

History of the Protection of the Cultural Heritage in Conflict

Saadet GÜNER

Friends of Cultural Heritage (FOCUH) Istanbul, Turkey

Abstract: Communities and states in ancient and the Middle Ages accepted the depredation of cities they invaded. Moreover in ancient times, one of the reasons for armies to take part in a war was the wealth that they could get after invasion. But as far as the society see that the sacramental places or monuments prized were being destroyed irrevocably, the expression of protecting objects and buildings that had sacramental-cultural values has been created. The leaders took decisions not to destroy these values during the wars, made regulations at national and international levels as a result cooperation has been established about this issue. Therefore, in this paper, the history of the protection of the cultural heritage in conflicts is from before Christ to present day has been briefly narrated.

Keywords: history, conflict, cultural heritage, military

Introduction

The heritage of humanity was brought to us via "tales of 1001 Arabian Nights" narrated by Scheherazade who is believed to have lived in Baghdad. However, nowadays, the stories concerning "suicide live bombers, smart bombs, terrorist attacks, innocent victims...etc. in Baghdad and other capitals of the countries in the Middle East region" are told, rather than the stories of "the flying carpet over Baghdad" in Scheherazade's tales.

However, let's mount on Scheherazade's flying carpet and remember those folk tales compiled in Arabic during the Islamic Golden Age, 8th Century" and go for a ride on the History of the protection of the Cultural Heritage in Conflict"

Many communities and states accepted as a rule the depredation of cities they invaded or the ones that refused to surrender of the enemy. Moreover in ancient times, one of the reasons for armies to take part in a war was the wealth that they could get after invasion. But as far as the society see that the sacramental places or monuments prized were being destroyed irrevocably, the expression of protecting objects and buildings that had sacramental-cultural values has been created. The leaders took decisions not to destroy these values during the wars, made regulations at national and international levels a a result cooperation has been established about this issue.

History 1: From B.C to World War II, 1945

"The Upanishads", (Brahma Laws- 800 BC and c. 500 BC), "Agni Purana" where old Hindu ordinances were collected, decisions as well as orders during Ancient Greek City-States which developed during the Archaic period, were forbidding attacking sacramental praying places, place of worships and cities. (BUGNION 2004)

From the order “Don’t kill nuns living in monasteries reclusively and leave everything to God, leave them free and don’t destroy monasteries” given by first caliphate and lawmaker Hz. Ebubekir (571-634 A.D.) to his soldiers before conquering Syria and Iraq it can be understood that Islam developed protection concept as including Christian and Jewish places of worship and monasteries. It has been seen that the approach of protecting cultural heritage during the wars had been provided in the Ottoman Empire and in other Turkish-Muslim States in the Middle Age Europe, in “Knight Codes”, (1170 and 1220 A.D.) the Churches and monasteries were also taken into consideration in terms of the approaches of the sacramental places during the that period. (BOYLAN 2001, BUGNION 2004) There were no museums at real sense in the Middle Ages. Churches and monasteries had rich property collections. In France, the first art and historical artefacts had been started to be exhibited. The objects collected by kings and leaders were started to be exhibited in Renaissance (FILIPPOULITI, 2011). Those works also formed the core of museology and the idea of establishing a museum. The idea of establishing a museum that can be visited by public was first introduced by a French writer named La Font de Saint Yenne (1746) During the French Revolution, the idea of establishing a museum came to the fore again. The first national museum of Europe is the Louvre Museum, which was established on 27 July 1793. The oldest example of museums about decoration arts is Victoria and Albert Museum in London (1852).

Prussian martial thinker-strategist Carl Von Clausewitz (1780-1831) is the person who first added modern international humanist principles to traditional war conventions and rules. Principles presented by Clausewitz included in attacks towards real military targets and how to lead a war and limitations for war orders. (GÜNER, 2009)

The Vienna Congress, which was assembled after the defeat of Napoleon Bonaparte also first made the rule of giving back depredated monuments’ objects while discussing the new borders of Europe in 1815. (BOYLAN 2001)

In the Civil War in the United States of America (USA), Civil War General Order No: 100 published by the government, emphasized the prevention of depredateion of art works, scientific collections, libraries and hospitals under siege or during bombing. At that time, the first organized civil societies were established for the protection of the cultural heritage. For instance, The Society for the Protection of Ancient Buildings (SPAB) was founded by William Morris and Philip Webb in England (1877) and it published “*The SPAB Manifesto-The Principal of the Society for the Protection of the Ancient Buildings as Set Forth Upon its Foundation*”: (ÖZ & GÜNER. 2006, pp. 253-256)

The Hague Convention was the first international treaty negotiated at the First Peace Conferences at The Hague-Netherland in 1899. Hague partake in the formal statements of the laws of war and war crimes as well as protection of cultural heritage during wars. (BOYLAN, 2001)

Roerich Pact 1904 was an international agreement signed between the USA and other American Republics to respect and protect the cultural heritages as well as organisations and committees related with education, science and art during war, acts of barbarity and peace. In this agreement, the approach to protect the cultural heritage not only during war but also during peace was first presented. (ÖZ & GÜNER., 2006, pp. 274-278)

Article 7 of Hague Convention 1907, the revised version of Hague Convention 1899, forbade attacks against unarmed cities, cultural and historical buildings during war. (BOYLAN, 2001)

The First international treaty negotiated at the First Peace Conferences at The Hague, Netherlands in 1899 included the formal statements of the laws of war and war crimes as well as the protection of cultural heritage during wars. With this agreement, the approach to protect cultural heritage not only during war but also during peace was first presented

The 1st and 2nd Balkan War and the 1st World War were full of blood and tears and many cultural heritage remains have been destroyed in Europe.(GUNER 2009;)

War weary World and European States were continuing to dress war's wound. To protect the peace and to find solutions to the problems resulting from the First World War, The League of Nations (LON) was founded as an inter-governmental organization as a result of the Treaty of Versailles in 1919–1920, (the forerunner to the United Nations in 1945) The International Museums Office (IMO) was established in 1922. The New Republic of Turkey has become the national member of the League of the Nations on July 18, 1932. (GÜNER & YILDIZTURAN, 2010, BOYLAN 2001)

The World and the European states that were badly wounded from the First World War discovered the values they lost and started to get reorganized to protect these values. For instance, the International Federation of Library Associations and Institutions (IFLA) was established in 1927 after an international conference held in Edinburgh and Scotland to protect the memory of human history/European history which was destroyed at a large scale and sacked during the war.

With the support of active USA politicians the Roerich Pact was signed in 1904 became Roerich agreement in 1933 and turned into Washington Agreement in 1935. This agreement which was signed by 21 American states is still in operation in a big part of North, Middle and South America. In article III. of this Agreement, the concept of marking cultural heritage during war was raised for the first time (Three red circles on white ground) (BOYLAN, 2001, ÖZ & GÜNER, 2006, pp. 274-278).

The Preliminary Draft of the International Convention for the Protection of Historic Buildings and Works of Art in Time of War in 1938, by IMO –LON (GUNER, 2009).

History 2: From World War II, 1945 to Hague Convention Second Protocol, 1999

History repeats itself. After a Civil war in Spain, the Second World War broke out.(1939-1945) After the Second World War and immediately after the huge demolition of humanity, education, peace, economy, cultural heritage etc. The World countries came to gather to protect the peace and to find solutions the problems resulted from the Second World War. So, Intergovernmental organisations (IGOs) such as United Nations (UN) , United Nations Educational, Scientific and Cultural Education (UNESCO) , North Atlantic Treaty Organization (NATO), The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) and non-governmental organisations (NGOs) such as International Council of Museums (ICOM), International Council on Monuments and Sites (ICOMOS) etc. were established , agreements were signed, resolutions and guidelines were published by IGOs and NGOs. The Hague Convention First Protocol on the Protection of the Cultural Heritage was established by UNESCO on 1954. This agreement concept of marking cultural heritage during war was raised for the second time (Blue Shield.) Consequently, it is not wrong to say that the effective and comprehensive works have made on the protection of cultural heritage between 1945 and 1979 (GUNER, 2009).

With the occupation of Afghanistan by Russia in 1979, a new conflict period in the World was started and looting as well as destructing of the cultural heritage occurred. This period was followed by the Gulf War (1990–1991) and the conflicts in the Balkans (1991-1995) and the same problems occurred. After this period The Hague Convention Second Protocol on the Protection of the Cultural Heritage was established by UNESCO in 1999. (BOYLAN 2001)

History 3: From the Hague Convention Second Protocol-1999 to the Present Day-2015:

From that time until today, wars, internal conflicts, terrorist attacks, armed conflicts etc. have expanded and engulfed many countries of the World in Middle East, Far East, Africa, Europe, Caucasia etc. Unfortunately not only humanity dies but also cultural heritage in these countries.

Let's note that we loss not only our movable and immovable cultural heritage but also our intangible cultural heritage due to the human loses, migrations and displacements in conflict.

This huge devastation was started to move IGOs and NGOs. The samples of the latest and most important developments realised by them are given below.

1. A decision was adopted on the protection of cultural heritage in the occupied territories. UNESCO World Heritage Committee Meeting held in Paris France on December 21, 2012 at the initiative of Azerbaijan. According to the decision, the occupying states are required to report on the protection of heritage in the occupied territories and should sent technical missions to the occupied territories. (RAJABOVA, 2013)
2. War Free World Heritage Listed Cities Project (WFWHLC 2011-2013) was organised within the scope of European Union (EU) -Cooperation in Urban Development and Dialogue (CIUDAD) Program. The objectives of the Project were to establish good practices for Urban and Site Management in cities threatened by armed conflicts, promote widespread awareness of the risks facing WHL cities at threat of conflict and prepare candidacy applications for Byblos and Mtskheta for enhanced protection from UNESCO
 - Project Leader: Council of the United Municipalities of Jbail-Byblos, Lebanon
 - Project Partners: 1) Board of the Municipality of Mtskheta, Georgia, 2) World Association for the Protection of Tangible and Intangible Cultural Heritage in Times of Armed Conflict (WATCH), Italy, 3) Old City Rehabilitation and Development Fund (OCRD) Georgia,
 - Associate Members: 1) Friends of Cultural Heritage (FOCUH) Turkey, 2) Network for Advanced Restoration (NEREA), Italy, (WFWHLC, 2011)
3. Scientific Techniques and Risk Management in Museums” Project (STERM-MUSEE) was organised within the framework of Civil Society Facility - EU - Turkey Intercultural Dialogue: Museums (ICD-MUSE) Program. (November 2011-2012): The project’s overall goal was to develop capacity-building of museum professionals and other professionals from various public and private institutions from Turkey and EU countries dealing with scientific techniques by International Atomic Energy

- Agency (IAEA) and risk management in museums including activities to fight against illicit traffic of the cultural objects both in the market and on internet by ICOM (Fig. 1, Fig. 2)
- Project Leader: Museum of Anatolian Civilisation, (MAC) Ankara, Turkey
 - Project Partners: 1) International Council of Museums (ICOM), Paris, France, 2) Friends of Cultural Heritage, FOCUH, İstanbul, Turkey.
 - Training Institution on scientific techniques: International Atomic Energy Agency (IAEA), Vienna, Austria (STERM-MUSEE PROJECT 2011, AYDIN & ZOROĞLU 2011) ,
4. Experience for Change within the Cultural Heritage Sector Project (exCHAnge Project) was organised within the scope of Program: Turkey and EU Civil Society Dialogue II Project, “Culture and Arts Component”. (April 2011-12) One of the goals of this Project was to promote activities for conservation and restoration of works of arts as well as their risk management.
- Project Leader: Friends of Cultural Heritage, FOCUH, İstanbul, Turkey.
 - Project Partner: World Association for the Protection of Tangible and Intangible Cultural Heritage in time of armed conflicts (WATCH) – Italy
 - Associate Members: 1) University of Kocaeli, Turkey, 2) Sapienza University of Rome, Italy, 3) Municipality of Korfez, Turkey (EXCHANGE PROJECT 2011)
5. Emergency Red Lists of ICOM, ICOM launched the Emergency Red List of Syrian Cultural Objects at Risk (September 2013) and Emergency Red List of Libyan Cultural Objects at Risk (December 2015) with the aim to help art and heritage professionals and law enforcement officials identify Syrian and Libyan objects that are protected by national and international legislations and to prevent their trade in the illicit market.
- ICOM Emergency Red List of Iraqi Antiquities at Risk ICOM published in 2003 was updated in 2014 (ICOM 2016)
6. Culture Cannot Wait! The First Aid to Cultural Heritage in Times of Crisis (FAC) courses continues within the framework of the Disaster Risk Management programme at ICCROM.
- “They help several groups of international participants understand the complex values associated with cultural heritage and the steps required to protect it both during and after a crisis. Their aims to generate proactive cultural first-aiders, who will have the ability to protect cultural heritage within extreme conditions as well as work in tandem with other humanitarian actors amid an unfolding emergency” (2014)*
- (CULTURE CAN NOT WAIT! 2016).
7. UNITE4HERITAGE: UNESCO build 'coalitions for culture' by coordinating the work of partners - armed forces, Interpol, the World Customs Organization, museums, leading auction houses and national governments - to block the black market trade in cultural artefacts in order to protect cultural sites (March 28, 2015). (UNITE4 HERITAGE 2016)

8. UNESCO and UNITAR-UNOSAT: (the UN Institute for Training and Research) have signed an agreement to protect cultural and natural heritage sites with the latest geo-spatial technologies (June 2015).(UNITAR 2016)

9. Timbuktu, Mali's Restoration Project was completed: The United Nations and the European Union have created an agreement on 16 May 2014 to fund the restoration of cultural heritage in Timbuktu that was destroyed by extremists after fighting broke out in 2012 between Malian Government forces and Tuareg rebels. The restoration project of 14 historic mausoleums damaged in Timbuktu three years ago by Islamists fighters was completed at the end of July 2015. (BORGESSE 2015)

10. United Nations' Cultural Blue Helmets After the destruction of treasured sites, including the ancient city of Palmyra in Syria, Italy UNESCO has approved Italy's suggestion to have the United Nations' famous Blue Helmets to protect the world's cultural heritage. Some 53 countries, as well as permanent UN security council members, voted in favour of the proposal on Friday (30 October 2015). (NEUENDORF 2015)

11. Twitter and Facebook were/are the most important communication tools to come to know instantly about the destruction of the cultural heritage in time of armed conflict. Except for the massive destruction of cultural heritage such as Palmyra, the written and visual media does not make news about the destruction of the cultural heritage in time armed conflict.

I would like to respectfully remind in front of glorious memory the Director of Antiquities and Museum in Palmyra, KHALED al-ASAAD, the Hero of Palmyra. The 81-year-old man was betrayed by his neighbours, arrested, tortured, killed, mutilated and displayed by the savage nihilists of ISIL that we have to take lessons from the history. If lesson was taken from the history, has history repeated?



Fig.1 – (STERM-Musee Project) Training on risk management in MAC by ICOM's Professionals



Fig.2 – (STERM-Musee Project) Trainees of FOCUH's members and MAC's professionals on risk management in MAC by ICOM's Professionals

References

(Web Sites as of January 05, 2016)

AYDIN M., & ZOROĞLU C., 2012 “Scientific Techniques and Risk Management in The Museums” Umut Yayın Evi, Ankara, Turkey

BORGESE. B. 2015 “Timbuktu’s restoration project completed” International Institute for Conservation of Historic and Artistic Works-IIC
<https://www.iiconservation.org/node/5871>,

BOYLAN J. P. 2001 “The Concept of Cultural Protection in Times of Armed Conflict: from the Crusades to the New Millennium” Tubb, K.B., & Brodie, N. (editors), 2001. Illicit Antiquities-London: Routledge
http://www.euromedheritage.net/old/rmsu_workshops/amman/boylan2001.rtf

BUGNION F, 2004, “ The origins and development of the legal protection of cultural property in the event of armed conflict” International Committee of Red Cross (ICRC)
<https://www.icrc.org/eng/resources/documents/article/other/65shtj.htm>

CULTURE CAN NOT WAIT!. 2016. “The First Aid to Cultural Heritage in Times of Crisis (FAC) Courses”
<http://www.culturecannotwait.org/>

EXCHANGE PROJECT. 2011 “Experience for Change within the Cultural Heritage Sector Project”
<http://exchange.kumid.net/>,<http://exchange.kumid.net/conference.html#top>

FILIPPOULITI. A. 2011, Public Museums. In J. H. Overfield (Ed.), World History Encyclopedia, Era 7: The Age of Revolutions, 1750-1914 . SantaBarbara, CA: ABC-CLIO. (https://www.academia.edu/1854218/Public_Museums_1750-1914_in_the_WORLD_HISTORY_ENCYCLOPEDIA_Era_7_The_Age_of_Revolutions_1750-1914)

GÜNER. S. 2009, “Savaşlar ve Kültürel Miras” Second International Strategy and Security Studies Symposium on “The National Defence in 21 th Century”, by Beykent University, Strategic Reserach Center, (BUSRC)14-16 April 2009, İstanbul, Turkey.
<http://ees2.beykent.edu.tr/docs/sem2.pdf?phpMyAdmin=26b1ab37aa748d52c4747d623bec741b>

GÜNER. S. & YILDIZTURAN. M. 2010, “Mustafa Kemal Atatürk and Cultural Heritage: The Experience of Past Wars for Next Generation”, Forum Archaeologiae - Zeitschrift für klassische Archäologie 55 / VI / 2010
<https://homepage.univie.ac.at/elisabeth.trinkl/forum/forum0610/55guner.htm>

ICOM. 2016, “Red Lists Database”:

Syria: <http://icom.museum/resources/red-lists-database/red-list/syria/>

Iraq: <http://icom.museum/resources/red-lists-database/red-list/iraq/>

Libya: <http://icom.museum/resources/red-lists-database/red-list/libya/>

NEUENDORF. H. 2015, “UN to Send Blue Helmet Troops to Protect Heritage Sites from ISIS”, ArtNetNews,
<https://news.artnet.com/art-world/un-blue-helmets-heritage-protection-342083>

ÖZ. A.K & GÜNER. S., 2006 “Avrupa Birliği Kültürel Miras Mevzuatı ve Türkiye Projesi” Volume 2. Kültürel Mirasın Dostları Derneği (KUMİD) 2006, İstanbul Turkey, <http://www.kumid.net/euproject/en/outputs.php>

RAJABOVA. S., 2013, “UNESCO adopts document on protection of cultural heritage in occupied territories”i Azernews
<http://www.azernews.az/nation/62757.html>

STERM-MUSEE PROJECT. 2011 “Scientific Techniques and Risk Management in Museums” Project
<http://www.kumid.net/en/sterm.html> ,

UNITE4 HERITAGE. 2016. “Global movement powered by UNESCO” <http://www.unite4heritage.org/index.php#section4>,

UNITAR. 2016. “United Nations Institute for Training and Research “ <https://www.unitar.org/unesco-and-unitar-unosat-team-protect-cultural-heritage-latest-geo-spatial-technologies>

WFHLC, 2011, “War Free World Heritage Listed Cities Project” <http://www.eyeculture.net/wfwhlc/>
http://www.enpi-info.eu/mainmed.php?id=310&id_type=10

Imprint:

Proceedings of the 20th International Conference on Cultural Heritage and New Technologies 2015 (CHNT 20, 2015)

Vienna 2016

<http://www.chnt.at/proceedings-chnt-20/>

ISBN 978-3-200-04698-6

Editor/Publisher: Museen der Stadt Wien – Stadtarchäologie

Editorial Team: Wolfgang Börner, Susanne Uhlirz

The editor's office is not responsible for the linguistic correctness of the manuscripts.

Authors are responsible for the contents and copyrights of the illustrations/photographs.