Iraq continues to rebuild in a post-Daesh era. Given the unfolding situation in Iraq and the social and cultural complexity attached to Daesh's actions in the country, these reflections are of critical importance as transitional justice and peace-building processes develop.

Our approach builds on the emerging mainstream discourse on the intersection of cultural diversity, heritage and human rights (see the special issue of *IJHS* 18/3 2012; Langfield, Logan, and Nic Craith 2009; Logan 2012a; Labadi and Gould 2015; Lostal, Hausler, and Bongard 2018). It also builds on the growing momentum in the international arena, which gave rise to the March 2016 Joint Statement on cultural rights and the protection of cultural heritage, supported by 145 States at the UN Human Rights Council, UN Human Rights Council Resolutions 33/20 of 2016 and 37/17 of 2018, UN Security Council Resolutions 2071, 2085, 2100, 2249, 2347 (UNSC 2012a, 2012b, 2013, 2015, 2017a) and the dedicated work of the UN Special Rapporteur in the field of cultural rights, Karima Bennoune whose report topics so far have included the intentional destruction of cultural heritage (UN Doc A/HRC/31/59) and the impact of fundamentalism on the enjoyment of cultural rights (UN Doc A/HRC/34/56). This article brings together Iraqi and international expertise in cultural heritage, archaeology and human rights to develop a critique founded in co-creation of knowledge. We stress the human dimension of cultural heritage and the need for a human rights approach to heritage. The language of human rights represents a powerful framework to realign the conversation about cultural heritage to emphasise the core tenets of the human condition. At the same time, we stress the potential for heritage to serve as a medium for social healing and cultural renewal in a post-conflict environment (Giblin 2014; Newson and Young 2018), while recognising that heritage exists as a cultural process that is socially and historically situated and therefore subject to contestation in terms of its definition and significance (Smith 2006; Bsheer 2017).

Following a discussion of potential interconnections between heritage and human rights discourses, we situate the intentional destruction of Iraq's heritage within a human rights framework, focusing on Mosul as a case-study. Looking to Iraq's future, we then consider a broad range of measures and activities that might most effectively evaluate, promote and protect Iraq's heritage through collaborative, multi-party engagement, including potential legal and governmental practices for the protection of heritage in times of peace and conflict.

Linking the cultural heritage and human rights discourses

From a heritage perspective, cultural rights appear well established in the international committees and secretariats of the global heritage bodies while remaining poorly understood and implemented by the heritage conservation profession, largely due to the technical framework given to this work within many countries (Logan, Langfield, and Nic Craith 2009). Nevertheless, recent scholarly involvement at the intersection of cultural diversity, heritage, and human rights reveals not only a growing interest in framing the protection and enhancement of cultural heritage from a human rights perspective, but an impetus to build a middle ground between heritage and human rights experts to redress the decades-long marginalisation of cultural rights (Donders 2002; Stamatopoulou 2007). As Janet Blake points out, cultural rights have been the route for the

discussion of human rights in relation to the protection of cultural heritage, though these are 'the least understood and respected of all human rights' (Blake 2011, 215).

The intentional destruction of cultural heritage needs to be framed beyond those human rights with explicit textual references to the term "culture" (cultural rights in the "narrow" sense; Donders 2002, 3) to include a greater range of human rights, for example, freedom of expression, freedom of religion, freedom of association and the right to education (cultural rights in the "broad" sense; Donders 2002, 3), which can strengthen the message relayed to States and their policymakers that the safeguarding and enhancement of heritage are not a marginal sectoral issue, but a cross-cutting challenge of critical importance. The creation of a cultural rights mandate by the UN Human Rights Council (UNHRC 2009), the work of Farida Shaheed as independent expert of the UN Human Rights Council (UNHRC 2011) and the subsequent work of Karima Bennoune as Special Rapporteur (UNHRC 2016a, 2017a) attest the momentum cultural rights have gained at the intergovernmental level but much remains to be done on the ground.

Despite the impetus for this kind of work, several limitations to such an approach can be highlighted. From a legal perspective, two obstacles are clear: the potential for disingenuous attempts to limit individual human rights based on cultural justifications, and, in wider international law, the often different legal bases employed to regulate intangible and tangible heritage, which nonetheless affect how heritage is framed in human rights discourse. On the first point experts broadly agree that the rights of the individual should stand above cultural arguments put forward to limit them in contravention to international standards, highlighting cultural relativism as potentially dangerous and deleterious towards vulnerable sections of the population susceptible to discrimination, such as women, children and religious minorities (Niec 1998; Blake 2011, 220–221; Logan 2012a, 239–240). Cultural rights must not be confused with cultural relativism. Cultural relativism is often little more than a thinly veiled attempt to protect and maintain established power structures (Donnelly 2013, 110–111). Similarly, heritage scholar Laurajane Smith states that 'heritage is gendered, in that it is too often "masculine", and tells a predominantly male-centred story promoting a masculine [...] vision of past and present' (Smith 2008, 159). This characteristic of cultural heritage makes it necessary to contextualise the preservation of heritage and cultural diversity within a human rights context founded on universal aspirations of human dignity and gender equality.

On the second point, Blake notes the imbalance between intangible and tangible heritage in relation to human rights, whereby the former tends to be stressed at the expense of the latter (Blake 2011, 204). This status quo stands in stark contrast to the established discourse in heritage and archaeology, where discussions of power dynamics involving nation-states and tangible heritage have existed for decades (Kohl and Fawcett 1995; Díaz-Andreu 2014), including in the case of Iraq (Meskell 1998; Foster and Foster 2009).

Besides these legal pitfalls, a substantial obstacle to the development and implementation of programmes to safeguard and enhance cultural diversity and heritage are states themselves, to whom the international legal obligations to 'respect', 'protect', and 'fulfil' ultimately fall (Blake 2011, 219). Both heritage and human rights experts have criticised states for their deficient political commitment to cultural rights and warn of the dangers of subscribing too strongly to a state-sponsored view of heritage (Silverman and Ruggles 2007; Blake 2011, 206; Meskell 2013a). Archaeologists have long understood the power that artefacts and discourses about the past can have in shaping the identity of nation-states, especially the potential misappropriation of narratives about the past by political (and insurgent) groups to coerce populations. Heritage is a question of power, and must not be left under the unchecked control of the few. Furthermore, the key international institutions in charge of safeguarding cultural heritage are international organisations, such as UNESCO, which tend to favour the interests of states above the human rights of individuals and sub-state collectives (Logan 2012b). Archaeologist Lynn Meskell has articulated the difficulties imposed by the nature of UNESCO as an intergovernmental

organisation and the overt politicisation of the World Heritage Committee (Meskell 2013b; Meskell et al. 2015; Isakhan and Meskell 2019).

Likewise, International Cultural Heritage Law (ICHL) largely focuses on states as the owners and guardians of cultural property. For example, Article 1 of the 1970 UNESCO Convention on the means of prohibiting and preventing the illicit import explicitly only recognises as cultural property such 'property which, on religious or secular grounds, is *specifically designated* by each State as being of importance for archaeology, prehistory, history, literature, art or science' (emphasis added), thereby claiming definitional power over cultural property for the nation-state. Article 2 of the complementary 1995 UNIDROIT Convention removes this requirement, but the treaty has found little uptake so far. A special issue of *The European Journal of International Law* on *The Human Dimension of International Cultural Heritage Law* (EJIL Vol. 22(1) 2011) highlighted the limitations of the traditional approach to ICHL as confined to treaty law. As Francesco Francioni pointed out, there is an increasing cross-fertilisation between human rights and ICHL, which is contributing towards binding the latter in customary rules and general principles that can be applied 'independently of states' consent to be bound by ad hoc treaties' (Francioni 2011, 11). The results of this cross-fertilisation are positively evidenced in the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage and the 2007 UN Declaration on the Rights of Indigenous Peoples. Despite the success of the 2003 UNESCO Convention, some scholars lamented the fact that it maintained the role of states as sole determiners of the value of heritage (Francioni 2011, 15).

Despite the limitations laid out above, the current movement that brings together cultural diversity, heritage and human rights is making progress in developing and consolidating the international discourse that structures states' actions with regard to the safeguarding and enhancement of cultural heritage within a human rights framework. Redefining the approach to heritage in terms of human rights will be a potent measure to challenge the power of the state in this arena. The duty to respect requires states to refrain from interfering in the development and definition of heritage. The duty to protect obliges states to take note when non-state groups and actors do so. The duty to fulfil binds states to create conditions in which cultural heritage can flourish, without reference to one, single convenient narrative of power.

We have noted here the work of a range of experts in heritage, archaeology, and human rights law who are working to frame and resolve these issues, as well as some of the existing treaties and conventions in which the basis for this work is ultimately enshrined. Silverman and Ruggles (2007, 18) stated that UNESCO is the organisation that would 'play the largest part in setting worldwide policy regarding the definition and protocols for heritage management, expression, and preservation'. However, it is perhaps rather in the context of the UN Human Rights Council and the work of the Special Rapporteur in the field of cultural rights that influential modern international standards are created and advanced, which incorporate collaborative efforts with UNESCO. The widely supported March 2016 Statement at the Human Rights Council and the consensus adoption of resolution 33/20 in October 2016 mark a significant turning point. The subsequent call to an intersessional seminar in July 2017, to which experts and civil society organisations were invited alongside states and relevant UN agencies, constituted an important step in beginning to overcome the political inertia of the previous decades. Following on the heels of the work carried out during this seminar was the Council's adoption of resolution 37/17 on 22 March 2018, which reaffirmed and expanded the 2016 text. These international developments advance a number of key ideas.

Firstly, one of the central conclusions of the Human Rights Council's intersessional seminar of July 2017 was "[t]he positive impact that cultural heritage could have on sustainable development" (UNHRC 2017b: para, 96). This recognition underlines the duty of States towards sustainable development objectives as laid out in the Brundtland commission report (WCED 1987, Paragraph 27, as cited in Labadi and Gould 2015). Labadi and Gould point out that "culture [...] has fared poorly in the global sustainable development discourse" (Labadi and Gould 2015, 200). Indeed, across all 17 of the

UN Sustainable Development Goals (SDGs) the sole references to culture and heritage are in SDG 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all) article 4.7 "appreciation of cultural diversity and of culture's contribution to sustainable development", and SDG 11 (Make cities and human settlements inclusive, safe, resilient and sustainable) article 11.4 "strengthen efforts to protect and safeguard the world's cultural and natural heritage" (UN Res. 70/1, UNGA 2015). Culture, heritage and development are frequently placed in tension with each other, with culture portrayed as hindering development often on issues of gender equality. An integrated approach of human rights and heritage in development agendas has the potential to contribute to vibrant and inclusive local and national culture and heritage (An-Na'im 1995). The acknowledgement and emphasis of the role of heritage during the intersessional seminar help to frame the practical application of initiatives aimed at enhancing heritage management from a sustainable development perspective.

Secondly, UNHRC Res. 37/17 makes special mention of the power dynamics inherent in a state-based approach to heritage, noting that areas which need more attention include 'the protection of the cultural heritage of minority communities from intentional destruction aimed at erasing evidence of their presence and the engagement of indigenous peoples and local communities in international debates on cultural heritage protection' (UNHRC 2018). Thus, while recognising the sovereignty of states, the resolution aims to protect the rights of vulnerable communities within states. Unfortunately, the inclusion of the protection of minorities within a state's constitution or its acceptance of international treaties is not a guarantee that their rights will be respected (Vrdoljak 2009). Furthermore, as already stated in UNHRC Res. 33/20, acts by state and non-state actors in both conflict and non-conflict situations, and terrorist acts must be addressed. The changing ways in which armed non-state actors (ANSAs) view and interact with cultural heritage and their obligations under international humanitarian law are complex and regionally specific as highlighted in the recent Geneva Call Report *Culture Under Fire* (Lostal, Hausler, and Bongard 2017, 2018).

Thirdly, UNHRC Res. 37/17 addresses the challenge of gender and cultural diversity by encouraging states 'to adopt a gender-sensitive and inclusive approach to the protection of cultural heritage and the safeguarding of cultural rights that is respectful of cultural diversity [...]', as well as 'to address limitations of cultural rights [...] and promote respect for cultural diversity'. As noted above, the precise content of cultural diversity remains hard to grasp and needs to be contextualised and refined so as to avoid the violation of individual rights. Nevertheless, its framing within a gender-sensitive approach can inform the development and implementation of collaborative heritage protection and enhancement practice.

Finally, UNHRC Res. 37/17 recognises cultural heritage as an important component of humanitarian assistance, highlighting the poor track-record so far of cultural heritage in peace-building processes and in post-conflict reconciliation initiatives. The further call for 'the development of partnerships between competent national authorities and civil society, in particular grass-roots institutions, with the aim of creating a safe and enabling environment to enhance the protection of cultural rights [...]' strengthens the assessment made by heritage and human rights scholars that states are often deficient in their political commitment to cultural rights.

The incorporation of a contextualised understanding of the right to cultural diversity within a gendered approach, the addition of an economic conceptualisation of heritage under the remit of sustainable development, and the call to mainstream the protection of cultural heritage into humanitarian actions significantly expand the human rights language employed to frame and implement initiatives for the safeguarding and enhancement of cultural heritage that can be adopted by states, heritage practitioners, and relevant organisations. It is within this current legal, political, and scholarly framework that we proceed to discuss the intentional destruction of cultural heritage in Iraq by Daesh and the post-conflict cultural rehabilitation initiatives at national and international levels within the context of Iraq.

Intentional destruction of Iraq's cultural heritage and the violation of human rights

While public condemnation and academic analysis have been stimulated by Daesh's destruction of heritage assets in Iraq and elsewhere (Isakhan 2013; De Cesari 2015; Harmanshah 2015; Smith et al. 2016; Cunliffe and Curini 2018), there has been little explicit consideration of this activity as a violation of human rights, possibly because it might seem to be stating the obvious. But sometimes the obvious is worth stating, if only to underscore how egregiously contrary to internationally accepted tenets of humanity the activities of Daesh have been. The 'cultural cleansing' (Baker, Ismael, and Ismael 2010) perpetrated by Daesh highlights the interdependence of human rights, for it not only negatively impacts cultural rights in the narrow sense, i.e. the right of everyone to take part in cultural life but, at the same time, violates a swathe of other human rights contained in the International Covenant on Civil and Political Rights (ICCPR 1966), the International Covenant on Economic, Social and Cultural Rights (ICESCR 1966) and the Universal Declaration of Human Rights (UDHR), collectively known as 'The International Bill of Rights' (UNGA 1948). There is much truth in the words of the World Conference on Human Rights' seminal Vienna Declaration and Programme of Action, which stated that '[a]ll human rights are universal, indivisible and interdependent and interrelated' (UN World Conference on Human Rights 1993, para, 5).

Daesh's attempt to culturally cleanse the areas under its control aimed to erase tangible and intangible cultural heritage to establish a single, homogeneous way of life – as defined by Daesh's leaders – by way of violence, murder, rape, destruction and pillage. This represents a systematic violation of the right to take part in cultural life, Article 15 (1)(a) ICESCR and Article 27 (1) UDHR, by denying human beings the positive right to maintain and participate in the culture of their choice and the negative right to choose not to participate in a culture (Committee on Economic, Social and Cultural Rights 2009, para, 15), especially where intangible expressions of culture are suppressed and tangible expressions destroyed. The suppression of even a conversation about culture results in the violation of freedom of expression, Article 19 ICCPR.

Religion is deeply intertwined with the notion of culture and the ways of life of many Iraqis, as well as with the attempts of Daesh to impose a fundamentalist ideology. Freedom of religion, Article 18 ICCPR in its modern international iteration, is one of the oldest human rights. Its importance for the human condition and peaceful co-existence cannot be overstated as well as the damage that religious intolerance and violence can do to the fabric of society and the individual human experience. In the case of Iraq, a nation that since its birth has hosted a range of culturally, ethnically and religiously distinct communities (Tripp 2007), both freedom of religion and Article 27 ICCPR are especially germane ('In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language'). Daesh's ethnic cleansing campaigns against Yazidi and other minority groups of northern Iraq represent exceptionally gross violations of Article 27 ICCPR and Article 18 ICCPR. The severity of Daesh's violations stimulated the UN Security Council to pass Resolution 2379 (UNSC 2017b), which requests the establishment of an independent investigative team '"to support domestic efforts to hold ISIL (Daesh) accountable by collecting, preserving, and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide" (UN Security Council Resolution 2379, o.p. 2).

Intentional destruction of cultural heritage: the case of Mosul

Daesh's cultural cleansing, mainly carried out in northern Iraq, took several forms which should be distinguished and analysed separately (Figure 1). An iconoclastic 'levelling of graves' (*taswiyat al-qubur*) and statues following a radical Salafi doctrine (Melčák and Beránek 2017) was standard behaviour in all areas occupied by Daesh, which targeted funeral monuments, cemeteries and some mosques both in large cities and in isolated locations (e.g. Mosul, al-Isma'iliya, Sultan

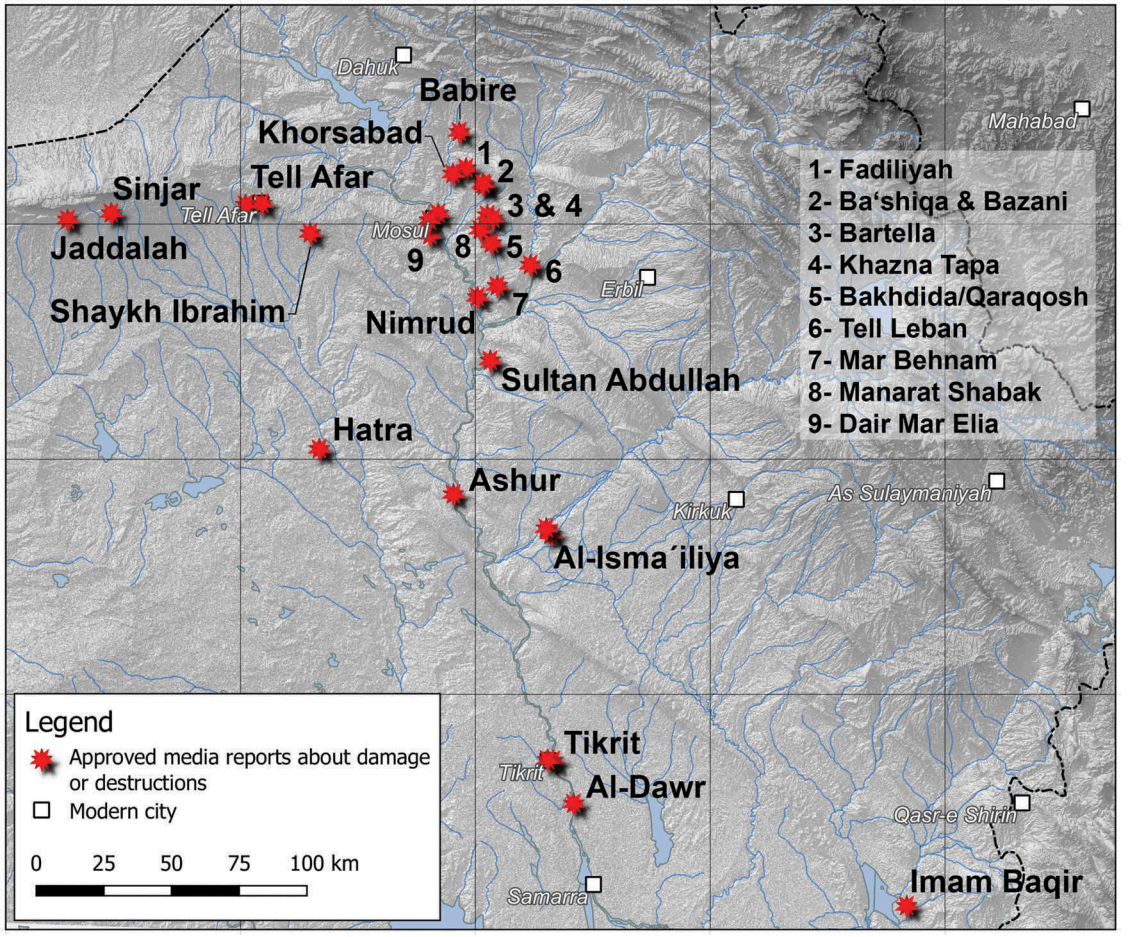

Figure 1. Map to show the location of archaeological and historical sites in Iraq reported to have been damaged by Daesh, 2014–2017.

Abdullah, Al-Dawr). Another large group of monuments in the provinces of Ninawa and Salahaddin fell victim to a cultural persecution of Christians and Yazidis (churches, monasteries and shrines at Mosul, Tikrit, Sinjar, Bahzani, Ba'shiqa or Bartella: e.g. Jeber and Salih 2016). Daesh's destruction of ancient archaeological and historical monuments and sites resulted in immense losses to Iraq's cultural heritage: accessible museum collections such as those of Mosul Museum (Brusasco 2016), substantial parts of Nineveh's gates and fortifications, the excavated standing remains of Assurnasirpal II's palace and the ziggurat at Nimrud (Couzin-Frankel 2017) and structures at Hatra. It should be pointed out that many of these cases concerned archaeological sites excavated by westerners: their overtly public destruction shocked western audiences and deliberately set the group in ideological opposition to the west (Bsheer 2017; Cunliffe and Curini 2018; Shahab and Iskahan 2018). Of Iraq's five sites on the UNESCO World Heritage List (Ashur, Hatra, Samarra, Erbil Citadel, Ahwar Marshes), the first three are rated by UNESCO as World Heritage in Danger, meaning that there is substantial and imminent threat to their integrity as sites of major cultural significance. Of the 11 Iraqi sites on the UNESCO World Heritage Tentative List, two of the most significant, the Assyrian capital cities of Nimrud and Nineveh, have been subjected to episodes of destruction by Daesh. The final activity under Daesh occupation in northern Iraq was damage of archaeological sites through illicit excavation, such as under the Nabi Yunus shrine at Nineveh following its destruction (Al-Juboori 2017).

The ethnically diverse city of Mosul, occupied from June 2014 to July 2017, suffered badly from Daesh's depredations. After Daesh's seizure of Mosul, a team of Czech archaeologists and historians began documenting in detail Daesh's destructive activities in the city, through their project 'Monuments of Mosul in Danger' (http://www.monumentsofmosul.com/). A recent analysis found that 'Mosul has lost its most precious sites, which had once provided its panoramic skyline and distinctive appearance. Virtually the entire group of unique 12th-13th century buildings, defined by the German archaeologist Ernst Herzfeld (1879–1948) as the Mosul Architectural School, have been destroyed. Also destroyed or stolen were invaluable libraries, museum depositories and church treasures' (Nováček et al. 2017, 1). At least 47 buildings of architectural significance have been destroyed, almost all of them religious buildings, largely Muslim but also of Christian heritage (Figure 2). The annihilation of Mosul's old city was completed during the liberation from 19th February to 21 July 2017. The cityscape was bombarded from aircraft and helicopters, targeted by countless missiles and devastated by suicide attackers. According to detailed analysis of the satellite imagery by the Czech team, 16 Islamic religious buildings, five churches and 13 heritage houses were totally destroyed or suffered irreparable structural damage.

Especially serious losses include the collapse of the northern façade of al-Khazam Mosque and the destruction of the lateral wing of the Rabi'yya Khatun Mosque, as well as heavy damage to a distinctive group of decorated minarets from the medieval to Jalili periods (14th-18th centuries). As a final act of deliberate destruction, on 21 June 2017 Daesh exploded the al-Nuri Mosque with the leaning minaret al-Hadba, a symbolic focus and one of the remaining priceless gems of the old city. Further, serious damage was inflicted on Shaykh al-Shatt Mosque which is the oldest still-preserved architectural monument in the city, originating in the late 12th century. The mosque was ruined either by an air strike or by an internal explosion between 12th and 18 July 2017. A change of tactics took place in the final two weeks of the battle in July 2017, from a systematic house-to-house clearance operation to an indiscriminate carpet bombing and razing, resulting in the complete demolition of three town quarters (al-Makkawai, Ras al-Koar and al-Maydan) along the Tigris river bank, a comprehensive destruction which has been independently confirmed by UNITAR-UNOSAT (2017). The Shaykh al-Shatt Mosque, albeit heavily damaged, remained the only standing structure among the rubble.

Regarding Mosul's heritage of secular houses (Al-Midfa'i 2008; Al-Kubaisy 2010), the situation is similar. Their extensive devastation, including the most significant recently restored examples such as al-Tutunji House, Ziyada House, Sharef al-Dabakh House and many others, may have been affected by the difficulties of identifying city monuments in the heat of battle. At least five

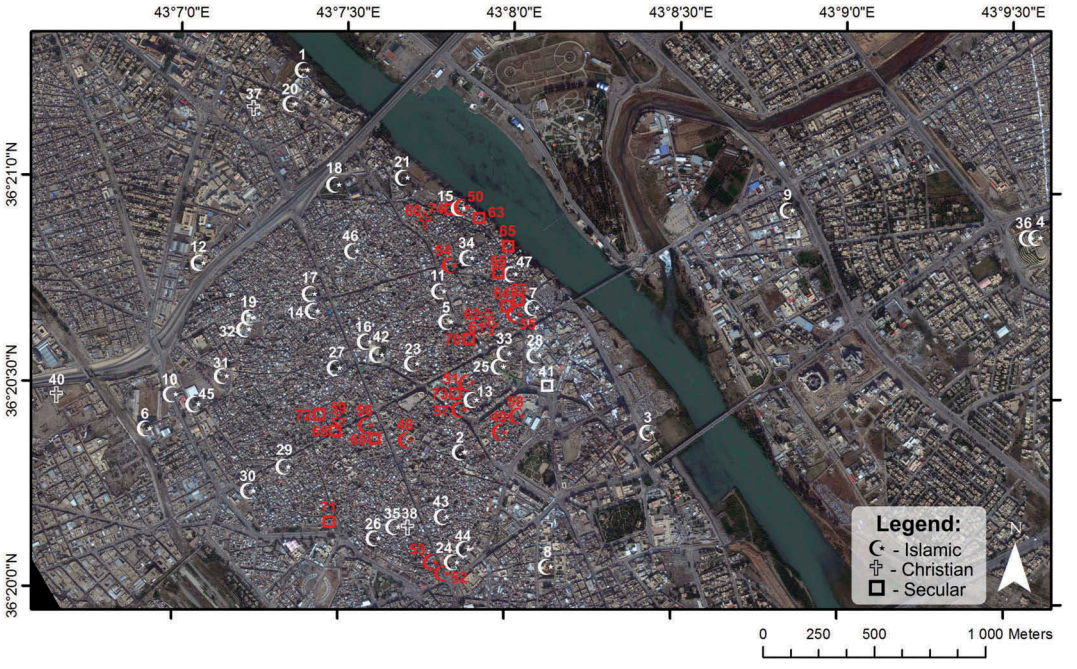

Figure 2. Heritage buildings in Mosul destroyed or seriously damaged during the occupation by Daesh.
Old Mosul with architectural monuments destroyed during the Daesh occupation (June 2014 – July 2017; white) and during the liberation of the city (February to July 2017; red): 1. Shrine of al-Imam Yahya ibn al-Qasim (I04) – razed, 2. Shrine of al-Imam ʿAwn al-Din (known as Ibn al-Hasan) (I05) – ruined, 3. Mosque of al-Khidr (alternatively al-Jamiʿ al-Ahmar, al-Jamiʿ al-Mujahidi) (I06) – razed, 4. Tomb and mosque of al-Nabi Yunus (I07) – razed, 5. Mosque of Nabi Jirjis (I08) – razed, 6. Mosque and tomb of Qadib al-Ban al-Mawsili (I10) – ruined, 7. Mosque of Hamu al-Qadu (I11) – ruined, 8. Mosque of Nabi Shith (I12) – razed, 9. Mosque and husayniyya in the al-Faysaliyya Neighbourhood (I14) – razed, 10. Tomb of Ibn al-Athir (Qabr al-Bint), d. 640/1242–43 (I15) – razed, 11. Masjid of Imam Ibrahim (I16) – ruined, 12. Mosque and tomb of Shaykh Fathi (I18) – razed, 13. Mosque of Abu al-ʿAla (I19) – ruined, 14. Mosque and shrine of Nabi Daniyal (I21) – ruined, 15. Tomb of Shaykh al-Shatt (I22) – razed, 16. Shrine of ʿAli al-Asghar (Ibn al-Hanafiyya) (I28) – ruined, 17. Mosque (and shrine) of Sultan Uways with cemetery (I29) – ruined, 18. Shrine of Imam ʿAbd al-Rahman (I34) – ruined, 19. Mosque and shrine of Imam al-Bahir (I35) – razed, 20. Mosque and tomb of Imam Muhsin (I37) – ruined, 21. Shrine and cemetery of ʿIsa Dadah (I44) – ruined, 22. Mosque of ʿAjil al-Yawar (I47) – ruined, 23. Hammam al-Saray Mosque, tomb of Shaykh Yunus, and Shrine of al-Sitt Nafisa (I50) – ruined, 24. Hammam al-Umariyya (I69) – razed, 25. Mosque of al-ʿAbbas (I54) – ruined, 26. Shrine of Imam Zayd ibn ʿAli (I55) – ruined, 27. Mosque/Shrine of Shah Zanan (called Umm al-Tisʿa) and adjacent cemetery (I57) – ruined, 28. Madrasa of the ʿAbdal Mosque (I58) – razed, 29. Shrine of Imamayn Hamid wa Mahmud? (adjacent to Mosque of al-Mahmudin/al-Hamidin) (I68) – razed, 30. Shrine of Imam ʿAli al-Hadi (I36) – ruined, 31. Tomb of Shaykh Mansur (I61) – ruined, 32. Abu al-Hawawin Shrine (I62) – ruined, 33. Mosque/Shrine of Awlad al-Hasan (I63) – razed, 34. Mosque of al-Sab´awi (I64) – ruined, 35. Mosque al-Bayt al-Tikriti (I 30) – ruined, 36. Tomb of Shaykh Rashid Lolan (I67) – razed, 37. Al-Tahra Syriac Orthodox Church (al-Tahra al-Fawqaniyya) (C14) – razed, 38. Mar Hudeni (Ahudemmeh) (C09) – ruined, 39. Mar Kurkis (St. George) Monastery (C23) – ruined, out of the map, 40. English War Cemetery (C27) – ruined, 41. Al-Sanaye School or Al-Hadba Police Centre (P16) – razed, 42 – Great Mosque of al-Nuri and Minaret al-Hadba (I02–I03) – ruined, 43 – Mosque and madrasa of al-Ridwani (I48) – probably ruined, 44 – Mosque of al-Abariqi (I51) – ruined, 45 – Mosque al-Shahidin (I70) – ruined, 46 – Mosque of Mahmud ´Abd al-Jalil al-Khidri (I71) – razed, 47 – Shatt al-Jawma Mosque – Tomb of Shaykh Ibrahim al-Naqshbandi (I73) – ruined, 48 – Mosque Rabi'yya Khatun (I59) – partly ruined, 49 – Mosque al-Khazam (I27) – partly ruined, 50 – Mosque of Shaykh al-Shatt (I22) – ruined, 51 – Masjid al-Shaykh Abu al-Ulla – ruined, 52 – Mosque Bab al-Jadid (al-Bashir Mosque) – ruined, 53 – Masjid al-Sha´uri – razed, 54 – Mosque of al-Kawazin – razed, 55 – Al-Khallal Mosque – ruined, 56 – Al-Muta´afi Mosque – razed, 57 – Mosque of ´Uthman al-Khatib – ruined, 58 – Mosque of Shaykh Muhammad – ruined, 59 – Mar Guorguis Chaldean Church – ruined, 60 – Mar Isha´ya Chaldean Church (C1) – ruined, 61 – Church al-Azrá Ancient (Old Church of the Virgin Mary) – ruined, 62 – Syriac Catholic Church – ruined, 63 – Sharef Al-Dabakh House – razed, 64 – Hana Jerjes House – ruined, 65 – Basher Munir House – razed, 66 – Hana Michel Hana House – razed, 67 – Dawoud Ishak House – razed, 68 – Abdul Rahman House – ruined, 69 – Bahnam Raban House – razed, 70 – Anes Kamas House – razed, 71 – Ziyada House – ruined, 72 – Al-Sharabi House – ruined, 73 – Al-Tutunji House – ruined, 74 – an unknown heritage house – razed.

large riverside houses were sacrificed during the total razing in the last phase of the battle, excellent examples of late Ottoman urban domestic architecture which created a distinctive Mosul river bank panorama.

On the other hand, several valuable Islamic religious structures survived both Daesh's iconoclasm and aerial bombardment in the battle for Mosul. In particular, the Mosques of al-Basha, Shaykh Abdal, al-Juwayjati, al-Umariyya, Umar al-Aswad, al-Umawi, Dawsat Ali and Umm al-Tis'a stand out as relatively unharmed within their totally levelled urban neighbourhoods. This aspect also applies to churches, such as Mar Tuma, which suffered only light structural damage. Two exceptions include the Syriac Orthodox Church and the Old al-Azra Church, which were both heavily damaged by allied aerial bombing. Based on preliminary evidence we see a correlation between unharmed monuments, including domed structures, and sites on no-strike heritage lists provided by expert NGOs to the relevant authorities, possibly indicating deliberate avoidance by aerial bombardment planners.

Regarding Mosul's future, encouraging developments include the UNESCO-led project 'Revive the Spirit of Mosul', cited as 'the most important reconstruction campaign undertaken by UNESCO in recent times' (https://en.unesco.org/projects/the-spirit-of-mosul), underpinned by the February 2018 International Conference on the Reconstruction of Iraq held in Kuwait City. The flagship project has commenced clearing explosive hazards from infrastructure and restoring heritage sites such as the al-Nuri Mosque and al-Hadba Minaret. While ambitious in its scale and aims, the Revive the Spirit of Mosul project will succeed only through genuine engagement and consultation with local stakeholder communities, above all the residents of the Old City themselves, who hitherto appear to have been given little opportunity to participate (Isakhan and Meskell 2019).

The future of Iraq's past: cultural rights and cultural heritage

In the light of the challenges still facing Iraq, we address critical areas of concern for assisting Iraq in securing a sustainable future for its archaeological and historical heritage within a framework of cultural rights. We evaluate the following topics as essential components of a recovery and development strategy for the rehabilitation of Iraq's heritage, highlighting current efforts and suggesting ways forward.

Co-creation of heritage knowledge and expertise

A recent issue of an internationally renowned peer-review journal devoted to the study of Iraq includes three major articles presenting the results of archaeological field activity in Iraq (*Iraq* 79, 2017). A total of 15 authors claim credit for these articles, and the discouraging fact is that none of them is Iraqi, all being westerners at UK and US academic institutions. We question the ethical approach of projects that carry out fieldwork and research in Iraq without significant involvement of Iraqi colleagues in the co-creation of knowledge and sharing of expertise at every stage, including publication. Failure to do so perpetuates a learning gap between the developed and developing worlds that academics should strive to reduce. We encourage researchers active in Iraq to formulate programmes involving in-depth engagement with communities whose heritage is being researched, on the principle of 'nothing about us without us'. Integrated involvement of stakeholder communities, including local citizens, schools, museums, professionals and religious groups, must be central to heritage-related activity including the preparation of nominations of sites to the UNESCO World Heritage Lists, as, for example, in the recent inscription of Erbil Citadel.

We wish to see a greater emphasis on integrating Iraq's heritage with its contemporary communities through research into long-term connections between the past and the present. Studies that transcend the traditional period divisions of Iraq's past, tracing threads of continuity in cultural practices from prehistory or early history into the recent past or present, play a powerful role in connecting communities to heritage landscapes. Key to this objective is the development of a modern archaeology of Islam (Insoll 1999), and of other contemporary communities of Iraq, that both applies the theories, principles and approaches of modern pre-Islamic archaeology and serves to integrate its research within narratives that draw on pre-Islamic evidence and interpretations. Recent events demonstrate that the Islamic-period monuments represent the most endangered elements of Middle Eastern heritage. The Islamic-

period sites are often understudied, not listed in heritage databases, and targeted more strongly than other categories by diverse kinds of devastation, including ideologically based violence as in the case of Mosul.

Research institutions including universities in the west must commit to providing assistance with capacity-building for heritage staff across Iraq to enable them best to deal with the challenges in protecting and enhancing the cultural heritage of Iraq, including the promotion of professional standards and ethics in conservation and archaeological research. A range of projects are making a valuable contribution to the Iraqi skills-base, including the Deutsches Archäologisches Institut's Iraq Programme, the British Museum's Iraq Emergency Heritage Management Training Scheme, UCL's Nahrein Network and the University of Bologna's EDUU and WALADU schemes, amongst many others. The organisation of conferences and workshops on Iraq's heritage can be a vehicle for bringing together stakeholders with national and international expertise, advice and support, as well as for raising and sustaining public awareness, such as the 2016 Protecting the Past conference held in Sulaimani, Iraq (http://auis.edu.krd/tags/protecting-past). Universities, especially in Europe, should explore opportunities for international engagement with university partners in Iraq, through schemes such as Erasmus+, which is currently funding two years of staff exchanges between the University of Reading, UK, and Sulaimani University and Sulaimani Polytechnic University, and through the UNESCO/UNITWIN Chairs Programme. We ask governments of the west to review visa procedures and to facilitate the issue of visas in cases of academic and professional engagement, and ask heritage professionals to assist Iraqi colleagues with visa and residency procedures, which can be complex, challenging and expensive in time and money.

Coordination and planning

The complex cultural heritage problems of Iraq can best be addressed through a programme of concerted international engagement, directed by Iraqi government bodies including the Ministry of Culture, Tourism and Antiquities, the Ministry of Education and the State Board of Antiquities and Heritage. Only coordinated planning with full stakeholder engagement will enable the Iraqi government to exercise control over the large-scale development projects, urban and rural, that are essential to Iraq's full recovery. It is vital that heritage and cultural issues are written into the planning, design and execution of such projects to ensure that Iraq's heritage assets receive the consideration they and the Iraqi people deserve. In areas of Iraq not previously occupied by Daesh, cultural heritage continues to be under threat from other forces, less obvious and deliberate but equally devastating, such as uncontrolled urban sprawl, industrial and agricultural development as well as long-term under-investment in the protection and enhancement of cultural resources. We strongly recommend the establishment of an Iraqi Blue Shield national committee, comprising representatives of national and local government, military authorities, police, state antiquities services, museums, heritage professionals, university staff and researchers, NGOs, and local stakeholder communities, to serve as a coordinating body with a voice in all aspects of heritage matters for the nation and peoples of Iraq.

Peacetime preparations to protect cultural heritage from future armed conflict

To protect cultural heritage from the effects of armed conflict, preparations must ideally take place during peace and in advance of conflict, as mandated by Article 3 of the 1954 Hague Convention to which Iraq is a State Party. Article 5 of the 1999 Second Protocol offers more specific guidance as to which steps must be taken, such as preparing inventories, creating fire and other emergency plans, preparing for the evacuation or storage of items and designation of authorities responsible for the safeguarding of cultural property.

The preparation of inventories is critical to prevent accidental targeting of protected sites and collateral damage. Modern militaries make use of geospatially positioned objects on 'no strike-lists ' to prevent physical locations protected under the laws of war from being targeted with air strikes,

artillery fire and other weaponry. In one published account, during the 2003 Iraq War, the commander of a tank company reports being denied air strikes to several requested targets, a school among others, due to them being protected sites (Conroy and Martz 2005, 200). In the case of cultural property not being used militarily, this protected status follows from Article 4 (1) of the 1954 Hague Convention (for both international and non-international armed conflicts), Article 53 of the 1977 Protocol I Additional to the Geneva Conventions of 1949 (international armed conflicts), Article 16 of the 1977 Protocol II Additional to the Geneva Conventions of 1949 (non-international armed conflicts) and, as laid down in Article 27 of the Regulations annexed to 190797979797 Hague Convention IV, further represents one of the 'intransgressible principles of customary international law' (International Court of Justice 1996, paras 79–82). Yet while military commanders might be aware in principle of the applicable humanitarian laws, they are neither heritage authorities nor experts and they require assistance from heritage professionals to comply with international humanitarian law. The Iraqi State Board of Antiquities and Heritage, working with international partners, needs to assemble a comprehensive list of all protected sites in Iraq for reference in case of future conflict, ideally stored both nationally and with trusted, neutral and international third parties such as UNESCO or the Blue Shield International.

Accession to the 1999 second protocol to the 1954 Hague convention

We encourage the government of Iraq to realise its intention to accede as State Party to the 1999 Second Protocol to the 1954 Hague Convention, having ratified in December 1967 the 1954 Hague Convention and its First Protocol (Van Heese 2010). State Parties to the 1999 Second Protocol gain a number of important benefits. Firstly, the 1999 Second Protocol makes provision for forms of international assistance that only Parties to the Protocol may call upon. The most immediately accessible resource is The Fund for the Protection of Cultural Property in the Event of Armed Conflict, established under Article 29 (1) of the 1999 Second Protocol. It provides funds for peacetime measures such as the preparation of inventories, planning of emergency measures against fire, collapse or theft, educational and information programmes and the creation and improvement of heritage protection laws, as well as wartime measures such as the execution of emergency protection measures or the evacuation of endangered items. The Second Protocol itself grants Parties the right to call upon the Fund for assistance related to sites and objects under Enhanced Protection, as well as for taking the legal and administrative steps for cultural property to receive Enhanced Protection status, Article 32 (1). The Second Protocol Committee has extended the availability of funds to all cultural property for the full range of measures listed above (UNESCO 2018a, para, 128). As of 30 September 2018, the Fund held $403,583, 73.4% of which had been contributed by the Netherlands (UNESCO 2018c, paras 7–8, in USD). Unlike the World Heritage Fund, there is little competition among Parties for the monies held in the Second Protocol Fund as it is little known outside expert circles. To date, only four applications have received disbursements from the fund: $23,500 to El Salvador in 2011 for capacity building and awareness-raising (UNESCO 2013a, paras, 1–7), $40,500 to Mali in 2012 as emergency assistance to protect cultural property in northern Mali (UNESCO 2013b, para, 1), $35,000 to Mali in 2016 to assist in granting the Tomb of Askia Enhanced Protection status and $50,000 to Libya in 2016 for emergency security measures (UNESCO 2017, paras 1, 4 and 16). A further two applications were made in 2018 by Afghanistan and Mali to the order of $45,000 and $15,000, respectively (UNESCO 2018b, para, 4).

Under these provisions, Iraq could acquire technical and funding assistance with aspects of cataloguing, classifying, conserving and safeguarding cultural heritage assets. Given that Iraq has an estimated total of up to 100,000 archaeological and historical sites, with fewer than 11,000 officially registered, there is immense scope for Iraq to benefit from assistance with site cataloguing and evaluation which would be of value in times of both peace and conflict.

Secondly, the 1999 Second Protocol institutes a revamped legal system to protect cultural heritage of the greatest importance for humanity during armed conflict, which for Parties to the Protocol and most use cases replaces the less attractive Special Protection system of the original 1954 Hague Convention. Enhanced Protection is in some respects analogous to World Heritage status and includes many legal safeguards, as World Heritage status itself provides no greater legal protection during conflict than that given to any other cultural property protected under Article 4 (1) of the 1954 Hague Convention and the other provisions named above. As per Article 10 of the 1999 Second Protocol, cultural property (both immovable and movable) may be granted Enhanced Protection under the following conditions:

(a) it is cultural heritage of the greatest importance for humanity;
(b) it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection;
(c) it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.

Inclusion of selected cultural heritage sites in Iraq in the Enhanced Protection List would communicate to all parties the high status of such sites and the potentially severe consequences for inflicting damage upon them. As discussed above, Article 32(1) also offers the opportunity for States to request funding assistance for property under Enhanced Protection. The consequences of Enhanced Protection status are highly relevant in the Iraqi context. Article 12 of the 1999 Second Protocol grants listed sites and objects immunity from attack and from use in support of military action. Whereas an attack may be carried out only if six cumulative and strict conditions laid down in Article 13 (1)(b) and 13 (2) of the 1999 Second Protocol are met, the use of listed sites is not permissible under any circumstances. Had Iraq and the US been State Parties to the Second Protocol prior to the 2003 invasion of Iraq, the classification of a site such as Babylon as having Enhanced Protection status should have protected it from the emplacement of a US Army base at Babylon in summer 2003 (Bahrani 2008; Curtis 2008). Failure to comply with Article 12 is a war crime and is prosecutable by national courts of every State Party under the principle of universal jurisdiction, Articles 15 (1) (a/b), 16 (1) (c) 1999 Second Protocol.

Finally, Iraq's accession to the Second Protocol would send a signal of Iraq's determination to meet the highest global standards in the protection of cultural property before, during and after episodes of conflict. Associated with Iraq's proposed accession to the Second Protocol, we recommend enhanced training of Iraqi military in rules concerning heritage protection using the UNESCO Military Manual (O'Keefe et al. 2016) as the key text and building on hard lessons learnt over the past 15 years (Stone 2011; Rush 2018).

Prevention and recording of trade in looted cultural property

Advances in methods of tracking cultural property stolen from repositories such as museums and storage facilities are making it easier to identify looted antiquities, but there need to be established procedures and relevant technologies at appropriate local levels (Brodie 2008, 2011b). Firstly, there is a need to maintain up-to-date catalogues of known looted items to enable identification of material as it surfaces online, in auction houses or in other media. Such catalogues can provide either details of artefacts known to have been illicitly removed from museums or illustrated exemplars of the kinds of artefacts likely to have been looted from museums or sites. An effective example is the Emergency Red List of Iraqi Cultural Objects at Risk produced by the International Council of Museums (http://icom.museum/resources/red-lists-database/red-list/iraq/). More ambitiously, the Digital Library of the Middle East (https://dlme.clir.org) proposes to 'federate

Middle East collections from around the world to create the first publicly accessible, seamlessly interoperable, large-scale digital library of cultural material from the region'.

Secondly, maintenance of such object lists needs to be coordinated with regularly updated databases of looted sites and of sites threatened with intrusion by possible impacts, including looting, construction and agricultural encroachment, all of which can lead to the appearance of illicitly removed artefacts on the market. Such databases include the country-by-country site maps generated from remote sources, principally satellite imagery, by the Endangered Archaeology of the Middle East and North Africa project which includes Iraq in its scope (http://eamena.arch.ox.ac.uk/). Details on damage inflicted on cultural sites across northern Iraq (and Syria) are collated in Weekly and Special Reports produced by the American Schools of Oriental Research Cultural Heritage Initiatives (http://www.asor-syrianheritage.org/).

More broadly, in view of the evidence that 'the world is losing the war against antiquities looters and traffickers who are destroying our past to meet the market demand for antiquities' (Rothfield 2016, 1), we urge concerned parties to consider radical new measures for disrupting or controlling that trade, including the possibility of applying a 'pollution tax' to antiquities sold in market countries which could generate revenue for improved protection of heritage sites, as proposed by Lawrence Rothfield (2016). Funds raised through application of this tax could be allocated to a pool, such as the Fund for the Protection of Cultural Property in Armed Conflict discussed above, open to affected countries to assist with policing the antiquities trade and protecting threatened sites. As Rothfield estimates (2016, 6) a 10% tax on just one artefact, the so-called Guennol Lioness sold in 2007 at Sotheby's in London for $57 million, could have provided sufficient funds to enable Iraq to employ 'thousands of site guards, guards that would have come in extremely handy during a period when Iraq's antiquities police were disbanded and sites were left almost totally undefended against looters'.

In addition to such measures, criminal sanctions remain a viable deterrent to the trafficking of antiquities and must be pursued by national prosecutors with dedication, as the proceeds from such sales can fund terrorist groups and organised crime. In this vein, the Manhattan District Attorney's Office, which to date has recovered thousands of objects collectively worth up to $150 million, established a specialised Antiquities Trafficking Unit in 2017 to handle the investigation and prosecution of traffickers and buyers (http://manhattanda.org/node/6826/print).

States which are destinations of the antiquities trade ('market countries') can play a critical role in regulating demand through prohibiting the transfer, sale, acquisition, importation and exportation of antiquities, maintaining an effective deterrent to such activities and executing the restitution of cultural objects. We call on all market countries to ratify the 1970 Convention and the 1995 UNIDROIT Convention, and to implement both conventions via national legislation, administrative measures and prosecutions. The German 'Kulturgutschutzgesetz' of 2016 is an excellent example of an intent to comply with international law. We further note that, irrespective of ratification of the treaties listed above, the trade and transfer of Iraqi antiquities removed after 1990 is illegal under international law pursuant to o. p. 7 of UN Security Council Resolution 1483 (UNSC 2003) and binding on all Member States of the United Nations as per Chapter VII of the UN Charter, as is the requirement to restore them to Iraqi control.

Site protection and enhancement

For the protection of sites of archaeological, historical and heritage value, until 2003 the government of Iraq employed a nationwide cadre of 1600 salaried guards whose duty was to protect sites under their stewardship, through the SBAH and its regional Antiquities Directorates (Curtis 2008, 203). This system, which was quite effective, began to collapse prior to the 2003 invasion, due to the exigencies of UN sanctions against Iraq (Russell 2008), and was only partially restored in subsequent years. In the Kurdistan region, there has been more success in sustaining a network of government-employed site guards, but current economic adversity there and across all Iraq has once more brought this system under threat and is likely to lead to renewed episodes of illicit

looting of archaeological sites for financial gain. In the longer term, there should be a programme of education whereby site guards are trained to serve as site guides for visitors to their sites, a system that would enhance access and engagement and provide economic opportunities for local communities. This system works well in Turkey, for example (Atalay et al. 2010).

Looking to the medium and longer-term future, Iraq has immense potential for the development of opportunities and facilities for cultural tourism. The success of the Bil Weekend tour group organised by Ali al-Makhzomy and a growing number of tourism opportunities in the Ahwar of southern Iraq highlight developing trends of national cultural tourism within Iraq, including a demand for access to cultural and ecological experiences. The core development challenge is to convert long-accumulated heritage capital into a realisable asset that works effectively and ethically to the social, economic and cultural advantage of the communities in question through the practice of Community Archaeology (Moshenska and Dhanjal 2011). A first step is the co-creation of infrastructures of interpretation and presentation, to ensure that heritage sites are managed in ways which draw on local traditions as well as on academic research. Through developing a local and national awareness of a shared heritage and its importance to human history, such development is critical to post-conflict bridge building, especially valid in regions where cultural heritage has been under attack. We stress the importance of local heritage to human history and its role as a common yet diverse resource to be cherished and benefited from by all, supporting every citizen's basic human right 'to take part in cultural life, including the ability to access and enjoy cultural heritage' (UN Human Rights Council Resolution 33/20, UNHRC 2016b). Innovative heritage research projects, such as those supported by the Nahrein Network, are taking the lead in enhancing the outreach and visitor potential of heritage sites in Iraq, above all through new approaches to interpretation and presentation, including use of techniques such as Augmented Reality, Virtual Reality, 3D Modelling as well as reconstructed buildings and features. There is great potential across Iraq for promoting ecological farming, agricultural policy and eco-tourism through research into sustainable practices of the past, as is happening in Jordan (http://cbrl.org.uk/common/research/TheDeepPast.pdf).

UNESCO world heritage list nominations

We encourage the government of Iraq to promote the diversity and value of its cultural heritage through activities such as the nomination of sites to the UNESCO World Heritage List and the Tentative List. Iraq's cultural and natural heritage is greatly under-represented on the UNESCO Lists. Some time ago, a report by the International Council on Monuments and Sites (ICOMOS 2004) entitled *The World Heritage List: Filling the Gaps – an Action Plan for the Future* commented that 'The ancient Near and Middle East is often seen as the cradle of humanity, reflecting several of the major cultures and empires. These are under-represented on the World Heritage List', prompting the conclusion that 'special priority should therefore be given to capacity building' (ICOMOS 2004, 25, 41). At present, Iraq has four cultural sites and one cultural/natural site on the World Heritage List, plus 11 cultural sites on the Tentative List, the most recent addition being the Neolithic site of Bestansur in Iraqi Kurdistan, Iraq's only prehistoric site on the lists (http://whc.unesco.org/en/statesparties/iq). In comparison to neighbouring states such as Iran (Mozafferi 2014), highly active in nomination submissions, Iraq has yet to gain the protection it needs for key sites and their environs which could be afforded by World Heritage status.

At the 40th Session of the World Heritage Committee (Istanbul, July 2016), Iraq nominated the Ahwar Marshes region of southern Iraq, including the archaeological sites of Ur, Uruk and Eridu, as a mixed cultural and natural candidate to the World Heritage List. The reviewing bodies, the International Union for the Conservation of Nature (IUCN) and the International Council on Monuments and Sites (ICOMOS), recommended a deferral of examination of this nomination on the grounds that the proposal lacked a coherent rationale, the conservation plan was under-developed, and that further work was needed on 'a programme to ensure an adequate level of protection and effective management capacity for all component parts of the nominated property, and appropriate capacity building activities' (document WHC/16/40.COM/8B, 15–16). In view of the outstanding importance of these sites, the nomination was

nevertheless approved by the Committee, and the property was inscribed on the List. In order to improve the standard of Iraq's World Heritage nominations and to build sustainable skills capacity in site heritage management, we encourage heritage professionals in Iraq to participate in the training opportunities offered by the UNESCO Arab Regional Centre for World Heritage (ARC-WH) and propose a country-specific training programme in the preparation of World Heritage List nominations, in consultation with UNESCO and international scholars with World Heritage expertise. Working with all stakeholders, including local, national and international communities, it is vital to ensure incorporation of local cultural voices, as well as state actors, within nominations (Meskell 2015). The improvement of Iraq's representation in the World Heritage context will assist in enhancing public appreciation of the richness of Iraq's cultural heritage.

Education

Regarding Iraq's hugely important but largely underdeveloped museums, we encourage and support the museum sector to seize the opportunities provided by modern advances in design, planning and public engagement (Message 2006). Iraq's government, assisted by international bodies, needs to provide the resources to enable museums to stay open in evenings and at weekends so that working people are not excluded from enjoying their displays. Iraq's museums need to move beyond the traditional role of 'static storehouses for artefacts' (Hooper-Greenhill 1994, 1) into inclusive, active places for learning and engaging with Iraq's cultural heritage and history with exhibits and educational content designed for families and children. Such engagement through museums leads to an enhanced appreciation of heritage assets by local communities, which in turn leads to better and more sustainable protection of those assets (Thurley 2005). Museums are beginning to take the lead in adopting modern practices in exhibit planning and management, and in educational and public engagement programmes, with support from UNESCO and initiatives involving heritage specialists from around the world, as seen in Baghdad, Basra, and Sulaimani. Current reorganisation of the prehistory gallery in Slemani Museum, Sulaimani, for example, is structured according to the UN Sustainable Development Goals, with archaeological evidence aligned and portrayed within the broad themes of Becoming Human, Creating Communities, and Connecting Communities.

In the long term, there is a severe need across Iraq for improved levels of education in schools regarding the nation's cultural heritage (George 2008, 105–06), and fulfilment of the right to education, Article 13/14 ICESCR. At all levels of schooling, there is a severe shortage of texts and reliable online resources in Arabic and Kurdish with which to support the education of children and students in the value, diversity and global significance of Iraq's cultural heritage and its connection to the quality of human life. Such heritage and human rights education need to be carried out in collaboration with all interested parties, including government, religious groups and education professionals in Iraq. In higher education, the global university sector needs to demonstrate a serious commitment to supporting and engaging with Iraqi colleagues through the hard times, for example, through Erasmus exchange schemes, having been willing to accept Iraqi government scholarships in more prosperous years. The Ministry for Higher Education has announced the development of a new local heritage module for eight archaeology departments across Iraq, including Baghdad, Mosul and al-Qadissiyah (http://qu.edu.iq/arc/?p=4961). Such initiatives will play a key role in enhancing stakeholder interaction with cultural heritage, to the benefit of the heritage sector across Iraq.

Conclusion: embedding cultural rights in the future of Iraq's past

In conclusion, we stress the need for a paradigm shift in the discussion of cultural heritage towards a human rights-based framework. We call on all stakeholders, be they communities, individuals, universities, governmental, non-governmental or international organisations, to

analyse, explain and execute their activities in terms of the promotion of human rights and fundamental freedoms, as well as to develop and apply 'system[s] of indicators to measure progress in the realization of the rights set forth in the International Covenant on Economic, Social and Cultural Rights' (UN World Conference on Human Rights 1993, para, 98).

To this end, we ask the government of Iraq to hold open consultations to gather evidence for its recurring State Report to the Universal Periodic Review of the Human Rights Council, and to inform civil society stakeholders of the opportunities to submit reports to the Office of the High Commissioner of Human Rights online at no cost. Following UNHRC Res. 37/17, we call on the government of Iraq to develop partnerships between competent national authorities and civil society, in particular, grass-roots institutions, to balance power dynamics and meet its obligations to 'respect', 'protect', and 'fulfil' cultural rights in the field of cultural heritage. This is an area in which collaboration with international experts and non-governmental organisations can be fruitful.

Critical to the successful development of a cultural rights approach to heritage and human rights is an acknowledgement of the significance of a gendered approach. The impact of fundamentalism and extremism, with or without Daesh, can be especially deleterious to the cultural rights of women. Human rights violations inflicted on women include enforced gender segregation in higher education, cultural-infraction-based violence and killings (so-called 'honour' killings), immolations (self or imposed), and FGM. International heritage projects working with Iraqi partners need to develop an awareness of gendered issues in designing and conducting their work, including the provision of gender-sensitive facilities and opportunities that enable full participation in project activities by women as well as by men. The growing numbers of small local businesses owned by women across Iraq, including craft producers and across all sectors, need to be supported. More women need to be engaged in protecting and promoting heritage assets, be it through professional or volunteer roles. Finally, the participation of women in the post-conflict negotiation process is essential to enhance the protection of cultural diversity through the voices of women survivors such as in the case of the Yazidi minority in northern Iraq (De Vido 2018). Examples of practices implementing UNESCO Conventions in Nigeria and Vietnam can be useful in considering the case of Yazidi women (De Vido 2018, 269).

We believe that the future of Iraq's past depends on a full integration of its archaeology and heritage assets within a cultural rights approach, with specific and ambitious aims for benefits for all of Iraq's diverse communities. The people and government of Iraq cannot achieve such an objective alone. The international community, which since Iraq's creation has striven to shape Iraq's future, often ill-advisedly, must now both take a step back, allowing Iraq's communities to articulate and explore their own futures and, at the same time, be ready to step forward to provide expertise, advice and resources when called upon by appropriate individuals, organisations and governmental departments of Iraq. The challenges are immense, but the overall objective ensures that the commitment and input of all interested parties will remain steadfast – to enable a culturally diverse and mutually respectful nation of distinctive communities to maximise the social, cultural and economic benefits of their globally significant cultural heritage.

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