

# The Challenge of Protecting Heritage in Times of Armed Conflict

by Peter G. Stone

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It is inevitable that armed conflict will have a detrimental impact on ‘cultural property’ (used here to mean both tangible entities such as sites and buildings as well as moveable artefacts) and the wider ‘cultural heritage’ (used here to include intangible heritage such as song, dance, and oral traditions remembered and ‘carried’ by individuals and communities). In war, places and things get damaged and destroyed; non-combatants get killed. Most accept this as an unfortunate but inevitable consequence of conflict. However, it is suggested here that at least some of the destruction of cultural property could be mitigated and avoided if the heritage community took appropriate action at the right time. This cannot only mean ‘reactive’ action immediately before, or after, a conflict begins. If we are to have any viable chance to mitigate the impact of conflict on cultural property, and cultural heritage, we have to plan for the worst—long before a conflict is even anticipated.

We study the past to understand the present, to create the future. Without the tangible evidence of the past—cultural property—this

relationship becomes increasingly difficult to sustain: when cultural property is lost, it is impossible to replace: just as an individual without a memory is a dysfunctional individual, so too can a community or society without a memory—its cultural heritage—become dysfunctional. Much of this cultural heritage is held within cultural property. This is, of course, not to say that the memory encapsulated within cultural property is always a positive influence for good: the function, importance, interpretation, and uses of cultural property are frequently contested, and are often problematic (Stone and MacKenzie 1990, Stone and Molyneaux 1994, Stone and Planel 1999). Nevertheless, cultural property, and cultural heritage, can be key factors in political, social, and economic post-conflict stabilisation and reconciliation, with the potential to foster intercultural dialogue, and frequently providing a stable base for economic development through tourism. This article focuses on the protection of cultural property during conflict and while many organisations—for example UNESCO, the International Council of Archives (ICA), the

International Council of Museums (ICOM), the International Council on Monuments and Sites (ICOMOS), the International Federation of Library Associations and Institutions (IFLA), and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM)—all make significant contributions to this work, emphasis here will be placed on the activities of the Blue Shield.

### The Blue Shield

Article 16.1 of the 1954 Convention on the Protection of Cultural Property in the Event of Armed Conflict identifies a blue shield as the emblem of the Convention and the emblem to be used to identify property protected under the Convention.<sup>1</sup> The 1999 2<sup>nd</sup> Protocol to the Convention established a 12-member Intergovernmental Committee to oversee its implementation and Article 27.3 of the 2<sup>nd</sup> Protocol, picking up the emblem identified in the 1954 Convention itself, identifies the Blue Shield as an advisory body to the Intergovernmental Committee. The Blue Shield was founded in 1996, in anticipation of the 2<sup>nd</sup> Protocol, by the joint action of its four Founding Organisations: ICA, ICOM, ICOMOS, and IFLA. As such, given the focus and remit of these organisations, it reflects the tangible, object-based approach enshrined within the Convention. Since 1999, a number of national committees of the Blue Shield have been created, with various degrees of activity and success.

The protection of cultural property during armed conflict was brought back into sharp focus during the 2003 invasion of Iraq by the Coalition led by the USA and UK (Bogdanos 2005, Stone and Farchakh Bajjaly 2008). The loss of globally important cultural property in Iraq was catastrophic. At the time, neither the USA nor the

UK had ratified the Convention. Partly as the result of extensive pressure from the newly (2006) created USA National Committee of the Blue Shield, the USA has since ratified the Convention in 2009, but neither of its Protocols. At the time of publication in March 2016, the UK has still failed to ratify the Convention or its Protocols.

The Blue Shield is referred to frequently as the ‘cultural equivalent’ of the Red Cross that ‘[. . .] works worldwide to provide humanitarian help for people affected by conflict and armed violence and to promote the laws that protect victims of war’.<sup>2</sup> Despite some suggestions to the contrary (Hamilakis 2009), colleagues working with Blue Shield completely, and without reservation, acknowledge and accept that the protection of cultural property must come a distant second to the Red Cross’s remit to help people. This said, there is some justification in the suggestion of a similarity between the organisations: as the Red Cross/Red Crescent, the Blue Shield is comprised of international and national bodies (there are currently 17 national committees of the Blue Shield and another nine under development). There are, however, three key differences: first, the Red Cross has had some 150 years to establish a worldwide reputation while the Blue Shield has been in existence for only 20 years and is virtually unknown outside those involved in its community and some armed forces. Second, the Red Cross has a multi-million dollar budget while—save for a time-limited, short-term subvention for an office from the municipality of The Hague—the Blue Shield has little or no income. Third, the Red Cross has a paid staff of some 12,000 people in 80 countries<sup>3</sup> while the Blue Shield has no paid staff.

Despite these obvious disadvantages, the Blue Shield is slowly developing a capacity to act and is slowly carving out a niche for itself with respect to

cultural property protection during armed conflict that compliments (but does not overlap) the work of others in the field. The Blue Shield has prioritised a range of activities for the medium term as outlined below. Put simply, cultural property provides the stage for, and tangible evidence of, the wider cultural heritage; without cultural property, it becomes significantly more difficult to conserve cultural heritage. While the major causes of destruction of cultural property around the world are urban expansion, increase in land under cultivation, and the development of agriculture-related technologies, cultural property is damaged and destroyed specifically during conflict for seven reasons:

- its protection is not regarded as important enough to include in pre-conflict planning;
- it is regarded as legitimate ‘spoils of war’;
- it becomes collateral damage;
- lack of military awareness;
- looting;
- enforced neglect
- specific targeting.

While the Blue Shield can probably do little about the last two of these at least, under the 2<sup>nd</sup> Protocol, intentional damage and destruction is now a criminal act. However, the first five could, and should, be mitigated through a closer relationship and understanding between cultural property/heritage professionals and those groups most involved in conflict (politicians, the military and other emergency agencies, organisations, and NGOs) and through a better understanding by communities of the multifaceted value of the cultural property all around them. After a brief reflection on what happened in Iraq in 2003, this article will look at each of these reasons for destruction in turn and what the Blue Shield has been doing to try to mitigate them.

### Lessons from Iraq

In the months leading up to the 2003 USA/UK-led invasion of Iraq, archaeologists and other museum and cultural heritage experts tried to draw attention to the potential damage that would almost certainly be done to the Iraqi heritage if its protection was not fully integrated into the Coalition’s mitigation planning. Meetings were held with politicians, the military, and civil servants. The pleas of colleagues at these meetings had little impact. Remarkably, and essentially by luck, very little destruction of, or damage to, cultural property happened during the major conflict period of the invasion. This had little to do with pre-conflict planning but more with the decision of the majority of the Iraqi armed forces not to offer significant resistance at this time. However, as is well known, as soon as the regime collapsed there was endemic looting of museums, libraries, archives, art galleries, and archaeological sites across the country. The theft of objects from Iraq’s museums, libraries, and other institutions was an appalling loss, but perhaps the real catastrophe was the looting of unknown quantities of archaeological material, and the associated loss of contextual information.

As is so frequently the case, a number of things had combined to allow the catastrophe to happen; three are particularly relevant. First, the individuals planning the invasion—politicians and military alike—simply did not see culture, cultural property, or the cultural heritage as important (Ricks 2006). Second, while the Coalition had sufficient troops to effectively and efficiently topple Saddam Hussein, it did not have sufficient troops to provide a safe environment in which a new government could develop. Cultural property protection was very low on a list of things that might have been nice to do if the resources had been available; sadly they were

not. Third, and perhaps most problematic, the cultural heritage community had failed to maintain the close links with the military that had saved so much European and Far Eastern cultural property during the Second World War.

I was drawn unexpectedly into these issues a few weeks before the invasion when I was approached by the UK's Ministry of Defence to help identify archaeological sites and museums that should be protected. The approach was far too late to be really helpful but it was a tiny step towards the military taking the protection of cultural property seriously. The work (Stone 2005) was criticised by some archaeologists who suggested that it provided academic and cultural legitimacy to the invasion (Hamilakis 2003). However, the failure to properly protect cultural property in Iraq prompted a small number of academics and professionals to commit time and effort into trying to educate the military to take cultural property protection more seriously. Much of this work has been channelled through the Blue Shield.

Working with the military is a difficult step to take for many cultural experts; some, quite understandably, decide not to engage, citing serious ethical reservations (Stone 2011). Certainly with respect to the 2003 invasion of Iraq, there were extremely valid concerns over the legality and legitimacy of the invasion and subsequent occupation. However, perhaps the most important lesson from Iraq was that if we do not work with the military and tell them what is important, then how can we criticise them for allowing things to be destroyed, damaged, and looted?

As indicated above, this needs to be a two-way process: many tried in the months before the invasion—but this was too late, phrased in the



Fig. 1. One of the looted storerooms of the National Museum of Iraq, 2003.

wrong way, and did not impact on military thinking. In most of these attempts arguments were couched in terms of protecting evidence of ancient civilisation and of the academic and social importance of the past. These protestations were met with a sympathetic ear but they had little impact. Recently, we have had to learn about the military and their priorities during conflict (essentially getting those for whom they are responsible in and out of the conflict zone as quickly as possible with as few casualties as possible). We have had to learn about these military priorities, and the language that is used, in order to press our arguments not in terms of cultural importance but rather in military terms. If military decision makers can understand the protection of cultural property as something that does not impact negatively on their mission, if it can be a means of safeguarding those for whom

they are responsible, if through protection they might win non-combatant friends (or at least not alienate the population), if by protecting cultural property it helps them ‘win the peace’, then we can catch their attention and achieve our own goals of protecting the evidence of the past for future generations.

The following section will outline how the Blue Shield has begun to address issues concerning conflict-related damage on cultural property.

### Absence of cultural property protection in pre-conflict preparation

During the Second World War, the protection of cultural property was seen clearly as part of the responsibility of the combatants and the Allies, and some elements of Axis forces, and some elements of Axis forces took this responsibility seriously (Edsel 2009, 2013, Nicholas 1995, Spirydowicz 2010, Woolley 1947). Fully supported by Field Marshall Dwight Eisenhower, the Supreme Allied Commander, the ‘Monuments, Fine Arts, and Archives’ Unit were a team of cultural heritage experts fully integrated into the Allied forces. These ‘Monuments Men’ made enormous efforts to protect cultural property in all theatres of the war. Unfortunately, little was done after the War to continue the work of these conscript soldiers (although elements of their work were retained with US Civil Affairs units), and by 2003 few military forces retained anything other than a superficial expertise, or commitment to, the protection of cultural property as demonstrated depressingly by the debacle in Iraq.

Despite the disappearance of this military expertise, the international community reacted to the massive destruction of cultural property across Europe and elsewhere during the Second World

War by producing, in 1954, the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict and an associated Protocol. Following, in particular, the destruction, and deliberate targeting, of cultural property during the fighting in the former Yugoslavia in the 1990s, a second Protocol to the Convention was produced in 1999. The Convention, ratified by 126 State Parties, and its Protocols, ratified by 103 and 67 States Parties respectively,<sup>4</sup> remain the primary relevant international legislation concerning the protection of cultural property in the event of armed conflict. The international humanitarian law is therefore in place for cultural property protection to be taken seriously by at least 126 countries. Nevertheless, much still needs to be done to influence those in power, nationally and internationally, and convince them that the Convention is an appropriate and effective international instrument.

### Cultural property is regarded as legitimate ‘spoils of war’

History is littered with examples of victorious armies removing the cultural property of the enemy they have just defeated as the ‘spoils of war’. Many armies have paid their troops in this way. However, it is interesting to note that for the past 2,500 years military writers and strategists, from Sun Tzu in 6<sup>th</sup> century BC China to von Clausewitz in 19<sup>th</sup> century Europe, have argued that this is exactly the wrong thing to do, not least because destruction and removal of a vanquished enemy’s cultural property frequently makes occupied communities less easy to control. It can also provide at least partial justification for the next conflict (Tzu 1998, von Clausewitz 1997). The stupidity of such action, and indeed the responsibility of the victors to ensure the return of any cultural property removed in this way, was established in the post-Napoleonic

settlements in Europe and in the Federal government's 1868 Lieber code during the American Civil War (Miles 2011) although it seems that the sale of looted objects was still practised by elements of the British Army in the late 19<sup>th</sup> century (Fox, *pers comm.*).

Since the Second World War, where German and Russian appropriation of cultural property is well-documented (although Allied appropriation less so) and widespread international support for The Hague Convention established, there has been little systematic removal of cultural property by victorious countries. Nevertheless, souvenir and trophy collection is still a characteristic of troops, and others, returning from conflict and most countries now insist on stringent searches of the baggage of both military and civilian returning personnel. Thus, while it has not disappeared completely, this reason for destruction of cultural property is significantly less problematic than it was 100 years ago.

### Cultural property as collateral damage

It has been suggested frequently that most cultural property is destroyed during conflict through so-called unintended 'collateral damage'. Over the centuries this has been undoubtedly true although the Blue Shield has started to question whether it needs to continue to be so. Since 2006, mainly through the work of the US Committee of the Blue Shield and cultural heritage colleagues in the UK, the Blue Shield has helped to provide lists of cultural property to be protected if at all possible during armed conflict, for Libya, Mali, Syria and northern Iraq. These lists have been deposited with the Department of Defence (DoD) in the USA and the Ministry of Defence (MoD) in the UK. The lists have also been passed on to NATO via a number of different routes. Once handed over to the military it is difficult to know what is done

precisely with this information. The intention, and hope, is that the information will be added to the so-called 'No-strike' lists, produced by the military. These 'No-strike' lists are comprised of, for example, hospitals, religious buildings, and educational establishments to be avoided unless 'military necessity' dictates (usually only when the places are employed by the enemy for military purposes). All three military organisations above have asserted that these lists of cultural places have been added to their no-strike lists. A similar list of specifically archaeological places was produced at the request of the UK MoD in 2003 immediately before the invasion of Iraq.

The Blue Shield has identified four major issues concerning the development of such lists of cultural property provided to the military. First, the process of compilation of the lists can be contentious: who produces the list and to what standard? The most satisfactory solution would be for all countries to have produced their own lists before a conflict develops and for these lists to be made available to all combatants in a previously agreed and internationally standardised format. Unfortunately, this is currently an unachievable aspiration and we are left with the less than satisfactory situation where international experts compile the lists with a variety of different levels of detail. In an ideal world such experts would be neutral—not from countries involved in the conflict. When the nationality of experts coincides with that of the armed forces involved in a conflict, as for example in Iraq and Libya for experts from the USA and UK, concerns relating to conflict of interest, structural violence, and neo-colonialism have been raised (see Bernbeck 2008a, 2008b and Hamilakis 2009).<sup>5</sup> In both instances, the lists were actually elaborated in conjunction with colleagues from Iraq and Libya—although the cooperation with Iraqi colleagues could only be revealed some years after the event, as such contact was life-



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Fig. 2. The looting of archaeological sites was carried out by local people who could not sell their agricultural produce and thus turned to selling looted artefacts to feed their families. Had the occupying coalition been prepared, this looting could have been avoided.

threatening to those in Iraq at the time. The list for Libya was constructed with Libyan colleagues, most of whom were living outside the country. This issue is further complicated by the probably unavoidable, although effectively unspoken, reality that a country's armed forces are almost certain to be more willing to take advice from their own nationals. Much work remains to be done to resolve these issues.

Second, the size and scope of such lists continues to be an issue for debate. For Iraq a list of some 30 archaeological sites was supplied in 2003 as well as information relating to the

archaeological museums. When information was passed, in 2011, to the DoD, MoD and NATO for Libya, there were 1,685 sites on the list; nearly 400 sites were on the list provided in December 2012 for Mali, and there were over 700 sites on the list for Syria—with many more added later. This difference in list size partly reflects discrepancies in current knowledge of archaeological sites in specific countries. In Mali, for example, the sites identified around Timbuktu came from a recent archaeological survey. All sites, regardless of size or importance, were included. For the rest of the country, only previously designated 'sites of national importance' were included—partly

because these were the only sites for which sufficient information was available.

Third, the size of different lists has prompted a variety of responses from different militaries, with some seeking as much information as possible and others requesting more ‘manageable’ lists. The number of places to be protected during conflict was an issue raised by the UK Parliamentary Committee scrutinising the 2008 draft bill the passing of which would have enabled the UK to ratify the 1954 Hague Convention. The English National Heritage List has over 400,000 entries, a figure suggested (not unreasonably) to be impossible for the military to deal with effectively.

Finally, while the Convention stipulates that all cultural property should be protected it has proved to be extremely difficult to produce reliable lists of sufficient detail for libraries, archives, and art museums and galleries. Again, much more work needs to be done before there is an effective, efficient, and acceptable process for the development of such lists.

### Lack of military awareness

Since the 2003 invasion of Iraq individual cultural heritage experts, and more recently members of the Blue Shield, have been trying to rebuild a relationship with the military. This has not been an easy road as it requires an understanding of a totally different mindset and completely different agenda. It has been made slightly easier since the conflict in Iraq, however, as, certainly most western military forces, have accepted that warfare has changed and that troops have to have a much greater understanding of the place and population where they are deployed than was previously thought necessary. The ‘symmetric conflict’ of the past, where two or more opposing armies in uniform

fought each other, has been replaced in the main by ‘asymmetric conflict’, where the enemy is almost invisible and fights with a totally different set of capabilities and rules (Chiefs of Staff 2005; Hammes 2004). In response, NATO has developed what it calls its ‘Comprehensive Approach’ that provides a better understanding of culture and cultural property as a ‘force multiplier’—something that helps the work of deployed troops (Jackobsen 2008). Protecting cultural property may not win occupying troops more friends; but it can prevent them from making unnecessary enemies.<sup>6</sup> With this change in mind-set has come a realisation within the armed forces that they need help.

Much is being done with the military taking a leading role. For example, some armed forces have re-introduced, or re-invigorated, contemporary versions of the Monuments Men. These, usually middle-ranking officers, are generally part of what different armed forces call Civil Affairs or CIMIC—civilian/military liaison. This is where the relationship between cultural property experts and the military can be nurtured. In Europe, in 2010, the Leadership Centre (*Zentrum Innere Führung*) of the German *Bundeswehr* organised the first of what has become an annual conference called ‘Coping with Culture’.<sup>7</sup> Despite the somewhat negative connotation of the title, the annual meetings (so far held in Germany, the Netherlands, Poland, and Austria) have predominantly brought together members of the armed forces of 10 to 15 European countries with a smattering of cultural experts, to discuss a wide range of cultural issues facing the military—including cultural property protection. The 4<sup>th</sup> conference, held in Austria in October 2014, had a particular focus on cultural property protection and was run in cooperation with the Blue Shield. The 2015 conference was held in Denmark. Also in Europe, the multinational-sponsored,



NATO-accredited, CIMIC Centre of Excellence-based in the Netherlands<sup>8</sup> has begun to address cultural property protection more seriously and has recently published (CIMIC, online) an awareness-raising publication, *Cultural Property Protection Makes Sense* in collaboration with the Blue Shield. In the UK, a symposium entitled *Culture in Conflict*, primarily attracting military staff and associated experts, has been held annually for eight years and has begun to address cultural property protection on a regular basis.<sup>9</sup> Following the publication of my article in which a 4-Tier approach to cultural property protection is advocated in the *British Army Review* (Stone 2013,

p.14), a Cultural Property Protection Working Group with UK Blue Shield representation, was established by the British Army in 2014 with the remit of investigating the potential to create a cultural property protection doctrine for the Army. This working group has now been joined by the Royal Air Force and Royal Navy and the suggestion to create a doctrine is currently under review by senior staff.

Further afield, in Lebanon, following discussions with local archaeologists, the Lebanese Armed forces have taken the initiative to set-up an internal cultural property protection



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Fig. 3. Ras Almageb, where forces loyal to President Gaddafi stationed six vehicles of a mobile radar unit in the hope they would not be targeted because of the proximity to the Roman fort. All six were destroyed.

unit and an initial training workshop was carried out in June 2013 in association with UNESCO and Blue Shield. In the USA cultural experts in liaison with the USA National Committee of Blue Shield worked with the DoD to create the Combatant Command Cultural Heritage Action Group (CCHAG). CCHAG supports troops and the military mission by developing reference, education and training tools for DoD uniformed and civilian personnel and contractors. In particular, its mission is to 'enhance military capacity by promoting cultural property protection as a force multiplier and an effective use of soft power'.<sup>10</sup> Also in the USA, the 'Cultural Heritage by AIA-Military Panel' (CHAMP), a collaboration between the Archaeological Institute of America (AIA) and the military, is dedicated 'to improving awareness among deploying military personnel regarding the culture and history of local communities in host countries and war zones'. CHAMP regards the education and training of military personnel as a 'critical step in preserving and safeguarding historical sites and cultural artefacts'.<sup>11</sup>

The cooperation between cultural property experts and the military over the formulation of the No-strike list for Libya was perceived as a great success by NATO. In particular, the protection of the Roman Fort at Ras Almageb, where forces loyal to the Gadhafi regime, presumably hoping that NATO would take damage to cultural property into consideration, had parked a mobile radar unit of six vehicles next to the Roman fort, was seen as a significant success. The site was on the list of cultural places submitted to NATO and appears to have been added to the military No-strike list. As a result, NATO forces, with technology unavailable in 2003, were able to plan the precise destruction of the military targets with very minimal shrapnel damage the fort. This led NATO to commission an internal Report on

'Cultural Property Protection in the Operations Planning Process' published in December 2012 (NATO 2012). The Report recommended that NATO should:

*[...] create a cultural property protection policy featuring the commitment of the Alliance to protect cultural property, definitions of 'cultural property' and 'cultural property protection', and designation of roles and responsibilities inside NATO, including the creation of a cultural property advocate responsible for maintaining contact with internal and external cultural property protection sources of information and provide the flow of that information to the operational planners in the event of a crisis (NATO 2012, p. 4).*

Unfortunately, at the time of writing in 2014, this recommendation has not yet been taken up within NATO as the Military Committee's stance appears to be that such responsibility towards cultural property protection should be incorporated in the doctrine of all constituent members of NATO and not as over-arching NATO doctrine. This is a view that Blue Shield hopes can be modified.

#### The 4-Tier approach to cultural property protection

While the Blue Shield attempts to change NATO's mind on whether it should develop such doctrine, there is an understanding that although at least Western military forces are beginning to take cultural property protection more seriously, they lack the wider understanding of how and where cultural property protection needs to be integrated into their existing national doctrine and training. Over the last few years, in conjunction with colleagues in the UK MoD, the USA DoD, and NATO, efforts have been made to

develop what has become known as the ‘4-Tier’ approach (Stone 2013 and 2013-14), which provides a policy outline and practical framework for the inclusion of cultural property protection into military doctrine and long-term planning. Tier 1 requires the integration of cultural property protection training within basic training for all military personnel at an appropriate level and can be introduced for junior ranks, e.g. through posters, packs of playing cards, and short films. Tier 2 is introduced as soon as deployment becomes a possibility and the military needs an understanding of the cultural property they will encounter in a particular location; this is the time to provide or review specific information about cultural property to be protected in a particular theatre of operations. A number of countries have developed specific materials for this Tier including the packs of country-focused playing cards produced by the US, Dutch, and Norwegian armed forces, the latter with the support of the Norwegian Blue Shield. Tier 3 is activity during conflict, and Tier 4 post-conflict activity, which the military refers to as ‘stabilisation’. The approach provides a framework for future collaboration so that cultural property protection be integrated as a core element of military planning into the future. We cannot sit back and wait for the next catastrophe, but rather must plan to mitigate the impact of the next war.

### Training programmes

At present most NATO countries include some level of training with respect to cultural property protection on their home training areas and some have extended this with pre-deployment scenario training—for instance, what a patrol should do if they are faced with a mob looting a museum (Brown 2010, Rush 2011). In the UK, limited cultural property protection awareness training is

part of the standard training package for all troops training on the UK’s defence estate (see Brown 2010). The UK Blue Shield is in negotiations over the proposed integration of aspects of cultural property protection into existing officer training and also the development of proposed specialised training, to be delivered through the UK Defence Academy, in cultural property protection. In the USA, the cultural property protection awareness training carried out by archaeologist Laurie Rush at Fort Drum has won numerous awards and Rush has been a major contributor to the cultural property training resources produced by the USA DoD.<sup>12</sup> The USA National Committee of the Blue Shield carries out a range of seminars and military cultural property emergency response training.<sup>13</sup> As a result of Blue Shield training delivered for the Lebanese armed forces in May 2013, the Blue Shield was invited by UNESCO’s Standard Section to help develop a draft curriculum for a standardised course regarding cultural property protection. The intention is that this basic course could be used anywhere in the world for a variety of audiences with minimal modification. Blue Shield has also carried out a number of other training programmes, for African colleagues in Austria and, most recently, in Mali for instance.

These are just some examples of the development of collaboration between the military and Blue Shield that have taken place over the last 10 years or so. Much more needs to be done, however, before we can claim that the military take cultural property protection as seriously as the cultural sector believes they should.

### Looting: a complex issue

Looting is an endemic problem in many countries across the world and is frequently controlled by established criminal networks. These gangs are well funded and well organised, and thrive during

conflict when normal checks are removed. In addition, as discussed above, while looting is associated with the military personnel victorious countries—‘spoils of war’—has become significantly less of an issue, looting by the indigenous population has apparently grown. This is a complex issue and one that needs further research and significantly more space to deal with effectively than is available here. However, there are some tentative general observations that can be drawn from recent conflicts.

As regards the looting of archaeological sites, a not insignificant proportion of the looting is carried out by local people who have lost their normal livelihoods. This is often, as in Iraq following the 2003 invasion, the result of the removal of their primary customer—the government. Farmers who cannot sell, or in some situations even grow, their normal produce turn, to harvesting antiquities instead. They usually then sell them to local dealers for a fraction of their final value. In addition, looting of museums, libraries, archives, and galleries is an extremely complex activity. During the looting of the National Museum in Iraq various activities were taking place simultaneously, for instance the search for information about family members and others who had disappeared under the Saddam Hussein regime (the museum was seen as a potential source of information as a government building); the looting of computers, electrical appliances, furniture, and other items; the removal by some of artefacts, either as genuine acts of safekeeping or ‘in the heat of the moment’, which were returned later; opportunist looting; and professional looting (George 2008). None of this can be condoned. Yet, to combat looting we need to understand its complex nature.

Professional looting, be it specific or targeted, is discussed below. At this stage, three general

conclusions can be made here. First, as noted above, most of the looting of archaeological sites by locals comes from economic necessity and is facilitated by political chaos as site guards remain unpaid. In recent conflicts the occupying force could have engaged a more enlightened and pertinent response. If the UK Department for International Development had responded positively to the requests I made in 2003 to buy the produce of farmers in the British Area of Responsibility in Iraq then a significant proportion of the looting might well have been averted. And if ways had been found to continue to pay site guards, then more looting could have been avoided. Second, we need to be ready for potential looting; customs and police agencies need to be trained just as much as the military and we need to have good photographs and descriptions of all museum artefacts susceptible to being looted. Finally, looting reveals a difficult and uneasy reality: if there was no licit or illicit market for antiquities, there would be no looting. Could the world’s major antiquities markets be encouraged to take a stand? We need to engage with dealers and their clients explaining the damage done by their trade and how there is now good evidence of it contributing to the war chests of belligerents. Will this happen soon, or ever? Probably not; but while the market exists the looting will continue.

### Enforced neglect

During conflict normal life is frequently put on hold for obvious reasons. Heritage and museum staff may not be able to visit sites or get to their museums. The routine maintenance, management, conservation, and preservation of cultural property is all too frequently interrupted. Historic sites and buildings need constant maintenance and without such care can rapidly fall into ruin. Delicate museum objects also need

to be kept in precise environmental conditions that are frequently interrupted by conflict. Others require treatment by chemicals that are often impossible to obtain. All contribute to the deterioration of cultural property.

### The result of specific targeting

The appalling, deliberate and calculated destruction of cultural property in Syria and Iraq by the self-proclaimed Islamic State stirred a widespread sense of horror within the media and general public. This is not just a Western or European reaction: the same sentiments are being expressed from Rio de Janeiro, to Nairobi, to Beijing. IS destroys cultural property for three reasons. First, some within IS truly believe it is their religious duty to destroy all remains of the past that they regard as idolatrous, much to the world's dismay. However, we should attempt to put the destruction into some context and timescale. In 16<sup>th</sup> century UK the so-called 'dissolution of the monasteries' under Henry VIII also resulted in the massive *destruction* of the monasteries—that left us with ruins now regarded as romantic heritage sites. During the English Reformation, almost all of the religious paintings that adorned most parish churches (and used as teaching aids for an illiterate population by the priest) were painted over or hacked off the walls as they were regarded as idolatrous. Many of those statues that were left were finally destroyed by Puritan factions of the New Model Army during the English Civil War in the following century. Similar events took place all over Europe and in Spain, Islamic sites were targeted, re-used or destroyed, and Arabic books burnt. This is not meant in any way to suggest that what is happening today is anything other than an appalling crime against our common heritage; but we should not forget our own past.

Second, the destruction of cultural property is an important propaganda tool: this is a double-edged sword. On the one hand, it is used to upset and ridicule the international community who deplores the destruction while it remains powerless to protect cultural property. On the other, it is deployed as a recruitment tool to encourage young people disillusioned by the decadent 'Western' norm to flock to the IS cause. Finally, the looting rather than destruction of cultural property is a definite income stream for IS and much has been written on the value of this trade to IS. What is certain is that no one other than IS accountants has any firm idea as to the value of the trade in illicit antiquities. IS is essentially acting as a major international criminal enterprise just like the Mafia—and neither provide the tax returns that would be necessary to accurately measure their income. What can be said with some confidence is that the trade in illicit antiquities is probably a significantly smaller part of IS income than the sale of oil and gas, and probably smaller than the income derived from hostage taking and general taxation. Nevertheless, income it is, and while much income appears to be derived from IS taxing local looters, there is new evidence of IS actually employing archaeological advisors (Farchakh Bajjaly *pers. comm.*).

### On the future...

Much has been done, but far more needs to be done. The simple and fundamental step that must be taken in the UK is the ratification of The Hague Convention and its Protocols. The excuse of there not having been Parliamentary time to ratify since 2004 must be challenged and exposed for what it has been: a fig-leaf for indifference. An international campaign to raise awareness of the importance of cultural property protection amongst politicians must begin. The process of developing awareness amongst the armed forces

needs to be continued, as does the creation of a cultural property protection doctrine and development of fully integrated training programmes, so that this may lead to identifiable officers with a cultural property protection function and remit within all branches of national armed forces. NATO needs to be convinced of the appropriateness of an organisation-wide cultural property protection doctrine as recommended in its own 2012 internal report. More focus and attention needs to be put on combatting and exposing the parts played by some of the world's largest auction houses regarding the trade in illicit antiquities. The desire of wealthy collectors across the world to own original antiquities is not only the greatest stimulus for looting during conflict, but has also opened an additional, significant, source of income for the purchase of weapons and ammunition to prolong various conflicts. Better contact needs to be made with the International Criminal Court so as to raise the profile of crimes against culture. Those perpetrating such crimes must know that, while they may get away with them during conflict, they will be brought to task. All of this, and more, needs urgent attention. Perhaps the most pressing need, however, is to identify the funding to enable that action before we are faced with yet further irreplaceable loss of the world's cultural heritage.

### Notes

1. See URL: <[http://portal.unesco.org/en/ev.php-URL\\_ID=13637&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html)> [accessed 1 June 2015].
2. See URL: <<http://www.icrc.org/eng/who-we-are/index.jsp>> [accessed 1 June 2015].
3. *Ibid.*

4. See URL: <[http://portal.unesco.org/en/ev.php-URL\\_ID=13637&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html)> [accessed 1 June 2015].
5. For Libya, as part of NATO deployment.
6. See Corn on how failure to protect cultural property results in significant deterioration to relations with the local community.
7. See URL: <[www.innerefuhrung.bundeswehr.de](http://www.innerefuhrung.bundeswehr.de)> [accessed 2 November 2015].
8. See URL: <<http://www.cimic-coe.org/>> [accessed 1 December 2015].
9. See URL: <<http://www.cranfield.ac.uk/about/events/listings/events-2013/cds-events/cic.html>> accessed 6 June 2015].
10. See URL: <<http://cchag.org/>> [accessed 6 June 2015].
11. See URL: <<http://aiamilitarypanel.org/>> [accessed 6 June 2015].
12. See URL: <<http://www.cemml.colostate.edu/culturalitems.htm>> and URL: <<http://www.cemml.colostate.edu/cultural/cptraining.html>> [accessed 6 June 2015].
13. See URL: <<http://www.uscbs.org/events.htm>> [accessed 6 June 2015].

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