



ISESCO إيسيسكو

Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World

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الْحَمْدُ لِلَّهِ
الَّذِي هَدَانَا
لِهَذَا صِرَاطٍ
مُسْتَقِيمٍ

Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World

Preamble:

The 10th Islamic Conference of Culture Ministers, held in Khartoum, on 21-23 November 2017, on the occasion of the election of Sinnar as Capital of Islamic Culture for 2017,

Pursuant to ISESCO's Charter and reference documents relating to the protection of cultural heritage, highlighting its characteristics and publicizing its landmarks;

Pursuant to international conventions relating to the protection of tangible and intangible cultural heritage;

Pursuant to international conventions on the protection of human rights, including civil, political, economic and cultural rights of peoples;

Taking into account the Member States' domestic laws on the protection of tangible and intangible cultural heritage;

In view of the important role the conservation, valorization and rehabilitation of tangible and intangible cultural heritage play in preserving the collective memory, safeguarding the identity of peoples, recognizing ancestral traditions, learning from the experiences of past generations, and harnessing the real, movable and oral components of such heritage to achieve sustainable development;

Seeking to promote the preservation of the heritage of Member States willing to do so, contribute to its proper utilization and protect it against destruction whatever the circumstances may be;

Being aware of the dangers besetting such heritage; and bearing in mind the repeated violation against **Al-Aqsa Holy Mosque**, the most precious component of such heritage to all Member States,

Taking into consideration the damage being inflicted on historic buildings due to wars and natural disasters, among other factors, and the looting, smuggling and illicit trafficking or excavation of artifacts in many Member States;

Considering the dysfunctions impinging on intangible heritage of these States due to the negative aspects of globalization and to the impact of the Western model on other cultural systems;

Feeling the need to coordinate efforts, strengthen cooperation and encourage the exchange of expertise and information among Member States in order to prevent all forms of destruction, smuggling and illicit excavation or trafficking of heritage;

Being aware of the Member States' need to develop and strengthen cooperation among them in the fields of archaeological and anthropological research, restoration and preservation of heritage and development of public display techniques, as well as in the areas of training and continuous training in heritage-related professions; and

Seeking to develop a consensual reference framework that will bring closer together their legislation on the conservation of tangible and intangible heritage and foster national, regional and international cooperation among them to ensure its conservation and awareness-raising about its importance;

The Conference adopts the text of the “**Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World**” as follows:

I. Objectives and Definitions

Article 1: Purpose of the «Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World»

The adoption of the Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World is aimed at:

- Bringing closer together the views of Member States on cultural heritage conservation,
- Supporting cooperation among Member States in heritage conservation,
- Raising awareness at the local, regional and international levels of the importance of heritage located on the territory of Member States, and coordinating efforts to ensure protection thereof.

Article 2: Definitions

For the purposes of this Declaration, the following terms shall have the following meanings:

- 1. Cultural heritage:** all movable, architectural and intangible property, including underwater heritage, located temporarily or permanently on or outside the territory and maritime domain of the Member States, and whose conservation is useful for the Islamic and human civilization as well as for its history, arts and science.
- 2. Movable cultural heritage:** all movable cultural property unearthed by organized or accidental archaeological excavations, or Hittite human tools and remains, artifacts and antiquities with outstanding archeological value, regardless of their age or the era they belong to, as well as everyday life tools, ethnographic collections, artifacts, archival items, manuscripts, postage stamps, coins, historic photographs, drawings or engravings whose aesthetic value and importance have made them famous and unique.
- 3. Immovable (architectural) cultural heritage:** all historical monuments, archaeological sites and outstanding architectural structures, civil or military, as well as historical, traditional and industrial complexes, and natural landscapes reshaped or influenced with human hands.

Also considered as immovable (architectural) cultural heritage are inscriptions (decorations), lithographs, ancient tombs and caves of special value from the point of view of history, civilization, art or science concerned with human knowledge in general.

- 4. Intangible cultural heritage:** all forms of oral expression, the practices, skills and knowledge that communities and individuals recognize as part of their cultural heritage and identity.

Other components of such heritage include:

- Languages, dialects, literature, music, singing, tales, dance and folk songs;
 - Customs, traditions, handicrafts and craftsmanship;
 - Spaces and places serving for the performance of rituals and traditional customs; and
 - Conserved traditional games and ways of entertainment.
- 5. *Safeguarding heritage:*** the measures that need to be taken to protect cultural heritage and prevent its extinction, destruction and its falling into oblivion, including:
- Managing, using state-of-the-art methods, excavations of heritage, inventorying it; identifying and defining its elements; and raising awareness about its importance.
 - Promoting scientific research and training concerned with it, protecting it from potential human and natural hazards,
 - Harnessing it to promote sustainable development without prejudice to its originality and in a way that is useful for its rehabilitation.
- 6. *Member States:*** the Member States of ISESCO and the Organization of Islamic Cooperation.

Article 3: Relationship between this Declaration, national laws and international instruments

In terms of its wording and objectives, the “**Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World**” does not challenge or limit the provisions of the domestic laws of Member States, nor does it affect the accession of Member States to previous or subsequent similar or related conventions.

The “**Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World**” adheres to, enhances and complements what has been agreed upon within the framework of UNESCO concerning the protection of tangible and intangible cultural property. In no case should it be interpreted as opposing or contradicting the provisions thereof.

II. Mechanisms for Safeguarding Islamic Heritage

1. Organs in charge of safeguarding Islamic heritage

a. The Islamic World Heritage Committee

Article 4:

In addition to its tasks specified in its Rules of Procedure, the Islamic World Heritage Committee shall be responsible for what follows:

- Promoting the fulfillment of the objectives of the “**Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World**” and ensuring follow-up to its implementation for the benefit of Islamic cultural heritage.
- Encouraging Member States to keep and update records for inventorying (surveying and recording) their cultural heritage, encouraging them to establish appropriate and up-to-date enforceable laws, taking into account the application of the internationally-

recognized protection standards, while encouraging scientific research and training in this field and incentivizing the incorporation of heritage protection in education systems.

- Promoting cooperation between Member States, if they wish to do so, in the fields of expertise, training, scientific research and information transfer on illicit trafficking of heritage and repatriation of illegally expatriated archaeological items;
- Encouraging Member States to give priority to safeguarding cultural heritage in danger;
- Receiving and examining the funding plans presented by the Member States for safeguarding Islamic heritage;
- Examining and reviewing the reports of the Heritage Observatory on monitoring the situation of cultural heritage in the Islamic world.

b. The Heritage Projects Fund

Article 5:

A fund called "Heritage Projects Fund" shall be established at ISESCO to support the projects aimed at safeguarding, conserving and promoting Islamic heritage and saving heritage in danger, as well as the projects aimed at valorizing it and raising awareness of its importance among the rising generations.

Article 6:

The Fund shall be funded through the voluntary contributions of the Member States, the donors and the cooperating parties.

Article 7:

ISESCO shall supervise the management of the Fund, receive support requests from Member States and prepare files and evaluations pertaining to them before submitting them to the Islamic World Cultural Heritage Committee for consideration.

c. The Heritage Observatory

Article 8:

A Heritage Observatory shall be set up at the Islamic World Cultural Heritage Committee in order to:

- Monitor the situation of Al-Quds Al-Sharif's heritage, prepare reports to this end and submit them to the competent party.
- Monitor the situation of the Islamic heritage located in war-prone places, in compliance with the principles of the charters of the OIC and the UN.
- Collect information about:
 - ♦ Smuggling of and illicit trafficking in the Islamic cultural heritage.
 - ♦ Destruction of cultural heritage by extremist groups.
 - ♦ Unauthorized searches and excavations.
 - ♦ All tendentious materials and erroneous stereotypes circulated about heritage through the audiovisual and written press, books and on the Internet.

2. Systems for safeguarding cultural heritage

Article 9:

Member States having no legislation on heritage protection are required to enact national legislation governing the safeguarding of their movable, tangible and oral cultural heritage and shall update outdated ones.

Article 10:

Member States having no body specialized in heritage protection are required to appoint a high-level administrative and institutional apparatus to manage, protect, promote and use the local cultural heritage as effectively as possible, within the framework of an effective development policy that values and safeguards its components.

Article 11:

Member States are required to establish a register for the inventory, updating, and dissemination of tangible and intangible cultural heritage within their borders and to take all measures necessary for its conservation.

They may also establish preventive systems to protect and enhance cultural property. To do this, they are invited to:

- Include such property in the national inventory register or in the list of antiquities by virtue of binding legal texts.
- Create protected areas that house traditional or historic urban complexes or that have an exceptional value or contain an oral cultural heritage.
- Inscribe their heritage on the Islamic World Heritage List, if they wish to do so;
- Inscribe their heritage on the list of world tangible and intangible heritage, if they wish to do so.

Article 12:

Member States undertake to protect, restore, conduct studies on their cultural heritage and display it to the public within the limits of means available.

Article 13:

Member States shall refrain from importing cultural property or parts of property which belong to other States, unless this is done as part of authorized exportation.

Furthermore, their public and private institutions as well as their museums, galleries and auction rooms must refrain from acquiring or selling heritage objects suspected of being removed from another State illegally.

Article 14:

Member States shall adopt policies to raise awareness of the importance of Islamic cultural heritage and to make it known to the rising generations.

Article 15:

Scientific research in cultural heritage conservation should be encouraged and an academic and technical training plan be adopted to this end.

Article 16:

Exploitation of the components of cultural heritage in income-generating areas and in socio-economic projects implies the following:

- Action within the framework of an efficient development plan;
- Avoiding all that is likely to devalue or affect the authenticity of heritage;
- Retracting immediately any intervention that undermines the authenticity of cultural heritage.

III. Technical and Financial Assistance**Article 17:**

Member States may, through the Islamic World Heritage Committee, request the Organization's advice as well as its technical and financial assistance to safeguard their Islamic heritage.

The Islamic World Heritage Committee shall examine applications for financial assistance or technical advice.

Technical assistance shall include the appointment of an expert or undertaking part of the cost of operations of the study, restoration, excavation or rescue of heritage.

Article 18:

Member States, wishing to do so, may request advice from each other or exchange technical assistance among them. They may also request this from bodies having not acceded to this Declaration such as UNESCO and other UN organizations and bodies.

IV. Preventive Measures and Mediation**Article 19:**

Member States shall be kept informed of illegal and illegitimate acts affecting Al-Quds Al-Sharif's monuments. The Islamic World Heritage Committee shall meet to assess the situation and submit its report and recommendations thereon to the competent parties.

Article 20:

Each Member State shall be promptly informed of all information the Heritage Observatory happens to receive regarding any harm to their national heritage.

Article 21:

Member States are called upon to respect the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague, 1954).

Article 22:

In the event of unauthorized export or import of cultural property, such property shall be seized and the authorities of the State concerned informed.

V. Procedural Measures

Article 23:

The Islamic World Heritage Committee shall draw up its standardized rules of procedure, which shall regulate the Support Fund and the Heritage Observatory.

Article 24:

The Islamic Declaration on Safeguarding Cultural Heritage in the Islamic World shall enter into force as from the date it is adopted.