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The Global Fight against Cultural Terrorism 2017- ongoing

Keywords

Cultural Heritage, Terrorism, International Law, Transnational Law

Abstract

The around-the-globe video diffusion of the destruction of the world cultural heritage monuments by Daesh, such as the ancient Syrian city of Palmyra, has shocked the entire humanity. Attacks against greatly celebrated cultural sites are pursued by Daesh and other terrorist groups with the aim of erasing the legacies of the cradle of Western culture or to wipe out cultures different from the terrorists own. The remnants of the destructive attacks are then sold by the terrorist group on the international black market of artefacts, which is estimated to be one of the main sources of the group self-financing.

Because of the destruction of the world cultural heritage, the whole humanity feels it has been deprived of part of itself, and this, regardless of the geographical localization of the ruined artefact or of the identification of that cultural property with a given civilization.

How can this universal human feeling be defined in legal terms? Does it give rise to any individual and/or collective subjective legal situation deserving protection and redress? What tools are available to the international community to fight against the destruction and loss of antiquities by terrorist groups and to repair damages? The present research suggests a ground-breaking approach to answering these and other connected questions, which consists in intersecting different legal and non-legal disciplines, theoretical paradigms and research methodologies. The fight against cultural terrorism is proving to be an amazing example of the development of a 'global law', meaning the creation and implementation of complementary legal tools, irrespective of their systematic legal provenance.

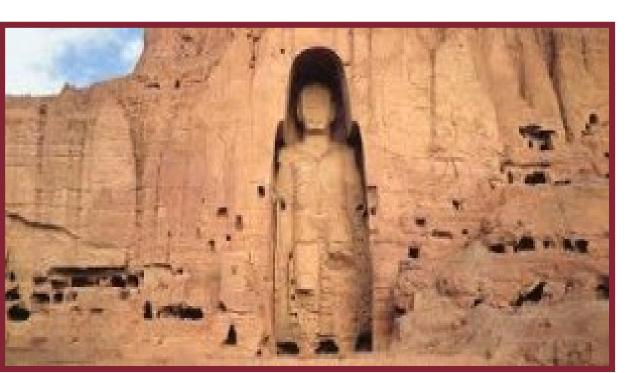
Aims

The theoretical and scientific target of the research is to give evidence of how many and different legal (and political) domains – at international, national, local levels - are engaged in the struggle against cultural terrorism and how these domains interconnect and complement one another

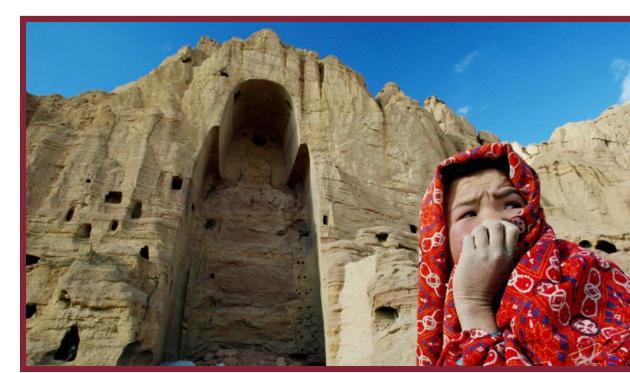
– As a concrete outcome, the research aims at providing a synergic and interactive map of the legal and operational (for purpose of security, antismuggling, artefacts restoration) tools, for the use of all interested actors involved, such as institutions, agents, operators, museums, civil society.



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Source: www.ilditonellocchio.it/27-febbraio-2001-distruzione-dei-budda-di-bamiyan/



Source: https://www.lifegate.it/persone/news/lunesco-vendica-buddha-con-un-centro-culturale-bamiyan



The poster of the film Monuments Men directed by George Clooney in 2014

Alberta Fabbricotti Adjunct Professor in International law and EU law at the Department of Legal, philosophical and economic studies at Sapienza University of Rome. She is a Member of the Steering Committee of the Sapienza Advanced Professional Course in Diritto e nuove tecnologie per la valorizzazione dei beni culturali (Law and New Technologies for the Enhancement of Cultural Heritage). She holds a Ph.D in International Law from Sapienza University, Rome (1996) and obtained the Italian academic qualification (abilitazione) as Associate Professor twice (2014 and 2018). Alberta has published two monographs, the first on immigration and asylum in European law and the second on the legal relationship between regional trade agreements and the WTO; edited the collected volumes The Political Economy of International Law (2016) and Il diritto al cognome materno (2017); and authored many articles in the areas of international economic law, international protection of human rights and refugee law.



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