RESPECTING AND PROTECTING CULTURAL HERITAGE IN PEACE SUPPORT OPERATIONS—A PRAGMATIC APPROACH

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This article is designed to raise awareness and stimulate discussion on how to best respect and protect cultural heritage in so-called peace support operations in accordance with the applicable legal framework. Measures to protect cultural property in the event of armed conflict and its aftermath must be adopted in time of peace. Steps must be taken by the civilian and military authorities that adequate legislation is adopted, implemented and disseminated. Institutional responsibility is to be attributed in order to draw up plans of action to the protection of cultural property including operations abroad, and ensure appropriate education and training for the members of the armed forces, civilian emergency service members, the personnel of cultural institutions and the general public.

Wars, confrontations and conflicts in general between two or more opposed factions have always represented a serious threat to the integrity of the cultural heritage located on their territories. Unfortunately, this threat most often materializes in the form of the destruction of significant amounts of cultural property (movable and immovable): monuments, religious sites, museums, libraries, archives, etc. This destruction deprives humanity of a shared and irreplaceable cultural heritage.

Although the practice has existed since ancient times, the destruction of cultural property has proved even more devastating since the introduction of aerial bombing and long-distance weapons. World War I resulted in the destruction of a large amount of cultural property in Belgium and eastern France, but World War II was even more traumatic, due to the regular nature of aerial bombings, the illicit export of cultural property from occupied territories and, naturally, the geographical scope and duration of the conflict.

A new threat to cultural property emerged after World War II, as non-international and/or ethnic conflicts increased. Not only do these conflicts fall outside the scope of the rules applicable to traditional “inter-state” conflicts, but their goal is often clearly to destroy the adversary’s or the opposing “ethnic group’s” cultural heritage including intangible cultural heritage. In addition, this “cultural cleansing” is facilitated by the geographical proximity and mutual knowledge of the cultural sites and property, as well as knowledge of the culture of the adversary. This is exemplified by the destructions during the war in the former Yugoslavia, where cultural property that was
not a military target “per se” was deliberately attacked by the opposing ethnic group, seeking to destroy the traces or symbols of the ethnic “enemy’s” culture. Particularly significant examples include the bombing of the old town of Dubrovnik in Croatia, the destruction of the Mostar Bridge and the shelling of the National Library in Sarajevo in Bosnia and Herzegovina followed by the setting alight of churches, mosques and monasteries nearly throughout the territory of the war-torn former Yugoslavia. In March 2001 the world witnessed another negative climax when the Giant Buddhas of Bamiyan in Northern Afghanistan were destroyed by the Taliban regime. In April 2003, during the ongoing fighting in Baghdad, the National Museum of Iraq experienced an extensive loss within 48 hours. Some of the looting was evidently professional, with the most valuable pieces taken.

The occurrence of environmental disasters, both natural and human caused with negative impacts on cultural heritage are on the rise. Images of the devastating Myanmar cyclone and China Sichuan earthquake will remain with us for a long time. During the summer of 2007 an asymmetric threat occurred when Greece was confronted with an environmental catastrophe. Forest fires were raging through the centre and south of the country, from the Peloponnese to the island of Evoia, near Athens and invaluable cultural heritage was threatened. The government blamed arsonists hired by unscrupulous real estate developers for causing the disaster.

In July 2012 Islamist rebels who had seized control of northern Mali used axes, shovels and automatic weapons to destroy tombs and other cultural and religious monuments including bashing in the door of a 15th century mosque in Timbuktu. The political and social upheaval in Libya brought the intentional destruction of cultural heritage sites in Libya, especially of Sufi shrines and libraries in Zliten, Misrata and Tripoli in summer 2012.

Even internal conflicts with an ethnic dimension are not beyond the reach of the requirements for protection summarized in the eternal message—so often ignored in the reality of conflict—of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict: “... damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world ....”

Mission Accomplishment by a Peace Keeping Force

One of the most vexing issues to have faced the international community since the end of the cold war is the use of force by UN mandated peace keep-