

Heritage destruction in conflict and crisis

Paul Fox
UK Blue Shield
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Created in 1996 in anticipation of 2nd Protocol of the 1954 Convention

‘Respects the principles of joint action, independence, neutrality, professionalism, respect for cultural identity and diversity, and works on a not-for-profit basis’

Statutes, Article 2.2



Core organisations

International Council of Museums



International Council on Monuments and Sites



International Federation of Library Associations and Institutions



International Council on Archives



1954 Hague Convention

1st Protocol

Mainly post-conflict reparation of cultural property

2nd (1999) Protocol

A new category of 'enhanced' protection for particularly important sites

Nominates the deliberate targeting of cultural property as a war crime

'Cultural equivalent of the IC Red Cross'

But:

No paid staff

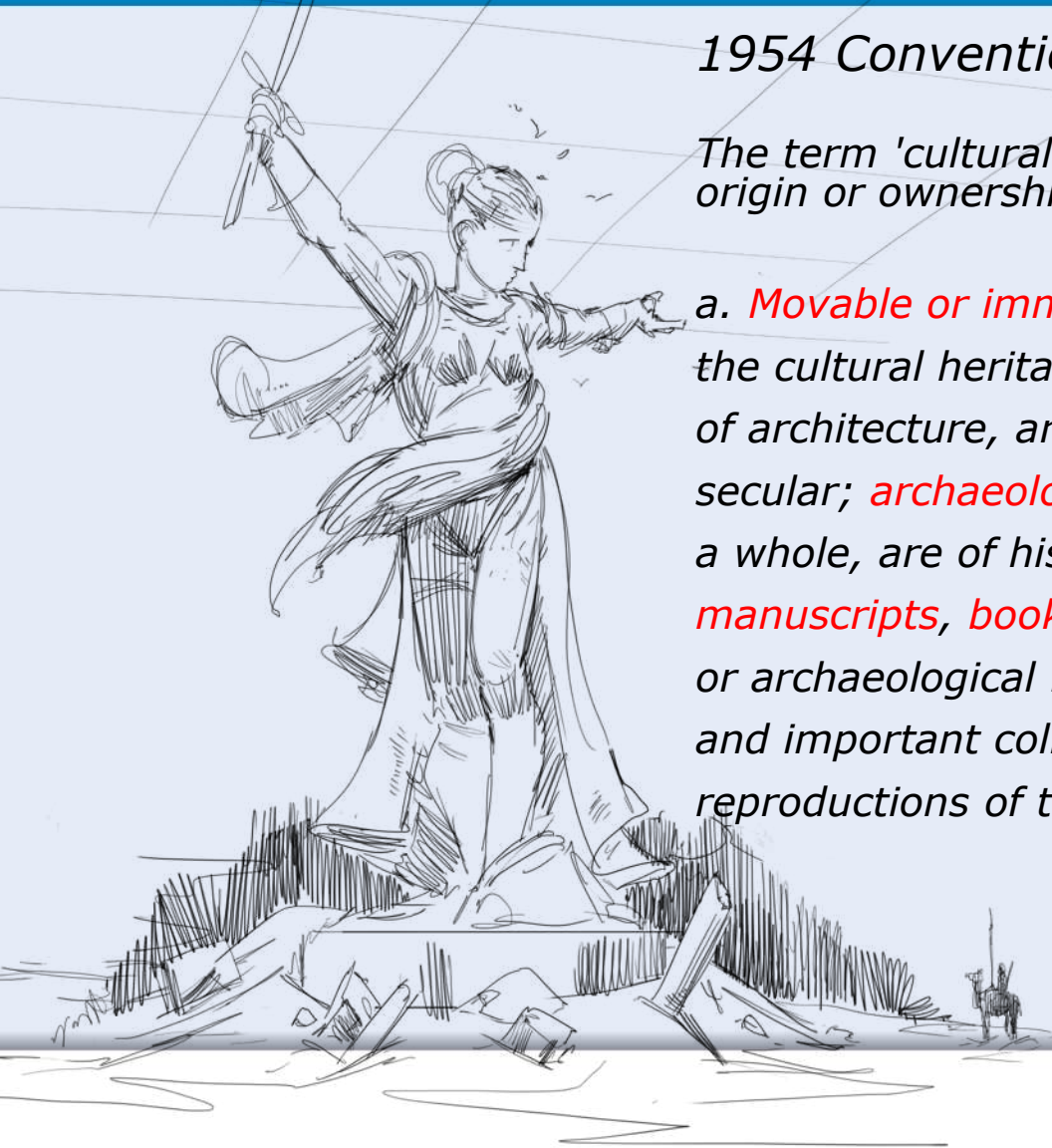
No budget

1954 Hague Convention

1954 Convention Article 1:

The term 'cultural property' shall cover, irrespective of origin or ownership:

a. **Movable or immovable** property of great importance to the cultural heritage of every people, such as **monuments** of architecture, art or history, whether religious or secular; **archaeological** sites; groups of **buildings** which, as a whole, are of historical or artistic interest; works of **art**; **manuscripts**, **books** and other objects of artistic, historical or archaeological interest; as well as scientific **collections** and important collections of books or **archives** or of reproductions of the property defined above;



1954 Hague Convention

b. **Buildings** whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as **museums, large libraries and depositories of archives, and refuges** intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

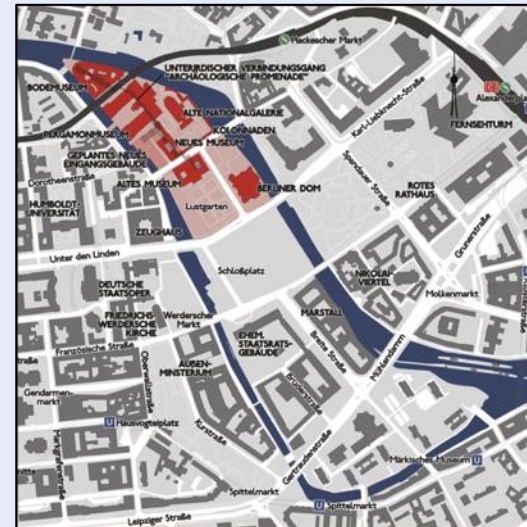


1954 Hague Convention

c. **Centres** containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as '**centres containing monuments**'



Pergamon Museum,
'Museum Island', Berlin



'Museum Island', Berlin

(Intangible) Cultural Heritage (CH)

An **expression** of the ways of living developed by a community and passed on from generation to generation, including **customs, practices, artistic expressions and values**



- CP is central to cultural and social life
- CP provides the 'stage' for the performance of (intangible) CH

Encourage ratification of the 1954 Convention and Protocols & establish supporting national legislation

Collaborative framework: conferences, position papers...

Conceptual framework: the Four Tiers and seven reasons why CP is at risk

Training

CP intelligence: databases listing high value CP in areas at risk of conflict

Blue Shield activities

Encourage ratification

1954 Convention

Supporting national legislation



2003 UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage

‘When involved in an armed conflict, be it of an international or non-international character, including the case of occupation, States should take → **all appropriate measures** to conduct their activities in such a manner as to protect cultural heritage, in conformity with customary international law and the principles and objectives of international agreements and UNESCO recommendations concerning the protection of such heritage during hostilities’

Obligations

1954 Convention requires that the Contracting Parties undertake to:

- Plan during **peace** to safeguard CP on their territory (Article 3)
- Respect CP during **armed conflict** and prevent looting (Article 4)
- Support national authorities in safeguarding CP during **post-conflict stabilisation** (Article 5)

Obligations

Legally binding for State Parties only

BUT principles have value as international customs

'The fundamental principles of protecting and preserving cultural property in the event of armed conflict could be considered part of international customary law'

1993 UNESCO General Conference



Enable the 2nd Protocol protection regime

Enhanced:

- International Law: **outstanding universal value**
 - 1954 Hague Convention – listed by the State party and list deposited at UNESCO
 - 1970 World Heritage Convention – nominated by State Party to UNESCO/WHC and (in case of acceptance) listed by UNESCO

General:

- National law: of **national importance** – may set different levels of importance/protection



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Collaborative framework



Culture is a lever, or weapon, in armed conflict

During the civil war in the former Yugoslavia CP and CH were exploited by warring factions:

- International and domestic propaganda
 - Ethnic cleansing
 - Terror

= proactive, international, cross-disciplinary response required

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"It's a fantastic public relations coup," said Thomas Pierret, a lecturer at the University of Edinburgh, describing Palmyra's recapture. The Syrian government recognizes the Western "obsession" with the town's ancient ruins, and "they're exploiting it and it works very well," he said.

CBS/AP / March 29, 2016, 6:22 PM

Syria's Assad tries to polish image with Palmyra's recapture



Syrian pro-government forces gesture next to the Palmyra citadel on March 26, 2016, during a military operation to retake the ancient city from ISIS. / MAHER AL MOUNES/AFP/GETTY IMAGES

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BS must not become a pawn, or an unwitting agent,
in armed conflict

Who has the initiative?

No one comes second:
you win – or lose



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UK National Committee of the Blue Shield

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Blue Shield issues statement on Palmyra

Blue Shield have issued a statement on rebuilding in Syria, and on the wider problems of reconstruction:

"Colleagues and communities in Syria must lead the debate on which approach should be taken but they will need, without question, considerable international support to be able to mitigate what will be undoubtedly highly persuasive and lucrative arguments for rapid, modern redevelopment."

Read the full statement here: [blue-shield-statement-on-palmyra](#)

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Proactive, international, cross-disciplinary response



'This work is undertaken with the belief that the heritage community must accept some of the responsibility for the damage and destruction done during recent conflicts as we communally failed to provide politicians and the military with the rationale for, and information to, protect cultural property during and after [recent] conflicts'

Peter Stone

UKBS rejects the view that:

There should be no heritage professionals involved in military decision making

That heritage professional expertise provides academic and cultural legitimacy to armed conflict

'If the military and the heritage community together are to take CPP seriously all parties need to develop a collective understanding of why and how it is damaged and destroyed during conflict'

'Takes as axiomatic that these combined communities cannot sit back and wait for the next armed conflict or natural disaster, but rather must plan to mitigate damage to CP and CH in that eventuality'

Peter Stone



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Conceptual framework



Four Tier approach to civil-military cooperation and collaboration:

A context in which to develop relationships between heritage professionals

and

between heritage professionals and militaries

Tier 1

Long-term awareness training: general

- Delivered at different intensity for different ranks
- The value of cultural property & cultural heritage
 - Cultural [national pride; dignity; use of heritage]
 - Economic [healthy society; tourism]
 - Military
- Trade in illicit antiquities
- Generic training scenarios as may already be delivered
- Historical examples

Tier 1

Long-term awareness training at all levels: specialists

- Civilian cultural heritage experts embedded within the military
- International/National cultural heritage experts
- CIMIC/Civil Affairs staff



Tier 2

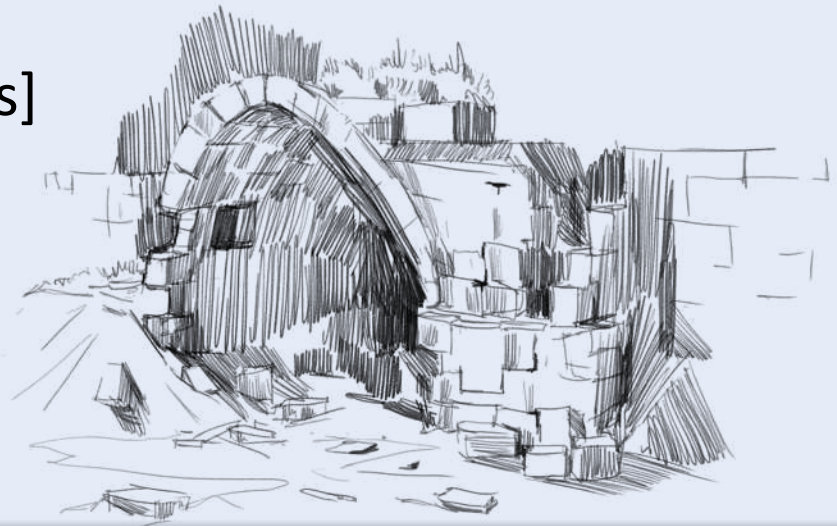
Specific pre-deployment training & activity regarding host country/region

- Identification of specific sites; museums; libraries; archives; galleries
- Potential specific issues regarding CPP in-theatre
- Types of artefacts
- Quality of host country's cultural property sector
- Specific requirements for protection of CP – is specific expertise likely to be needed?
- Marking of CP on maps
- Allocation of unit responsibilities re CPP
- [Protection of CP]



Tier 2 - Specific pre-deployment training regarding host country/region: involved individuals

- National/International cultural heritage experts
- If appropriate, host country experts
- CIMIC/Civil Affairs staff
- Civilian cultural heritage experts embedded within the military
- [Host country experts]



Tier 3 During conflict

- Damage limitation
- Liaison between CPP officers and military legal advisors
- 'Conscience' role
- If possible/appropriate, communication between military and host country experts
- Stifling trade in illicit antiquities

Tier 3

During conflict: specialists

- CIMIC/Civil Affairs staff
- Host country experts if possible
- Arms length:
 - NGOs
 - International experts



LA GLEIZE, BELGIUM, FEBRUARY 1, 1945: Monuments Man Walker Hancock (front left, in U.S. Army helmet) assisted residents of the town of La Gleize with the relocation of the *Madonna of La Gleize* to a more secure site. (Walker Hancock Collection)

Tier 4

Post conflict

- Stabilisation
- Facilitation of access to, and liaison between, experts
- Emergency aid/repair/conservation
- Provision of necessary materials & technology
- Avoiding well-intentioned action that damages CP
- Combating trade in illicit antiquities



Nepal Army and Armed Police doing evacuation of collections at Hanuman Dhoka Square Museum, Kathmandu, Nepal, 8 June 2015

Risk management 2

Seven threats posed during armed conflict:

1. Lack of planning
2. Spoils of war
3. Collateral damage
4. Lack of awareness
5. Looting
6. Deliberate targeting
7. Enforced neglect



Threat 1: lack of planning

1954 Convention requires that the Contracting Parties undertake to:

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Threat 1: lack of planning

Develop capacity:

- Specialist staff
- Dedicated logistics
- Access to threat intelligence
- Operational direction
- Relationships with CP professionals (archaeologists, museum staff; curators; (art) historians...
- Time...

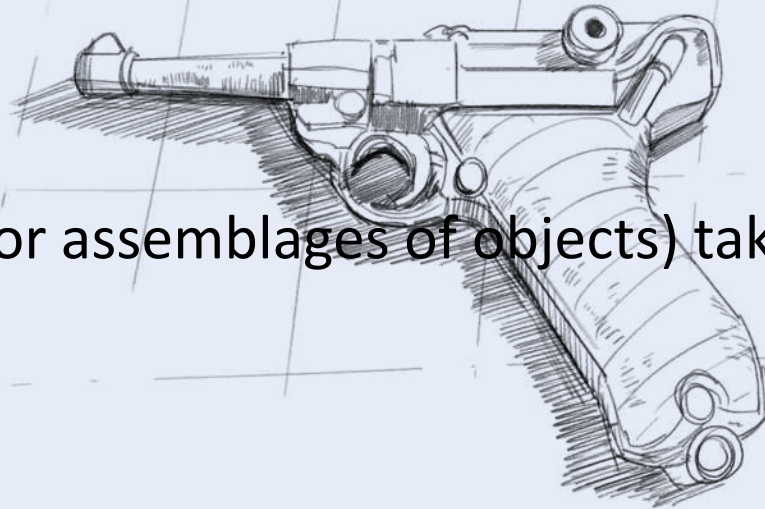
Threat 2: spoils of war

Loot

Personal property taken from an enemy in war

Trophy

Culturally salient objects (or assemblages of objects) taken for the purposes of display



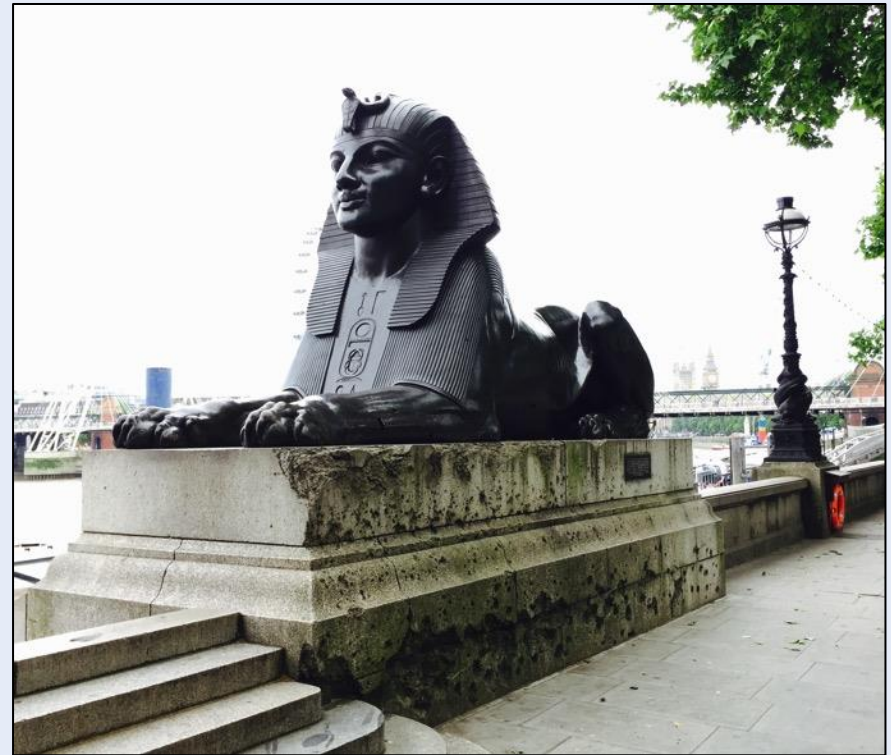
Threat 3: collateral damage

- **Collateral Damage:**

The *unintentional or incidental damage*, affecting facilities, equipment or personnel that are not justifiable military objects

- **Additional Damage:**

The unintentional or incidental damage affecting facilities, equipment, or personnel that are justifiable objectives



Threat 4: lack of military awareness

Unless military decision makers are aware of the existence of designated CP, it is vulnerable to the effects of weapons used in the vicinity, by vehicle traffic, and logistical activity



Threat 5: looting

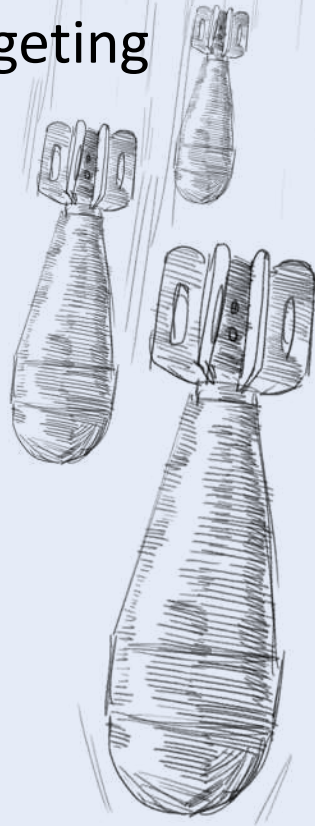
- On the initiative of the local population
- By, or on behalf of, organised crime
- Activity:

- Speculative
- Targeted
- Ad hoc
- Organised



Threat 6: deliberate targeting

Deliberate targeting



Nikola Dobrović, *Yugoslav Ministry of Defence*,
Belgrade, 1954

Severely damaged by NATO on 30 April 1999

Threat 7: Enforced neglect

- During a conflict the normal day-to-day management, conservation, and preservation of archaeological sites and historic buildings will almost certainly be affected and impeded
- Normal conservation of museum objects, libraries, and archives will also be affected

1939 The Evacuation of the Treasures of the Louvre During World War II. Venus de Milo prepared for transport.



http://www.louvre.fr/sites/default/files/medias/médias_fichiers/fichiers/pdf/louvre-press-release-louvre-during.pdf



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Training



Introduce you to factors relating to CPP before, during and after armed conflict

In order to help you:

- Plan and execute lines of operational activity that minimise damage to CP/CH
- Uphold human rights in respect of CP/CH
- Conform to UNESCO conventions and protocols

Targeting

Understand that:

In order to enable military support to CPP it is necessary to integrate related factors within the targeting function before and during armed conflict

A military institution that cannot do this is more likely to compromise CP, or unwittingly allow others to do so

Civil-military coordination

Describe how civil-military coordination staff may:

- Conduct an audit of local CP/CH
- Recognise movable and immovable CP
- Identify sources of expertise and their approaches
- Identify organisations of expertise
- Integrate CPP factors into planning and decision making

CPP classroom exercise for specialists

Exercise HILLTOP

Situation:

During Tuesday's patrol in the area of the market a man approached your interpreter to complain about the disrespectful behaviour of 'you people up there'. The speaker pointed at the observation post on the hill behind your patrol base. He claims the hill is a 'special place'.

Task:

Draw up a five minute brief to persuade your commander that this issue has the potential to impact on our mission, and must be addressed.



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CP intelligence



A database is fundamental

Before conflict:

- Develop CP database of items worthy of 'Enhanced' and 'General' protection
- Put in place operational plans to protect CP in conflict (*in situ* and possible removable)
- Designate competent authorities responsible for the safeguarding of CP
- If appropriate, mark CP with the Blue Shield
- Train armed forces in CPP

Best practice: Ras Almargeb

- During planning for the 2011 air campaign in Libya the Blue Shield provided NATO a list of CP
- Incorporated into the NATO database in the 'no-strike' category
- Targeting staff designated six radar vehicles close to a large building a legitimate (proportionate, necessary) target
- **But** the database flashed up a warning: a Roman fort is there
- The small calibre, precision munitions used to destroy the vehicles were chosen to minimise collateral damage
- Military success, CP safeguarded





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