

Committee: Social, Humanitarian and Cultural Committee (GA3)

Issue: Protecting cultural artifacts in periods of conflict

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INTRODUCTION

Humans have been destroying valued cultural artifacts for centuries- as far back as 700 BCE the Assyrians looted and destroyed Babylon, and with it many prized artifacts. Right now, the global ‘hot spot’ for destruction and looting of cultural artifacts is the Middle East. This destruction occurs both as an inevitable by-product of violent fighting and as deliberate acts that are often ideologically driven or profit-based. When cultural artifact destruction is committed deliberately on ideological grounds, it is ultimately because the destroyers do not deem the artifacts to have positive value, or they are afraid of the power the artifacts convey to others. Value is the key factor in declaring something a “cultural artifact”; the very definition of cultural property (found in the following section) uses the term “importance”. It is impossible, therefore, to create an empirical definition for a cultural artifact, because importance is inherently subjective. Despite this, much of the world deems this destruction, and especially current ISIS-related destruction in the Middle East, as bad, and strongly condemns it. To those who value cultural artifacts, their destruction is an irreparable loss. Secretary-General of the United Nations, Ban Ki-Moon, went as far as to call destruction of cultural sites a “war crime”¹. What form does this destruction take, why is it committed, and how can it be stopped?

¹Frahm, Eckart. "ISIS' Destruction of Cultural Antiquities: Q&A with Eckart Frahm." Interview by Susan Gonzales. YaleNews. Yale University, 16 Mar. 2015. Web. 19 July 2015. <<http://news.yale.edu/2015/03/16/isis-destruction-cultural-antiquities-qa-eckart-frahm>>.

DEFINITION OF KEY TERMS

Period of Conflict

For the purposes of this study guide, conflict is taken to mean both social upheaval (often accompanied by political turmoil) as well as military/physical conflict of a large enough scale and long enough period as to disrupt way of life in the area significantly.

Cultural Property

As defined by the 1954 Hague Convention², cultural property is a broad term, covering “(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; (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 subparagraph (a); (c) centers containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as "centers containing monuments".

Looting

Looting is defined as stealing goods from a place (as opposed to from a person), generally during times of conflict such as a war or riot. Looting, as well as physical destruction, can be considered destruction of cultural artifacts.

Cultural Racketeering

‘Cultural Racketeering’ is a term coined by the Capital Archaeological Institute to describe when organized crime networks deal in antiquities and art.³

²United Nations Educational, Cultural and Scientific Organization. Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954. 14 May 1954. The Hague, The Netherlands.

³ Lehr, Deborah. "Cultural Racketeering and Why It Matters: Robbing the World of History." The Huffington Post, 23 Jan. 2014. Web. 20 July 2015.

BACKGROUND INFORMATION

Instances of failure to protect cultural artifacts in times of conflict

Instances have been selected from recent history and present times to provide examples of different types of destruction, but it is important to keep in mind that there are many, many more instances not mentioned.

Instances

Chinese “Cultural Revolution” under Mao Zedong

The Chinese Cultural Revolution was a movement that lasted from 1966 to 1976 with the goal of preserving true communist ideology by purging traditional or capitalist elements from Chinese society. Although the government had an official policy to protect sites and artifacts of cultural and historical significance, in reality this policy was not upheld. Out of 6,483 sites that had been under government protection in 1958, 4,922 were destroyed during the Cultural Revolution.⁴ While there are no records showing exactly how many artifacts were destroyed or smuggled out of the country, many scholars believe that the resource of Chinese cultural artifacts was greatly diminished during this period. While not officially sanctioned by the government, the government did certainly not resist these actions, so there was no authority able to stop the damage.

2001 Taliban bombing of the Bamiyan Buddhas

In the Bamiyan Valley of what is now central Afghanistan, two massive Buddha statues were built in the 6th century BCE. There they stood, a UNESCO world heritage site, one 55 meters tall and the other 37 meters tall⁵. Then, in 2001, Taliban leader Mullah Mohammed Omar ordered them destroyed, and they were subsequently bombed and reduced to rubble. Due to their enormous size, it took 25 days to blow up the Buddhas, conducting multiple dynamite explosions each day. The reason these gigantic cultural statues were blown up in the first place is that they were considered idols, because the statues have human forms. According to the Taliban’s religious beliefs, it is not allowed to make art representing the forms of people or animals. The site had also been an admired tourist attraction, and the destruction of these monuments made for huge media attention.

⁴Andrew, Christopher M., and Vasili Mitrokhin. *The World Was Going Our Way: The KGB and the Battle for the Third World*. New York: Basic, 2005. Print.

⁵ Bezhad, Nasir, and Daud Qarizadah. "The Man Who Helped Blow up the Bamiyan Buddhas." *BBC News*, 12 Mar. 2015. Web. 19 July 2015.

Present ISIS-related destruction of cultural artifacts

One of the most high profile acts of cultural destruction that ISIS has committed to date is their February 2015 destruction of the Mosul Museum in Mosul, Iraq. A video released by ISIS shows militants ransacking the museum, and destroying antiquities thousands of years old. While to a viewer unfamiliar with the contents of the Mosul museum, the destruction appears indiscriminate and comprehensive, it is not actually as great as it appears. From what is seen in the video, antiquities from only two of the four halls of the museum.⁶ The Islamic Hall, home to the most valuable antiquities, was not shown in the video. Additionally, the artifacts that were shown being destroyed were mainly very large artifacts, that would have been too large to transport. What this suggests is that in addition to destroying some artifacts, ISIS also looted large quantities of artifacts, which have the possibility of being sold on the black market for high prices.

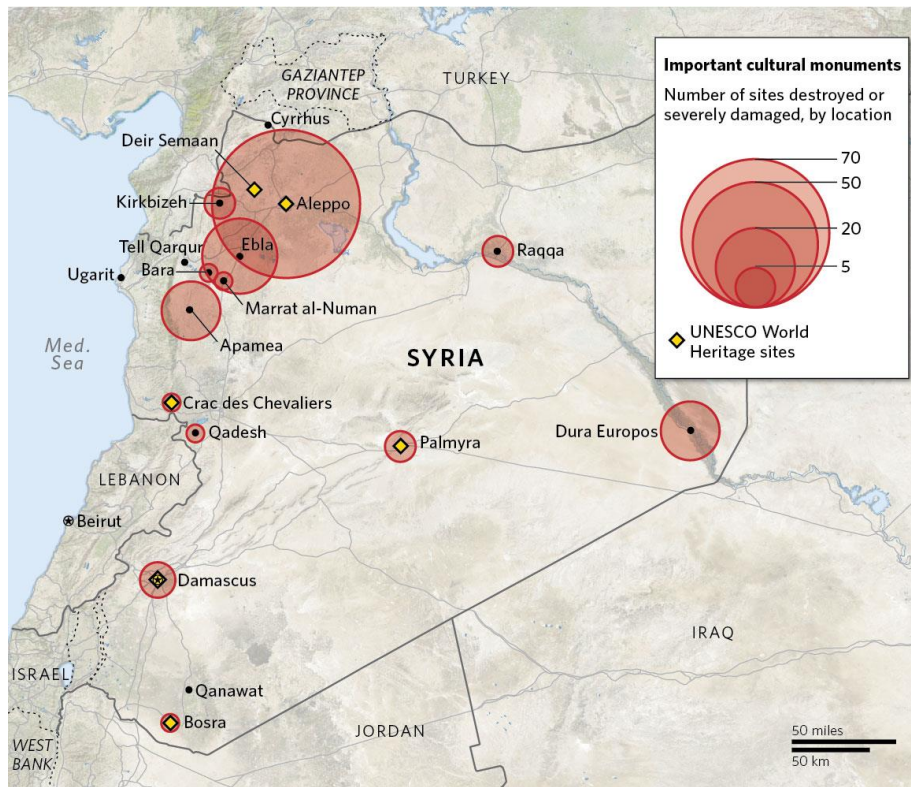


Figure 1 Map Source: United Nations Institute for Training and Research⁷

Another ancient site of cultural significance that is under danger of destruction by ISIS is Palmyra, a city in Syria dating back to the first and second centuries. The city, another

⁶ Al-Salhy, Suadad. "The Full Story behind ISIL's Takeover of Mosul Museum." Al Jazeera English. N.p., 9 Mar. 2015. Web. 19 July 2015.

⁷ Ballout, Dana, Mohammed Nour Al Akraa, and Raja Abdulrahim. "Palmyra Empties as Bombs Rain Down." Wall Street Journal, 10 July 2015. Web. 19 July 2015.

UNESCO world heritage site, was a trading crossroads with Greek, Roman, Persian and local influences. It is home to many statues, including those of idols, which is not allowed under ISIS's interpretation of Islam. In addition to the outright destruction of statues by ISIS however, the ancient city suffers extensive damage due to imprecise bombings that hit both civilians' homes and ruins, in addition to their intended targets of ISIS bases. ISIS also destroyed two ancient mausoleums in Palmyra located on sites that do not correspond with ISIS's beliefs: one was on the resting place of a Sufi scholar and the other on a Shiite Muslim saint.

In addition to these two areas of deliberate sabotage by ISIS, countless significant historical sites and artifacts have been destroyed through other means such as suicide bombings and other bombings carried out by both ISIS and the anti-ISIS coalition.

Causes of destruction of cultural artifacts in times of conflict

Destruction of cultural artifacts can be broken down into three main causes: ideology, profit seeking and casualties of war. Each of these causes can be seen, to various extents, in the above instances of destruction of cultural artifacts.

The first cause, ideology, is the one that dominates the above examples. Every one of them can be attributed, to some extent, to ideology. While the actions in the examples were committed by different groups- the Chinese communists destroyed artifacts on the grounds of them being anti-communist; the Taliban and ISIS destroyed artifacts and monuments in part because they showed living faces, which is not allowed by their ideology- ideology nonetheless drove the groups to destroy artifacts valued by many. This ideological desire to destroy things from different beliefs often stems from fear of the power of the beliefs and the artifacts that convey them. An example of this is the destruction of the Buddhas- their massive size and long history are testament to the power of Buddhism that inspired their construction. By destroying the symbol of power people who destroy valuable cultural artifacts can feel that they are destroying the power itself.

A smaller cause that is important to note that falls under the category of ideology is propagandistic value. This is well illustrated in the example of ISIS destroying the Mosul Museum. In addition to just committing the destruction, ISIS posted a video online showing the destruction, clearly intended for the massive Western media attention that it achieved. This ties in with the point about the power conveyed by the artifacts: it wasn't enough that they had been destroyed or stolen; the whole world had to know that they no longer existed

in good condition. Propaganda is a large part of ISIS's ideological strategy, so in this way the museum video fulfilled two ideological goals.

The second cause, of profit seeking, is another major cause of destruction of cultural artifacts, and especially of looting. Again, the Mosul Museum is a prime example for this cause of destruction. As mentioned before, ISIS removed many artifacts from the museum, presumably with the intention of selling them on the black market. Sale of artifacts, in fact, constitutes one of the three major ways through which ISIS raises funds, along with sale of oil and ransoms from hostages. ISIS is not the only group that loots with the intention of profit seeking, and war is not the only circumstance in which it takes place. During times of riots as well, individual citizens in need of money may steal artifacts for their personal profit, for many different reasons.

Finally, many cultural artifacts are destroyed merely as a casualty of war. Immovable cultural artifacts, such as buildings or shrines, are the most susceptible to this, because it is not possible to move them to safety. Recently, this includes many Syrian and Iraqi ancient mosques, minarets, temples and markets located in areas of fighting that have suffered irreparable damage as the result of bullets or bombs, from all parties involved in the fighting. One further way in which cultural artifacts can be destroyed during a period of conflict is simply through neglect. This can happen especially to rare books or manuscripts that can disintegrate with nobody to care for them, if the caretakers are not available due to whatever conflict is occurring.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Iraq and Syria

These are the two countries most targeted by ISIS in terms of looting and destruction of historical and cultural artifacts. In order to reduce the threat of ISIS, Iraq is currently a member of the United States-led anti-ISIS coalition, and Syria is conducting its own airstrikes against ISIS. While neither country wants their ancient artifacts to be destroyed and both countries are engaged in anti-ISIS measures as a whole, there is not a lot in their power to prevent the destruction of their precious artifacts.

Middle East Institute, Antiques Coalition

These are two Washington, D.C. based non-governmental organizations that organized the May 2015 meetings called Culture under Threat: The Security, Economic and Cultural Impact of Antiquities Theft in the Middle East. They provide support for the actions outlined by the Cairo Declaration (see UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS).

UNESCO

UNESCO has been heavily involved in denouncing actions taken by terrorist groups that destroy or steal cultural artifacts. In addition, it has pushed for legislation to protect the artifacts and is working with Interpol to protect them.

ISIS

ISIS is the single organization currently most notorious for their destruction of cultural artifacts. Through looting of museums and ancient historic sites as well as destruction of ancient and well known historic sites, ISIS plunders ancient cultural artifacts for propaganda and profit.

TIMELINE OF EVENTS

Date	Description of Event
15 April 1935	Roerich Pact adopted.
1939 – 1944	During World War II huge numbers of cultural artifacts, especially paintings and Jewish artifacts, were destroyed or stolen. This brings the issue of protecting cultural artifacts in times of conflict to global attention, and inspires the Hague Convention of 1954
14 May 1954	Hague Convention of 1954 adopted.
1966 – 1976	Destruction of unnumbered Chinese cultural artifacts, as part of the “Cultural Revolution”.
1992 – 1995	Loss of many cultural artifacts during the Bosnian war, a conflict of territorial dispute and ethnic cleansing. Most notably was the loss of some three million books and multicultural artifacts when the National Library in Sarajevo was burned.

Early spring 2001	Destruction of Bamiyan Buddhas.
February 2015	Looting and destruction of the Mosul Museum.
14 May 2015	Cairo Declaration signed by 10 North African and Middle Eastern countries.
May 2015 – present	ISIS occupation of ancient UNESCO heritage site, Palmyra.

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

Convention for the Protection of Cultural Property in the Event of Armed Conflict

The Convention for the Protection of Cultural Property in the Event of Armed Conflict, also known as the Hague Convention of 1954, was adopted on the 14th of May 1954 in the aftermath of the cultural losses of the Second World War. This was the first international treaty focusing exclusively on protecting cultural heritage in an armed conflict. The treaty covers movable and immovable artifacts (such as buildings) and provides measures to prepare inventories of artifacts during peacetime, create an International Register of Cultural Property under Special Protection, and impose sanctions against members who violate the treaty. There are currently over 115 members participating.

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977

This is not a treaty dedicated solely to protection of cultural artifacts, but through articles 16 and 53 builds upon and updates some ideas from the Hague Convention of 1954. Most notably, it prescribes that measures should already be taken in peacetime to safeguard against foreseeable armed conflict and prohibits “any form of theft, pillage, or misappropriation of, and any acts of vandalism directed against, cultural property.”⁸. In addition, this protocol extends protection to religious sites of cultural importance, something that had been controversially neglected in the original Hague Convention.

⁸ Official Records of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts, Bern, Federal Department of Foreign Affairs, 1978

Security Council Resolution 2199 S/RES/2199 (2015)

This resolution, adopted on the 12th of February 2015, bans all trade on Syrian antiquities taken from the country after the 15th of March 2011 and reaffirms a similar ban on Iraqi cultural artifacts that have been illegally exported since the 6th of August 1990. This stems from the fact that sale of antiquities is one of the largest revenue sources for ISIS, the richest jihadist group in the world. The resolution proposes cooperation between Interpol and UNESCO to ensure the protection of these artifacts, and underlines the need for them not to profit terrorist organizations.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Roerich Pact and Banner of Peace



Figure 2 Roerich Pact Banner of Peace⁹

The Roerich Pact, also known as the Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments, was signed in Washington DC on the 15th of April, 1935. It is an inter-American treaty, signed by all members of the Pan-American Union, with 21 signatories. The 80-year old treaty is still active and relevant, despite its age. The point of the treaty is that the protection of cultural objects is more important than any military value they could have through being destroyed, and as a result must be safeguarded. The Roerich Pact is symbolized by the maroon banner of peace, above, which includes three dots symbolizing Science, Art and Religion, all enclosed in a circle.

⁹ Banner of Peace. Digital image. Nicholas Roerich Museum, n.d. Web. 19 July 2015.

Cairo Declaration

This declaration was signed by ten Middle East and North African countries on the 14th of May 2015. It outlines a regional action plan that creates a high level task force to coordinate regional and international efforts against cultural racketeering, an International Advisory Council to support it, launching international and domestic campaigns against the black market, looting and cultural racketeering, and starting negotiations on a regional cultural Memorandum of Understanding with countries in possession of cultural artifacts favored by racketeers, looters and the black market. The countries are Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Oman, Saudi Arabia, Sudan, and the United Arab Emirates.

POSSIBLE SOLUTIONS

The only real way to eliminate the destruction of cultural artifacts in times of conflict is through ending the conflict and removing the causes for destruction; prohibiting destruction through legal mechanisms can do only so much. In fact, in a March 2015 interview Eckart Frahm, a professor of Assyriology at Yale University, said, “some scholarly institutions have reacted by drafting statements and petitions. I sympathize with such efforts, but the problem is that declarations of this type will either fail to reach the actual perpetrators or possibly incite them to commit even worse acts of vandalism”. Despite this, there are some ways that can help keep destruction of cultural artifacts at bay.

One way to do this is to preserve the artifacts themselves, without regards to the cultural, social or military context. This could be done through moving artifacts to a safer location for the duration of whatever period of conflict, but this is not always ideal because the artifacts can lose importance in being physically removed from their historical and cultural context. Similarly, artifacts can be preserved without ending conflicts through digitization. By taking photographs and storing them online, both movable and immovable artifacts can be documented, and therefore preserved in a sense. The Google Cultural Institute is an example of an operation like this, that has partnered with hundreds of museums to document and make available online both movable artifacts and the buildings that house them. For obvious reasons, this also is less than ideal because it does nothing to preserve the physical survival of the artifacts, but it can be a good supplement to other solutions.

Other measures, while still not addressing the root of the problem, can work through legal or religious authority to protect artifacts. This has already been attempted to some extent: the UN, the EU and other countries have made the trade of certain artifacts illegal,

and many prominent mosques have issued fatwas, or rulings on Islamic law by a religious authority that condemn ISIS's vandalism. Both types of measures can be expanded and aggressive legislation can be coupled with direct action enacting bans on illegal trade and physically recovering stolen artifacts.

Ultimately, however, the real solution to preserve cultural artifacts in times of conflict is to end the conflict and return political and social stability to the region of conflict. Matters of physical safety of people almost always take precedence over safety of artifacts during conflicts, making conflicts a dangerous time for delicate cultural artifacts. Nonetheless, this does not diminish the need for the types of actions mentioned in the two above paragraphs. When made more forceful, and especially when combined, even measures that do not end conflicts can save large amounts of valuable cultural artifacts.

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