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International Journal of Cultural Property (2022), **29**: 391–407
doi:10.1017/S0940739122000030

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ARTICLE

The world is not enough: New diplomacy and dilemmas for the World Heritage Convention at 50

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Abstract

In this article, we reflect on the current socio-political context of the 1972 World Heritage Convention after 50 years rather than its significant achievements and trials throughout its turbulent history. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has already documented and publicized these formative episodes. Instead, we consider the World Heritage milieu today, embedded as it is within a much broader landscape of non-governmental organizations and civil society preservation initiatives than it was five decades ago. Like other United Nations agencies, UNESCO now faces challenges arising from various types of re-spatialization beyond the nation-state that further impact its effectiveness. Those challenges encompass not only the expansive force of globalization but also regionalization and localization, all of which have given rise to a new diplomacy. We discuss the proliferation of competing international agencies and individual donors, then describe the dilemmas facing World Heritage, including the rise of non-state actors and post-conflict remediation in the Middle East, the limited recognition of Indigenous Peoples and their role in decision making, and the persistent failures to remedy the inequitable position of Africa as a priority region.

Keywords: UNESCO World Heritage; Indigenous Peoples; NGOs; Africa; diplomacy

Introduction: A conventional context

In 1972, the Convention Concerning the Protection of the World Cultural and Nature Heritage (World Heritage Convention) was adopted, and it came into force in 1975.[1] The Convention enshrined a set of duties, specifically the obligations of signatory nations to identify sites and their role in protecting them. By signing the World Heritage Convention, each nation pledged not only to conserve the World Heritage sites within its borders but also to protect its national heritage more broadly. Ideally, the commitment would also be global, as reflected in United Nations Educational, Scientific and Cultural Organization's (UNESCO) early international salvage campaigns. UNESCO entreated the world to come together to preserve sites in imminent danger, such as Abu Simbel or Mohenjodaro, to raise funds and

[1] Convention Concerning the Protection of the World Heritage and Natural Heritage, 16 November 1972, 1037 UNTS 151 (World Heritage Convention).

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https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

collaborate, further fostering solidarity between nations. Thus, the institutional framework for the Convention was originally formulated to consolidate international initiatives and financial commitments, a trust fund for the world's heritage. Certainly, the Convention has prompted greater public awareness about the many threats facing cultural and natural sites worldwide. Yet the international funding available for UNESCO's global preservation initiatives has been systemically reduced and is now diverted amidst the growing number of new agencies that seek to benefit from the popularity of World Heritage. The most significant fiscal crisis for UNESCO occurred in 2011, when the United States halted payment of its dues. This dramatic shortfall has not been recouped by other contributions. Some countries have funneled their subsequent donations into UNESCO's Funds-in-Trust, whereas many others have generated their own independent initiatives beyond UNESCO's remit. While multiplying and often duplicating preservationist efforts worldwide, such proliferating programs also indicate that UNESCO's mission to consolidate and control global patrimony is waning.

The last few decades have seen growing challenges within the World Heritage program, as we have argued elsewhere – namely, that the commitment to conservation goals has been replaced by the acquisitive practices of inscription, adding more and more sites to the World Heritage List, with less concern for the conservation of those already inscribed.[2] A turning point came with the 2010 World Heritage Committee meeting in Brasilia, where drastic changes to protocol and decision making were institutionalized. The most obvious example was an upsurge in political pacting to overturn expert recommendations. These practices are redolent of new forms of diplomacy arising from the persistent problems that UNESCO itself has been unable to solve. Our long-term fieldwork indicates that members of the UNESCO Secretariat are also frustrated by the increasing politicization and the inability to hold states accountable, yet they are unable to speak out publicly, much less censure nations.[3] This older-style international diplomacy now tends toward impotence and inactivity, and such failures have only galvanized the perpetrators and predatory states as well as the external actors hoping to rein them in. None of this displaces the centralized decision-making power of the World Heritage Committee and the Member States; rather, it adds potential pressure and public attention to the limitations of conventional World Heritage governance and compliance. We provide a brief background here to the challenges that the World Heritage Committee faces and its decision-making functions and direct readers to our previous work outlining new strategies developed by states to increase their visibility in World Heritage matters.[4]

In the wake of new global challenges and the rise of new players over the past two decades, a hybrid heritage landscape has emerged. This new public diplomacy is "an instrument used by states, associations of states, and some sub-state agencies and non-state actors to understand cultures, attitudes, and behavior; to build and manage relationships; and to influence thoughts and mobilize actions to advance their interests and values."[5] With regard to UNESCO, we suggest that novel diplomatic strategies have emerged out of institutional inertia and the resultant frustration on the part of many individuals and groups. In this article, we follow these new directions and examine what underlies this dissatisfaction as raised by specific states, in the case of African nations, and by minorities, in the case of Indigenous representatives. We also present some alternatives emerging from civil society, in the case of heritage non-governmental organizations (NGOs). Several key dilemmas that World Heritage now confronts – specifically, the lack of Indigenous participation and persistent regional imbalances – have given rise to a new diplomacy. These

[2] Meskell 2014; Brown, Liuzza, and Meskell 2019.
[3] Meskell 2015; Hølleland and Johansson 2019.
[4] Meskell et al. 2015; Liuzza and Meskell 2021.
[5] Bruce Gregory, quoted in Ayhan 2019, 65.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

predicaments, coupled with the elision of non-state participation generally, have precipitated the rise of alternative agencies, NGOs, and civil society and corporate initiatives. We do not suggest that all these groups operate along similar lines or evince consistent objectives; yet, in general, they do stand in contradistinction to the mid-century model exemplified by UNESCO. Many such agencies use novel modes of communication to disseminate their particular messages and showcase projects, often through an expansive web presence and the use of social media. This greater openness in international diplomacy in turn creates greater possibilities for third parties to intervene in and reshape global heritage governance.

Given the proliferation of heritage NGOs that seek to replicate or replace the work of UNESCO, it is timely to consider what underlies the dissatisfaction. It is particularly telling that in 2017, in the wake of the heritage destruction wrought by the Islamic State, France, as the host nation of UNESCO, together with the United Arab Emirates, created an entirely new organization. Instead of consolidating funds through UNESCO, they established the International Alliance for the Protection of Heritage in Conflict Areas (ALIPH) as an international fund of donor countries dedicated to heritage protection in situations of armed conflict and post-conflict reconstruction.[6] In light of such initiatives, we would be remiss not to examine the Middle East context (the focus of most of the NGOs to emerge in the last decade) and the pressing issues of conflict, rehabilitation, and peace building that once constituted the traditional remit of UNESCO. Many NGOs are keen to underline their independence, their ability to be nimble and responsive in crisis contexts, and the significant funds they can mobilize. Then we look at two other interrelated spheres: Indigenous recognition and the continued exclusion of the African region, both of which the World Heritage program has been unable to successfully address.[7] Taken together, our choice of case studies underscores international and regional conflicts and inequities as well as the effects of global social movements as they impact World Heritage.

Finally, is it important to note that this article is written from our particular grounded perspective: we are both trained in archaeology, have been participants and observers in World Heritage matters for over a decade, and have studied World Heritage issues across disciplinary divides (anthropology, law, economics, political science) to analyze long-term patterns and changing dynamics. Many of our previous publications have examined historical and emerging trends and have employed ethnographic research into governance and conservation.[8] In this article, we focus on three emerging issues that are representative of larger dilemmas confronting the 1972 World Heritage Convention upon its fiftieth anniversary. The first issue is the limited support for non-state and civil society participation within World Heritage. While we discuss the example of Indigenous Peoples, the Convention's constraints equally apply to other groups seeking representation, such as Palestinians, Armenians, or Uighurs.

On the flipside, non-state actors are easily identified and denounced when they are the perpetrators of heritage destruction, such as the Islamic State or Ansar Dine, as opposed to the difficulties of calling out infractions carried out by Member States such as China, Russia, or Saudi Arabia. The second issue is UNESCO's failure to fulfill its own priority programs

[6] International Alliance for the Protection of Heritage in Conflict Areas Foundation, https://www.aliph-foundation.org/en/our-ambition (accessed 1 July 2021). See Isakhan and Meskell 2019; Meskell and Isakhan 2020; see also "UAE and France Reunited for the Establishment of the International Alliance for Protection of Heritage in Conflict Areas," *PR Newswire*, 21 March 2017, https://www.prnewswire.com/news-releases/uae-and-france-reunite-for-the-establishment-of-the-international-alliance-for-protection-of-heritage-in-conflict-areas-616688814.html (accessed 1 July 2021).

[7] Meskell 2013; Meskell, Liuzza, and Brown 2015.

[8] Bertacchini, Liuzza, and Meskell 2015; Meskell et al. 2015; Bertacchini et al. 2016.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

(for example, Priority Africa) and promises (for example, the Global Strategy) to remedy the continued dominance of European states and their sites within World Heritage. Failures such as these have given rise to a phenomenon that we outline here as our third issue – namely, the "new diplomacy" involving new actors that hope to rectify the Convention's shortcomings. Yet, in doing so, this suite of players and projects further complicates and attenuates already limited financial and human resources as well as revealing UNESCO's inability to direct coordinated action. Moreover, the proliferation of projects and organizations has created a capacious consultancy culture and undercut UNESCO's purported role as the premier global agency for cultural conservation.

Donors and the new diplomacy

In the past few decades, various forms of re-spatialization beyond the category of the nation-state have impacted the effectiveness of UN bodies, including UNESCO. While most of us are familiar with the processes of globalization in the heritage sphere, less attention has been paid to novel articulations of regionalization and localization. Regionalization refers here to the construction of social spaces that span several contiguous countries and can transcend purely national concerns. Regional-scale and global-scale agencies often work in tandem, as when the European Union represents a group of contiguous countries or when United Nations (UN) security operations are conducted in tandem with regional bodies such as the African Union.[9] At UNESCO, we observe this new regionalism in the quest for serial nominations of properties across Europe; in the case of African nations, in the broad-scale criticism of the lack of representation and bias; and in Indigenous groups working together for greater accountability. Thus, despite persistent nationalism, re-spatializations have come from "below" and "above" the bounded nation-state.[10] Regarding localization, we observe this trend within World Heritage across multiple cultural, demographic, economic, and political manifestations. In the last two decades, there has been a concerted move by Indigenous communities for visibility, recognition, and decision-making power. Indigenous Peoples typically have to present themselves as minorities within nations, tied to local landscapes and significant sites. However, they increasingly advance their cause at World Heritage meetings through global and regional coalitions. These expansive trans-governmental networks also include sympathetic actors who are pursuing human rights, environmental justice, and climate change agendas.

We argue that this mosaic of actors and agencies, mobilizations, and modes of diplomacy has emerged to meet those heritage challenges where UNESCO has demurred. It is timely that we consider why so many parallel programs have flourished internationally, comprising a suite of diverse organizations, charismatic donors, and philanthrocapitalists that have different agendas and operations.[11] Perhaps some would argue that it is unavoidable in a more globalized and entrepreneurial age. The proliferation of NGOs, start-ups, and crowdsourcing efforts and digital platforms denotes a ground swell of activity that the founders of UNESCO back in 1945 could have scarcely imagined. Regardless, we suggest that such activity is further spurred on by the number of major challenges that the organization was ill prepared to meet. This includes the rise of international conflicts that intentionally involve ancient sites, most recently in the Middle East; the high-profile role of non-state actors not simply in global conflict but also in confronting nation-state hegemony over heritage, such as Indigenous and minority communities; and the persistent problem of regional inequities and underrepresentation, as in the case of the African continent.

[9] Scholte 2008, 46.
[10] Scholte 2008, 47.
[11] Brockington 2009; Thompson 2018; Haydon, Jung, and Russell 2021.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

The 1972 World Heritage Convention arose from UNESCO's experience in international salvage campaigns and was conceived as a "permanent system" eliminating case-by-case appeals and enabling UNESCO to coordinate activities and international collaborations. But, despite the increasing popularity of the Convention and the much sought-after World Heritage label, UNESCO failed to capitalize upon that success to fundraise or partner with private and non-governmental sectors. Our archival research reveals that the drafters of the Convention were optimistic that intergovernmental organizations (IGOs), NGOs, foundations, and corporations would contribute funds. There was an expectation that tourism and transport companies would invest in cultural heritage preservation. Since that activity failed to materialize, strategies were needed to boost resources beyond the Member States' contributions since these efforts also proved inadequate, with unpredictable amounts arriving at irregular intervals.[12]

At the World Heritage Convention's twentieth anniversary in 1992, Director-General Federico Mayor commissioned a marketing strategy for World Heritage fundraising. The external consultants reported that, while World Heritage was often "described as UNESCO's crown jewel for promotion and fundraising purposes" and "certainly [had] the potential to be a beautiful and valuable jewel it was [at the time] only a collection of greatly varying uncut and unset gems," with values "being eroded ... being sold cheaply or given away." They recommended that UNESCO "modify the logo and create a legal entity, possibly a foundation, that could register its trademark."[13] The report claimed that, if "well controlled and nurtured, World Heritage could become over time a valuable brand."[14] However, the World Heritage Committee rejected the report *in toto*, arguing that such a foundation could not compete with other NGOs.[15]

A decade later, the World Heritage Partnership Initiative was established to develop standards and promote international partnerships and fundraising; it was later reorganized and rebranded as the World Heritage Partnerships for Conservation Initiative (PACT). Yet another audit in 2011 underlined its shortcomings: PACT pursued an unsystematic approach to fundraising and financial reporting, and an excessive bureaucracy hampered its effectiveness.[16] Long-term issues including insufficient funding and inefficient bureaucracy have severely hampered the effectiveness and reputation of the World Heritage program and continue to do so today.

Our aim here is not to suggest that UNESCO is irrelevant but, rather, that many other initiatives currently aim to emulate, improve upon, or radically re-envision the work once claimed by the World Heritage program. For example, there are the established organizations, created in the twentieth century and most after World War II (for example, the World Monuments Fund, the World Wildlife Fund, the Aga Khan Trust, Europa Nostra, the Kress Foundation, J. M. Kaplan Fund). Many more are products of the twenty-first century. They arose as a response to the heightened destruction of cultural properties – from the Balkan wars to the Bamiyan Buddhas and, more recently, under the Islamic State (for example,

[12] States parties to the World Heritage Convention are required to pay contributions to the World Heritage Fund amounting to 1 percent of their contributions to the UNESCO Regular Budget. States can indicate at the time of ratification if they commit to paying those as voluntary or compulsory contributions. World Heritage Convention, Art. 16. In 2021, the lowest annual contribution was US $26 and the highest contribution, that of China, amounted to US $405,663. See United Nations Educational, Scientific and Cultural Organization (UNESCO), https://whc.unesco.org/en/world-heritage-fund/ (accessed 1 June 2021). For a historical analysis of the contributions to the World Heritage Fund, see Liuzza 2020, ch. 4.

[13] They argued that the existing logo had "virtually no public recognition and ... [was not] particularly appealing." Quoted in Liuzza 2020, 8.

[14] Quoted in Liuzza 2020, 14.

[15] Quoted in Liuzza 2020.

[16] Quoted in Liuzza 2020, 12.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

the Global Heritage Fund [GHF], ALIPH, Arcadia, Iconem, Our World Heritage, the Sustainable Preservation Institute, Saving Antiquities for Everyone, and Endangered Archaeology in the Middle East and North Africa [EAMENA], the Association for the Protection of Afghan Archaeology, the Cultural Heritage Finance Alliance, Cyark, the Balkan Heritage Foundation, and others).[17] This evolution occurred precisely at a time when the World Heritage program had depleted resources and personnel. And while private foundations and donors might have partnered with, or lent support to, UNESCO, many instead chose to create new platforms with new priorities. Furthermore, foundations are increasingly working together, such as the J. M. Kaplan Fund, the GHF, and EAMENA working across the Middle East and North Africa (MENA) region. Organizations such as these can act more quickly and decisively, especially on an emergency basis, and thus evince greater flexibility than UNESCO. In an era of spiraling crises, they can exercise greater selectivity in the places they work, sites they preserve, or issues they sidestep, in contrast to the imputed global mission of UNESCO.

Corporations and civil society associations typically present themselves as pragmatic, highly responsive, and professional, resulting from corporate social responsibility schemes, private-public partnerships, or philanthropy capitalism (for example, David Packard, Jeff Morgan, Thomas S. Kaplan, Larry Coben, and Gregory Annenberg Weingarten). The rise of monument philanthropists,[18] such as Thomas S. Kaplan and Jean Claude Gandur from ALIPH,[19] similarly stems from neoliberal forces, as do the more familiar educational foundations that have branched into cultural preservation (for example, the William and Flora Hewlett Foundation, the Whiting Foundation, the Christensen Foundation, the Barakat Trust, or the Aga Khan Trust for Culture). Austerity and neoliberal reforms stemming from the financial crises of the new millennium have further accelerated the withdrawal of traditional and national resources for cultural heritage, thus deepening the dependence on private funding.[20]

Wealthy individuals such as His Royal Highness the Aga Khan or the Gulf monarchs exemplify the rise of private family foundations that are keen to support conservation and identify worthy heritage and preservation projects. Moreover, European companies including Fendi, Louis Vuitton Moët Hennessy, Tod's, Givenchy, Michelin, and even Sotheby's now incorporate cultural heritage into their philanthropic programs.[21] Perhaps more common in the United States and Europe, this is a growing trend in the Middle East, India, and Asia more broadly. While UNESCO's Member States still wield the greatest power and influence under the 1972 World Heritage Convention, the needs of global heritage and its multiple, highly diverse communities are creating greater calls for visibility, agency, and unrestricted power sharing. In its efforts to save the world, UNESCO as a global body has to confront novel transscalar modes of governance, with transnational alliances, trans-governmental networks, regional groupings, and local agencies.

Newer organizations and academic networks over the past two decades have concentrated their efforts on the MENA region, with an emphasis on restoration and rehabilitation (for example, the Nahrein Network, Research, Assessment and Safeguarding of the Heritage of Iraq in Danger, the Iraq Heritage Stabilization Project, Heritage for Peace, EAMENA, PACE, and Shirin). Many began as monitoring and documentation projects with online platforms to

[17] Cultural Heritage Finance Alliance, https://heritagefinance.org/ (accessed 1 June 2021); see also Association for the Protection of Afghan Archaeology, http://www.apaa.info/ (accessed 1 June 2021).

[18] Lombard Odier Darier Hensch, https://www.lombardodier.com/contents/corporate-news/corporate/2020/july/preserving-whats-most-precious-h.html (accessed 1 June 2021).

[19] Fondation Gandur pour l'Art, https://www.fg-art.org/en (accessed 1 June 2021).

[20] Plets and Kuijt 2021.

[21] Sotheby's, https://www.sothebys.com/en/articles/preservation-perseverance-philanthropy-in-the-face-of-adversity (accessed 1 June 2021).

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

track looting and site damage, often led by archaeologists and scholars no longer able to access their field sites. Projects have proliferated in times of conflict, and their efforts are often duplicated, particularly for Syria and Iraq in the wake of Islamic State destruction. Such uncontrolled duplication signals competition for UNESCO's collective salvage mission, splintering into innumerable initiatives rather than unifying civil society and nation-states. Civil society initiatives typically merge material and social efforts at reconstruction since there is a general perception that World Heritage has privileged the former over the latter.[22] Additionally, the UNESCO program has long been dominated by architects, whereas NGOs stem from fields that are more socially inclined. More emphasis too is placed upon the communities affected and how rebuilding might provide socioeconomic benefits as well as long-term peace building.

Scientific communities are more flexible and faster in responding to global challenges by operating partly outside the constraints of state bureaucracy and political disputes. And while traditional treaty-based international organizations have slowed in growth, in the past twenty years, the number of informal IGOs and NGOs has ballooned. Similarly, those knowledge organizations and scientific communities have become more entwined with the governance ambitions of international organizations and the foreign policy concerns of governments. As such, these new channels of influence and opportunity have opened up for states to advance their agendas, alongside the "traditional" modes of foreign diplomacy.[23]

The Middle East is the new international playground for NGOs,[24] consultants, and universities since supporting heritage safeguarding provides an arena for those who can no longer work in the region due to security issues. It is scarcely possible to track the number of overlapping initiatives and players. In our own attempts to do so, it has become clear that multiple agencies often underwrite and assume credit for any single project. For example, the US State Department earmarked funds for preserving Babylon to be run through the World Monuments Fund, and work was then outsourced to a NGO and consultants. ALIPH allocated US $1.9 million to UNESCO and the Afghan Ministry of Information and Culture to safeguard the archaeological remains at Jam, while the conservation work was conducted by external consultants. Such examples underscore further forms of proliferation, including a multiplicity of agencies operating in a complex terrain within a polycentric mode of heritage governance. The age of diplomacy as an institution is giving way to an age of diplomacy as a behavior. Today, our understanding of what constitutes an international agency like UNESCO must necessarily incorporate companies, NGOs, and other actors.[25]

Apart from some individual monuments that UNESCO focuses upon, such as the Al-Nuri Mosque or Timbuktu, the agency lacks the capacity and resources to tackle the scale of the problem and has lost ground in its reputation as the world's premier heritage institution. As outlined above, UNESCO has encountered numerous charges of politicization since its foundation, through the Cold War, and into the present moment. The various audits commissioned (for example, by Deloitte, Baastel, the Canadian government, the UK Multilateral Development Review) have underlined issues such as bureaucratic inertia, managerialism, high clientelism, and mismanagement.[26] One external auditor reported that

[22] Isakhan and Meskell 2019.

[23] Legrand and Stone 2018.

[24] Fawaz and Harb 2020; Ammar Azzouz, "Can the Syrians Speak?" *SOAS LIDC Migration Leadership Team Blog*, 14 July 2021, https://blogs.soas.ac.uk/lidc-mlt/2021/07/14/can-the-syrians-speak/ (accessed 1 June 2021).

[25] Kelley 2010, 286.

[26] UNESCO 2010; UNESCO Executive Board, *Report of the Independent External Evaluation of UNESCO*, Doc. 185 EX/18 +ADD, 30 August 2010.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

UNESCO was over-centralized, risk averse, and siloed and recommended that the organization should be more outward looking with stronger partnerships.[27]

Today a number of watchdog organizations offer mechanisms for independent critical oversight, including the World Wildlife Fund, the World Monuments Fund Red List, and, more recently, World Heritage Watch. The latter, based in Germany, organizes meetings before the annual World Heritage Committee (Committee) session and publishes a report highlighting the most problematic issues facing sites discussed by the Committee. They also sponsor local organizations to attend and speak at the Committee to advocate for their sites. Others, such as Greenpeace or the World Wildlife Fund, use the media to denounce nations that lobby to influence the outcomes of the World Heritage Committee decisions. Since UNESCO has no implementing power when Member States breach the Convention, these alternative bodies employ tactics derived from the environmental field – activists and grassroots organizations – that include public naming and shaming and social media campaigns. Thus, the new diplomacy possesses a distinct advantage in its independence from UNESCO's powerful Member States: it remains more agile and reliant on civil society mobilization. Taken together, this signifies an innovative global public domain with new roles for policy entrepreneurs and ever more crisscrossing linkages that some describe as a polycentric mode of governance.[28]

Indigenous interventions

In the wake of decolonization following World War II, newer Member States of UNESCO have called for greater participation by non-state actors such as Indigenous Peoples, minorities, and NGOs. Yet there are still shortcomings in the current multilateral framework of the 1972 World Heritage Convention, despite the fact that cultural heritage is entwined with UNESCO's broader mandate concerning human rights, rule of law, development, and peace.[29] However, the World Heritage Committee has repeatedly ignored ongoing, significant human rights violations related to properties inscribed on the World Heritage List. For example, it continues to inscribe sites despite clear evidence that Indigenous Peoples have not been consulted, contrary to international law concerning free, prior, and informed consent and the repeated interventions of UN mechanisms on the rights of Indigenous Peoples.[30]

In 2000, the World Indigenous Peoples Forum was held in tandem with the World Heritage Committee meeting in Cairns, Australia. Representatives from Australia, Canada, and New Zealand harnessed the momentum and setting to propose the World Heritage Indigenous Peoples Council of Experts (WHIPCOE). The proposition was a radical attempt to form a group of global experts to advise on various aspects of World Heritage governance, in light of the frustration voiced by Indigenous Peoples over their lack of involvement in the development and implementation of policies for the protection of their knowledge, traditions, and cultural values. Though WHIPCOE was not agreed upon at that meeting, Australia, Canada, and New Zealand further developed the idea. Discussion continued over the years, and decisions were further delayed. When official letters were sent, Australia, New Zealand, Mexico, Brazil, and Iceland commended the proposal, but many Member States remained unconvinced. Israel was concerned over the definition of "Indigenous." The United States stated that it already had "a clearly defined legal relationship to Indigenous Peoples that

[27] UNESCO Executive Board, 4.
[28] Kelley 2010, 294.
[29] Vrdoljak and Meskell 2020.
[30] Vrdoljak and Meskell 2020. See also the example of Lake Bogoria in Kenya (Vrdoljak 2018).

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

would render it inappropriate for us to submit such lists without consulting them."[31] France objected to the institutionalization of a council on legal, practical, and financial grounds. It argued that Indigenous issues should be "resolved in the framework of the Rules and Procedures of the States Parties concerned."[32] The proposal for Indigenous oversight stalled owing to the will of powerful nations, often those with Indigenous minorities seeking greater recognition and self-determination and the "problem of sovereignty."[33]

While an important tool for the promotion and protection of the heritage of Indigenous Peoples, potentially offering protection from extractive industries or development, the World Heritage Convention's real contribution in recognizing Indigenous rights remains unsatisfactory. One major criticism is that the entire understanding of heritage embodied in the Convention separates natural and cultural heritage.[34] Another problem is the concept of outstanding universal value, premised upon a presumed universal and monumental vision rather than on Indigenous cultural values. Additionally, nominations can only be submitted by a Member State, and these are merely encouraged to involve Indigenous Peoples, local communities, and other stakeholders in preparing their dossiers.[35] However, this is not a legal requirement, and States therefore cannot be held accountable. Unfortunately, as Stefan Disko argues, the Convention has "in many cases aggravated or consolidated indigenous peoples' loss of control over their lands and resources, led to restrictions on traditional land-use practices, and undermined their livelihoods."[36]

In the past decade, Indigenous issues have gained greater visibility in World Heritage. Indigenous representatives increasingly attend World Heritage Committee meetings or are represented by international NGOs. Here too, the role of non-state actors has escalated in managing regional and global affairs, especially in providing technical assistance and capacity building.[37] This is often described as "privatization" or the devolution of policy capacity to non-state actors.[38] In 2010, a formal procedure was established to admit non-State observers to World Heritage Committee meetings.[39] The category of "observers" comprises representatives from organizations and research institutions: it includes NGOs, heritage consultants, academics, local authorities, and the media. Observers can request to speak briefly on debated agenda items. In 2017, observers could take the floor before a decision was adopted. Yet, in most years, they were only heard after a decision was already taken, as was the practice in 2021.

There is still no formal requirement or procedure to include civil society perspectives within the World Heritage decision-making process. NGO interventions thus remain isolated procedural gestures within a system controlled by the 21 members of the World Heritage Committee. Despite this ephemeral position for civil society, the Advisory Bodies and UNESCO continue to emphasize the importance of "engag[ing] with civil society in a

[31] S. J. Cleary, "Letter to the World Heritage Center," File Reference CL/WHC.9/01, UNESCO Archives.
[32] J. Musitelli, "Letter to the World Heritage Center," File Reference CL/WHC.9/01, UNESCO Archives.
[33] Musitelli, "Letter to the World Heritage Center."
[34] Disko 2017.
[35] Disko 2017, 54.
[36] Disko 2017, 42.
[37] Kaltofen and Acuto 2018.
[38] Legrand and Stone 2018, 394. Many marginalized groups within nations may not identify or be positioned as ethnically Indigenous, but they have long-standing claims to land and place and still require protection and representation. All of these connected communities call for global redress and rights, and yet international instruments such as the World Heritage Convention might indirectly be vehicles to further alienate and victimize them at home when delegations return and conferences come to a close.
[39] Amendments of Rule 8 of the Rules of Procedure of the World Heritage Committee, Doc. WHC-10/34.COM/2A, Paris, 9 July 2010 (this includes a submission deadline for participation).

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strategic way."[40] In 2017, a side event was organized to "support a more structured dialogue with civil society,"[41] and, that same year, the Committee adopted a decision that "encourages States Parties … to continue exploring possibilities on how civil society can further contribute to enhanced conservation of heritage," both at the national and at the global level.[42] Yet when NGOs challenge the World Heritage Committee's increasing tendency to ignore conservation threats or Indigenous rights, they themselves are accused of politicizing the process by providing biased or inaccurate information.

In recent years, the profile of observer NGOs at World Heritage Committee meetings has changed. By 2015, there were more than 300 registered observers, and the number has oscillated between 200 and 300 in subsequent years. NGOs have become more vocal: in 2017, representatives took the floor 23 times, while, in 2019, they requested the floor 36 times. This is likely due to the instigation of an NGO forum from 2012 onwards, which is held before the official meetings.[43] That same forum has proposed creating a global network of NGOs for World Heritage protection. Today, the World Heritage Watch network comprises 141 NGOs, 13 Indigenous Peoples organizations, and 45 individuals,[44] making it an unofficial collective voice for NGOs worldwide.[45] The Indigenous Peoples Forum on World Heritage operates similarly, offering a platform to "represent the voices of Indigenous People" in World Heritage Committee meetings.[46] While the increased presence and speeches of NGOs at these meetings can be considered a positive development, their role remains marginal, and it is further curtailed by the current practice of allowing intervention only after decisions are taken. This policy serves as a tacit acknowledgment of the powerlessness of civil society within World Heritage processes. There is some irony, then, in the fact that while non-state actors are still accorded such a minor role within World Heritage processes, we are witnessing a proliferation of heritage NGOs worldwide (especially with regard to the Middle East) with greater leverage, funds, and flexibility, as we described above. Non-state actors with greater agility and efficiency are proving capable of bridging the multiplying information flows and taking high-profile political action.[47]

We now turn to discuss the growing dissatisfaction over World Heritage governance amongst countries from the Global South, specifically focusing on the African region. These countries have been outspoken about how they feel aggrieved by sustained inequity and underrepresentation, despite UNESCO's targeted programs of remediation. The African region is ethnically diverse and home to innumerable Indigenous communities, yet their heritage perspectives and priorities are not typically valued, and colonial properties are still more likely to be nominated. Here too, the nation-state dominates, and governments marginalize minorities within their borders, as we have seen in Kenya, Tanzania, Ethiopia, and the Democratic Republic of Congo.

[40] UNESCO 2017, 57.

[41] Europa Nostra, https://www.europanostra.org/krakow-world-heritage-committee-supports-structured-dialogue-civil-society/ (accessed 1 June 2021).

[42] Decisions adopted during the 41st session of the World Heritage Committee (Krakow, 2017), Doc. WHC/17/41. COM/18, Krakow, 12 July 2017, 12.

[43] Civil Society Forums have been organized yearly since 2015. See World Heritage Watch, https://world-heritage-watch.org/content/activities-and-achievements/ (accessed 1 June 2021).

[44] World Heritage Watch was formally established in 2014 in Germany. See World Heritage Watch, https://world-heritage-watch.org/content/whw-network/ (accessed 1 June 2021).

[45] Since 2017, the World Heritage Watch also produces an annual report authored by various non-government organizations on its network, highlighting threats to World Heritage sites. See World Heritage Watch, https://world-heritage-watch.org/content/world-heritage-watch-report/ (accessed 1 June 2021).

[46] It was established in 2017. International Indigenous Peoples Forum on World Heritage, *About IIPFWH*, https://iipfwh.org (accessed 1 June 2021).

[47] Kelley 2010, 288.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

Priority Africa?

The African region was designated one of two global priorities in UNESCO's Medium Term Strategy 2012–2021.[48] For the 54 African Member States, UNESCO pledged to implement "attentive" and "better-targeted" strategies to foster the development of the continent across its five major programs.[49] However, African participation remains a long-standing concern, and there have been repeated calls for equitable representation on the World Heritage Committee. We suggest that the issue of underrepresentation is more pervasive: from disproportionate representation in the UNESCO Secretariat to the geographical distribution of properties on the World Heritage List, the entire system is characterized by Euro-American dominance.[50] As Zimbabwe has noted, "if the pace and ideas continue to be along these lines, the Convention is dead as far as the developing world, in particular Africa, is concerned."[51] In our interviews, African representatives claimed to have found greater support and equity in intergovernmental organizations such as International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) or the African World Heritage Fund, which have greater capacity-building programs as well as more African participants. This is a further example of how the new diplomacy occurs with a fragmented, complex, and networked cast of non-state actors, agencies, and institutions.[52]

In terms of global equity and representation, Africa belongs to one of the five UNESCO regional groups: Africa, Arab States, Asia and the Pacific, Europe and North America, and Latin America and the Caribbean.[53] Africa (with 46 members) is second only to Europe (with 52 members) in the number of nations in its group, but regularly features the lowest in almost every statistical analysis of representation in World Heritage processes. In those metrics, Africa is closely followed by the Arab States (with 19 members), yet the latter is composed of less than half the number of nations. For example, Africa cumulatively inscribed the smallest number of sites on the World Heritage List of any regional group in the period 1977–2014.[54] Africa has the most States Parties without a single property on the World Heritage List. As Zimbabwe has asserted, "the outcomes of our deliberation have not been in the favor of Africa, and for obvious reasons. The playing field has changed, whereas it was obvious the rules of Operational Guidelines and of the Convention were clear, it is clear that those rules are not being abided by. The fact is that it is now increasingly a political field."[55] However, politics may be a cover for a more troubling and persistent racism issue in World Heritage.

UNESCO programs such as the Global Strategy were designed to address regional imbalances.[56] Yet most commentators freely admit the failure of this program and that

[48] UNESCO, https://en.unesco.org/strategic-planning/strategic-documents (accessed 1 June 2021).

[49] UNESCO, https://en.unesco.org/priorityafrica, https://unesdoc.unesco.org/ark:/48223/pf0000224489 (accessed 1 June 2021).

[50] Labadi 2005, 2007; Meskell, Liuzza, and Brown 2015.

[51] UNESCO 2010, 808.

[52] Legrand and Stone 2018, 394.

[53] The number of countries in each regional group is as follows: Europe and North America consists of 51 countries, Africa 45, Asia and the Pacific 43, Latin America and the Caribbean 33, and Arab States 19.

[54] Meskell, Liuzza, and Brown 2015, fig. 1; see also UNESCO, https://whc.unesco.org/en/list/stat/#d6 (accessed 1 June 2021).

[55] UNESCO 2010, 808.

[56] The Global Strategy was launched in 1994 to remedy the imbalance in the types of inscribed properties and geographical areas represented. See Labadi 2013, 2014; "Global Strategy," http://whc.unesco.org/en/globalstrategy/ (accessed 1 June 2021).

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"the imbalance in the List among regions and cultures has been deepened."[57] Where African nations are overrepresented, however, is on the List in Danger. In 2018, Angola bemoaned the number of these sites located in Africa and the Arab region: "There are even African sites that have been inscribed for more than 20 years."[58] If there had been no significant progress in that length of time, Angola claimed, then Danger Listing was neither benefiting the local communities nor contributing to the credibility of the Convention. Tanzania agreed, adding that the longer sites were inscribed on the Danger List, the more problems and issues accumulated, a situation that would "definitely put a World Heritage site on the in Danger List forever because I do not know any site without challenges; maybe in other places."[59] By 2019, the report on Priority Africa and Sustainable Development confirmed that African sites comprised less than 9 percent of the World Heritage List, whereas 30 percent of the properties on the List of World Heritage in Danger were in Africa.[60]

African nations have accused the World Heritage Committee of adhering to double standards enabling powerful countries to avert inscription on the Danger List for sites in their territories, while professing the benefits of adopting UNESCO's technocratic conservation policies for developing nations.[61] In 2018, Zimbabwe noted that most of the site conservation reports discussed were from Africa and none from Europe: "[T]his gives us an impression of an unfair targeting of Africa and Arab States and given them [sic] the impression that we are the ones in trouble. If it were not for the NGOs that raise problems of properties in Europe and other places, we would never know that they face the challenges that we do."[62] This comment further underscores the assemblage of state actors, scientific communities, and transnational actors within the new architectures of global governance.[63] Further, we need to enlarge the network of connections beyond the state to include firms, NGOs, and other "paradiplomatic" agents.[64]

Africa has lagged behind other regions in its membership on the World Heritage Committee. When we analyzed the Committee elections (1978–2013), we found that Europe and North America historically dominated in both nominations (142) and elections to the Committee (55). Africa had both the lowest number of successful elections (23) and the lowest success rate (30 percent) for the same period.[65] By 2013, the issue of geographical representation on the Committee reached a critical juncture. Representatives from six African nations were candidates, yet none was elected. In the outrage that followed, Brazil argued that it was logical to use the same electoral system adopted by other UNESCO conventions.[66] During debate at the 2013 General Assembly, one group of countries argued that the World Heritage Committee was a technical body and that the standard for membership should be competence in cultural and natural heritage, not geographical location.[67] Brazil and its supporters contended that the Committee should follow a system of fair geographical representation similar to other UN bodies. For reasons of justice, equity, and credibility, they argued that expertise was present in all nations, even those without the

[57] UNESCO, 41st World Heritage Committee, 7 July 2017, https://www.youtube.com/watch?v=jiQrpAjhZ_8 (accessed 1 June 2021).
[58] UNESCO 2018, 90.
[59] UNESCO 2018, 94.
[60] UNESCO 2019, 1; see also UNESCO, https://whc.unesco.org/en/list/stat/#s (accessed 1 June 2021).
[61] Brown, Liuzza, and Meskell 2019; Hølleland, Hamman, and Phelps 2019.
[62] UNESCO 2018, 695.
[63] Legrand and Stone 2018, 392.
[64] Kelley 2010, 288.
[65] Meskell, Liuzza, and Brown 2015, fig. 4.
[66] While the draft proposal from Brazil was not prepared in reaction to the results of elections, those results aided the unfolding of events.
[67] UNESCO 2013.

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financial means to prepare costly campaigns for representation that had come to resemble those of the *Federation Internationale de Football Association* (FIFA).[68] In the first-ever extraordinary session of the General Assembly of the States Parties to the World Heritage Convention, it was agreed that elections to the World Heritage Committee must be based on the composition of electoral groups as determined by the UNESCO General Conference, with each regional group being assigned a set number of seats.[69]

With the subsequent electoral changes, many expected that African priorities and perspectives would have greater visibility, in line with UNESCO's Priority Africa program, and that more African sites would be added to the World Heritage List. Indeed, 2018–19 saw the largest proportion of African representation (five members) on the Committee in the period following the sudden drop in the 2014–15 biennium (one member). Yet this increased regional representation failed to improve participation or performance. Instead, what we observed in the meetings was the furtherance of a Euro-American agenda, no change in African site representation on the World Heritage List, and undue influence exacted upon African Committee members. In recent sessions, African diplomats denounced "the underrepresentation of African sites on the World Heritage List" and advocated for corrective strategies.[70] Yet, in their interventions, they actually supported European properties, often those not recommended for inscription by the Advisory Bodies. In advocating for already overrepresented heritage categories on the List, including European cathedrals and vineyards, they inverted their stated logics and sublated their own priority to promote African heritage.

One such example was the unconditional backing by African Committee members for Germany's Naumburg Cathedral listing in 2018.[71] The site was rejected by the Advisory Bodies in 2015, 2017, and then in 2018, when International Council on Monuments and Sites (ICOMOS) reported it was "unable to make a recommendation concerning inscription of this property."[72] Uganda asserted that, despite European cathedrals being well represented on the List, the German site was "unique in its own right."[73] Zimbabwe recognized the "monumental bias of the World Heritage List" that only "paid lip service to the issue of the representative List" but then argued: "[W]e cannot penalise this property because of our lack of courage and progress in implementing the Global Strategy."[74] Angola and Tanzania then challenged the legitimacy of the expert recommendation, charging that ICOMOS had not respected the Committee's decision. Norway and Spain protested that more than 90 cathedrals were already listed, highlighting a contradiction between Germany's nomination and the Global Strategy. Yet, with vocal support from African nations, Naumburg Cathedral was inscribed. Inscriptions on the World Heritage List thus continue to be dominated by already overrepresented regions and types of properties, while those of African nations remain negligible.

Why does this global imbalance prevail? Even when serving on the World Heritage Committee, African nations cannot hope to exact the same kinds of rent-seeking behaviors as their more powerful counterparts and, hence, cannot be sufficiently persuasive in attaining their goals. Unfortunately, having a seat at the table has not resulted in the

[68] Meskell, Liuzza, and Brown 2015.

[69] For the specific number of seats assigned to each different regional group, see UNESCO, http://whc.unesco.org/en/news/1196/ (accessed 1 June 2021).

[70] UNESCO 2018, 619.

[71] In 2018, Naumburg (Germany) and the Al-Ahsa Oasis (Saudi Arabia) were the first sites in the World Heritage Committee's history to be upgraded from non-inscription to inscription at the same session.

[72] UNESCO 2018, 568.

[73] UNESCO 2018, 570.

[74] UNESCO 2018, 571.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

transformation outlined in UNESCO's Priority Africa program. These dynamics are not limited to European countries, but extend to UNESCO's former biggest contributor, the United States. In 2016, when the United States was lobbying for the inscription of architectural sites by Frank Lloyd Wright, we witnessed a senior American delegate handing a prepared text to an African Committee member to read out in favor of the inscription; the Committee member did indeed go on to read the text in support of the United States, going against a majority of other delegations.

Why might African states pursue these routes that seemingly undercut their own regional and Indigenous agendas? One possible explanation relates to foreign aid. If we correlate American aid with multilateral support in UN fora, we see that those nations that take counter-positions are likely to face negative consequences. The United States disproportionately deploys aid disbursements to manipulate the voting behavior of poor democracies.[75] It is the largest donor to Zimbabwe, Tanzania, Burkina Faso, and Uganda, while Germany is the largest donor for Angola.[76] Germany supports Uganda with bilateral cooperation and financial support through multilateral institutions including the European Development Fund, the World Bank, and the African Development Bank.[77] Tanzania is the most important partner for German cooperation in sub-Saharan Africa. The distribution of foreign aid differs from need-based allocations and is instead strongly tethered to geopolitical interests and foreign policy preferences. In the above case, that same African delegation had complained about geographical imbalance on the World Heritage List, specifically the dominance of Europe and North America, and yet was impelled to support the American property. This scenario underscores how World Heritage is increasingly enmeshed and bartered in cross-sectoral platforms, revealing how polycentric modes of governance have repercussions for global preservation. It also underscores a larger problem for UNESCO and its World Heritage program – namely, that, even after 50 years, the foundational challenges of justice, equity, and credibility remain unresolved.

Final thoughts

In the 50 years since the World Heritage Convention was adopted, the world has radically changed, and the formation of new spatialities and alliances is reshaping international organizations. A vibrant landscape of non-state actors and heritage organizations has emerged to both complement and critique this landmark instrument as well as the workings of postwar multilateralism. Despite the proliferation of new agencies and interventions, which we outline above, UN agencies such as UNESCO may still offer the best structural mechanism to address heritage on a global scale, with the caveat that they are less effective than they appeared in the immediate aftermath of World War II. British academic and UNESCO Assistant Director General David Hoggart bemoaned how the victors of the war – Europe and North America – had their hegemony splintered when newly independent African and Asian nations joined: "[T]he biggest shift within the history of UNESCO came when the bulk of the new nations entered. The centre of gravity shifted; the East/West polarisation gave way to the North/South."[78] The World Heritage Convention must confront that formative history and accompanying attitude – certainly, colonial legacies and

[75] Carter and Stone 2015, 2.

[76] United Nations Office for the Coordination of Humanitarian Affairs, https://fts.unocha.org/countries/7/summary/2020 (accessed 1 June 2021).

[77] Germany Embassy, Kampala, https://kampala.diplo.de/ug-en/themen/weitere-themen/-/1784108 (accessed 1 June 2021).

[78] Hoggart 2011, 66.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

attachments still persist. And the process of democratization has yet to be fully realized and extended not just to all nations but also to Indigenous Peoples, minorities, communities, and members of civil society. Indeed, better progress should have been made. UNESCO trails behind other UN conventions, such as those formulated around human rights and Indigenous rights, and the World Heritage Committee does not care to respect their legal obligations. Here, Hoggart was astute in arguing that, despite UNESCO's successes, if we examine "how many Member States have actually signed these instruments, how long it takes to bring most Conventions into force, how often the instruments are flouted by States which have signed them or at least publicly associated themselves with their sentiments, the record is less impressive."[79]

Despite the recent developments we chart, the Member States remain the most powerful players and decision-makers, primarily those who are most influential on the international stage. "The basic fictitious notion about these Organizations," Hoggart wrote, is "that they are something more than their component parts, something above the individual states."[80] Our findings over the last decade only reinforce this observation and, in addition, the idea that "most governments must regard UNESCO as small and unimportant, a tiny part of the complicated international jigsaw they study and try to fit nearer their own purposes each day."[81] To do so, we argue, nation-states are continually developing agile and effective diplomatic tactics to meet their political needs. At the same time, they are rapidly undermining the conservation agenda at the heart of the World Heritage Convention.[82] This has resulted in institutional inertia and a resultant frustration on the part of many individuals and groups, which in turn promotes new diplomatic strategies.

We have examined three different groups that have expressed frustration, are agitating for greater representation, and are attempting to galvanize support by means of the new diplomacy. One example we provide is from the States Parties themselves – in this instance, African nations – that similarly draw upon regional backing to address years of systemic underrepresentation and regional imbalance. Another example is minorities within states – in this case, we have discussed Indigenous representatives who continue to appeal for greater visibility, ethical consultation, and decision-making power within the World Heritage system. A third group falls under the banner of "civil society" and similarly agitates for fuller participation in heritage protection and respect for those communities connected to World Heritage sites. These combined challenges, constituting the elision of representation at local and global scales, are underscored by the rise of alternative agencies, NGOs, and civil society initiatives that advocate for heritage conservation worldwide and particularly in the Middle East.

Since the founding of UNESCO in 1945, the nature of war and the nature of heritage have radically changed. Humanitarian concerns around race, rights, and refugees, coupled with the overwhelming challenges of conflict and climate change, make the Westphalian model look outmoded and unequal to the task. While the World Heritage Convention remains salient 50 years on and its high-profile World Heritage List much coveted, the overarching scaffolding of the organization requires restructuring. Once the premier agency for preserving the world's patrimony, it must now jostle with various competitors that claim the international stage, that proffer peace building and socio-economic development, repair and reconstruction, and community-led conservation, and that place people at the heart of heritage.

[79] Hoggart 2011, 40.
[80] Hoggart 2011, 52.
[81] Hoggart 2011, 52.
[82] Liuzza and Meskell 2021.

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press

Coda: Ukraine

On 24 February 2022 Russian troops invaded Ukraine, and the intentional destruction of its cultural heritage followed shortly thereafter. Cultural organizations worldwide, such as ICOM, World Heritage Watch, Europa Nostra, and ALIPH quickly issued statements strongly condemning both the Russian invasion and the destruction of Ukraine's cultural heritage. However, in its first statement on 24 February 2022 UNESCO expressed its concern over what it deemed the "ongoing military operations and the escalation of violence in Ukraine"[83] but without any mention of the Russian Federation. It was not until 3 March, and only after the UNGA issued a resolution on the aggression against Ukraine, that UNESCO Director-General Audrey Azoulay called for the protection of Ukrainian cultural heritage and a cessation of attacks, while mentioning that UNESCO was "working to assess damage across its spheres of competence."[84]

In April the Russian Federation was still the official host and chair of the World Heritage Committee session. The Ukrainian ambassador openly called for Russia to be suspended from UNESCO, and states such as Poland and Lithuania asked to hold the next session of the Committee elsewhere. By May UNESCO announced it would postpone the 45th session of the World Heritage Committee, a clearly diplomatic measure to avoid any confrontation with the Russian Federation, and one that underscores how the Convention is increasingly held hostage to international politics.

Acknowledgments. We thank our colleagues at the World Heritage Center, ICOMOS, ICCROM, and the International Union for the Conservation of Nature as well as the many national delegations that have taken the time to meet with us over the years. We are grateful to Alex Bauer, Annalisa Bolin, Sarah Mady, and two anonymous reviewers for their helpful comments.

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[83] UNESCO's Statement on the Recent Developments in Ukraine. Available at https://www.unesco.org/en/articles/unescos-statement-recent-developments-ukraine?hub=701 Last accessed June 10, 2022.

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Cite this article: Meskell, Lynn, and Claudia Liuzza. 2022. "The world is not enough: New diplomacy and dilemmas for the World Heritage Convention at 50." *International Journal of Cultural Property* 29, no. 4: 391–407. https://doi.org/10.1017/S0940739122000030

https://doi.org/10.1017/S0940739122000030 Published online by Cambridge University Press