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El patrimoni com
a eina de
construcció
massiva



Seminari híbrid

**The proactive protection of museums and heritage in the event
of armed conflict and/or disaster.
The work of the Blue Shield**

Peter Stone

Càtedra UNESCO de Protecció de Béns Culturals i Pau de la Universitat de
Newcastle i President de Blue Shield International (Escut Blau Internacional)

BRIEF HISTORICAL CONTEXT

In January 1920 the international community reacted to the carnage and devastation of the First World War, partly caused by the failure of European Royal families to avert, or quickly end, the war, by creating the League of Nations. The League aspired to achieve international peace and security through (overly simplistically) a reduction in arms held by all nations, diplomacy, and arbitration – emphasising political and economic solutions to diffuse potential conflicts. In 1939, having at its height only a membership of 58 Nations (and never some key nations, e.g., the USA), the League failed to prevent the outbreak of the Second World War. In 1946 it was replaced by the United Nations (UN). While retaining many of the League’s functions the UN acknowledged that to achieve world peace it would have to add to the League’s approach and identified the central role of “*humanity’s moral and intellectual solidarity*” in maintaining peace. This new aspect was to be spearheaded by the UN’s agency for education, science, and culture, UNESCO. Peace through education, science, and culture.

The creation of UNESCO in 1945 was part of a general realisation of the importance of culture and (in the language of the time) ‘cultural property’ (what would normally be referred to in the 21st century as ‘heritage’) to world peace¹. This idea had been circulating in the early decades of the 20th century in discussions leading to treaties such as the 1935 Roerich Pact² but had been really established in the early drafts of the 1948 Genocide Convention produced by Raphael Lemkin, a Polish Jew who escaped to the USA just before the occupation of Poland by Germany in 1939. Lemkin, a lawyer, had been appalled by the treatment of the Armenian people instigated by the Ottoman Empire in the First World War. Lemkin actually created the word ‘genocide’ to cover such events. Initial drafts of the Genocide Convention included two forms of genocide: ‘barbarism’ - genocide against a human population and ‘vandalism’ - genocide against their cultural property. Lemkin argued that vandalism frequently preceded barbarism and could be used as a warning sign for the latter. The leaders of the Nazis prosecuted in Nuremburg were tried predominantly for crimes against civilians (what Lemkin would have referred to as barbarism), but several were also prosecuted, and convicted, for crimes against cultural property (what Lemkin would have referred to as vandalism). Article 27 of the 1948 Universal Declaration of Human Rights added to this general understanding by establishing access to culture, and by implication cultural property, as a human right. The same context was fundamental to those who drafted the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict (and its Protocols of 1954 and 1999).

¹ The Blue Shield Movement uses the terms ‘cultural property’ and ‘cultural property protection (CPP)’ to refer to the wide range of tangible and intangible, immovable and movable, cultural and natural, heritage as it is the term used in the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols of 1954 and 1999.

² An inter-American treaty officially titled the Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments.

The drafters of the 1954 Hague Convention were convinced that “...*damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind [sic], since each people makes its contribution to the culture of the world...*”. Those attending the conference to establish the Convention envisioned a “Red Cross for Cultural Property” as a means of implementing the Convention. They referred to this new organisation as “the Blue and White Shield” following the colouring of the emblem of the Convention to be used to signify cultural property under its protection. Unfortunately, presumably for lack of funding, this proposed parallel organisation to the International Committee of the Red Cross (ICRC) was not established.



The emblem of the 1954 Hague Convention

It was not until 1996 that four international cultural NGOs (the International Council of Archives, the International Council of Museums, the International Council on Monuments and Sites, and the International Federation of Library Associations and Institutions) jointly established the International Committee of the Blue Shield (ICBS - named to reflect its parallel status to the ICRC). In Article 27c of the 1999 Second Protocol to the 1954 Hague Convention the ICBS is identified as a formal advisory body to the Committee for the Protection of Cultural Property in the Event of Armed Conflict. The ICBS allowed for the creation of national committees of the Blue Shield and clear successes of some national committee’s work can be seen in the respective national committees successfully lobbying for, and proactively supporting, the USA’s ratification of the 1954 Hague Convention in 2009 and the UK’s ratification of the 1954 Convention and both Protocols in 2017. Both ratifications led to the establishment of “...*services or specialist personnel...*” capabilities, as required by Article 7 of the 1954 Hague Convention, in the respective national armed forces, capabilities that continue to be supported and facilitated by the respective Blue Shield national committees.

The Blue Shield became a legal Association under Dutch Law in 2016 with a Mission Statement committing the Movement to:

“...the protection of the world’s cultural property and is concerned with the protection of cultural and natural heritage, tangible and intangible, in the event of armed conflict, natural- or human-caused disaster”.

(Article 2.1, 2016 Statutes)

WHY IS THE PROTECTION OF CULTURAL PROPERTY IMPORTANT?

Cultural property (heritage) provides the tangible and intangible link to the past that helps to provide individuals and communities with a sense of place, identity, belonging, and dignity. The safety and social, mental, and economic wellbeing of people should always be prioritised. However, this, equally means protecting their cultural property as so much of their wellbeing is indivisibly intertwined with their cultural property. As such, cultural property protection (CPP) should be a key part of the thinking, policy, and practice of not only the heritage sector but also the uniformed (including not only the military but also border forces, customs, the police, and other emergency organisations) and humanitarian sectors – and see below.

As an example of the importance of CPP as a humanitarian imperative, in 2018 the International Organisation for Migration (IOM) organised a survey among members of the Rohingya who have been forced out of Myanmar. The Rohingya were crammed into refugee camps in neighbouring Bangladesh, uncertain about their future, with a loss of cultural identity, and suddenly stateless. The survey revealed that 73% of respondents identified the loss of cultural identity following their forced exodus from Myanmar in 2017 as one of the main factors causing mental distress. As a result, the IOM, prioritised the establishment of a Rohingya Cultural Memory Centre (RCMC) in the camps. One of the main objectives of the RCMC project is to provide the Rohingya refugees with a creative and safe space to share their knowledge, preserve their cultural heritage and reconnect with their individual and collective memory, as a community and as an ethnic group³.

However, while cultural property defines who people are, it also, and not infrequently contentiously, defines who they are not. Who belongs, and who does not. Those who are *included*, and those who are *excluded*. While cultural property can be used as a vehicle for understanding, mutual recognition, and peacebuilding, it can also be, and frequently has been, used as excuse for, and target in, conflict. It can easily identify ‘the enemy’. For example, in the 1990s, all sides targeted the cultural property of their enemies during the fighting in the former Yugoslavia, more recently, the so-called Islamic State targeted the cultural property of the Yazidi and well as the Yazidi themselves, and there are claims of specific, deliberate targeting of cultural property in the current Ukrainian conflict (all reflecting the link between

³ <https://rohingyaculturalmemorycentre.iom.int/>

Lemkin's 'barbarism' and 'vandalism'). We must be aware of, and prepare for, both the opportunities provided by good CPP and the threat that cultural property may be used as a weapon of war.

GOOD AND LESS GOOD CPP

1917 Jerusalem During the First World War, in 1917, British forces captured Jerusalem. The British Government was extremely concerned that the predominantly Islamic population might not accept the British presence and actively oppose it. There was concern that an Islamic revolt against Britain in Jerusalem would spread across the Middle East and might have the potentially catastrophic implication of an Islamic revolt in British India opening a third front in the war and the possibility of Britain losing India as a Colony. As a first step in countering this concern, and to show the British came in peace, the force commander, Field Marshall Allenby, walked into Jerusalem.



Allenby walking into Jerusalem © U. & U. (expired), Public domain, via Wikimedia Commons

Allenby also issued a proclamation, written for him in London, which included the commitment that, “...every sacred building, monument, holy spot, shrine, traditional site ... of the three religions will be maintained and protected...”. However, someone on Allenby's staff thought more deeply about which troops were best to use to ensure a smooth occupation and turned a good political idea into brilliant military CPP. Showing a nuanced understanding of cultural sensitivities, it was ensured that Muslim troops from the Indian Army under Allenby's command were deployed to protect Islamic sites. This is an outstanding example of CPP as good military practice. It took no additional forces (Allenby's troops all needed something to do). However, the use of Muslim troops showed sensitivity to the beliefs and values of most of the local population, as a result, there was almost no discernible opposition to the military occupation during the war.



Muslim troops protecting Islamic sites in Jerusalem in 1917 Courtesy © Northumberland Gazette

Iraq 2006 The importance of CPP was underlined by the catastrophic 2003 invasion of Iraq by the Coalition led by the USA and UK. In 2002 six ‘think-tanks’ were established in Washington to plan for post Saddam Iraq. One of these apparently had a sub-committee on culture, which is reputed to have never met. The relationship should not be over-emphasised, but many of the problems faced by Coalition forces, at least in part, stemmed from the failure of those planning the invasion to understand the importance of cultural property to the successful realisation of the invasion. Neither the military, nor humanitarian sectors saw CPP as part of their responsibilities. As a result, no plans were made to protect religious and cultural sites and buildings that resulted in the looting of museums libraries, archives, and archaeological sites across the country - a situation that led to increased frustration on the part of the Iraqi population. This was brought to a head by the 2006 bombing of the unguarded Al-Askari Mosque in Samarra, the event that most commentators on the conflict regard as the tipping point in an increasingly volatile situation that plunged Iraq into a full-scale sectarian civil war. That civil-war required, in Western political minds at least, the retention of military forces in Iraq for a further five years, taking five years-worth of casualties and fatalities. Perhaps even worse was five years-worth of losing the media campaign that paved the way for the re-emergence of Al Qaida in Iraq and provided the oxygen for the emergence of the so-called Islamic State. This was ‘less good’ (non-existent) CPP that could have been averted if only someone had understood the importance of religious and cultural heritage in Iraq or even read their military history. The Blue Shield Movement (see below) strives to work with all military forces to ensure this type of mistake never happens again.



Al-Askari Mosque, Samarra, Iraq, after 2006 bombing. U.S. Army photo, 2006

© Public domain via Wikimedia Commons

ARE YOU READY? THE NEED FOR PEACETIME PREPARATION

The above examples from 1917 Jerusalem and 2006 Samara clearly demonstrate the benefits of proactive thinking and preparation for the worst. British politicians were worried about the potential ramifications of taking control of Jerusalem long before Allenby's troops were close to realising that military objective, and took effective proactive action to mitigate any, potentially catastrophic, ramifications. Coalition planners failed totally in 2002 to recognise the importance of cultural property in Iraq and paid the price in terms of casualties, fatalities, and losing the propaganda war that led to a long-term, and continuing, crisis across large parts of the Middle East. In 2022 Andriy Rybka, Head of Exhibitions of National Art Gallery, Lviv, confessed that *"No was one prepared for a war of this magnitude, so it was improvised"*. As a result, far more damage and destruction has been done to cultural property in Ukraine than might have been the case had proper peacetime planning been carried out.

The clear lesson here is that CPP must be a peacetime activity. The undertaking for High Contracting Parties to *"...prepare **in time of peace** for the safeguarding of cultural property situated within their own territory..."* (my emphasis) in Article 3 of the 1954 Hague Convention cannot be left until a conflict breaks out. Nor can the military measures required in Article 7 to undertake to:

*"...introduce **in time of peace** into their military regulations or instructions such provisions as may ensure observance of the present Convention, and to foster in the members of their armed forces a spirit of respect for the culture and cultural property of all peoples..."* (my emphasis) and

*“...plan or establish **in peace-time**, within their armed forces, services or specialist personnel whose purpose will be to secure respect for cultural property and to co-operate with the civilian authorities responsible for safeguarding it...”* (my emphasis).

And yet too many, perhaps most, High Contracting Parties have failed to implement these, and other requirements enshrined in the 1954 Hague Convention.

Article 3 is essentially targeted at the heritage sector, that is obliged to understand, and implement, its responsibilities and obligations before conflict/disaster. The necessary partnerships and trust envisioned in the Blue Shield diagram described below must be established in peacetime, before conflict/disaster happens and it is too late. Trying to develop or only implement retrospectively CPP in conflict/following disaster significantly reduces its effectiveness, as colleagues in Ukraine (and in almost all instances of post 1954 conflict) have found to their detriment. As part of this preparation, it is incumbent on those involved to understand the indivisible nature of protecting people and protecting their cultural property.

Those heritage sector personnel reading this are asked to think about a few very basic questions: Have you got a full catalogue of your collection with photographs? Is it kept safe, with more than one (preferably digitised) copy? Do you have a Disaster Risk Reduction plan? Does it include armed conflict? Will anyone (outside your organisation) help you protect your collection? If so, who? Do you train with them on a regular basis? Do you have a priority grab list? Do you have enough packing materials to evacuate your collection? If you are going to evacuate – do you know where to? Do you know how you would transfer your collection to point of evacuation? Have you prepared for a cyber-attack?⁴

Most readers will argue that while such activity may be desirable, it cannot be prioritised because of lack of resources, personnel, time, and that it is ‘very unlikely that my country will take part in an armed conflict in the near future’. Arguments no doubt used in Ukraine in 2021.

The best example of recent proactive protection, known to the author, came in August 2020 when the Blue Shield was able to work to support the national committee in Lebanon following the 4 August 2020 explosion at the port in Beirut. With finance from four international funding bodies obtained within a week of the explosion, the emergency project helped secure more than 30 cultural buildings (libraries, museums, archives etc.) by boarding-up windows, sorting out minor issues such as missing

⁴ A similar list of questions was asked by the author to the participants from 45 local museum present at the XXXIV Meeting of the Barcelona Local Museums Network Museums, Conflicts, and humanitarian crises. Heritage as a tool of massive construction in November 2022. The salutary results, which are not unrepresentative of responses at other meetings are reproduced in the annex to this article.

tiles or broken pipes, and repairing or replacing doors. The Blue Shield was also able to develop a joint project to stabilise two historic buildings including the Ministry of Foreign Affairs building – a major architectural challenge requiring the installation of a temporary roof covering about three-quarters of the roof and an architectural intervention stabilising walls that were likely to collapse. This work did not happen without long preparation. It was built on a partnership and trust developed in Lebanon since 2013, when the Blue Shield first began working with the UN Peacekeeping Deployment in Lebanon (UNIFIL), the Lebanese armed forces (LAF), the Department of Antiquaries, the national committee of the Blue Shield, and a Lebanese NGO, Biladi regarding CPP. It was only because of the partnership and trust built up since 2013 that UNIFIL approached the Biladi NGO and the Blue Shield to offer support for the two major building stabilisations⁵.



Following the explosion at the port in Beirut on 4 August 2020, the Blue Shield worked with partners in Lebanon to secure more than 30 cultural buildings (libraries, museums, archives etc.) and to stabilise two major historic buildings. © Biladi.

⁵ And see <https://www.youtube.com/watch?v=2KaiR39mzaE>

THE CURRENT SITUATION

The Blue Shield Movement (BSM)⁶ comprises three elements:

- a) National committees
- b) An International Board
- c) The Secretariat

Together the International Board and Secretariat are referred to as Blue Shield International (BSI). It is BSI, and most critically the Secretariat, that provides the Movement's cohesion and increasingly strong international profile.

The Movement's primary context is the 1954 Hague Convention and its Protocols, underpinned by wider International Humanitarian, Criminal, and Customary, Law, and the UN's and UNESCO's strategic agendas such as UN Security Council Resolutions (e.g., 2347) and UNESCO's Declarations. The Movement also works within the framework of the Sustainable Development Goals and, e.g., The Sendai Framework for Disaster Risk Reduction. A crucial aspect of our work is the acknowledgment that good CPP cannot be delivered by the heritage sector alone, but that it must be seen as a multi-sector responsibility and opportunity. While most of our work is open, some is confidential as, e.g., when we try to work with all parties to a conflict to ensure the best possible CPP. It is also essential to start CPP work in peacetime long before a conflict breaks out or disaster happens. Only if partnerships and trust have been built between the three sectors in peacetime will CPP during conflict or following disaster be effective.

The Blue Shield 'Approach'

The Approach provides flexibility for BSI and national committees to operate within a common global framework. It comprises seven parts:

- **Five most frequently asked questions**

This part provides standard responses to the most frequently asked questions such as “should old things be protected before people” and “Why do you talk about cultural property and not heritage”.

- **2000 Strasbourg Charter**

This is the document that provides the Movements independence, impartiality, neutrality, and not-for-profit status.

- **Mission Statement**

As shown above.

⁶ <https://theblueshield.org/>

- **Four Tier Approach**

The four times heritage experts need to interact with the uniformed and humanitarian sectors - long-term education; immediately pre-deployment with specific training and information about host country; during conflict/following disaster; longer-term stabilisation.

- **Six Areas of Activity**

BSI and national committees are required annually to plan to and report on six areas of activity. National committees can prioritise these as their specific national situation dictates and may not be able to address all areas every year. However, the six areas provide a common framework for thinking and action and are outlined in more detail below.

- **Eight threats to Cultural Property with respect to armed conflict and disasters**

By identifying and breaking down the threats to cultural property we can better prepare in peacetime how to mitigate these threats as outlined in more detail below. Not all damage and destruction is inevitable.

- **Seven reasons why CPP is important to the uniformed and humanitarian sectors**

The identification of these reasons helps national committees and BSI work with national and international uniformed and humanitarian groups to understand the legal and moral issues relating to CPP and why CPP should be important to them and how it can provide opportunities.

The six areas of activity

1. Co-ordination, of Blue Shield and with other relevant organisations

Co-ordination, both *of* Blue Shield and *with* other relevant organisations is essential if the organisation is to be effective. This ranges from ‘branding’, e.g., introducing a standardised logo, based on the emblem of the 1954HC, for all national committees to use, to working with other international agencies such as UNESCO, the ICRC/C, and NATO to better spread the importance, and implementation, of CPP. Examples of co-ordination include working with the NATO affiliated Civil/Military Centre of Excellence, based in the Netherlands, to produce *Cultural Property Protection Makes Sense: a way to improve your mission*, a 78 page, ‘quick read’ booklet outlining the importance of delivering high quality CPP on military deployment⁷. BSI also worked with the UN Special Rapporteur for Cultural Rights in her attempts to make access to cultural property/ heritage an explicit universal human right⁸, and in 2018, European national committees, led by Austria, Belgium, and the UK, offered advice to the EU regarding the draft EU Cultural Property Import Regulations⁹. In February 2020, the Blue Shield signed a Memorandum of Understanding with the ICRC as the first step of co-ordinating and working

⁷ <http://www.cimic-coe.org/products/conceptual-design/downloads/ccoe-publications/>

⁸ <https://www.ohchr.org/EN/Issues/CulturalRights/Pages/IntentionalDestruction.aspx>

⁹ <http://ukblueshield.org.uk/uk-blue-shield-position-paper-on-uk-adoption-of-the-eu-regulation-on-the-import-of-cultural-goods/>

with a range of humanitarian organisations to integrate CPP into general humanitarian work and in June 2020 signed a Letter of Intent (LoI) with NATO.

2. Policy development & legal status

In collaboration with national committees, and building on academic research and practical experience, the Blue Shield has adopted several policies, e.g., the principles of “*joint action, independence, neutrality, professionalism, respect of cultural identity, and work on a not-for-profit basis*” (2016 Articles of Association 2.2); the 4 Tier Approach (adopted as policy in 2014); and the eight threats to cultural property that need to be addressed (see below). These policies define what the Blue Shield is doing, and crucially how it works to mitigate the impact of armed conflict on cultural property. BSI has also contributed to reports such as the UN’s Institute for Disarmament ‘Opportunities to Improve Military Policies and Practices to Reduce Civilian Harm from Explosive Weapons in Urban Conflict’,¹⁰ has advised on various multi-national and national military CPP guidance papers, and is currently advising and supporting NATO on the development of an Alliance-wide CPP Policy.

3. Proactive protection and risk preparedness

While the major causes globally of destruction of cultural property are probably urban expansion, mining¹¹, increase in land under cultivation, and the development of agricultural-related technologies, the Blue Shield has, among other initiatives, identified eight threats specifically related to armed conflict/ natural and/or human-caused disaster, that need to be addressed if they are not to turn into specific and real risks.

4. Education, training, and capacity building

The 1954HC unequivocally states that for effective CPP to be implemented during conflict, significant preparation needs to be completed in peacetime. Such activity should include education and training of the heritage, uniformed, and humanitarian sectors (preferably together in order for the different groups to understand each other’s aspirations and constraints), and the wider raising of awareness of these issues with politicians and, through the media and directly, with the general public. To this end, over the last three years, BSI colleagues have presented at military, heritage professional, academic, and general public conferences, meetings, seminars, and workshops in 24 countries trying to raise the profile and importance of CPP.

One of the major problems regarding CPP is that the former close relationship between the military and heritage sector, most recently clearly in evidence during WW2, has been lost. Recent events in the

¹⁰ <https://unidir.org/publication/opportunities-improve-military-policies-and-practices-reduce-civilian-harm-explosive>

¹¹ For example, see the appalling destruction of two 46,000 year old sacred sites in Australia by the international mining company Rio Tinto <https://www.abc.net.au/news/2020-09-12/rio-tinto-jean-sebastien-jaques-sacked-juukan-gorge-caves/12655942>

former Yugoslavia, Afghanistan, Iraq, and the increase in specific targeting of cultural property by groups such as the so-called Islamic State, have prompted a review of this situation and a significant amount is being done, with the military frequently taking the lead. For example, some armed forces have re-introduced, or re-invigorated, contemporary versions of the Monuments Men, most recently with the UK creating its new CPP Unit¹². These, usually middle ranking officers are also appearing in other European/NATO armed forces and are normally part of Civil Affairs/ CIMIC. It is here where the relationship between the heritage sector and the military can be nurtured perhaps most easily. One, non-European, example of this is the Lebanese armed forces (LAF) who took the initiative and set-up an internal CPP unit in 2013. Perhaps most impressive of these units is the Carabinieri Command for the Protection of Cultural Property, a military/police organisation created in 1969 and dedicated to CPP¹³. The Carabinieri work primarily in Italy but have also deployed overseas during armed conflict¹⁴ and have trained several other national armed forces with respect to CPP¹⁵.

BSI has been refining and testing generic military training materials and, following extensive testing with a wide range of armed forces, a generic set of training tools is under construction for all national committees to use. CPP awareness-raising and training has been carried out with various armed forces including Australian, Austrian, Dutch, Irish, Fijian, German, Georgian, Polish, UK, and USA armed forces. BSI members recently trained the Fijian and Irish military, both of whom only deploy as Peacekeepers and a week-long multi-national training course was held in February 2022 at the UN Training School in Ireland and is now a standard element of UNTSI's curriculum. A major step forward was taken in 2018 when BSI was invited to help plan and inject CPP issues in major military exercises: 'Blue Flag' for the US Air Force and 'Trident Jaguar' for NATO, followed by NATO Trident Jackal in 2019. These built upon previous involvement with USA exercises in Egypt led by the USCBS. BSI currently contributes to several similar NATO exercises on an annual basis, and the LoI recently signed with NATO strengthens and begins to formalise this relationship.

¹²Tim Purbrick, 'Monuments Men: Part One', *British Army Blog*

<https://britisharmyblog.wordpress.com/2016/10/21/monuments-men-part-one/>

¹³Laurie Rush & Luisa Millington, *The Carabinieri Command for the Protection of Cultural Property Saving the World's Heritage*. (Woodbridge: Boydell 2015).

¹⁴e.g., Roberto Parapetti, 'The contribution of the Centro Scavi di Torino to the reconstruction of Iraqi antiquities', In Stone, P G, and Farchakh Bajjaly, J, (eds) *The Destruction of Cultural Heritage in Iraq*, (Woodbridge, Boydell 2008, 229-234).

¹⁵ Rush & Millington *ibid*.



Blue Shield International staff work with NATO staff to exercise cultural property protection planning, © BSI, 2018

In 2011, the Leadership Centre of the German Bundeswehr¹⁶ organised the first of what has become an annual meeting called ‘Coping with Culture’ (CwC). Despite the somewhat negative connotation of the title, the annual meetings (so far held in Germany, the Netherlands, Poland, Denmark, and Austria) have brought together predominantly members of the armed forces of around ten European countries and the USA, with a smattering of cultural experts, to discuss a wide range of cultural issues facing the military. In the UK a symposium ‘Culture in Conflict’ (recently re-titled the ‘Spatial Socio-Cultural Knowledge Workshop’), primarily attracting military staff and associated experts, has been held annually for over ten years and includes CPP issues on a regular basis. The Blue Shield has led the CPP elements of both meetings over the last few years.

In the USA cultural experts, in liaison with the USCBS, have worked with the DoD to create the Military Cultural Heritage Advisory Group¹⁷ which supports troops and the military mission by developing reference, education, and training tools for DoD uniformed and civilian personnel and contractors. The USA recently announced the introduction of a CPP programme across its armed forces. In 2016 CPP was discussed specifically during the Australian DoD conference on ‘ISIL and Middle Eastern Regional Dynamics’. Also, in 2016, the Australian Red Cross organised a two-day conference on ‘Protecting Cultural Property in Armed Conflict’ that included a discussion with several government departments, including the Australian DoD, over the better implementation of the 1954HC by Australia. In the same year a workshop on the 1954HC was held by Pacific countries including representatives of the military and police. Space precludes mention of many other similar and more recent initiatives from around the world.

¹⁶ www.innerefuehrung.bundeswehr.de

¹⁷ <https://www.aiamilitarypanel.org/milchag/>

5. Emergency response

Given the lack of proactive protection that has been carried out to-date, a critical aspect of CPP work has been, and will continue to be, emergency response. BSI has carried out several emergency missions to countries impacted by conflict and disaster including Haiti, Egypt, Libya, and Mali¹⁸. While these have been extremely useful, the full value of such missions will not be achieved until there is firmer funding available to support such activity.

6. Post-disaster recovery and long-term support

It is critically important that, once a conflict or disaster is over, CPP activity continues. It is frequently at this point that much cultural property is damaged or destroyed as cleaning-up and rebuilding takes place, and, in some instances, unscrupulous developers demolish (not infrequently illegally) historic buildings to make considerably more money through high-rise developments. Often this destruction is done by those with no training in, or understanding of, CPP or the importance of cultural property to post conflict/disaster stabilisation. The frequent call on a country's armed forces to act as first responders following disasters led the Blue Shield to add training related to disasters to its remit. It is here that the Blue Shield's work turns full circle, as stabilisation flows directly into proactive protection, training, and education.

The eight threats to cultural property

The Blue Shield has identified eight threats specifically related to armed conflict/ natural and/or human-caused disaster, that need to be addressed if they are not to turn into specific and real risks¹⁹. All are integrated into all BSI training activities:

1 **Lack of planning.** The failure to plan for CPP in anticipation of the 2003 invasion of Iraq is a salutary lesson for the heritage, military, and humanitarian sectors. We will never know for sure but had effective CPP planning been in place in 2003 the situation in Iraq following the invasion may well have been significantly different and may not have provided the environment within which the so-called Islamic State could develop. Activity since 2003 has significantly raised the awareness of this issue, but much remains to be done to incorporate CPP into political, military, and humanitarian thinking and planning at the national and multi-national level. We also need to educate the media to emphasise the importance of cultural property to communities.

2 **Lack of military/humanitarian awareness.** Again, as noted above significant progress has been achieved since 2003 but until the 4 Tier Approach (which easily fits with most military/humanitarian planning systems already in place) has been accepted as the norm, and these eight threats are

¹⁸ <https://theblueshield.org/what-we-do/blue-shield-international/blue-shield-missions/>

¹⁹ <https://theblueshield.org/why-we-do-it/threats-to-heritage/>

considered during planning, military/humanitarian awareness will be limited and until CPP is integrated into relevant education and training it will not be regarded as either an important planning or operational consideration.

3 **Collateral and accidental damage.** By their nature, armed conflict and disasters cause significant unintended or accidental damage. It is inevitable that some cultural property will be damaged and destroyed during such events. However, by raising awareness of the eight threats through good education and training the likelihood of these turning into real risks should be lowered significantly.

4 **Specific (or deliberate) targeting.** Recent conflicts have seen the deliberate targeting of cultural property by Armed Non-State Actors as a weapon of war. On occasion, as acknowledged in the 1954HC, armed forces that have incorporated CPP into planning, may also have to target cultural property for reasons of military necessity, but this should only happen as a last resort where there is no other military option. This ‘last resort’ mind-set needs to become normal military practice.

5 **Looting, pillage, and spoils of war.** Armed conflict and disasters frequently create a ‘vacuum of authority’ in which non-combatants may loot moveable cultural property, and military, or deployed civilian, personnel, including humanitarians, may pillage (i.e., steal) objects as personal souvenirs or remove items, so-called ‘spoils of war’, as, for example, communal mementoes for regimental museums or dining areas.

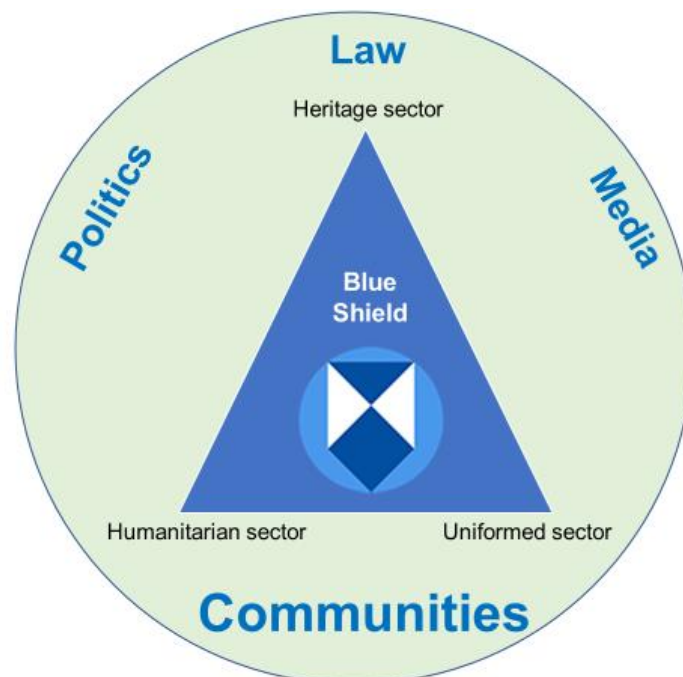
6 **Deliberate re-use of sites.** Cultural sites are frequently reused as shelters by internally displaced people and, breaking international law, by belligerents. Not infrequently, such use causes damage to the sites.

7 **Enforced neglect.** Much cultural property requires, by its very nature, constant expert monitoring; during armed conflict such access frequently becomes problematic and/or impossible. As a result, for example, roof tiles slip on historic buildings, letting in rain, or essential environmental conditions in an archive can fail due to electricity interruption – both of which can cause significant damage to and loss of cultural property.

8 **Development.** Development is a constant threat to cultural property during peacetime, but the ‘vacuum of authority’ exacerbates the problem as individuals knock-down or encroach on cultural property for their personal gain.

Blue Shield International

The above developments have repositioned BSI as a unique independent, impartial, and neutral, not-for-profit international organisation. No longer ‘just’ a heritage NGO but a facilitator, trainer, and advisor connected with everything to do with the protection of cultural property in the event of armed conflict or following natural or human-caused disaster as characterised in the diagram below. The triangle represents the three key sectors - heritage, humanitarian, and uniformed. It is acknowledged that these three sectors all start from completely different places but have a common goal of (in Blue Shield words) “maintaining or developing healthy, peaceful, stable, sustainable communities”. If such communities can be supported, they will lead to peaceful societies that could form the bedrock of global peace. The space within the triangle is where there are no ‘stupid questions’; a space where the three sectors can work together to see how better CPP can help all sectors achieve their short-, medium-, and long-term goals and aspirations. The triangle is set within the broader context in which armed conflicts or natural/human-caused disasters occur: the political context (e.g., whether cultural property might be used as a political weapon or target in a particular conflict; or the potential impact of political reaction to climate change - we have already seen conflicts provoked, in least in part, by climate changes); the legal context for all three sectors; and the increasingly important, media context.



A non-exhaustive list of successes since 2017 includes:

- Growing, restructuring, and strengthening the Movement to build a cohesive and coherent international organisation with national flexibility set within a standardised framework, with,

e.g., a new website, cohesive national committee training, stronger communication, and working groups on Illegal Trafficking and Emergency Response.

- Developing wide-ranging partnerships with, e.g., the ICRC, NATO, UNESCO, the UN Peacekeeping Force in Lebanon (UNIFIL), UNESCO Regional Offices, the Organisation for Security and Co-operation in Europe (OSCE), INTERPOL, the Carabinieri, the Smithsonian, and Cultural Emergency Response.
- Delivering specialised cultural property and international law training for heritage professionals and armed forces, including NATO, and e.g., in European countries, Fiji, Georgia, Guatemala, Honduras, Iraq, Lebanon, Mali, Palestine, and with the UN Training School in Ireland.
- Supporting the securing and stabilising of heritage collections and buildings following the explosion in Beirut in August 2020 with the Lebanese National Committee, UNIFIL, Lebanese Armed Forces, and the Lebanese NGO Biladi.
- Advising and supporting the Ukrainian government and colleagues, and neighbouring countries (e.g., Estonia, Latvia, Lithuania, Romania, and Finland), regarding heritage protection.
- Working to secure the safety of heritage experts and collections in Afghanistan.
- Publishing and supporting ground-breaking research and policy-development into heritage destruction and protection.
- Working with partners, politicians, and the public to raise awareness of the importance of proactive preparation to protect heritage in crises.



BSI and ICRC members following the signing of a Memorandum of Understanding between the two organisations in February 2020. © BSI. At the signing the then Director General of the ICRC noted *“Protecting cultural property and cultural heritage against the devastating effect of war unfortunately remains a humanitarian imperative, today perhaps more than ever”*. This is a massive change from the humanitarian stance in 2003.

To build on these achievements and to do more to meet the colossal demands on its expertise, BSI needs to secure long-term funding so that it can continue existing work and expand activities on a broader international level. To achieve this, BSI's immediate goal is to establish a larger central BSI Secretariat team – moving from two and a half posts to 12. This would provide additional dedicated personnel for proactive training and capacity building, emergency response, liaison points to different sectors and to the national committees, legal, media, PR, administrative support, an in-house fundraising capability, and a dedicated research and policy team to underpin and focus the work.

This is an ambitious, but achievable, plan. It *must* be achieved if the aspirations of Raphael Lemkin and of those who drafted the 1954 Hague Convention are to be moved closer to reality. Through the recent work of the BSM the international community has never been so close to taking a major step forward to finally creating an organisation that could in time really become the cultural equivalent of the ICRC. It may be regarded as overly optimistic that peace might be maintained through humanity's cultural ties. It may be overly optimistic to believe that all parties to conflicts will accept their legal responsibilities towards cultural property. However, if we do not try to establish mechanisms to test these aspirations, we will never know how successful they might be. It is within the international community's hands whether future generations will look back on this period as the start of something great, or a missed opportunity.

Peter G Stone

22 February 2023

ANNEX

Answers to questions asked in presentation at the XXXIV Meeting of the Barcelona Local Museums Network: *Museums, Conflicts, and humanitarian crises. Heritage as a tool of massive construction.*

22 November 2022

45 museums represented.

Have you got a full catalogue of your collection with photographs?	Y = 2
Is it kept safe, with more than one copy?	Y = 0
Do you have a DRR plan?	Y = 2
Does it include armed conflict?	Y = 0
Will anyone (outside your organisation) help you protect your collection?	Y = 0
Do you have a priority grab list?	Y = 0
Do you have enough packing materials to evacuate your collection?	Y = 1
If you are going to evacuate – do you know where to?	Y = 0
Do you know how you would transfer your collection to point of evacuation?	Y = 0
Have you prepared for a cyber-attack?	Y = 0