Forum

Inactive, Reactive, or Pro-Active?

Cultural Property Crimes in the Context of Contemporary Armed Conflicts

Abstract

The ever-increasing problem of cultural heritage destruction in the eastern Mediterranean is the topic for this Forum. With the rapid spread of armed conflict and civil uprising throughout the Middle East and North Africa, the protection of cultural property takes a backseat to more pressing concerns about the destruction of lives and economic resources. In this article and the responses that follow, the complexities of preserving the past in the context of a volatile present are explored.

Editors’ Note

Many of the photographs in this Forum were taken by investigators or locals on the ground using cellphone cameras in less than optimum, and at times even dangerous, conditions. While some of these images may not be of the highest quality, they stand as a very stark and poignant testament to the types of destruction discussed in this Forum. In fact, some of these photos may be the only documentation available for much of this damage.

On March 13, 2009 the United States (US) Senate ratified the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. The ratification makes it mandatory for the US government and any of more than 115 other national governments that are state parties to this treaty to protect cultural property. The obligation is also valid for the respective armed forces of such nations.

This article addresses the problem of today’s increasing damage and destruction of cultural heritage, especially in the Middle East and North Africa. Its focus is on cultural property crimes in times of conflict. Having said this, it must be taken into account that the concept of armed conflict in today’s context also encompasses the pre- and post-conflict phases.

The goal here is to give the readers an impression of the complexity, not only of the conflicts causing destruction, but also of the cultural property protection (CPP) phenomenon that is part of contemporary asymmetric conflicts. Throughout the article, suggestions will be made for practical solutions and measures for improving CPP. Because this article is in many ways a synthesis of my work in this area, I have taken the liberty of referencing my earlier publications Heritage under Siege and Cultural Heritage in the Crosshairs (Kila 2012, and Kila and Zeidler 2013 respectively).

Within the scope of this short article, it is not possible to give a complete overview of all the dilemmas currently affecting cultural property. This, instead, is just a set of indicators that will hopefully trigger discussions and stimulate people to engage in CPP in a proactive manner. A discussion of the legal issues that are intermingled with CPP is unavoidable, as is an analysis of the military aspects especially since we are focusing specifically on conflict situations. However, showing the multi-disciplinary
and complex nature of the subject also demonstrates the need for exchanging knowledge between cultural specialists, legal experts, and military professionals. Hopefully, this article will contribute to that dialogue.

Before delving deep into this subject, we should realize that there are two overarching issues that prevent basic work on CPP in the event of conflict. One is a lack of funding (see below) and the other is the bureaucratic, risk-avoiding attitudes of organizations and individuals that can block simple solutions (Wilson 1989; Kila 2012). An example of the latter is that as I was writing this in August 2013, the news reached me that the United Nations (UN) was sending a team of observers to Syria, especially to Aleppo, to investigate accusations concerning the use of chemical weapons. The specialists that would take part in this team are apparently trained in The Hague, which is my hometown and is well known to cultural heritage specialists through the 1954 Hague Convention. The chemical weapons mission to Syria would have provided the opportunity to investigate the heritage devastation in Aleppo; thus making it possible, after the conflict in Syria, to prosecute those responsible under either the 1954 Hague Convention or the 1998 Rome Statute. For years now, articles have been written and appeals made to organizations such as the North Atlantic Treaty Organization (NATO) and the UN (via the United Nations Educational, Scientific and Cultural Organization [UNESCO]) to make use of the services of the relatively small group of us who are willing to join missions as (militarized) cultural experts in order to assess and register damages to cultural property (Fig. 1). These experts, who are unafraid and in fact accustomed to working in war zones, have never gotten answers from the organizations mentioned. This is only one of many missed opportunities. Such participation would not have been in the way of the chemical weapons assessment nor would it have hindered any humanitarian aid missions or appropriated any allocated funding for humanitarian aid.

CPP has developed into a multidisciplinary subject involving a variety of stakeholders with different interests, different cultures, and various types of expertise and concerns about the selection of places and objects to be protected. The fact that all of these elements do not mix easily and the respective players are not communicating (enough)
with each other, let alone working together, makes effective CPP measures and actions extremely difficult. So far, this lack of international and domestic multidisciplinary cooperation is the reason that large-scale destruction of cultural heritage, especially in the event of conflict, is not prevented, or at least monitored in situ, for legal actions later. It is not possible to present a complete overview, but I will discuss a number of examples to illustrate problems that have occurred when trying to protect or prepare for safeguarding cultural property. Let it be said however that the biggest problem at this moment is funding! We cannot even say there is a lack of funding—at present, there is no funding.

Although during the last few decades several heritage disasters have happened relating to conflict (for example in Iraq, Afghanistan, and the former Yugoslavia), no lessons have been learned about prevention and practical solutions. A serious issue is that stakeholders do not seem to realize that CPP in the context of armed conflict cannot be implemented without taking the military into account. In other words, it is impossible to research and prevent arson while excluding the fire brigade. This does not mean that the ethical beliefs of heritage rescuers are discarded—it is just a simple fact that must be accepted in order to achieve a holistic perspective and a depoliticized CPP system. This, also, does not suggest that the military are automatically willing or interested in implementing CPP mandatorily under the 1954 Hague Convention. Rather, involving them calls for knowledge of military organizations, cultures, semantics, and operational planning in addition to a strategic and intelligent approach.

While appropriate CPP legislation, comprised of International Humanitarian Law (IHL), domestic laws, and even some military regulations, is in place, such legislation is not, in the practical sense, successfully implemented. Adding to this is the fact that CPP in the event of conflict, including the military perspective, is not a topic in the academic heritage debate. There is not much joint research and cooperation between archaeologists and art historians with legal experts. Certainly, there has been an ethical debate among archaeologists about engaging with the military, but this has not produced any solutions since intense emotions have driven the opposing arguments, many of which are not supported by knowledge about legislation, military organizations, and concepts of modern conflict. Nevertheless, contemporary scholarly debate on cultural heritage (see, for example, Tilmans, van Vree, and Winter 2010) can be of vital importance to CPP although it is on a more abstract and philosophical level compared to the discussion about the military aspects and connected issues of CPP.

Creating more awareness by shedding light on the complex playing field, the players, and their different interests and cultures that create the conditions that allow for cultural heritage destruction will help to emphasize the subject in the academic debate. This will hopefully stimulate the development of theoretical frameworks that are not dominated by emotion or other factors that do not support the promotion of CPP in the context of current heritage disasters in conflict areas.

Having said this, it should be stressed again that a major problem for CPP activities including research, raising awareness, and education is lack of funding (Kila and Zeidler 2013: 351–53). It is not expected that help will come from organizations that are earmarked to carry out these responsibilities—for instance, in the 1954 Hague Convention. The last decades have shown that they are incapable to act, mainly because they behave in bureaucratic, risk-avoiding, and political ways. In addition, they argue that they suffer from budget problems. It seems fair to say that, at this stage, people are needed who are not afraid to stick out their necks or to be creative and flexible.

Cultural Heritage and Today’s Conflicts

When looking at countries in conflict and turmoil, we can see as van der Auwera (2012) puts it a “prevalence of contemporary wars in weak or failed states, and a multiplicity of actors engaged”. I would add autocratic states to this list and sense another prevalence, namely for countries with an abundance of archaeological and/or cultural resources (for example, Iraq, Syria, and Egypt). What this implies is that in each case many different groups, including religious ones, and consequently various cultural properties can be involved. A lot of these are, at the same time, challenged by the fact that they are developing countries which are urged by the international community to concentrate on internal economic matters and, therefore, do not have the financial resources to sufficiently manage their own cultural heritage (Figs. 3–4).

Countries with sufficient financial means and an interest in global archaeology, sometimes based upon
FIG. 2
The looted de Morgana storehouse in Dahshur, Egypt, on February 15, 2011. (Photo by J. D. Kila.)

FIG. 3
The office of Zahi Hawass, then Minister of State for Antiquities Affairs, under siege on February 13, 2011 in Cairo, Egypt. (Photo by J. D. Kila.)
FIG. 4
Graffiti in Tripoli, Libya, during the revolution in 2011. (Photo by J. D. Kila.)

FIG. 5
An exterior view of the neglected second-century CE Villa Silin in Libya as of September 2011. (Photo by J. D. Kila.)
FIG. 6
A view of the exposed tile floors at the Villa Silin in Libya as of September 2011. (Photo by J. D. Kila.)

FIG. 7
A neglected tile floor of the Villa Silin in Libya as of September 2011. (Photo by J. D. Kila.)
Some New Trends and Threats to Cultural Property

Globally, cultural resources, or to use the legal term cultural properties,4 are under serious threat of damage and destruction. Armed conflicts as well as local turmoil are exacerbating neglect in many places. Present examples are Mali, where recent deliberate destruction of Sufi shrines and mosques has taken place; Libya, where in the aftermath of revolution the illicit traffic of cultural property and deliberate destruction of shrines and mosques has occurred; Egypt, with an ongoing problem of looting mainly because of the lack of guards at archaeological sites, a problem that could be handled by deploying the military to sites; and Afghanistan, where there is continuous looting and trafficking. Iraq, Jordan, and Lebanon are (still) at risk. Finally, we can see a wave of iconoclastic cultural property destruction visible throughout the region stretching between Mali and Syria.

The most severe circumstances, however, are found in Syria where the destruction of monuments and sites, looting, and trafficking happens on a daily basis.5 Widespread damage has resulted from shelling, army occupation, terrorism, looting, and uncontrolled demolition (similar to Al Hatra in Iraq). World Heritage sites like the ancient villages of northern Syria, the Crusader castle of Krak des Chevaliers, and cultural properties in Damascus, Aleppo, and Palmyra are among the sites that have been adversely affected. More destruction is being reported by “concerned citizens within the country, expatriates and Syrian heritage organisations [who] are monitoring damages as best they can while sending information to the outside world” (Cunliffe 2012: 4).

Iconoclasm, that seems to be back in today’s criminal repertoire, can be described as cultural destruction causing (or aimed at) historical obliteration leading to damage or eradication of identities. The aforementioned destruction in Mali was perpetrated by the extremist Muslim group Ansar ad-Din against mosques and mausoleums in Timbuktu containing the tombs of Sufi “saints,” many of which are registered on the list of endangered World Heritage sites, because they regarded the shrines as idolatrous.6 Here, we see a clear parallel with events from the past like the iconoclastic outburst during the reign of Byzantine Emperor Leo III that became known as the first Byzantine Iconoclasm. This began as a campaign to remove an image of Jesus from the main entrance to the Great Palace of Constantinople known as the Chalke Gate. Another classic example of iconoclasm which took place in the Netherlands in 1566, was the so-called Beeldenstorm, also known as the “Iconoclastic Fury,” which resulted in the large-scale destruction of church interiors and monasteries during a religious conflict between Calvinists and Catholics (Fig. 8).

Contemporary iconoclasm in many ways resembles the classic religious-driven form known from the European Middle Ages. The phenomenon returned to international news in 2001 with the destruction of the Bamiyan Buddhas by the Taliban in 2001 in Afghanistan. The Taliban considered the statues an abomination from the pre-Islamic “dark ages.” Common denominators for iconoclasm in both ancient and modern cases are accusations of idolatry and profane depictions of human figures.

There are also non-religious driven iconoclasms such as the appropriation of the cultural treasures of conquered peoples as trophies of war by the Romans who displayed them in triumphal marches, and later installed them in the Roman Forum (Merryman 2005). Incidents throughout history have occurred when conquering powers, in an
effort to exterminate the identity of enemies from memory destroyed significant objects associated with their culture (Figs. 9–10). In the destruction of Carthage by the Romans after the Third Punic War, iconoclasm merged with urbicide, a term that literally translates as “violence against the city” or, as Bevan puts it, “the murder of a city” as a strategy to erase its character and identity from the memory of its (former) inhabitants and mankind (examples in addition to Carthage, Sarajevo, and Beirut [Bevan 2006; Sandes 2013]). Bevan takes it a step further by suggesting that the activity of destroying architecture while creating widespread civilian casualties is a means to extinguish the collective life and cultural identity of a community (cultural genocide) (Bevan 2006: 209–10). This happened in 1697 when the Spanish completed the defeat of Mesoamerica by burning and wiping out Tayasal, the last Mayan capital.

A complicating development is cultural heritage’s expanding nature and changing status. What falls under cultural heritage? This is subject to change as new trends and topics, for example, cultural landscapes, emerge. Other issues are the questions of how people memorialize the past as places of memory or lieux de mémoires (Nora 1984–1992), the so-called Traumascapes’ (such as Ground Zero New York) and intangible heritage that includes traditions or living expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals, festive events, and skills to produce traditional crafts (UNESCO 2012).

The aforementioned continually developing and changing heritage classifications have an effect on the sensitivity of cultural property too, as well as developments involving new media and the sensitive connection between cultural heritage and strategic communications. For instance, the media reporting regarding the Baghdad Museum looting (especially CNN) made the already low international support for the Iraq War almost disappear. In spite of the fact that the US tried to limit the damage, its image as the “destroyer of culture” continues to this day. Currently, new media have started to play key roles since they are capable of provoking negative (inter) national reactions or triggering positive media coverage almost instantaneously. While the latter can generate military force multipliers like enlarging acceptance, one should not underestimate the potential influence of bloggers and websites that can be driven either by individuals or by specific interest groups.
FIG. 9
A damaged mural of St. Peter in the Matejce Monastery in Macedonia in August 2002. (Photo by J. D. Kila.)

FIG. 10
Another damaged mural in the Matejce Monastery in Macedonia in August 2002. (Photo by J. D. Kila.)
A recent example of the weight such new media or to be more specific social media can carry is the 2011 revolution in Egypt. Social media’s influential powers became eminent through the particular role that it played in terms of intensifying awareness and creating support among anti-government protesters (Mainwaring 2011). Additionally, the input of social media can help to spread cognitive dissonance by connecting opinion makers, community leaders, and protesters to common citizens and swiftly increasing the group of people who become willing to take decisive action. The best known examples of internet platforms potentially capable of doing so are networks like Facebook, LinkedIn, Twitter, and YouTube (for Twitter, see Laracuente 2012).8

Overlaps between Cultural and Natural Heritage

Another development to consider is the phenomenon of cultural sites that also qualify as natural heritage. Examples are the so-called cultural landscapes like Uluru-Ayers Rock in Australia, the Loire Castles in France, and even animals such as the Dugong, a large marine mammal, all of which can be classified as cultural heritage. The acknowledgement of the latter’s significant cultural identity was even the subject of a legal action—the so-called Dugong case. These examples show that cultural heritage is not always easy to define or distinguish as evidenced by the interpretation of natural and cultural heritage legislation on both national and international levels influenced by socio-political and environmental aspects such as the cultural landscapes. Still this “overlap” has positive side effects that can help to support CPP capabilities within the military in accordance with international legal obligations and military regulations. This is conveyed to NATO’s military members by the NATO STANAG 7141 EP doctrine under which natural and cultural resources are considered characteristics of the environment that have to be taken into account in relation to NATO-led military activities.9

In 1990, the US passed legislation establishing the Legacy Resource Management Program that provides financial assistance to Department of Defense (DoD) efforts to preserve American natural and cultural heritage. The program assisted the DoD in protecting and enhancing resources while supporting military readiness. The program supported and sponsored a lot of CPP activities among them the famous US military CPP playing cards (Figs. 11–12).

An important provision slotted into existing military environmental management is Regulation Number 200-2 Environmental Quality (US) CENTCOM Contingency Environmental Guidance. It states that the US’s Central Command forces will actively prevent pollution and respect the natural, historical, and cultural resources of their host nations. Regulation 200-2 contains essential guidance, best management practices, and environmental enforcement capabilities for heritage preservation for US base camps and all contingency operations within the USCENTCOM’s Area of Responsibility. The latest accomplishment, not particularly related to environmental provisions is US AFRICOM’s Cultural Property Protection Appendix to Annex G to the Theater Campaign Plan. The author of this article advised on and co-authored this annex that provides strategic guidance to all AFRICOM elements for the protection and preservation of all cultural property. This annex is a major step since it will be followed without discussions upfront because it now forms part of the planning process. It is expected that this document (to be made public at a later stage) will serve as an example for other US Combatant Commands and international military organizations that currently lack CPP provisions in their planning process.

These institutionalized and codified connections between cultural and natural resources open new perspectives for international, joint, and multidisciplinary cooperation—especially for embedding CPP capabilities in set structures for environmental issues.

Re-Use of Cultural Property for Strategic Purposes during Conflict

A disturbing development is an increasing use, from a military perspective, of strategically located sites such as ancient fortifications on elevated terrain. Examples are citadels, towers, and castles that already are (historical) fortifications or towers and minarets, a strange approach to recycling. An example of this type of misuse is the spiral minaret of Samarra in Iraq also known as the Malwiya tower, built by Caliph al-Mutawakil in the 9th century. In 2005, insurgents blew up the top section of the 52m (162ft) tower, because it was being used by US soldiers as a lookout position (Fig. 13).
CPP playing cards to educate Dutch and NATO forces on cultural heritage best practices. (Photo by J. D. Kila.)
FIG. 12
CPP playing cards for US forces during the second Gulf War. (Courtesy of the US Department of Defense.)

FIG. 13
The spiral minaret in Samarra, Iraq that was damaged by insurgents in 2005. (Photo by J. Gordon.)
Military re-use of fortified sites has occurred elsewhere, as well. The recent shelling of national heritage sites in Syria, including the 12th-century Crusader fortress of Krak des Chevaliers and the Citadel, the medieval fortress at the center of Aleppo, occurred because these places were being used by modern fighters (Figs. 14–15). This suggests that it is wise to give higher priority protection to such sites in risk preparedness plans while taking into account the so-called military necessity implications they can evoke.10

**Looting and Plundering (Figs. 16–21)**

Looting has military parallels beginning with the Romans who allowed their soldiers to plunder as a form of wages. In more recent times, the traditional tribal militias in Afghanistan and Pakistan (the Lashkar) are not paid salaries but share in loot captured from the enemy. This form of pay, of course, not permitted under international law, but it occurs nonetheless. Looting, stealing, and smuggling of artifacts are, of course, market-driven and based on the international rising demand for antiquities. Since there is only a finite supply of legal objects that are available for trade, any increase can only come from illegal sources (O’Keefe 1997). Cultural objects that are first looted and then smuggled out of conflict zones end up in the antique and art black markets of the Western hemisphere. Profits stimulate belligerent and rebelling parties to continue stealing and looting to generate funds for weapons and ammunition, thus prolonging a conflict. CPP is, in this context, an instrument to deny resources to the opponent consequently reaching the end state of a military operation sooner by creating a military force multiplier.11

Actually here too we can draw a parallel with the past when soldiers (often mercenaries) were allowed to plunder as a form of wages. Still, it should be stressed that motives for plunder and looting differ. Mac Ginty gives a more refined perspective on looting; he finds the terms “looting” and “looters” generally to be considered pejorative. From this perspective, the negative label prevails over an objective description of looting as a certain activity. Many looters choose not to interpret their activities in a negative way, but see it as justifiable and legitimate. Some point to the fact that they are unemployed and need to provide for themselves and their families. Others justify looting as an act of taking back items that were in the possession of an ousted regime by entering its former facilities or as an act to express their anger by just vandalizing objects. A recent example was, for instance, the takeover of Gaddafi’s house in Tripoli by rebel forces during which statues and even a golden mask of the dictator were damaged in anger as a form of revenge. From that angle, certain lootings can be even explained as redistribution or, as the former British Defense Minister Geoff Hoon stated in 2003 when referring to plunder in Iraq, “liberating those items that are in the charge of the regime by entering its former facilities and the secret organizations and redistributing that wealth among the Iraqi people” (Mac Ginty 2004: 857–70).

From another angle, looting is regarded as a byproduct of violent protest and riots especially in the so-called flash or mob lootings happening as sudden outbursts. Finally, looting can be organized by a government to serve as a motive to take tough action against protesters, while withdrawing fighters or armed forces have been known to deliberately destroy objects because they do not want the winning party to take them in possession. It is obvious that looting has several reasons that have to be considered specifically in relation to military and cultural intervention.

**To What Extent Can Iconoclasts and Looters Be Brought to Justice?**

There are lawful instruments that supply a legal framework for safeguarding cultural property, especially in the event of conflict. The most important is The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. The convention dates from 1954 and has two protocols (1954 and 1999).

The 1954 Hague Convention was designed with World War II as a reference or, in other words, the treaty works optimally in the case of relatively dated types of conflict we call symmetric as opposed to modern asymmetric conflicts. Because of this, problems can occur when one or more belligerents involved in a conflict are no state party to the 1954 Hague Convention or are not recognized as an official party, which is often the case with insurgents and rebels.
FIG. 14
Aerial view of the twelfth-century Crusader fortress of Krak des Chevaliers. (Photo by J. Strzelecki.)

FIG. 15
The Citadel in Aleppo, Syria, in 2010. (Photo by B. Gagnon. Courtesy of Wikimedia Commons.)
FIG. 16
The author in a burnt
Benghazi, Libya, bank
where a priceless collection
of gold and silver coins that
are believed to date back to
the time of Alexander the
Great was stolen through a
hole in the floor. (Photo by
J. D. Kila.)

FIG. 17
Illegal digs on a Roman site
in Umm al Shuga, Libya.
(Photo by K. von Habsburg.
Courtesy of http://blueshield.de/libya2-gallery.html)

FIG. 18
Opening a museum door with
an angle grinder in Darnah,
Libya. (Photo by K. von
Habsburg.)
FIG. 19
Not all artifacts were destroyed in Libya. This pottery in Apollonia was safely stashed away during the revolution. (Photo by J. D. Kila.)

FIG. 20
These sculptures from Cyrene in Libya were also safely stored during the revolution. (Photo by J. D. Kila.)

FIG. 21
Additional sculptures from Cyrene in Libya safely stored during the revolution. (Photo by J. D. Kila.)
Nevertheless, it is still possible to hold people responsible for heritage crimes in the event of non-international conflicts. The Second Protocol of the 1954 Hague Convention mentions individual criminal responsibility, but this legal provision does not apply in the case of Mali, who has not signed this protocol. The International Criminal Court (ICC) has options to prosecute crimes such as the deliberate destruction of cultural property and Mali is a party to the 1998 Rome Statute that established the ICC, which is based in The Hague. According to the principle of complimentarity, the ICC complements national legislation of its state parties in the earlier-mentioned cases. To put it differently, if the criminal laws of Mali cannot be enforced or are no longer working, the Rome Statute can function as a substitute. The ICC stated that: “Nations agree that criminals should normally be brought to justice by national institutions. But in times of conflict, whether internal or international, such national institutions are often either unwilling or unable to act” (UN General Assembly 1998).

The 1998 Rome Statute, for the ICC, constitutes a landmark treaty on individual responsibility regarding international crimes and contains important provisions for crimes against cultural property (Hector 2010). Two sections are relevant in Article 8 of the statute where a description is given of certain places and buildings that cannot be deliberately attacked unless they are made into military objectives. Examples are buildings dedicated to religion and historic monuments. In the Timbuktu example, the mosques and tombs fall under both categories. Those who intentionally undertake such acts of violence are considered to be guilty of committing war crimes so in fact they can be prosecuted under criminal law. The 1998 Rome Statute generates individual criminal responsibility; however, in the best case scenario, a country in which the cultural property crimes took place has (or is expected to have) already implemented national legislation for investigation and prosecution of such crimes and the 1998 Rome Statute (if applicable) works complimentarily.

The Position of the Military as a CPP Stakeholder

The military is a vague term and is sometimes addressed as the armed forces, Ministry of Defense (MoD), or DoD. They comprise paramilitary police like the Italian Carabinieri and the Spanish Guardia Civil. Therefore, when referring to the military as the armed forces, it is more effective to speak about the MoD or the US DoD.

By definition, the military are involved in all aspects of armed conflict including protection of cultural property or, in a negative sense, the destruction of cultural property. Apart from the fact that the military are often the first to arrive within the conflict area and have logistical assets to operate in cultural emergency situations, there are more aspects including legal obligations that demonstrate the logic of positive military involvement in CPP. In fact, it is a military’s responsibility to create a plan to limit damage that should be implemented before kinetic operations begin. Lack of CPP planning can exacerbate social disorder; eradicate national, ethnic, and religious identities; elicit international condemnation; and prolong conflict. If planned and executed correctly, CPP can be a force multiplier by concurrently ensuring international and domestic stability and goodwill, the latter resulting in an increase of force acceptance.

CPP was implemented by military organizations in World War II (the so-called Archives and Monuments Men) but this CPP strategy and military field experiences gained during World War II seem to have been forgotten. As a result, the wheel had to be reinvented by those that attempted to do something after the topic returned to the international limelight following the cultural devastations in the former Yugoslavia, Afghanistan, and Iraq. It was clear that the earlier circumstances were not the same as the contemporary situation. Generally speaking, World War II cultural strategies would not be very accurate today since they were predominantly based on the more classical symmetrical interstate concepts of warfare/conflict. At present particularly, challenges as how to utilize and deploy military or militarized experts have to be met and (re)discussed after studying practical examples and the new asymmetrical challenges. In Kila 2012, I used a number of case studies, including Uruk and protection against looters and Mattejce and iconoclasm, to demonstrate problems as well as examples of good and bad practices followed by possible solutions and recommendations for better practices.

Issues to take into account include the shifting status and fluctuating appraisal of cultural objects involved in the whole complex of risk preparedness, actual conflicts, hostilities, and reconstruction. Furthermore, today’s military operates in an increasingly complex setting. In this regard, the military has had to learn to
adapt to new situations; and the increasing complexity of war creates situations that are especially challenging for activities involving Civil Affairs and Civil Military Coordination (CIMIC) units trying to work with and engage the local population during missions. From this perspective, CPP is one of the many “new” specialties required by the military, taking its place alongside other skills such as civil administration, economic development, humanitarian affairs, and civil infrastructure. In some CIMIC organizations, we find cultural affairs units, but these are rarely put into action since all CIMIC activities are in accordance with NATO CIMIC Doctrine [AJP-3.4.9(A)]. This doctrine orders CIMIC activities (including cultural affairs) to be in support of a commander’s mission. In practice this means that CPP is rarely implemented because the commander has no knowledge of the relevance of CPP and has no advisers pointing out the obligations and possible force multipliers. This is another reason to urge NATO to pay attention to CPP.

In addition to the 1954 Hague Convention, there are a number of international treaties that affect the military in case their country is a signatory to these agreements. The most significant relating to cultural property are:

1. Obligations deriving from the 1954 Hague Convention and protocols to be found under:
   a. Article 3: Safeguarding of Cultural Property;
   b. Article 4: Safeguarding of Cultural Property;
   c. Article 5: Occupation;
   d. Article 7: Military Measures;
   e. Article 25: Dissemination of the convention; and
   f. Second Protocol, Article 2: Organization of Control.14
   a. to safeguard the intangible cultural heritage;
   b. to ensure respect for the intangible cultural heritage of the communities, groups, and individuals concerned;
   c. to raise awareness at the local, national, and international levels of the importance of the intangible cultural heritage, and of ensuring mutual appreciation thereof; and
   d. to provide for international cooperation and assistance.

It is also possible that national legislation can affect the military. For example, the US DoD has an obligation under Section 402 of the National Historic Preservation Act of 1966 to protect the heritage property of any area in the world under the responsibility of the DoD. Failure to take into consideration heritage property could easily result in the DoD being sued both by US citizens and possibly in international court.

**The Principle of Military Necessity**

Military necessity or military convenience? The notion of military necessity creates a basic conflict of interest between CPP and the military’s aim to reach a conflict’s end state as soon as possible. In order to get an idea of the legal context in which CPP implementation and legal restrictions function, it is necessary to take a further look at the rather ill-defined principle of military necessity.

“Nothing can stand against the argument of military necessity but the phrase is sometimes used where it would be more truthful to speak of military—or even personal convenience” this was not said by an anarchist but by a famous military man, General Dwight D. Eisenhower on December 29th 1943. According to David Turns, “military necessity is one of the most fundamental yet most misunderstood and misrepresented principles of the international law of armed conflict. It has been invoked by military operators to justify any violent measures deemed necessary to win a given conflict, and it has also been dismissed by human rights groups, nongovernmental organizations, and other critics of the armed forces as a typical military excuse to explain away shocking collateral damage in modern military operations” (2013). Basically, military necessity or urgent military need is considered part of “just war” theory dealing with the conduct of warfare. It is also a legal concept used in IHL as part of the legal justification
for attacks on legitimate military targets that may have adverse consequences for civilians and civilian objects. It implies that military forces in planning military actions are permitted to take into account the practical requirements of a military situation and the imperatives (prerequisite) of winning at any given moment.

Military necessity acknowledges that even under the laws of war, winning the war or battle is a legitimate consideration, though it must be put alongside other considerations of IHL (Hampson 2011). This does not mean that military necessity gives armed forces immunity for taking actions that would otherwise be impermissible, for it is always balanced against the humanitarian requirements of IHL. Three requirements or constraints upon exercising military necessity are of importance:

1. Any attack must be intended and tend toward the military defeat of the enemy; attacks not so intended cannot be justified by military necessity because they would have no military purpose.

2. Even an attack aimed at weakening the military of the enemy must not cause harm to civilians or civilian objects that is excessive in relation to the concrete and direct military advantage anticipated.

3. Military necessity cannot justify violation of the other rules of IHL.

Aside from all this, there are related aspects regarding military necessity such as the principle of proportionality or to put it simple the amount of force to be used. Proportionality is difficult to interpret in relation to the protection of cultural property. It goes without saying that this entire system causes constant tensions between different interests that can be contradictory and on occasion multi-interpretable. Also military necessity is not a static phenomenon, nor are the conditions, perspectives, or rules under which it can be applied. In fact, today, military necessity is treated as a tool just as CPP can be a tool to reach the end state of a mission.

Military commanders on the ground have already relied on this tool in the past (Boylan 2002), for example, when arguing that a certain high church tower might be used for military purposes such as observation or sniping by the defending forces. It is a fact that military necessity was a standard defense used by accused war criminals in trials following World Wars I and II (Dunbar 1952). Having established the flexible nature of military necessity, it is understandable why Eisenhower and Boylan wondered whether it is used as a response to a “necessity” or as a “military convenience.” Military necessity is often cited as a reason, or excuse, for cultural destruction. To make things less convenient Boylan, who designed the Second Protocol of the 1954 Hague Convention sought to restrict the military necessity exemption. While at the same time, anticipating changing methods and conditions of warfare and conflict, he created the Second Protocol to the convention.

Article 11 §2 of the new protocol states that immunity as granted to cultural property according to Chapter II, Article 8 can be lifted in the case of “exceptional cases of unavoidable military necessity.” This necessity can only be established by a commander of a force the equivalent of a division in size or larger. It appears to be an indication of the high importance the treaty gives to the quality of military decision making on the subject and the quality of expert advice obviously needed for a commander’s considerations while making the decision. In practice the commander of an equivalent to a division will be at least a two-star general often heading a multinational mission. And here we are back to today’s problem: from a logical point of view advice concerning withdrawing immunity has to be given by military strategic experts, military lawyers, and last but not least subject matter experts, in this case cultural property experts. Results of assessments and research undertaken prior to the mission should normally play a role in this and as we know this pro-active attitude is currently not exercised.

There is a risk of erosion, deflation, and misuse of the concept of military necessity. In an attempt to restrain this, emphasis is put on the addition of “imperative.” Thomas Desch states that the term imperative is not defined for use in connection with military necessity within the treaty text (2002). Therefore it is up to each state party to interpret the term, causing ambiguity in the respective state’s practices as well as the risk of misuse.

The Relationship between Cultural Property and Identity

It is clear that there is a trend toward misuse and abuse of cultural, often archeological, objects and sites in the context of conflict. This is as opposed to the more
traditional theft of paintings and sculptures combined with the devastation of monuments, libraries, archives, and museums deriving from collateral damage as known from conflicts like World War II. In other words, there seems to be a shift affecting sites and objects that have a connection with identity, either religious or non-religious. This explains the iconoclastic perspective that drives certain opposing and insurgent forces. But what is the current understanding of identity? National identities for instance are relatively new. Nationalism was developed in Western Europe after the French and American revolutions where it replaced theological and monarchial ideologies as primary instruments used by the state to justify its power. In fact, this actual invention of nationalism gave way to the development of different types of group-related identities linked to cultural heritage and cultural properties. In the late twentieth century, identity-related questions, especially on individual levels, became more manifest because of the development of new social movements, many starting in the 1960s like black power and women’s lib. This intensifying of identity gave an extra boost to identity-related cultural property claims, some of the intangible kind, some deriving from an urge for individual distinction (Bourdieu 1984). Later concerns began to include the use and ownership of cultural properties in connection with the new information society.

Cultural objects that represent identity are inherently associated with an idealized reconstruction of the past in the present. Clearly, this historical reconstruction is not taking place according to set rules. It depends on constantly shifting local, political, and social circumstances. Collective identities overlap with social and personal identity and are constructed, so in general not biologically determined. This category is clearly occupied with constructed meanings referring to cultural property. Collective identities are often unambiguous so that their identity co-depends on cultural objects (for example, free masons, soccer teams, military regiments, religions, etc.).

Cultural property is available or can be made available for manipulation. A well-tried method for manipulation was to take property representing cultural identity to add to your own group (for example, just before World War II, the Nazi’s defined paintings from Rembrandt as being “Nordic and/or Germanic,” thus part of the German culture [Nicholas 1994]).

The identity aspect of cultural heritage is critical; it is one of the key elements in the civil heritage debate, including authenticity and unicity (that is, uniqueness). This discourse also aims at demonstrating the link between heritage sites and “cultural” landscapes or the cultural and natural aspects of heritage (Luengo 2009). In The Destruction of Memory, Bevan analyzes the connection of cultural property with identity and conflict and the potential openings for strategic use by military or opposing forces (2006). An example of denying a people its past as well as its future could be the 1993 destruction of the Mostar Bridge in former Yugoslavia. Seen from this perspective military interests can lead to exterminating the enemy by obliterating its culture. The scope is relatively wide since the threat to common objects, especially buildings, is considered a threat to identity in addition to the collective memory maintaining a group’s consciousness.

**A Selection of Dilemmas and Restraints**

It should be taken into account that cultural property or cultural heritage and its protection are complex issues. They touch upon a wide range of interests and involve different cultural backgrounds of both the heritage that has to be protected as well as of all protection stakeholders including their types of expertise and various religious, scientific, social, ethnographic, political, historical, philosophical, legal, ethical, sociologic (tribal), and semantic aspects. To mention an example of semantic aspects, the general use of the nouns “property” and “heritage” in connection with the adjective “cultural” indicates room for disputes about ownership and makes cultural property prone to manipulation. Then there are problems regarding dissimilarities in perceptions between US and European armed forces and public insights on matters as Counter Insurgency (COIN) that in Europe is perceived as secret intelligence operations while in the US CPP is a legitimate part of COIN. The status of military members and for instance reservists in society differs as do what budgets spend on military institutions. The budget problem also becomes apparent in the excuse used by military organizations that they will only act when directly ordered by politicians, knowing that policy and decision makers lack awareness on the subject or exercise bureaucratic and risk-avoiding behavior often based on financial restraints.
To the same extent, cultural heritage and CPP are highly politicized and there are organizations and countries that claim certain market shares.  

Other problems include legal aspects and their interpretation by cultural and legal experts restrained by lack of research and dialogue. The international community should be aware that CPP solutions are only possible via pro-active measures. In order to take such measures, people have to be educated and trained. For instance, cultural experts have to be educated about strategic and tactical military issues and the chain of command so that heritage experts can help get CPP obligations into military operational planning documents and procedures. This works the other way too; military experts need cultural heritage education to be able to integrate CPP skills into planning and training. A good illustration of generating added value by cooperation could be collaboration between civilian and military cultural experts, with ethical boundaries, on contemporary technical developments like utilizing Geographic Information Systems and archaeological remote sensing technologies. At this moment, there is no university in the world that created a chair on CPP in the event of armed conflict. Although internationally there is a lot of demand by students from all levels to obtain degrees in this specific multidisciplinary subject, no university takes the initiative; this is really something to think about.

**Joint Strategies and International Cooperation**

It seems clear that international cooperation in establishing military responsibility in CPP is necessary. In most cases, financial and personnel resources are insufficient to achieve a comprehensive solution. By combining forces, cost-efficient training, exercises, interagency cooperation, research, academic education, in-theater assessments, and the development of educational tools will be possible. The benefits are timely implementation, which is important given the current conflicts where cultural heritage is at risk, efficiency at a low (tactic) level, and effective synergy. Overall, CPP can generate important force multipliers and help end military missions sooner, while contributing to post-conflict reconstruction by stimulating tourism and strengthening national identities.

Policy makers are gradually becoming aware of two important factors in the assessment and study of international CPP cooperation. First, cooperation brings efficiency; second, it enhances cultural diplomacy, loosely defined as “the exchange of ideas, information, art, and other aspects of culture among nations and their peoples in order to foster mutual understanding” (Cummings 2003: 1). CPP as part of cultural diplomacy also provides the means to restore old or develop new contacts after conflict with countries with subversive governmental systems or ideology. “Cultural diplomacy is the first resort of Kings,” says Diplomat Richard Arndt (2005).

One still must be very careful: Eric Nemeth in the *Chicago Tribune* suggested that there is a potential for proactive protection of cultural artifacts, particularly in the light of the US ratification of the 1954 Hague Convention (2012). Nemeth claims that US foreign policy can transform the risk related to the potential loss of cultural property into a diplomatic gain by insisting that military interventions include a strategy for securing cultural sites and avoiding collateral damage. This approach is mandatory under IHL; however, Nemeth forgets to mention that the US has not ratified the protocols of the 1954 Hague Convention. This means that using this treaty to promote certain ethically driven values could backfire, especially when the US invokes a treaty to which they have not signed. The sanctions put down in both Protocols 1 (1954) and 2 (1999) are those that the US did not ratify.

Nevertheless, the 1954 Hague Convention and protocols should be used in strategic communication and cultural diplomacy, albeit only by the parties who fully endorse them. If demonstrable success implementing the convention should be a condition for its use, not many states or parties would qualify. Therefore, promoting CPP for diplomatic or even economic reasons is a valid and potentially beneficial idea, but should be addressed cautiously.

As established, a vital aspect of international cooperation would be to create a military or militarized cultural emergency assessment capability that, at the very least, is able to monitor and mitigate cultural destruction during conflicts. NATO or the UN can serve as an institutional umbrella for such a capability. In addition, a civilian counterpart has to be created to take over from the military as soon as the situation permits. It is highly recommended that political motives,
competence struggles, and bureaucracy do not restrain the creation of such entities. It is time to include individuals that prove to be inspired by the subject instead of merely career-driven opportunists.

I have tried together with my colleagues Karl von Habsburg and Hafed Walda to set an example by undertaking emergency assessments in Egypt (during the first revolution) and Libya (twice during the overthrow of power), and earlier this year I managed to assess the situation at the Villa Cásdagli near Tahrir Square in Egypt (ANCBS and IM CuRWG 2011a–c; Kila 2013). These initiatives were not externally funded. Regrettably, our examples have not been followed.

Epilogue

At the beginning of 2014 there will be the premiere of a major movie production called The Monuments Men, which is based on the 2009 book by Robert M. Edsel, which is based on Nicholas 1994, and chronicles the efforts of a group of military men and civilians on the Allied side in World War II whose job it was to protect the cultural heritage of Europe. I can only hope that those who profit from the story of these men and women from the past realize that a small group of individuals are now taking action to save heritage in today’s war zones. These modern protectors need at least some financial support and recognition to be able to continue.

I end this discussion with the following recommendations to prevent further damage to cultural property in the context of contemporary conflicts.

- In general, actions claiming to support CPP should be proactive instead of reactive or non-active.
- Measures to prevent conflict-related damage to cultural properties are neither adequately extensive nor swift to prevent such damage. Existing organizations are not doing a good job.
- For the armed forces, CPP is a force multiplier and should not be regarded as an unnecessary burden that is legally imposed but militarily problematic.
- Military necessity in the context of CPP should be discussed and studied among all stakeholders, both military and civilian.
- The relationship and possible connections of CPP with global security should be studied and debated by both civilian and military experts.
- An independent international academic center that can work with an international military CPP competence center organized by NATO or a military academic institute would provide efficiencies and authority to various projects. This institution can also coordinate cultural no-strike lists.
- There is a strong need for a “CPP in the event of armed conflict chair” to allow international students to receive guidance and supervision on the subject.
- CPP support should be, as far as possible, depoliticized and kept in compliance with international agreements.
- As soon as possible the UN and NATO should create an international military and a civilian cultural emergency assessment team. NATO member countries should request CPP expertise and capacity building within NATO since the organization recently made it clear that it would only act on this after requests are made by member states.
- There has to be funding for the above-mentioned actions.

Notes

1. Not all damage inflicted against cultural property is considered a crime. There are exceptions when it can be proven that military necessity urged such mutilation. For military necessity, see Kila 2012: 176–79.
2. On September 18th, 2013, I spoke to a representative of the UN Inter-Agency Task Force for Syria. The CPP aspect was new to them since they focused on humanitarian disaster aspects. They would take it into consideration, but it would be difficult to include cultural heritage experts in any mission since humanitarian aid experts could not even go in yet. The conclusion is that there is a lack of awareness of CPP’s importance and it is not a priority issue.
3. During the 2008 World Archaeological Congress in Dublin, Ireland, this led to a confrontation. CPP experts working with the military gave papers, participated in panels, and had to face fierce opposition. Those who had chosen to partner with the military were labeled as “part of the problem” and accused of having lost their impartiality.
4. The term “cultural property” refers to the official definition used in Article 1 of the 1954 Hague Convention.
5. The Cunliffe report, supported by the Global Heritage Fund and presented in May 2012, mentions different types of
damage, more or less in concordance with the categories distinguished in earlier publications.

6. The same happened in Libya. On August 25, 2012 a historical Mosque library containing important manuscripts and several adjacent Sufi shrines and monuments were demolished in the town of Zlitanin. On August 26, 2012 Salafists destroyed a Sufi mosque and numerous shrines in Tripoli (The Tripoli Post 2012).

7. See Tumarkin 2005: “In the world we inhabit, traumascapes are everywhere. They are the physical sites of terror attacks, natural and industrial catastrophes, genocide, exile, ecological degradation, and communal loss of heart. They are part of a scar tissue that stretches across the world, from Hiroshima to Auschwitz, Dresden to Srebrenica, Sarajevo to New York, Bali, London, Jerusalem, and New Orleans. Traumascapes are haunted and haunting places, where visible and invisible, past and present, physical and metaphysical, come to coexist and share a common space.”

8. A derivative of this is called “viral marketing” also named “going viral,” which refers to marketing techniques that use pre-existing social networks to produce increases in awareness concerning brands or certain topics. Viral in this context is used to point at the self-replicating spreading process of viruses.

9. NATO received good press when international cultural heritage experts succeeded in creating a cultural heritage no-strike list before the airstrikes in Libya began. As checked on the ground by the author and Karl von Habsburg, the no-strike list worked (see Kila 2013: 24–28). Unfortunately NATO recently answered (when asked for a follow-up) that although CPP is mentioned in their STANAG 7141 EP, they would not take any measures to implement this because of a lack of expertise (read lack of funding and carrying responsibility). Only on specific requests of member states could CPP be implemented.

10. In this situation, military necessity forms part of a basic conflict of interest between military necessity that is used as a reason to solve (or end) a conflict as soon as possible and civil interests in CPP related to matters like identity, economy, and science in post-conflict conditions.

11. The term “force multiplier” refers to a capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances the probability of successful mission accomplishment.

12. This can be the case if for instance anti-aircraft guns or other weapons or snipers are installed in such places.

13. I do not want to suggest that there is such a thing as “the military” because they consist of a variety of institutions, individuals, and cultures. I use the term for the sake of argument.

14. N.B.: An important legal argument for deploying archaeologists in military settings is the fact that the 1954 Hague Convention states in Chapter 1 under General provisions, Article 7: Military Measures that it is mandatory for the military forces of signatories to employ specialist personnel (being art historians, archaeologists, and the like).

15. Just war theory has three main components: (a) jus ad bellum: the justice of going to war; (b) jus in bello: war is conducted; and (c) jus post bellum: the means by which the war is concluded and peace restored.

16. Deriving from cultural differences to be read as corporate cultural dissimilarities.

17. Non-governmental organizations tend to defend their market shares and while doing that, they see CPP as humanitarian aid, resulting in the disapproval of the military implementing CPP.

18. “Joint” in this context stands for integration of various service branches of a state’s armed forces.

19. Dr. Walda was with us in Libya. In Egypt we were accompanied by Tilly Mulder.

References


In this new contribution to the emerging field of cultural property protection in conflict, Kila aims to provide readers with an overview of the underlying issues and dilemmas. As he rightly points out, it is not possible to give the subject comprehensive coverage within the scope of a single article, but many points are raised which “will hopefully trigger discussions and stimulate people to engage in CPP in a proactive manner” (p. 319). In a field which has received far too little coverage, and where its proponents are often voices in the wilderness, this is a welcome contribution to raise its profile, and provides an important step in bringing the issues to a wider audience of academics and agencies who may be in a position to act on the points raised and prevent the destruction of the past.

Considering the difficulties in attempting to introduce an entire topic in a single article, Kila manages to cover a broad range of points. The article is built on the legal framework and military aspects which underpin CPP; as Kila remarks, “A discussion of the legal issues that are intermingled with CPP is unavoidable, as is an analysis of the military aspects especially since we are focusing specifically on conflict situations” (p. 319). The difficulties inherent in making the military and legal aspects of CPP comprehensible for the various different agencies and audiences this article is aimed at are obvious. While terms such as “force acceptance” are used without definition, and others like “force multiplier” are not defined until part-way through the article (which may provide difficulties for those unfamiliar with the military aspects of CPP), it is challenging to target an overview article at the variety of organizations and disciplines to which it is relevant. The legal framework is equally (if not more) complex, particularly given that its implementation varies for each country and each organization. Despite this, at the international level the importance of, and protection of, cultural property is recognized and enforced.

Serbian General Pavle Strugar was recently convicted by the International Criminal Tribunal for (among many other war crimes) the destruction and willful damage done to historic monuments and works of art in connection with the shelling of the World Heritage site the Old Town of Dubrovnik in the former Yugoslavia. He received eight years in prison. Investigations are also underway in Mali following the destruction of the Sufi shrines. However, the lack of coordination cited by Kila regarding any investigation into the destruction of heritage in Syria shows that while the law demonstrates intent, wider acceptance is slow to happen.

It was particularly interesting to note Kila’s remarks on the importance of social media, an information source which has only recently come to prominence and is often ignored by the wider academic community. My own research on the destruction of cultural heritage in Syria has made extensive use of these sources. They allow the previously unheard majority a voice and platform for activity. For example, I have collated demonstrable evidence of the importance local people place on their heritage, in direct contradiction to those who argue (often based on superficial mainstream media reports) that they do not care. Figures 1 and 2 show photographs taken by citizen journalists, recording the destruction of their past. In a field as fast moving as modern warfare, it is good to see cultural heritage specialists keeping pace with developments.

Kila’s comments on the complexities of dealing with intangible heritage are particularly interesting. CPP, by its very name, focuses only on moveable or immovable property (Fig. 3). In many ways, this is easier, as the legal framework (particularly the 1954 Hague Convention) is structured to deal with physical objects, which its critics are quick to point out. In that sense, CPP might be limited, but it is working with what it has, and given how much work there is to do, that sense of focus may lead to greater success. A colleague in NATO, who worked on CPP in Operations Planning, commented to me that they chose the term “cultural property protection” over “cultural heritage protection” (CHP) because it was defined in law,
and meant they understood what it was they were meant to achieve and within what limits. However, there are calls to update the legislation to reflect a less Western-centric approach; when that occurs, a lot of changes will be necessary and a struggle for acceptance of CHP may begin all over again. By advocating for a broader definition now, perhaps we could save ourselves a lot of work later and protect a wider range of culture in the process. With that being said, so many countries have failed to implement (or even ratify) the relevant legislation that increasing its scope could make encouraging implementation impossibly hard. Baby steps, then, are perhaps not so bad.

For obvious reasons, many points are not given the depth they deserve: examples and references are provided for those interested enough to seek more information, and these will hopefully stimulate the needed debate. Many of those given, only introductory mentions (and where additional references would have been welcome), are the ethical debates which complicate this area of work: the different types of cultural heritage—natural, tangible, and intangible—and the constantly changing interplay between them; the complexities of iconoclasm and whether religious motivations can be separated from politics; the validity of the different approaches and philosophies of conservation and site protection; issues of ownership of the archaeological resource and how to reconcile that with its destruction;

FIG. 1
The Great Umayyad Mosque, part of the World Heritage site of the ancient city of Aleppo, during the fighting. (Photo from Lens of a Young Halabi.)

FIG. 2
The Great Umayyad Mosque, part of the World Heritage site of the ancient city of Aleppo, after the destruction of the minaret. (Photo from Lens of a Young Halabi.)
the “just war” theory and its implication for heritage protection; the relationship between cultural property and identity, and its importance in cultural destruction; and finally the complexities of cultural diplomacy, as exemplified in the recent moves by Turkey to block foreign museum loans until apparently looted items are returned. However, CPP is a fundamentally practical field, and while an acknowledgement of these issues is important and provides an essential foundation, it is too easy to get lost in issues which have no “right” answer and thus we fail to move forward at all.

As is inevitable in such a fraught topic, I disagree with minor points. In particular, Kila’s discussion on looting fails to note the contribution of the economic sanctions to looting, abrogating responsibility. For example, the sanctions in Iraq contributed to the economic decline that left many poor people desperate for money, with the looting and sale of antiquities their only possible method of fending off starvation. He also comments that “cultural objects that are first looted and then smuggled out of conflict zones end up in the antique and art black markets of the Western hemisphere” (p. 331). Julian Radcliffe, director of the Art Loss Register (a global organization dedicated to tracking stolen art), stated that alongside Britain and the US, Israel and the Arabian Gulf are also rising markets, demonstrating the international scope of the trade (Van Tets 2013). Many Syrian antiquities apparently never even leave the neighboring countries to which they were smuggled. According to a Syrian antiquities dealer in Amman, Jordan, “the hottest antiques are Nabataean-era and Aramaic-inscribed stone tablets, which he said wealthy patrons use to adorn hallway entrances of their Amman villas” (Luck 2013) (Figs. 4–5).

There is, however, one area which I feel the article has failed to adequately address, that of responsibility. In his introduction, Kila comments on the issues of archaeological “impartiality,” and accusations of being “part of the problem.” It is strongly implied throughout his article that it is everyone’s responsibility to contribute to CPP, but with too little discussion of the inherent difficulties in doing so, and the political standpoints it entails. After working as an “embedded” archaeologist in the military in Iraq (2008), Teijgeler wrote about archaeological neutrality and whether archaeologists can ever actually achieve it. As he comments, “archaeology is all about context and politics” (2011: 104), and what is CPP but a very practical
expression of that sentiment? Given the many ethical dilemmas already mentioned, site protection can never be anything but highly political: there is no such thing as the much-touted professional objectivity many archaeologists want to claim, and no objective way of dealing with heritage in the context of contemporary armed conflict. Even “neutrality itself is unmistakeably a political choice” (2011: 96). It is therefore no small or easy matter to accept responsibility for CPP. As Teijgeler concisely summarizes:

Colleagues co-operating with the military or even from within the military do not necessarily have to be proponents of war. Both of them, working inside and outside the system, engage in the hope of making a positive contribution to the protection of cultural heritage in times of war. . . . If archaeologists are to take their responsibility to protect cultural property seriously they will have to react in situ. . . . Facing the daily difficulties of working in a war, they will have a hard time preserving their neutrality, all the more so as their work will be very practical. A job based on the needs of those concerned cannot be fulfilled without support from somewhere . . . “ (2011: 107).

Even within the military, lines of responsibility are unclear. A recent NATO report entitled Cultural Property
Protection in the Operations Planning Process (Joint Analysis and Lessons Learned Centre 2012), which recommended the adoption and greater integration of CPP was not adopted. CPP is considered to be the responsibility of member states and no supplementary policy or training should be needed for their national forces serving in NATO. However, states like the United Kingdom have not implemented the 1954 Hague Convention, limiting the training provided. Moreover, an anti-war/pro-peace stance does not preclude acceptance of the fact that conflict still happens and must be dealt with. In the absence of formal adoption of the legal framework, CPP must become everyone’s responsibility, or else it is no one’s, and our heritage is destroyed.

Kila ends with many recommendations for academics, governments, military organizations, and cultural heritage organizations. However, everyone cannot do everything and it is unclear at whom some of the recommendations are targeted. Kila began by highlighting the lack of communication between the agencies in a position to act, a fact colleagues in a non-governmental organization have lamented to me as well. This lack of coordination and cooperation leads to increased competition for scarce funding, time wasted on similar projects, and countless missed opportunities, such as his mentioned opportunity to evaluate the damage to Aleppo. In situations like this, the value of an institution to co-ordinate such activities is clear. Kila is not the first person to suggest such a center or institution, but opinion is divided on where it would best sit. Working with NATO and/or the UN, as he proposes, would give an institution instant legitimacy and excellent contacts. However, it could be argued that to be treated as a neutral organization (which may be more effective) and act unimpeded by the political and bureaucratic constraints of larger organizations, independence is critical.

This of course returns to the funding issue highlighted so often by Kila, and lamented by others in the field. CPP is somewhat lost in the archaeological world, being too practical to receive academic research funding, too international to receive conservation funding (which is usually targeted at the local or national level), and too much of a low priority to receive disaster relief funding by the wider humanitarian funding streams. An association with larger agencies, many of whom are charities themselves, may be more likely to guarantee revenue, but if the cost is bureaucratic inactivity, is it worth it? So how is such a field to be funded? Without the fundamental shift in attitude called for by Kila from the many communities involved, the outlook is bleak, and no one, it appears, has any good answers. CPP is everyone’s responsibility, no matter how difficult we may find it, and pro-activity is essential. If we had spent more time implementing the lessons from Iraq, developing the much-needed guidelines, building relationships, and lobbying for funding for this crucial field, we would already perhaps have far more left to research and enjoy in the future.

References
Joris Kila’s article comes at a time when cultural property has suffered and continues to suffer severe damage during the recent upheaval and armed conflicts in the Middle East. The essay is written from the perspective of a military archaeologist. Drawing upon a good set of data, it highlights a number of significant issues of great importance to the ongoing threat to cultural property and current protection efforts.

I enjoyed reading this essay, and share many of Kila’s ideas and perspectives. The first comment I would like to make concerns Kila’s discussion of military necessity. Although demonstrating the multifaceted problem of the concept, as well as its definitions and interpretations, he does not tackle the heart of the problem which lies in the concept itself. In my opinion, although the Second Protocol of the 1954 Hague Convention attempts to fill in certain gaps in the legal instrument and to limit exceptions and misuse, the protocol still allows for a problematic loophole in international law. Endorsing the concept of military necessity permits favoring military advantage over the ongoing threat to cultural property (Forrest 2007). Kila’s suggestion to include cultural property experts in military decisions such as lifting immunity from cultural property is beyond the pro-active role that experts should play. I wonder under what circumstances a cultural expert can approve the destruction of cultural property regardless of how much s/he shares the objectives of a “just war” with the military.

My other points in this response will specifically focus on the relevance of the discussion to the Syrian case, which is so urgent today. I will start with articulating a major problem in the field of Near Eastern archaeology that is archaeologists’ reluctance to address questions related to current politics or the politics of identity both in their investigations of past Near Eastern civilization and in their engagement with the present population of the regions where they work (Meskell 2002). This trend is largely connected to the anti-theoretical tendency that characterizes the majority of Near Eastern archaeological research and the continuous dominance of colonial field practices. Near Eastern archaeologists may see themselves as being neutral, but their silence about these issues can be viewed as a political stance.

In the wake of the recent Syria crisis, a primary stakeholder and producer of cultural heritage that is the Near Eastern archaeological community continues to be reluctant to engage in any major role in CPP. The lack of interest in socio-political engagement is clear from the mobility patterns. Rather than addressing the problems at hand in a country where they have worked for many years, archaeologists simply move on to the next project located elsewhere. As soon as their fieldwork is put on hold, they pack their trowels and get moving, from Iraq or Iran to Syria and Turkey and then back now to Iraqi Kurdistan. In this movement, they carry with them their archaeological traditions, norms, and even their maneuvering skills with local Middle Eastern authorities (Steele 2005). Being an archaeologist myself, I understand the academic pressure for new research venues and difficulties of fund raising. What I am critical of is the lack of initiative to act on the destruction of a heritage in a case where one contributed to its production, let alone in a country where s/he spent years of their life and interacted closely with the local population, with various connections and memories. This is not to discredit many Western archaeologists and their efforts to reach out to organizations and provide humanitarian help to the local communities where they work—my attempt here is to identify a general pattern.

The ethical question addressed by Kila on whether to engage with the military is challenged in the Syria situation where ethics are clearly not an issue here, but rather passivity in response to crises (Stone 2011). The complication of the situation on the ground has allowed somehow for a legitimate pre-prepared answer of practicality and limitations.
Kila provides a brief overview of the history of iconoclasm demonstrating how cultural resources have historically been targeted during wartime and invasion. He also illustrates the types of damage that might occur to cultural property such as artillery destruction, looting, illicit trafficking, and the like. And although he acknowledges the complications and variation of recent wars in the Middle East, his discussion and recommendations revolve mainly around experiences from the Iraq and Afghanistan wars, while a discussion of appropriate measures for CPP during a typical civil war is lacking.

Damage to cultural heritage sites in Syria, including World Heritage sites, museums, and cultural landscapes, has been taking place for over two years. Both the regime army and the armed rebels have exchanged accusations of the destruction of Syria’s heritage sites and used it for propaganda purposes. The regime blames the “terrorists” of the Free Syria Army (FSA) and jihadi groups for the looting, while the opposition emphasizes the regime’s indiscriminate use of heavy artillery against historic sites where rebels are hiding. The vocal condemnation for the destruction in the media, yet a main concern for cultural heritage at this tragic time, is considered by many ordinary Syrians as indifference to the losses of thousands of lives.

In addition to shelling and gun fire damage, cultural heritage is abused in situations of a power vacuum or control of small militias. The areas under the control of the armed rebels (mainly under the umbrella of FSA) are active combat zones and, thus, it is neither in the capacity nor the interest of these rebels to safeguard cultural heritage sites and stop artifact smuggling. Although Syria is party to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its First Protocol and has signed the Second Protocol, and the FSA does have responsibilities under these legal instruments, the lack of knowledge and communication with other stakeholders render any concern for CPP insignificant. Unfortunately, there has not been a breakthrough in the agenda of the political opposition, namely the Syrian Coalition, to include a CPP plan. To create bridges between stakeholders, any CPP program must rely on the access and contacts of the Syrian Collation within FSA to hope for a program’s implementation and success. Kila’s suggestion to include a small group of militarized cultural experts in the UN chemical weapons mission is a step in the right direction. This would put into effect the obligation of Syrian rebel forces to abide by international treaty and customary law to protect cultural property.

Kila’s notion of the relationship between cultural property and identity is of particular interest to me because the destruction of cultural landscapes during war time may have a severe impact on the identity of the people who survive this war (Bahrani 2008). This was clearly the case in other recent wars, for example, in the former Yugoslavia and in Iraq today.

The cultural heritage of Syria is not a static entity belonging to the past, but a dynamic concept in which time is captured in a living historical landscape. Expression of the past is manifested in contemporary society both in tangible and intangible forms. Not only impressive ancient buildings have value for Syrians, but the entire setting of the ancient urban landscape, historical and religious buildings, souqs or bazaars, cafes and restaurants, and even the narrow warm streets. In the historical consciousness of Syrians, relatedness to all the various ethnic and religious groups is embedded in the communality of religious and historic buildings, the sharing of material culture, and social ethics. Cultural identity is associated with monuments and artifacts of past ancestors from different periods of history, which is best reflected in the sharing and identifying with the Umayyad Mosque in Damascus by more than one group. Although I do not consider the Syrian war a “cultural war,” sectarian-driven destruction has increasingly been reported in a number of places. These developments call for more action to keep cultural heritage from harassment in order to advance sectarian aims.

Kila touches upon the role of international heritage organizations and points out their bureaucratic nature and risk avoiding strategies. Beyond appeals and statements of condemnation since the start of the Syrian war, organizations like UNESCO, the International Council on Monuments and Sites, and the International Council of Museums have held several meetings and organized training for employees of the Directorate General of Antiquities and Museums (DGAM) mostly via the internet.

When considering a stance of “neutrality and impartiality” (Bernbeck quoted in Stone 2011) in the current
conflict, it must be indicated that, due to centrality of the administration system in Syria, DGAM is a government-run body centered in Damascus and controlled directly by the regime’s current government. For the Syrian regime, there is no room for neutrality at this point and this is clearly reflected in the use of the same regime media terminology by DGAM. People in higher-up positions in the civil service have to adopt and express the regime’s discourse and views of the current conflict. Any connection to people in the opposition is not tolerated. Nonetheless, international heritage organizations choose to conduct activities through the same communication channels they had in Syria before the war. I would like to raise the question about the value of online training for employees based in Damascus who can barely make it to work, or in the coastal city of Tartus (fully controlled by the regime) which has not suffered any major damage to its cultural property.

On the contrary, no reported efforts have been made by international organizations to reach out to areas beyond the civil control of DGAM. A large amount of territory in Syria has been transferred to the effective control of FSA and other armed groups, particularly in the north and east of the country. These regions contain a great number of significant heritage sites and museums. Lacking a clear civilian governance structure, these places are now at increasing risk for looting or other destruction.

The Way Forward

The heart of Kila’s argument is to move forward with practical solutions and measures for CPP in times of war which must include engagement with the military as a stakeholder. I agree with Kila on the idea that pro-active measures should be the way forward during conflict and in post-conflict periods, and that these measures are only possible via exchanged education and training between cultural experts and the military. Because control over heritage in Syria has become a political issue, cultural experts concerned about CPP in Syria should be willing to explore a limited window of opportunity to prevent damage via cooperation with FSA, still within compliance of international agreements. Furthermore, despite the unclear US intervention plans in Syria, an important connection has already been established between the US military and FSA. Therefore it is time for cultural experts with previous experience with the US army to initiate CPP plans. To build on Kila’s suggestion and recommendations, I would like to add few suggestions specific to the Syrian case in order to move forward with current CPP efforts.

1. Develop a network of international experts to cooperate with expert Syrian nationals in FSA-controlled areas. Organizing communication among key stakeholders will encourage the distribution of best practices for emergency care, communicate risks to specific sites in real time, and permit a reconstituted community of heritage practitioners and leaders to emerge.

2. Reconstruct the documentary record of Syria’s cultural sector. This will result in a comprehensive database of cultural heritage sites and repositories in Syria and a dataset of known damage. Such an inventory can act as a baseline assessment and permanent resource for Syria’s reconstituted DGAM. It would also provide a viable data set for any conservation and restoration plans in the post-conflict period.

3. Restore the governance capacity for the cultural heritage sector in FSA-controlled regions of Syria. This can be accomplished by providing an administrative structure and coordinating program with Syrian heritage professionals, many of whom remain in place, and others are willing to go back. In principle, this structure would act as a shadow DGAM in FSA areas.

4. Launch a training program for FSA protection of heritage sites. This training should focus on introducing the concepts of international treaties and customary law to protect cultural heritage. It also should be modeled on other Blue Shield military training programs that have informed military officers, policymakers, and servicemen of their obligations during armed conflict. The Syrian Coalition must facilitate negotiations with a few key officers within FSA who have the potential to cultivate military personnel focused on CPP.

5. Develop a community security program for key heritage sites at risk. Cultural experts, in cooperation
with heritage activists in FSA-controlled areas, could enlist the help of local groups of volunteer civilians. These individuals would be able to “police” sites and museums located within their towns and villages. This policing would provide a presence to discourage looting, report to the local FSA brigade, and document damage. Elected individuals should have the ability to talk effectively with all people, from community leaders to residents. Their role should also include significant cooperation with FSA soldiers and officers operating in the area in order to discourage illicit activities at cultural heritage sites.

In summary, the complexity of CPP in war zones should not discourage cultural experts from engaging with other stakeholders who do not necessarily share the same interests and values. To arrive at the best practical solution, a pro-active strategy should be developed for the protection of cultural property in an armed conflict that takes into consideration those who control the fire.

Notes
1. I should stress here the difference between mobility required for research based on a wider anthropological perspective (Bernbeck and Pollock 2004) and mobility that is motivated by political reasons.
2. FSA comprises the largest group of armed rebels. It includes several brigades and battalions, such as al Tawheed, al Fatah, and al Farouk. The head of FSA is the dissident General Saleem Idrees and his military council who maintains good connections with Saudi Arabia, Turkey, and the US military. FSA are considered moderate in their political and religious views. Other powerful jihadi groups include the Ahhar al Sham Battalion with no clear affiliation, and Qa’da-related groups namely Al Nusra Front and the Islamic State of Iraq and Great Syria.
3. Regime forces have been responsible for serious damage to a number of important Sunni religious building such as the Omari Mosque minaret in Dar’a, the Grand Mosque in Aleppo, and more recently the Khalid bin al Waleed shrine and mosque in Homs. On the other side, armed rebels are reported to have destroyed the tomb of Hajer Ibn Oudey al-Kindy, located at a Shi’a shrine to the northeast of Damascus, and extremists, most likely members of the Al Nusra Front, destroyed the Sufi Maqam of the “Prophet Abraham” near Aleppo.
4. For example, the term “armed gangs” is often used to refer to “armed groups” and reference to FSA is preceded by “the so-called” (http://www.dgam.gov.sy/).
6. These suggestions are part of an initiative launched by the Penn Cultural Heritage Center at the University of Pennsylvania Museum, Syrian expatriate archaeologists, and the US Institute of Peace’s The Day After Project, which include a group of Syrians representing a large spectrum of the Syrian opposition.

References

RESPONSE
Syrian Heritage under Threat
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Syria is famous for a historical heritage that spans from prehistoric times until the end of the Ottoman period. This is evidenced by thousands of sites and archaeological monuments scattered all over the country. They represent an open-air museum, containing the traces of some of the oldest civilizations in the world. Today, after more than two years of civil war, the country’s archaeological and cultural heritage is in danger and the situation of the museums, archaeological sites, and monuments such as the old citadels is very worrying. They are often close to combat zones and sometimes even become battlefields and targets.

In this regard, the article by Joris Kila is a masterful synthesis of the procedures one should follow for the
protection of cultural property in the event of armed conflict. His method can also be applied in the case of Syria, since many of the examples given by the author can be applied to the case of this country’s heritage. To this scientific approach, we can add documentation of great quality for some of the points mentioned by Kila and other facets that are particular to the Syrian case and not covered in this article.

To begin with, it is worth mentioning that the Syrian government is a signatory to the following conventions:

- Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character with Protocol of Signature and model form of certificate provided for in Article IV of the above-mentioned agreement (1948; signed 1951);
- Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970; signed 1975);
- Convention Concerning the Protection of the World Cultural and Natural Heritage (1972; signed 1975);
- Agreement on the Importation of Educational, Scientific and Cultural Materials, with Annexes A to E and protocol annexed (1950; signed 1980);
- Convention on Wetlands of International Importance especially as Waterfowl Habitat (1971; signed 1998);
- Convention for the Safeguarding of the Intangible Cultural Heritage (2003; signed 2005);
- International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (1961; signed 2006); and

There have been many instances of destruction. Cities, tells, citadels, places of worship, monuments, and natural heritage sites have suffered heavy damage that sometimes is irreversible. Most articles of the conventions and protocols mentioned above are thus not respected either by the Syrian regime or the opposition for various reasons that will be detailed below.

Prior to 2011, there were 138 national and foreign archaeological missions excavating on Syrian sites, while there are more than 10,000 tells in the country, and more than 5,000 of those archaeological mounds are scattered in the region of Jazirain in northeast Syria. Even before the conflict, the lack of necessary funding to hire guards to monitor remote archaeological sites in urban centers was an acute problem. Therefore, the Syrian government often hired a single guard for 50 sites, due to the lack of financial resources.

Archaeological sites in Syrian territory, in particular those not registered as archaeological sites on the lists of the Directorate General of Antiquities and Museums of Syria (DGAM), are subject to illegal excavations by looters often collaborating with the security agencies responsible for safeguarding these sites. Subsequently, these agencies have been involved in the trafficking of illicit antiquities to neighboring countries such as Lebanon, and from there to the Western antiquities markets.

In addition, the 38 museums located in the capital and other Syrian governorates are no better off than the archaeological sites because of deficiencies in surveillance, protection, archiving, and storage in adequate conditions of artifacts made of fragile (brittle) materials such as paper, leather, cloth, etc. For example, a YouTube video shows the current state of the Museum of Apamea, where it is clear that the main entrance of the museum is locked by means of a small key lock, as if it was a grocery shop! Anyone could break it with a sledgehammer (Fig. 1).

Regarding the restoration of fortifications and monuments in most cities explored by archaeologists, we should note that these operations were spread over several years due to a lack of funds for the large number of monuments requiring regular repairs and conservation. Since June 2011, this complex situation has worsened and continues to do so over time (see below).

Following the beginning of the protests and the subsequent civil war, the Syrian prime minister recommended on July 7, 2011 that the ministers of culture and finance and the governor of the Syrian Central Bank reinforce security measures (new secure doors,
alarm systems, surveillance cameras, etc.) because well-equipped criminal groups (with high-tech tools and satellite equipment to communicate with their associates) were about to enter Syria to plunder manuscripts, antiquities, and banks. Due to the slow pace of bureaucracy, the ministers did not take all necessary precautions to improve security measures for the different institutions, including museums. A month later, a statuette of an Aramaic deity, dating to the eighth century BC, made of bronze and plated with gold, was stolen at the Archaeological Museum of Hama (Fig. 2). According to the information at our disposal, this theft was apparently committed with the assistance of or by an officer of the Hama Archaeological Department, since it was done without a break-in. Several websites have since published articles reporting that the Syrian police arrested the director of the museum and several officials for questioning. However, the results of this investigation have not been disclosed either by the police, the pro-regime media, or DGAM. No news about this statue, searched for by Interpol, was broadcast to the public.

In addition, the restoration of historical monuments has halted and the vast majority of archaeological missions have stopped. In 2011, only 16 foreign teams and 25 national teams of the 138 missions mentioned above were excavating in Syria. In 2012, all foreign archaeological missions were canceled.

As for the thousands of archaeological sites in the Syrian countryside, the Syrian Secret Police (various branches of the feared mukhabarat) investigated only those with an opposition presence (especially mosques), and they were more interested in the pursuit of activists than in the safekeeping of monuments. This situation provided an opportunity for thieves to steal some of the tools that different archaeological missions had left in Syria and loot some sites such as Tell al-Hariri (the ancient kingdom of Mari), Tell El-Sen, Dura Europos on the Euphrates, Tell Mardikh (the third-millennium BCE capital of Ebla), and dozens of sites located on the Limestone Massif in the Idlib region (see Chivers 2013) (Fig. 3).3

FIG. 1
Locking the main entrance of the Museum of Apamea. (Photo from the APSA archive.)

FIG. 2
The statuette of an Aramaic deity dating back to the eighth century BCE stolen from the Archaeological Museum of Hama. (Photo from the APSA archive.)
Occupations, Bombings, and Destruction of Syrian Cultural Heritage

In the case of Syria, no agreements or laws concerning the protection of cultural property have been abided by since the beginning of the revolution. To detail this point, we will recall that since July 2011, the Syrian army has occupied city centers and museums, archaeological tells (mounds), and medieval fortifications that reflect the cultural changes between the East and West, and the evolution of military architecture in the East during the Crusades (eleventh–thirteenth centuries) such as the citadel of Homs, Hama, Aleppo, Palmyra, and Krak des Chevaliers/Qala‘at al-Ḥusn (Fig. 4). These monuments have taken the same strategic role they had during the wars of the Middle Ages. Sniper brigades have moved into them, so that some have become military barracks from which the army bombs residential areas (Fig. 5).

The occupation of historical monuments and archaeological tells dominating urban centers is the responsibility of the Syrian army, and no international organizations have acted accordingly and abided by their responsibilities in those matters; thus they have not condemned the targeting of these places and asked the army to comply with the 1954 Hague Convention and other subsequent protocols requiring the removal of heavy weaponry and soldiers from sites, museums, and archaeological monuments. In addition, the authorities should have been compelled to place the distinctive sign of the 1954 Hague

FIG. 3
The effects of looting at various sites in Syria, including Ebla (A–B, note the trench made by a bulldozer in [B]); Khirbet Kseibjah (C, where the looters were photographed in action); and Shenshara (D). (Photos by M. al-Salloum. Courtesy of APSA.)
FIG. 4
The bombing of Krak des Chevaliers damaged much of the citadel, some of it badly. (Photos by Col. M. A. Nehili. Courtesy of Lens of a Young Hosni.)

FIG. 5
A map of Homs showing how the sniper brigade at the citadel uses it as a staging area for subsequent strikes. Note how the army has repurposed the medieval site. (Map by APSA. Photos by The Syrian. Courtesy of APSA.)
Convention on the historical monuments and prevent tanks and planes from bombing them. This has still not been done after more than two years of armed conflict.

Without going into the details of the destruction caused by the war between the regime’s army and the rebels in the heart of the Old City of Aleppo, one should emphasize that a large number of historical monuments have been damaged and part of the historic souq has been burnt. The shelling by tanks and fighter jets against the old neighborhoods of Homs, Daraa, and Bosra has resulted in similar damage. The case of Syria shows that most of these organizations are highly politicized, as the case of the destruction of shrines and Sufi mosques in Mali demonstrates. The UN Security Council condemned and took action against extremists, while these institutions were unable to act when the Syrian army bombarded the citadel of al-Moudiq for three weeks with tanks positioned in the archaeological area of the famous city of Apamea in March 2012 (Fig. 6). Once the regime army took control of the citadel of al-Moudiq, bulldozers dug a channel in the hill where the fort is built, as a way to facilitate the movement of heavy weapons.6

Additionally, the Syrian authorities in the Nawa district of Deraa completely destroyed buildings dated to the Roman period on March 1, 2013, using a bulldozer under the protection of a tank and a handful of soldiers of the official army. They destroyed these buildings because, they said, Free Syrian Army (FSA) members were hiding in them, despite the presence of several army checkpoints in the city and their ability to protect these buildings. This barbarian and outrageous crime might encourage both parties to destroy archaeological monuments as part of the hostilities since the institutions in charge of heritage preservation, archaeologists, and museums do not intervene.7

**Destruction of Syrian Natural Heritage**

The situation of the natural heritage of the country is worse than the cultural one. Cases similar to Nawa have been noticed in several areas in Syria, for instance, the regular and indiscriminate bombing of the Palmyra oasis. In order to better control and prevent the rebels’ advance, the Syrian army has burnt several forests in the region of Latakia, even thought the Syrian government has signed the Paris Convention of 1972 and despite the
fact that Syrian law condemns criminal arsonists setting fires on fire (a crime which entails a maximum penalty of death). In the district of Mezzeh in Damascus, Syrian army bulldozers completely obliterated fields of prickly pears, and surrounded houses in retaliation against the population (Fig. 7). Moreover, due to a lack of diesel oil and electricity for cooking and heating during the winter, the inhabitants of Aleppo, al-Raqqa, and the Deir ez-Zor region cut trees in parks and also in the forests on the banks of the Euphrates River.

Responses from Syria and the World

All of these destructions are documented by video footage, photographs, and reports, but international organizations have not reacted in tangible form to any aspects related to the occupation and bombing of historical sites. The stand—or rather lack of any stand—of certain organizations was justified on the one hand by the fact that they did not have independent experts or personnel on the ground providing them with detailed and precise information on the disasters that Syrian heritage was subjected to during fighting. On the other hand, these organizations do not have any coercive forces that could be sent to conflict zones to investigate damaged historical and archaeological areas, which could ensure the protection of heritage through a neutral military force. The reaction of institutions such as UNESCO was a response to worried calls insisting on the importance of respect for conventions on the protection of cultural heritage, notably the 1954 Hague Convention and the 1970 Convention concerning the measures to be taken to prohibit and stop the import/export and transfer of illicitly acquired cultural property.

In the last two and a half years, citizen journalists have posted images and video footage on the internet (particularly on Facebook and YouTube). These have shown the world the disasters and damage endured by Syrian heritage. However, the international community does not often consider these sources of information originating from Syria reliable.

Response of DGAM

Consequently, the main source of information on the threats to Syrian heritage is DGAM. Unfortunately, they have revealed only partial information in agreement with the regime’s propaganda offensive. For instance, DGAM launched an appeal to international institutions in order to take measures necessary to defend and safeguard Syrian archaeological heritage. Even though this appeal would have been beneficial in alerting organizations and inciting them to protect heritage, it was not followed by a message mentioning the state and the Syrian army’s responsibilities. This leads one to think that this appeal was a form of propaganda, since it essentially focused on the looting of archaeological sites, especially in areas not controlled by the Syrian government. The bombings, however, are only briefly mentioned even though they have done considerable harm to Syrian heritage. Moreover, here are other instances of DGAM’s negligence:

- DGAM did not appeal to the regime’s army to ensure the protection of the Hellenistic and Roman city of Apamea and Qalaat al-Mudiq, a Crusader and Arab citadel, which are both under the control of these armed forces. At Apamea, looters spent an entire day excavating under the soldiers’ watch. More than 5,000 pits were recorded on satellite imagery (Fig. 8). Yet, it is the duty of the army, in cooperation with DGAM, to protect these two sites.
FIG. 8
Looting at the site of Apama.
(Photos by M. al-Hamadee and Google Earth.)

FIG. 9
The site of Palmyra with tanks, artillery damage, and looting regime soldiers. (Photos by the Coordination of Palmyra and K. al-Homsi.)
The situation is identical in the case of Palmyra, an ancient city listed as a World Heritage site (Fig. 9). DGAM did not request the Syrian army keep its heavy weaponry at bay (tanks, multiple rocket-launchers, etc.), which were positioned in archaeological areas. Moreover, clandestine digging as at Apamea, perpetrated by soldiers and looters, is also a major problem. The regime’s army does not protect the site, but has actively participated in the destruction of major monuments like the Temple of Bel (Fig. 10). The case of Palmyra is extremely worrying, since the regime’s armed forces have opened a road bisecting the archaeological area. Moreover, they shoot rockets from military vehicles parked near the citadel overlooking the city and from spots in the vicinity of the tower-tombs, which in itself is an ominous threat on these monuments’ survival.

DGAM often declares that Syrian museums are well protected, but, as proven by reports of APSA, this statement is untrue, at least for the Museum of People’s Arts and Traditions in Homs, Aleppo, and Deir ez-Zor. For instance, the Homs Archaeological Museum underwent much damage that was taken into account in the reports of APSA. A video broadcast by the BBC shows that several walls were ripped apart to create safe passages for soldiers. The museum doors were open and objects were under the threat of theft or destruction. Even though the museum is still under the control of the regime’s army, no new information on the building and the objects kept inside has been provided by DGAM or the media. Before issuing an international appeal to protect Syria’s heritage, DGAM should ask the regime’s army to retreat from the fortifications and citadels overlooking several cities. These vantage points can come under the opposition’s attack at any moment. In the Bosra citadel, in particular, regime army snipers were posted in the Ayyubid towers (Fig. 11).
Therefore, the question is: if DGAM cannot launch an appeal to the official Syrian army, is this not the job of international institutions?

One should note, however, that DGAM has taken the following measures:

- A campaign of awareness for safeguarding heritage, directed towards Syria’s people, in October 2012.
- The rooms of some museums like the Damascus and Aleppo National Museums were emptied and the objects were deposited in basements protected by reinforced steel doors and sand bags (Fig. 12).
- Several meetings between civil servants of archaeological departments and customs officers and police to discuss looting, resulting in 4,000 archaeological items being retrieved in 2012, according to DGAM.
- At the international level, DGAM and competent organizations such as UNESCO, organized several meetings (in Amman, Beirut, and Paris) to discuss ways of stopping the illicit trafficking of archaeological finds, improving surveillance, and the exchange of information. They decided on the creation of a red list of threatened Syrian cultural property, organized workshops like those of ICOMOS in January and August 2013 at Damascus and Idlib, and established e-learning courses for professionals of Syrian cultural heritage centered on preparation for hazards and risks (the International Committee on Risk Preparedness of ICOMOS).

These contacts and cooperation have borne fruit. Eighteen Syrian mosaics were seized at the Lebanese border and 73 archaeological items, which had arrived...
in clandestine form in Lebanon, were retrieved from antiquities merchants. It is nevertheless important to emphasize that these measures taken against a booming demand for archaeological works and artistic objects, and the results obtained are obviously very important; however, they only make up a small part of the larger issue of Syria’s threatened heritage. In effect, bombings and partial or massive destructions of archaeological sites are also huge disasters. Yet, nothing tangible appears to have been done to prevent this terrible damage, be it from the opposition or the regime’s army. This is DGAM’s job and that of the international community: to take real and practical measures to oblige the parties in the conflict to safeguard the country’s archaeological heritage.

Response of the Syrian Opposition

Concerning the protection of sites and museums, the Syrian opposition represented by the Syrian Coalition (I’tilaf as-suriya) has decided not to protect the museums of Raqqa and Ma’aret an-Numan, as well as sites in the “liberated zone” of the Aleppo and Idlib governorates, under their control. This armed opposition has not dealt with the matter for reasons related to bureaucracy, lack of means and funds, and the absence of a will to cooperate (especially in the field) with the FSA and with the local coordination committees. Moreover, some neutral institutions like UNESCO can only work with the Syrian government represented by DGAM, since its statutes do not enable it to deal with the opposition, even though the latter controls sites in the Limestone Plateau (the Massif Calcaire of the Jebel Zawiyé, Jebel Sima’an, Jebel Barisha, and Jebel Wastani), the Rouj Basin, the northern Ghâb Euphrates banks, and the plain and foothills north of Aleppo and Idlib.

Response of Locals

There is an additional difficulty when it comes to the trafficking of archaeological objects in areas controlled by the opposition. Loot sites there have completely escaped the supervision and control of DGAM or any other institution. In this framework, locals attempt to preserve this heritage as much as they can. However, they have very little knowledge of archaeology and find themselves without any means to protect sites. It is vital to carefully look at the logistical and financial means that could be established to help these locals in their endeavor, as well as training them. A group of volunteers in Aleppo have founded several associations to protect cultural property and have acted by placing movable objects of the Old City into safe houses and erecting walls of agglomerated concrete in front of monuments, façades, or large objects with the
aim of protecting them from artillery bombings and projectiles. Although these initiatives are welcome and have saved much of what was protected, it is of the utmost importance to provide assistance to allow them to better protect these items and locations, and to recognize and learn how to manipulate and preserve archaeological objects (Figs. 13–14).17

Response of UNESCO

In the light of the many catastrophes Syrian heritage has been subjected to in more than two years, UNESCO decided to inscribe 10 sites recognized by the international community—as places exhibiting exceptional universal value—on the list of threatened heritage, so as to attract attention on the risks to which these sites are exposed to and to ensure their safeguarding. The sites concerned are the Old City of Aleppo, known for its Ayyubid and Mamluk citadel (considered the world’s largest medieval fortification), as well as its famous souq, which became a war zone and part of which was severely damaged by arson and many other forms of bombing (Figs. 15–16).

On this list, one can also find the ancient Nabataean, Roman, Byzantine, and Islamic city of Bosra, which is an exceptional example of the urban planning of Near Eastern successive civilizations and includes many very well-preserved remains such as Islam’s earliest mosques (the Abraq, Fatima, and Omari Mosques). These are located in the Old City’s center, which became a contested battle zone between Bashar al-Assad’s soldiers, who bombed the area from time to time with barrels filled with TNT thrown from aircraft, and FSA rebels (Fig. 17).18

The ancient city of Palmyra, a World Heritage site since 1980, has been hostage to the regime’s army since it established itself in the archaeological zone, with several tanks and many rocket launchers positioned near the tower tombs and the Ibn Maan castle. These positions bombed the local population, the oasis, and the ancient city. Several monuments suffered much damage, the most famous being the Temple of Bel (see Fig. 10).
FIG. 14
Sand bags help protect the Meqam (Mausoleum) of Zekerya. (Photo courtesy of the Aleppo Media Center.)

FIG. 15
The destruction of the tower at the Great Umayyad Mosque in Aleppo, Syria. (Photos courtesy of the Aleppo Media Center.)
FIG. 16
Destruction in the souq of the Old City of Aleppo.
(Photos courtesy of the Aleppo Media Center.)

FIG. 17
The state of the Churches of Umm al-Zenar and Hamam al-Seraj after being bombed in Homs. The damage is similar to that in Bosra. (Photos by The Syrian. Courtesy of APSA.)
The treasures in Syrian museums, as well as those buried for thousands of years in the ancient urban centers of Mari, Ebla, Dura Europos, Apamea, and many others, have seen looting and destruction while international institutions, even those dedicated to CPP, seem incapable of acting. Neither Syrian opposition forces nor Syrian government entities have taken any tangible measures to protect their jeopardized world heritage. Will Syrian heritage suffer the same fate as that of Iraq after 2003?

The Uncertain Future

No political solution to the Syrian conflict can be imagined at the moment; the regime has decided to fight the insurgency to the last soldier. The rebels mount counter-attacks. As a result, the nation’s heritage is hostage to both sides of the conflict. In the framework of this situation, the international community and relevant institutions are not acting in any real way to oblige both sides to respect the conventions and protocols relating to protecting Syria’s cultural property. This allows both parties to continue to destroy in an increasingly direct manner a heritage which belongs not only to the Syrian people, but to all of humanity. We are thus facing a catastrophe of epic proportions, comparable to that of Iraq after the US invasion and Saddam Hussein’s downfall.

During these difficult moments, will meaningful measures be taken by relevant international institutions, especially after the World Heritage Committee has decided to inscribe six archaeological sites to the list of endangered World Heritage sites? The most burning question is: will these measures entail a convention established with the aim of cooperating with the Syrian Coalition (which should endorse its role as partner with local communities elected in Syrian cities) in order to take necessary precautions to manage and protect sites and museums located in the endangered areas under their control?

The destruction is appalling. The intense carpet-bombing carried out with various types of explosives and other weapons has affected a large percentage of Syria’s cultural and natural heritage. However, the international community and the world at large were not ready to confront even crimes as serious as the use of chemical warheads against civilians until very recently. Thus, intervention by the international community in favor of heritage appears unlikely. This tragic situation is the subtext in a black comedy video from the village of Kafranbel, which uses the ancient past as a backdrop for the modern conflict. In it, Syrian opposition activists, with Syrian revolutionary flags on their torsos and killed in a variety of ways by the Syrian army, are shown in a prehistoric context, in front of caves. Their killer is helped by other cavemen with Russian, Iranian, and Hezbollah flags, under the indifferent eyes of an audience comprising three characters representing the Arab League, the US, and the European Union.

Notes
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4. Krak des Chevaliers is the only fortification that is under rebel control, while all the other citadels are under the control of the Syrian army. For more information on the current state of Krak des Chevaliers, see “Provinces—Homs—Archaeological Sites” at www.apsa2011.com.
5. For a video detailing the occupation, go to: http://www.youtube.com/watch?v=zbaptfNke6c&feature=youtu.be.
7. For the heart-breaking video, go to: http://youtu.be/7RdinwKQoOg.
8. For a video of the destruction, go to: http://www.youtube.com/watch?v=hakRq8LtzdU.
9. See, e.g., this video showing the disastrous state of the Hawijet al-Fourat forest near Abou Kemal: http://www.youtube.com/watch?v=H8IPFPFvQo.
10. For the various actions and decisions taken by organizations such as UNESCO, go to “Official Acts” at: www.apsa2011.com/
12. For more information on the state of the conditions of the archaeological remains in Palmyra, see...
Since January 25, 2011, Egypt has been experiencing civil unrest, and with it, some degree of armed conflict, particularly in 2013. During this time there has been a certain amount of cultural property loss, primarily due to the fact that the police and security forces vanished from their posts throughout the country, including from antiquities’ sites, which left them open to pillaging. Only small groups of site guards (ghafirs) steadfastly remained at their posts. Subsequently, some security forces have returned, but in fewer numbers, and lacking their previous position of power. This may be about to change as a result of the events of summer 2013. Due to their long initial absence, a vacuum was created, during which a more organized way of looting/theft could be, and was, established. The majority of the loss is a by-product of the civil unrest rather than being the direct result of armed conflict, and is an amplification of a tradition of antiquities’ theft that has been present in Egypt since the time of the pharaohs.

Types of Heritage Loss

Heritage loss in Egypt can be divided into three main categories. The most obvious one is land appropriation or land grabbing. This is when a person or a group of people illegally take over land belonging to the Ministry of Antiquities. The land can be taken over for agriculture or building projects. The people responsible for these takeovers include contractors who might appropriate significant amounts of land to divide up and resell for multiple purposes, or even villagers and townspeople who live in settlements abutting the archaeological areas. The latter group tends to acquire land at a much smaller scale than the former. Acquisition involves hastily constructing a wall around a piece of land, or quickly tilling the soil and planting or claiming to plant something there. The most effective ploy used to keep the newly acquired land, if immediate construction is untenable, is to use the area as a cemetery, or at least give the appearance that this is its new function (Fig. 1). For many of the people who acquire antiquities’ land, the act merely seems like common sense. In their eyes, many of these areas are lying empty and unused, and they are actually providing a use for these wasted spaces that, it appears, the

Kila’s article relating to cultural property crimes during armed conflict provides an overview of the major issues and highlights some of the problems in trying to be proactive when protecting heritage during such times. Discussions such as these are always useful, particularly at present, with an increase in armed conflict in many parts of the world.
government has long ignored. This struggle for land is a long-standing one, with a constant tension between space needed by the living and space occupied by the remains of a dead culture, which often does not boast any obvious standing monuments or is not being actively excavated (for any number of archaeological or practical reasons). Of course, the appropriation of this land is a major tragedy for archaeology as the modifications to the landscape, coupled with the loss of objects and buildings forever destroys our understanding of the site and the history of those who lived there. Additionally, during this time when law and order could not be enforced, urban land grabbing has occurred. Buildings that are over 100 years old count in theory as historic monuments even if they are unregistered with the antiquities authorities. Without due process they cannot be dismantled. However, without a strong central authority, many buildings in urban contexts have been hastily destroyed and new ones are quickly being put in their place. Although in time it is hoped that the due process of law will penalize their owners, the original monuments are lost forever, often with no documentation in the form of plans or photographs.

The antiquities’ land appropriation system is also tied, to some extent, with looting. Often, the land that has been illegally acquired is investigated through ad hoc illicit excavations prior to construction or agricultural use of the space. Objects thus discovered are then disposed of through a variety of means. Looting as an end in itself is also, of course, a phenomenon that has worsened dramatically in the absence of security forces on the ground (Figs. 2–4). Different scales and types of looting can be identified: professional organized looting as opposed to opportunistic robbers. In the former category, an individual with connections to facilitate the disposal of stolen antiquities controls the professional “mafia” of looters. His underlings acquire, transport, and see to the nitty-gritty of the operation. Often the “king-pin” will hire thieves on an ad hoc basis, or opportunistic robbers.
will go to him to sell artifacts as they do not have the connections to dispose of them. The latter category of opportunistic robbers is self-explanatory.

The organized looters can be divided into two broad categories: violent and relatively non-violent. The former group has come into being after January 2011, and is a direct result of the recent traffic in arms in Egypt; the latter category of looter is long established. The armed individuals are equipped with modern, highly efficient automatic weapons. The Ministry of Antiquities’ site guards that remained on site when the better-equipped security forces (police, tourist police, antiquities’ police, and, at some sites, secret police) had left, were armed only with sticks and occasionally small revolvers or antiquated rifles with no ammunition (unless they had managed to purchase some). Several of these guards have been killed in the line of duty. Prior to 2011, these guards were generally sufficient to intimidate prospective robbers as the guards were in positions of authority, and the fear of reprisal when caught was a sufficient deterrent to the thieves. However, the absence of a clear authority, coupled with weaponry, made looters feel relatively
invincible, even those who were opportunistic and not part of a larger organization.

In the past three years, the “mafia” groups have targeted archaeological sites and, sometimes with the aid of a bulldozer, dug up monuments and artifacts, and taken them to sell. Storage magazines have also been attacked, sometimes through the roof of the building, and attempts also made on museums. There are reports of these groups using geo-sonar machines, and even being trained in their use. Quite possibly these people also obtain access to archaeological reports that help them pinpoint possible sites for looting. The objects acquired are then taken *en masse* to a safe place. In some instances, dealers come to view the material, choose what they want, and then the objects are removed and shipped abroad. In other cases, the material is illegally exported immediately; often this depends on the size of the objects in question. Ain Sukhna has been a popular port for shipping larger pieces, as it did not have a checkpoint until November 2012.

The less-violent groups are often not as well connected in terms of the disposal of goods, and, even now, have fewer weapons. Again, a “chief” commands a group of people who bring in objects to be sold to dealers who then pass them along until they leave the country. Many of the opportunistic looters deal with these groups, conscious only of a need to feed their families rather than the loss of heritage resulting from their actions.

In 2011, and for some time thereafter during the absence of security forces at sites, young boys in particular roamed archaeological sites, breaking into storage areas. When they only found pots or bones, they smashed them in anger, or in the mistaken idea that they contained gold (Fig. 5). Indeed, many of the opportunistic looters are not targeting antiquities in order to sell them—they are digging for gold, which they are convinced was buried by ancient Egyptians. Barring that, they are looking for the mythical Red Mercury, a substance that in popular culture is thought to be stored in Egyptian tombs and gives the person who consumes it dominion over all creatures. Thus, these people have dug random holes all over sites, contributing, together with the more organized looters, to the creation of a pitted, lunar landscape that is even visible on Google Earth, thereby destroying stratigraphy, as well as de-contextualizing objects. The loss of information is enormous.

Thus we can see that both archaeological sites in the desert as well as in urban contexts, both moveable as well as immoveable cultural property, are under threat. Decorative elements from mosques and churches, for example, are being removed and sold. It seems that all aspects of Egyptian heritage are at risk today, and no area of the country is free from looting.

**Impacts, Reactions, and Solutions: International and National**

International agencies have voiced their concern, UNESCO in particular. They have entered into discussions with the Ministry of Antiquities in establishing strategies to protect the sites for short-term, and for the long-term creating education mechanisms to involve local inhabitants to view themselves as stakeholders, and thus protectors of the sites themselves.
The increase in looting and the destruction of sites is influencing how archaeologists of all types work. Increasingly, each season is regarded as potentially being a final one, with backlog being processed and long-term artifact studies in particular being pushed toward completion, at least of data acquisition. Documentation is emphasized, and researchers are working closely with the Ministry of Antiquities to arrive at strategies for securing the sites and their artifacts.

Since 2012 in particular there have been consolidated attempts to protect sites, with security forces being more present and vigilant, though with limited success as resources are restricted. Even now, looting continues. In August 2013 the Mallawi Museum was attacked—it is still unclear if this was motivated by politics or greed—with guards and museum personnel dying in the process. Many objects were removed or, if too large to remove easily, were smashed. The Ministry of Antiquities offered an option of no reprisal if objects were returned, and fortunately, many have been returned and others are continuing to reappear, although more are still missing or irretrievably damaged.

Throughout this time, it is interesting to note that local people living near sites have reacted to the threat to their heritage in different ways. In most instances the local people (one group of stakeholders, if you will) have been directly involved in the acquisition of land or the looting. However, there are in some heartening (for archaeologists in particular) instances, such as at San el-Hagar (Tanis), when the villagers created a cordon around the site to protect it. On Luxor’s West Bank, where groups of local villagers patrolled the sites, catching and turning in robbers or prospective thieves. Similar vigilance by local people has been reported from other sites. In 2011 the Cairo Museum was encircled by a human shield to protect it from further attacks. This national museum, located at the edge of Tahrir Square, the major center of political activity, has, after the initial shocking looting, been well defended (at least 80 percent of the objects have been retrieved and are now back on display). At the time of writing, September 2013, the Cairo Museum is extremely well protected by tanks, armored personnel carriers, and 24-hour military guards.
People who do not live immediately next to archaeological sites, the urban Egyptians, have had differing responses. Some register sadness about the loss of heritage, but wish to focus more on the pressing concerns of survival of the living and the political situation. However, a significant number of people have become more sensitized and articulate about heritage. This is manifested by the huge amount of activity in social media, initially Facebook, and subsequently Twitter, that focuses on heritage and heritage protection. Young Egyptian archaeologists are also speaking up in the media against looting and urging the government to protect archaeological sites. Facebook groups have been founded both by Egyptians and by non-Egyptians and include professionals in the field as well as concerned citizens or aficionados of Egypt, ancient and modern. They are a constant presence and have an increasingly strong voice that is accessed by the media at times. These groups will probably have a significant impact in how heritage is perceived, and ultimately, protected. Their activities are also raising awareness and national pride rooted in the richness of Egypt’s heritage amongst Egyptians who, prior to 2011, had given little thought to their past.

Of course, it is easy to point fingers and criticize the lack of protection of archaeological sites. However, the practicalities involved with this cannot be ignored. The majority of Egypt’s archaeological sites are not small, contained spaces that are easily policed. Rather, they encompass large tracts of land: the distance from Giza to Dahshur is about 23 km, with the width of the site varying from five to 14 km, all of this in the desert. It is physically difficult to protect such a vast area, even with walls being constructed to separate the archaeological zone from the settlement, as is the case at Saqqara and parts of Giza. Sites in the oases of Kharga and Baharia as well as areas in the Western Desert are far in the desert and difficult to secure, as are many other cemetery sites located in the margins of the Nile Valley. Furthermore, the security officers attached to the Ministry of Antiquities are less well equipped with automatic weapons than the looters. Previously, with omnipresent security and the fear of reprisals, the destruction of heritage occurred, but was limited. Now, until the rule of law has been re-established, sufficient security personnel are freed from other duties and can be deployed at archaeological sites, and looters are publicly and actively punished, Egypt’s heritage will continue to be lost. This is tragic for the whole world, but most of all for the Egyptians as it affects their identity and economy. Help from the international community is best given by placing sanctions on antiquities’ dealers, alerting customs officials and border guards to the traffic of objects, and cooperating with Egypt’s Ministry of Antiquities in an effort to regain objects lost as a result of looting. We are hoping that as the government stabilizes in Egypt the sites can be secured and we can also move toward a better method of protecting Egypt’s antiquities for the future.

Notes
1. All of this is ongoing with an overwhelming amount of documentation of political events; for references, readers should look at a diverse selection of archived online articles from different countries to get a sense of events (e.g., Al-Ahram, BBC, Al-Jazeera, The New York Times, CNN, Le Monde, Spiegel Online, etc.). For articles on Egyptian artifacts, Nevine el-Aref’s pieces at Al-Ahram Online can be consulted, among others, including special reports on National Geographic Online.
2. Sa el-Hagar, Abusir, Dahshur, el-Hibeh, Abu Sir el-Meleq, and several sites in Middle Egypt have been thus targeted. New tombs were discovered by robbers in Aswan and due to their superior firepower, antiquities’ officials could not enter the area—a situation that has since been rectified. For an overview of the situation, see the American Research Center in Egypt Bulletin 202 (2013).
3. This does not include the theft at the Cairo Museum in January 2011.

RESPONSE
What Has Happened to Egyptian Heritage after the 2011 Unfinished Revolution?

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After decades of dictatorship, Egypt entered a new political phase on January 25, 2011. The first 16 months of transition were managed directly by the armed forces, followed by a year of presidency in the hands of Muhammad Morsi, a leading figure in the Muslim Brotherhood. The two post-revolution periods were marked by civil unrest and a general lack of security, with the withdrawal of police from their posts. In particular, during the last 12 months, security forces have been conspicuously absent from the busy streets of Cairo and...
the provinces, not responding to ordinary crime, and leaving the country with a growing sense of insecurity. The abandonment of the police has obviously affected the numerous archaeological sites in the country and this vacuum has allowed for the systematic looting and destruction of many sites of historic and artistic interest. The first 16 months were marked with excessive looting and a lack of coordinated efforts to stop it. However, under the Morsi administration and its Islamist allies, the country has suffered from a systematic lack of interest towards the archaeological and cultural heritage of Egypt, the total lack of political will to protect and enhance the archaeological areas, and even an ideological tendency to de-legitimize the pre-Islamic past as an essential component of national identity.

**Land Mafia and Tomb Robbers**

One of the most striking heritage threats is the illegal occupation of archaeological areas. Construction contractors in particular have taken over large portions of land in different governorates, divided them, and then resold them to a third party. This type of activity is not an exclusive monopoly of these contractors, but to a lesser extent, also done by the villagers and the poor. Land is occupied for the construction of homes and businesses, cemeteries, or for agricultural purposes. This phenomenon is not new, but it has not ever happened before with so much violence and on such a large scale. Prior to 2011, the greatest threat to archaeological sites consisted of government development plans: mega-state projects that rarely took into account the fact that the archaeological sites could be negatively affected. Illegal land occupation is also very lucrative; a site is usually thoroughly dug for all archaeological items, which are sold before building begins on the site.

As outlined in the above essay by Salima Ikram, armed looting gangs take advantage of the current high unemployment rate and poverty. These gangs, who excavate illegally, are usually accompanied by high-tech machine guns that entered Egypt via Libya. However, at several other sites, less violent looters are made up of local inhabitants, particularly the youth, who often have a clear knowledge of the archaeological site (Ikram and Hanna 2013). An increasing number of reports reveal the use of geo-magnetic soundings, which requires training, for the illicit discovery of sites. There is no doubt that these looters have full access to pertinent archaeological publications in order to identify potentially rich areas. Looted items are left in certain areas on site: in some cases the antiquities dealers directly choose what they want, then other people organize the removal and delivery to other dealers in Egypt or abroad. Many of the objects, which were shipped abroad, passed through the port of 'Ain Sokhna', which had no antiquities control unit until November 2012.

The second type of looters, also the less violent, is composed of a rich leader in a village who controls teams formed by villagers, especially children, and sends them to dig sites. He compensates them with money for found items such as reliefs, statuary, and jewelry. On a smaller scale, the locals dig for their own benefit. Sometimes they have contacts with lower-level antiquities dealers, but most of the time they do not have such access.

The unexplored archaeological areas are not the only goal of the grave robbers; urban sites such as the districts of medieval Cairo are also under attack. Several manābir (pulpits), inlays from mahārīb (prayer niches indicating the direction of Mecca), lanterns, lamps, incense burners, carved wooden ceilings, metal gates, embroidered fabrics, and other decorations are disappearing at an alarming rate. In addition to the destruction of medieval Cairo, contemporary architecture all over Egypt is suffering as well; entire buildings are dismantled and sold, or simply destroyed to create space for new buildings. This illegal process is done in the absence of security, where the price of such chunks of land is high as their location provides the construction contractors a lucrative opportunity to erect very high buildings and sell them immediately. The destruction of these buildings from the eighteenth–twentieth centuries is in defiance of numerous laws that protect architectural heritage. Despite the strength of these laws, they are impotent when there is no one to enforce them. In May 2013, the destruction of an elegant portal from the nineteenth century in the neighborhood of Bab el-Wazir has raised a lot of criticism from heritage specialists and architects. It is a sort of non-violent urbicide within all of its historical periods.
The Risk Map of Looted Sites

Archaeological sites throughout Egypt have been affected by the looting.

- In the Delta, at San el-Hagar (Tanis), the site’s southern sector remained unexplored until recently when it has been pillaged daily by people from other governorates. The locals, for their part, tried to stop them, but without the support of security forces, every attempt was in vain.
- At Zaqaziq (Tell Basta), part of the wall that protects the area was torn down and a road now passes through the site, accompanied by small-scale looting.
- At Sa el-Hagar (Sais), people from different socio-economic backgrounds have joined the looting because it is more lucrative than any legal work. In addition, the search for gold still has a certain allure.
- In the area of ancient Memphis, south of Cairo, the villagers are digging unexplored areas of the necropolis, especially in Abu Rawash. In the Memphite necropolis, storehouses containing antiquities have been attacked, despite the wall around the site protecting it from illegal occupation.
- Abusir was looted systematically and continuously by mafia groups and local looters. Right after the events of January 2011, the local sheikh incited people to destroy and loot the site of the ancient infidels. New tombs have been discovered, but archaeologists have not able to access them; thus, looters have destroyed most of the archaeological record. Ushabti (funerary statuettes), amulets from torn mummies, statues of the Old Kingdom (2584–2117 BCE), and Late Period objects (664–332 BCE) are among the most common finds.
- Large portions of land subjected to World Heritage site protection were occupied on several occasions at Dahshur (Fig. 1), Saqqara, and Lisht, and reused for constructing modern cemeteries, which are a cover for looting.

FIG. 1
A precisely dug looting pit in Dahshur. (Photo by M. Hanna.)
• In Heliopolis (Ancient Iunu) now the district to the northeast of Cairo, the site of the Ramesside temple of Ra has been flooded with tons of solid waste and covered with vegetation growing from the mudbrick of the 19th–20th Dynasties (1298–1069 BCE) structures. The site was set on fire several times by land mafia thugs to hide the archaeological features of the site.
• The site of Tell al-Hibeh was the victim of massive looting and destruction. As the news reached the international scientific community, it was learned that many other sites in the Fayum have been victims of the lack of state supervision.
• At Abusir el-Malaq, a site notorious for repeated theft, looters have created impressive heaps of human bones, fragments of mummies, and broken sarcophagi (Fig. 2).
• The Italian archaeological mission of Florence to Antinoupolis, one of the few Roman towns in Upper Egypt, recently reported that modern cemeteries, urban sprawl, and agricultural exploitation have devoured large parts of the site.
• In the hills near Deir Abu Hinnis in Middle Egypt, a thriving necropolis of the 3rd Dynasty (2584–2520 BCE) was sadly swept away by a bulldozer to create space for pilgrims visiting the nearby church. Farmers occupied other areas of the cemetery.
• In Amarna (Akhetaten) (1360–1343 BCE), which hosts archaeologists for most of the year, the north, middle, and south sections have suffered a progressive and alarming phenomenon of land grabbing and reuse for agriculture reclamation.
• Ansina, a Coptic site where villagers believe the rock-cut monastic settlement houses gold treasures, has been heavily looted using dynamite.

There is not a single site in Egypt that has not suffered the attack of the land mafia and looters, from the necropolis of the New Kingdom at Aswan to areas of the Eastern Desert along the Red Sea, including the oases of the Libyan Desert of Kharga, Dakhla, and Farafra Bahareya.
The Question of Identity

As previously mentioned, looting and illegal occupation of archaeological sites are not new phenomena: both happened in Egypt for decades, but never in such devastating proportions. In a sense, however, the blame is not only on the looters. The huge growth of the Egyptian population continues to pose serious problems with urban expansion and the food supply. In many areas, particularly in contrast to popular sites such as Luxor, antiquities and tourism do not have a direct impact on communities and therefore there is no economic benefit that may motivate the locals to protect the sites (as was the case in January and February 2011 in the necropolis on the west bank of Thebes). The economic crisis, which intensified after 2011, has done its part; high unemployment and the collapse of tourism have led many to believe that the digging and selling of antiquities are valuable livelihoods.

At a higher level, it is also a question of identity; there is now a faint connection between ancient heritage and modern Egyptians. The fault is certainly that of an education system that for decades, particularly under the regime of Mubarak, portrayed Egyptian history as fragmented with no context or relations to archaeological sites. Egyptology and related disciplines were born as Orientalist disciplines, with all the implications of colonial terminology. Egyptian-born specialists have always struggled to get into the field. Academic resources, which are still primarily written in foreign languages, are difficult to access. The communities living closest to these sites or buildings can hardly find useful information because nothing was ever written for them as an audience and users of the heritage space.

Moreover, the local communities were seen as enemies of cultural heritage; local people had to be kept out of the sites and were always considered a nuisance to the tourists. The explanatory signs in the famous Valley of the Kings are written only in English. The Giza plateau was closed to Egyptians during the national holiday of Sham el-Nessim (Easter Monday, celebrated with a picnic by Christians and Muslims together), because locals were considered a nuisance to the foreign visitors. Museums intimidated the Egyptian public and very rarely were programs made to attract them. For decades, Egyptians have believed that their cultural heritage belongs to the state and it is for the exclusive use of tourists and foreign archaeological missions.

Mallawi Museum Looting: A Case Study for Future CPP

After the events of June 30, 2013 and the ousting of Morsi and the Muslim Brotherhood, Egyptian cultural heritage is facing serious challenges. One of the sad events of such turmoil was the raiding of the Mallawi Museum in Minya. The museum housed a beautiful collection from different sites in Middle Egypt and had around 1,089 objects out of which 1,050 were looted or destroyed. Around 500 have been returned to date and conservation work is still ongoing for those damaged.

Resolution

The only guardians of such cultural heritage are the different groups of heritage activists who have formed to fight for the protection of these sites. Most of these initiatives have encouraged community watchdogs over Egyptian heritage and created media campaigns that bring ample attention to the sites at risk, forcing decision makers to take quick action and implement strategies to protect them. Recently, these private initiatives also took part in the writing of the new Egyptian constitution and presented a re-draft of the articles to ensure better protection for Egyptian heritage in the future.

Note

1. The Twitter hashtags for these groups include #Save_Portsaid, #Save_Mansura #Save_Alexandria, #Save_Historic_Cairo, and #Heliopolis_Heritage_Initiative and Egypt’s_Heritage_Task Force.

Reference