EXPERT MEETING

Heritage from Space for Peace:
Remote Sensing for Heritage Protection

Cultural Property Protection: Monitoring and supervision of the implementation of the 1999 Second Protocol

7 June 2022
11 a.m. – 4 p.m (Paris, UTC +2)

CONCEPT NOTE

unesco

Protection of Cultural Property in the Event of Armed Conflict

From the People of Japan

The Republic of Azerbaijan
BACKGROUND

UNESCO is a specialised UN agency, entrusted with the mandate for building the defences of peace in the minds of men and women through Education, Science and Culture. It therefore has the unique capacity to inspire and stimulate broad-based dialogues on sensitive issues, to respond to a range of global challenges that the international community faces, and to contribute to reconciliation and peace.

This is demonstrated by a lead role and achievements in the development and promotion of a powerful normative action related to the protection of movable and immovable cultural property in all its forms.

The Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at the Hague in 1954 under the auspices of UNESCO, is the first multilateral treaty dedicated exclusively to the protection of cultural heritage in times of peace as well as during an armed conflict. It aims to protect cultural property, such as monuments of architecture, art or history, archaeological sites, works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections of any kind regardless of their origin or ownership.

Its Second Protocol, adopted in 1999, strengthens and elaborates on several provisions of the Convention concerning the safeguarding of, and the respect for, cultural property. It clarifies concrete safeguarding measures to be taken and creates an “enhanced protection” regime for cultural property of the “greatest importance for humanity”, adding to the earlier categories of “general protection” and “special protection” under the 1954 Hague Convention. It also directly defines the sanctions due in the event of serious violations committed against cultural property, and the conditions under which individual criminal responsibility applies.

The Committee for the Protection of Cultural Property in the Event of Armed Conflict (hereinafter “the Committee”) has been established to ensure the effective implementation of the 1999 Second Protocol. One of the essential functions vested with the Committee, under Article 27(1)(c) of the 1999 Second Protocol, consists in monitoring and supervising the implementation of this treaty.

At its 15th meeting (UNESCO, 2020), the Committee examined document C54/20/15.COM/14, and decided to establish an Ad hoc subcommittee, composed of the Members of the Committee and relevant experts, tasked, with the assistance of the Secretariat, to develop and submit proposals on the application of Article 27(1)(c) of the 1999 Second Protocol and, inter alia, elaborate a mechanism aiming to improve the protection of cultural property in the event of armed conflict, notably in extreme emergency situations.

At its 16th meeting (UNESCO, 2021), the Committee examined documents on Monitoring and supervision mechanism for the implementation of the 1999 Second Protocol and took note that a consensus has been reached by the members of the Ad hoc subcommittee on a broader definition of concepts of monitoring, as an act of verification (dispatch of missions, in-distance assessment etc.), and supervision, as an act of follow-up to verification (recommendations, technical assistance etc.), as well as on a set of four following principles governing future application of monitoring and supervisions actions:

See Document C54/20/15.COM/14
See Decision 15.COM 14
All relevant documents are also available on the web page of the ad hoc subcommittee
See Document C54/21/16.COM/12 on Monitoring and supervision mechanism for the implementation of the 1999 Second Protocol
See Document C54/21/16.COM/INF.12.I
See Document C54/21/16.COM/INF.12.II
- **Principle of effectiveness**: This principle entails that monitoring and supervision mechanisms shall be operational and result-oriented in line with the purpose of the Second Protocol;

- **Principle of efficiency**: This principle entails that monitoring and supervision mechanisms shall be adequate to the resources available at the disposal of the Committee, UNESCO or State(s) Party(ies) concerned;

- **Principle of cooperation**: This principle entails that monitoring and supervision mechanisms shall contribute to the spirit of collaboration between the concerned States, as well as between concerned States and UNESCO;

- **Principle of consent**: This principle, applicable to monitoring missions, entails that State Party(ies) to the conflict, for the purpose of ensuring the security of the mission, do not oppose the deployment of the mission.

While substantive progress has been made by the *ad hoc* subcommittee, **concrete rules on the use of remote sensing technologies as a tool for monitoring of cultural property in peace time, in the event of extreme emergencies, in particular in the course of hostilities, as well as in situation of occupation, need to be clearly defined.**

In this regard, the Committee requested the Secretariat of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols to conduct research on rules and practices of the use of data gathered through remote sensing technologies by the United Nations and its Specialised Agencies, and develop proposals on access and use of data for monitoring activities.

The Secretariat has contracted a desk-based study examining the issues relating to the access and use of remote sensing technologies, and the data deriving therefrom, for monitoring purposes, as per Article 27(1)(c) of the 1999 Second Protocol. In order to assist the *ad hoc* subcommittee, the Secretariat convenes an online Expert Meeting, which will discuss various aspects of the remote sensing monitoring of cultural property and define its principles.

The report of the Expert Meeting and its recommendations will be presented for the consideration of the *ad hoc* subcommittee at its 4th meeting on 22 June 2022, as well as to the 17th meeting of the Committee in December 2022.

The Expert Meeting is organized thanks to the financial support by the Governments of Austria, Azerbaijan and Japan.

**MEETING OBJECTIVES**

The overall objective of the Expert Meeting is to contribute to the preparation, by the Secretariat, of a reflection document to assist the *ad hoc* subcommittee to develop and submit the **Draft of Principles relating to Remote Sensing Monitoring of Cultural Property** as part of the monitoring and supervision mechanisms under Article 27(1)(c) of the 1999 Second Protocol to the 1954 Hague Convention.

More specifically, the Expert Meeting will discuss legal and technical characteristics of the remote sensing technologies from space and from airborne sensors. It will also consider different types of use of remote sensing technologies to inventory and monitor cultural properties in time of peace and during armed conflicts, to identify precise locations of cultural properties at risk in time of conflict, to serve as a tool for damage assessment, as well as to facilitate the reconstruction (recovery) process in a post-conflict period. The Expert Meeting will also aim to support the development of a proposal of the above-mentioned Principles.
The Expert Meeting aims to:

- **consolidate knowledge and report** on rules and practices concerning the **conditions of access** to remote sensing technologies and data considering both space and aerial imagery;
- **consolidate knowledge and report** on rules and practices concerning the **use of data collected** through remote sensing technologies considering both space and aerial imagery;
- **identify** the main obstacles for remote sensing monitoring of cultural property;
- **develop Draft of Principles relating to Remote Sensing Monitoring of Cultural Property**, including **recommendations on the use of data** gathered through remote sensing technologies to inventory and monitor cultural properties.

**REFLECTION SESSIONS**

The Expert Meeting will hold three broad sessions. Each session will be composed of a keynote introductory presentation and discussion open to all registered participants. These sessions will be conducted around the guiding topics presented below.

**Session 1. Rules and practices concerning the access to remote sensing technologies and data**

The Expert Meeting will discuss principles and objectives concerning the access to remote sensing technologies and data in view of monitoring the state of protection of cultural property, and in particular:

- **Identify** specific needs for monitoring of cultural property using remote sensing technologies in time of peace, during armed conflict and in situation of occupation (number of images, type of data, frequency);
- **Provide an overview** of all available remote sensing technologies and data: comparison of legal and technical characteristics of airborne versus satellite remote sensing technologies (focus, efficiency, scalability, restrictions, timeframe, etc.);
- **Discuss** opportunities of access to remote sensing technologies and data: sensors, resolutions, open access, images catalog, tasking;
- **Identify** constraints to access to data: knowledge and localization of relevant images, costs of commercial images, delay of delivery, etc;
- **Analyze** the role of data providers: reliability of processed data and skilled interpretation, dependence to commercial imagery;
- **Assess** and justify relevance and benefit of remote sensing monitoring of cultural property in peace time and during armed conflict.

The session will specifically aim to define principles concerning the access to remote sensing technologies and data for monitoring cultural property under the 1999 Second Protocol, as well as the process of acquisition of data. The experts are invited to discuss specific case-studies applicable to different types of cultural property (monument, site, historic city, etc).
Session 2. Rules and practices concerning the use of data collected through remote sensing technologies

The Expert Meeting will discuss principles and objectives of the use of data collected through remote sensing technologies for monitoring the state of protection of cultural property, and in particular:

- **Provide an overview** of the use of data gathered through remote sensing technologies by the United Nations and its Specialised Agencies: objectives, types of data, data acquisition, analysis and dissemination;
- **Discuss** existing legal and institutional mechanisms of the use of data gathered through remote sensing technologies, such as the International Charter “Space and Major Disasters”;
- **Discuss** the uses of data gathered through remote sensing technologies in the context of Humanitarian Law;
- **Discuss** existing good practices in remote sensing monitoring of cultural property;
- **Identify** existing principles of the uses of data gathered through remote sensing technologies which could be applied to the monitoring of cultural properties;
- **Assess** the most pertinent uses of data, and in particular during armed conflicts and in situation of occupation;

The session will specifically aim to define principles concerning use of data collected through remote sensing technologies for the monitoring of cultural property under the 1999 Second Protocol, as well as the process of interpretation and dissemination of data.


The Expert Meeting will discuss the Draft Principles relating to Remote Sensing Monitoring of Cultural Property harmonized with existing UN Resolutions and 1986 Principles relating to Remote Sensing, and in particular:

- **Recommend** the main principles concerning access to remote sensing technologies and data, including principles to guarantee their reliability and quality, as well as their skilled analysis;
- **Recommend** the main principles concerning cooperation among United Nations Agencies, States Parties and Specialized Agencies, for acquisition of data to inventory and monitor cultural properties;
- **Recommend** the main principles concerning an automatic activation mechanism for gathering remote sensing data on damages to the cultural properties in conflict areas;
- **Define** a methodology for data analysis by the Secretariat and its reporting to the Committee: needs, internal capacity (skills, equipment, etc), types of reporting (public, restricted);
- **Define** the best uses of data gathered through remote sensing technologies for the monitoring of cultural properties adapted to each situation (time of peace, during and after armed conflict, as well as in situation of occupation) and recommend the main principles concerning use of data;
- **Recommend** the main principles concerning the dissemination of the State of Protection and Damage Assessment reports, including data analysis.

The session will specifically aim to discuss the Draft Principles relating to Remote Sensing Monitoring of Cultural Property under the 1999 Second Protocol.
METHODS

In order to achieve these objectives, each reflection session of the Expert Meeting will be facilitated by a moderator and invited keynote speakers.

During the meeting, the Secretariat will facilitate the reflection using the following approach:

- The Rapporteur presents, at the introductory session, a draft study on rules and practices of the use of data gathered through remote sensing technologies\(^7\), then a keynote speaker presents the legal frameworks of airborne versus spaceborne remote sensing technologies in time of peace, during armed conflict and in situation of occupation;
- The Secretariat introduces each reflection session by presenting its subject, objectives and discussion topics;
- The invited keynote speaker of each reflection session briefly presents her/his analysis and set of recommendations related to the session’s objective;
- The moderator leads a broader reflection by raising questions and inviting all participants to contribute to the reflection by providing their proposals/recommendations on discussed topic. The contribution of each invited participant is crucial to elaborate the Principles. All invited participants may also contribute to the reflection by submitting to the Secretariat their written contributions before or after the expert meeting;
- The Rapporteur, building on contributions from the keynote speakers and participants, will draw out key recommendations, present them at the third reflection session and facilitate development of the Draft Principles relating to Remote Sensing Monitoring of Cultural Property, including all relevant recommendations. The Rapporteur will transmit her written session’s summary notes with proposed Principles and recommendations to the Secretariat;
- The Rapporteur finalizes and presents the report of the meeting, including reflection document and proposed Principles, to the attention of the Ad hoc subcommittee at its 4th meeting on 22 June 2022.

FORMAT

The Expert Meeting will be an interactive event, facilitated by UNESCO.

All discussion will be recorded to facilitate the preparation, by the Rapporteur, of the report. The event will also be photographed and a generic report about the discussions, including recommendations and the list of participants will be presented to the attention of the Ad hoc subcommittee on 22 June 2022, as well as to the Committee at its 17th Meeting in December 2022.

Simultaneous interpretation in English and French will be provided.

---

A draft study on rules and practices of the use of data gathered through remote sensing technologies is open on Teams Platform “Heritage from Space for Peace” (English version will be uploaded shortly) for written comments by all invited participants until 14 June 2022. An access to the document is granted by the Secretariat upon request. All revisions and comments should be added in track changes with indication of name.
CONTACTS

Dr Isabelle SOURBES-VERGER, Director of Research, CNRS
Rapporteur of the Online Expert Meeting
“Heritage from Space for Peace: Remote Sensing for Heritage Protection”
isabelle.sourbes@cnrs.fr

99SP@unesco.org

Ms Anna SIDORENKO, Head,
Cultural Heritage Treaties Unit, Culture and Emergencies Entity, UNESCO
a.sidorenko@unesco.org

Mr Tural MUSTAFAYEV, Associate Programme Specialist,
Cultural Heritage Treaties Unit, Culture and Emergencies Entity, UNESCO
t.mustafayev@unesco.org

Ms Atieh ASGHARZADEH, Administrative Assistant,
Cultural Heritage Treaties Unit, Culture and Emergencies Entity, UNESCO
a.asgharzadeh-khabbaz@unesco.org

If you will encounter a technical difficulty to access the Expert Meeting, please contact
Ms Oulimata SARR, Statutory Meeting Assistant
Culture Sector, UNESCO
ou.sarr@unesco.org