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The Obligations Contained in International Treaties of Armed Forces to Protect Cultural Heritage in Times of Armed Conflict[1]

PATTY GERSTENBLITH

In April of 2003, as the United States military took control of Baghdad during the second Gulf War, the world soon learned that the Iraq Museum, the world's largest repository of ancient Mesopotamian art and artefacts, had been looted. The United States received almost universal blame for allowing the looting to occur, with some even charging that the United States' inaction had violated international law. Furthermore, the United States military, in its role of quasi-occupier of Iraq, constructed military bases on, or in other ways utilised for military purposes, culturally and historically sensitive sites at Ur, Babylon and Samarra. During the hiatus in effective law enforcement and the political chaos in the years that followed the initial invasion, archaeological sites, particularly those of the Sumerian period (approximately third millennium BC) in the southern part of Iraq, were looted.

These actions and events pose questions concerning the obligations of a military power to avoid doing harm to cultural heritage and to actively preserve it during armed conflict and occupation. While much controversy and criticism were engendered in the cultural heritage preservation community, and the Gulf War undeniably had a significant adverse effect on Iraq's cultural heritage, it is also likely that these events provided the final impetus, directly or indirectly, for the United States, after a delay of 55 years, to ratify the first international convention to address exclusively cultural property – the 1954 *Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict*.

Historical Background

The looting and destruction of cultural heritage during and in the wake of warfare has a long history, going back even to ancient times. Cultural looting served to emphasise to the defeated the loss of their political, cultural and religious freedom, and it demonstrated the might of the conqueror in asserting its cultural dominance. The effects of cultural looting are well illustrated in the depiction on the Arch of Titus in Rome of the triumphal procession in which the Menorah and other sacred implements taken from the Second Temple in Jerusalem at the time of its destruction in AD 70 were displayed as war booty (Miles 2008, 260–63). However, some Roman authors, particularly Cicero in his prosecution in 70 BC of Gaius Verres, the Roman governor of Sicily, for greed and corruption, expressed ambivalence concerning the extent to which cultural and religious works could be plundered without offending religious or moral principles.

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As the European concept of a law of warfare developed in the 16th and later centuries, legal commentators were divided over whether cultural sites and objects were legitimate war booty or a distinct form of protected property. During this period, the concept of the 'just war' developed: any actions necessary to accomplish the purposes of a just war were considered legitimate, but the destruction or appropriation of cultural property was not considered necessary to achieve these purposes. For example, the Dutch jurist Hugo Grotius, who laid the basis for general international law, set out in his treatise *De jure belli ac pacis* (*On the Law of War and Peace*), published in 1625, his theories on the just war and the proper rules for conducting warfare, writing that '"those things which, if destroyed, do not weaken the enemy, nor bring gain to the one who destroys them", such as "colonnades, statues, and the like" – that is, "things of artistic value"' should not be destroyed (O'Keefe 2006, 6).

During the 18th-century Enlightenment the concept that artistic works had a distinct, protected status was fostered by the belief that educated people of all nations were united by an appreciation of and love for works of art and architecture. Although still tempered by the doctrine of necessity, this belief imposed an obligation to ensure that such works were protected. The Swiss philosopher, legal expert and jurist Emmerich de Vattel expressed this view when he wrote in *Droit des Gens* (*The Law of Nations*) in 1758:

> For whatever reason a country be ravaged, those buildings must be spared which do honour to humanity and which do not contribute to the enemy's strength, such as temples, tombs, public buildings and all works of remarkable beauty. What is to be gained by destroying them? It is the act of a sworn enemy of the human race to deprive it lightly of such monuments of the arts ... (O'Keefe 2006, 11)

At the turn of the 19th century the French emperor Napoleon rejected these scruples and looted artworks and other cultural objects from throughout Europe as well as Egypt. French artists expressed ambivalence: some praised this transfer of artworks to Paris as rescuing them for the benefit of both the French and other peoples of Europe; others, particularly the architectural theorist Antoine-Chrysostôme Quatremère de Quincy, objected, arguing that cultural objects belonged and were best understood within their original contexts. Following Napoleon's defeat, the Duke of Wellington established a new modern precedent by refusing to take cultural objects from France as war booty and instead insisting that the French return to their nations of origin cultural objects taken during the Napoleonic Wars. Even so, only about half of the objects taken by Napoleon were returned, thus forming the basis for future claims by Germany against France for restitution.

The precedent set by the Duke of Wellington was followed in the first codification of a law of warfare. Francis Lieber, a Prussian soldier and classicist who had been present at the Battle of Waterloo and later became a law professor at Columbia University in New York, was asked by President Abraham Lincoln to draft a code of conduct during warfare for the United States army during the Civil War. The 1863 *Instructions for the Government of Armies of the United States in the Field* (General Order No. 100), known as the Lieber Code, set rules that explicitly acknowledged

that special treatment was warranted for charitable institutions, scientific collections and works of art. The Lieber Code classified such property, regardless of who owned it, as non-public property, in order to distinguish it from movable public property that could be used as war booty to further the war effort.

The relevant sections of the Lieber Code state:

> 31. A victorious army appropriates all public money, seizes all public movable property until further direction by its government, and sequesters for its own benefit or that of its government all the revenues of real property belonging to the hostile government or nation. The title to such real property remains in abeyance during military occupation, and until the conquest is made complete.
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> 34. As a general rule, the property belonging to churches, to hospitals, or other establishments of an exclusively charitable character, to establishments of education, or foundations for the promotion of knowledge, whether public schools, universities, academies of learning or observatories, museums of the fine arts, or of a scientific character–such property is not to be considered public property in the sense of paragraph 31; but it may be taxed or used when the public service may require it.
>
> 35. Classical works of art, libraries, scientific collections, or precious instruments, such as astronomical telescopes, as well as hospitals, must be secured against all avoidable injury, even when they are contained in fortified places whilst besieged or bombarded.
>
> 36. If such works of art, libraries, collections, or instruments belonging to a hostile nation or government, can be removed without injury, the ruler of the conquering state or nation may order them to be seized and removed for the benefit of the said nation.
>
> The ultimate ownership is to be settled by the ensuing treaty of peace.
> In no case shall they be sold or given away, if captured by the United States, nor shall they ever be privately appropriated, or wantonly destroyed or injured.

Many of these principles were picked up in the 1899 and 1907 *Hague Conventions with Respect to the Laws and Customs of War on Land*, the first international treaties to make specific provision with respect to protecting cultural property during warfare. Articles 23, 28 and 47 of the 1899 *Convention Annex* prohibit pillage and seizure of property by invading forces. Article 56 requires armies to take all necessary steps to avoid seizure, destruction and intentional damage to 'religious, charitable, and educational institutions, and those of arts and science' as well as to 'historical monuments [and] works of art or science'.

The Regulations annexed to the 1907 *Hague Convention on Land Warfare* expanded the 1899 Convention and had two key provisions. The first, contained in Article 27, dealt with the obligation to avoid damaging particular structures.

> In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.
>
> It is the duty of the besieged to indicate the presence of such buildings or places by distinctive and visible signs, which shall be notified to the enemy beforehand.

However, one may note that this article contains three important caveats. First, the obligation to avoid causing damage to these buildings is limited by the phrase 'as far as possible', and therefore the obligation gives way to the exigencies of warfare. In addition, two obligations are imposed on the besieged: to mark the buildings with a distinctive sign (which must be communicated to the enemy in advance) and to avoid using the buildings for military purposes. If the buildings are used for military purposes, then the protection of this provision is forfeited.

The second provision is in Article 56:

> The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property.
>
> All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings.

Here the obligation to protect property (both movable and immovable) belonging to institutions of a religious, charitable, educational, historic and artistic character from intentional damage is absolute. Furthermore, this complements Article 55, which emphasises that an occupying power has an obligation to preserve and safeguard the value of immovable property, including forests and agricultural lands. Another provision of the Conventions imposes a more generalised obligation on an occupying power to preserve and safeguard the value of immovable property, as well as to ensure the safety and security of the local populations in occupied territory.

These treaties were particularly important because all the major combatants during both world wars, including the United States and the European nations, were parties to them. While these treaties were unable to prevent the cultural devastation wreaked on Europe, and international conventions are routinely criticised for their apparent ineffectiveness in preventing such destruction, the Conventions serve an important role in punishing, even if after the fact, those who violate their directives. At the end of World War I Germany was required to make reparations to France, Belgium and other countries for damage caused to cultural sites and monuments. At the end of World War II some of the Nazi leadership – in particular, Alfred Rosenberg, who headed the Einsatzstab des Reichsleiter Rosenberg, the Nazi unit that engaged in systematic art looting and confiscation – were prosecuted and executed for violations of the Hague Conventions, including engagement in the organised plunder of both public and private property (United States Holocaust Memorial Museum nd). Finally, these earlier conventions were used, particularly as embodying customary international law, in prosecutions of Serbian military leaders for intentional damage to cultural property during the Balkan Wars of the 1990s. Article 3(d) of the *Statute of the International Criminal Tribunal for the former Yugoslavia* (ICTY) states that 'seizure of, destruction or wilful damage done to institutions dedicated to religion, charity and education, the

arts and sciences, historic monuments and works of art and science' are violations of the laws or customs of war (United Nations 2009). This provision was utilised in four cases brought before the ICTY, including that of Pavle Strugar, who was convicted in 2005 for the intentional attack on the Old Town of Dubrovnik, a World Heritage Site, as well as for other war crimes (UNESCO 2005, 6–7).

The tasks of protecting cultural sites during World War II and of returning cultural objects after the war fell to the Monuments, Fine Arts and Archives teams established by the United States and British militaries. These teams were composed of historians, art historians, classicists and archaeologists, and they played a significant role in preserving Europe's cultural heritage. Initial restitution efforts were carried out by government mandate, but these efforts continue today largely as the result of private initiative and lawsuits prompted by the descendants of the original owners. With the exception of the Soviet Union, none of the victorious allies deliberately attempted to retain cultural objects as war reparations from Germany, and it was the explicit policy of the United States and Great Britain to return cultural objects to their owners.

THE 1954 HAGUE CONVENTION AND ITS PROTOCOLS

Following the devastation of World War II, the international community promulgated a series of international humanitarian conventions, including the 1954 *Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict*. Although it was based on the earlier Hague Conventions, the 1935 *Roerich Pact* that applied only in the Americas, and a draft convention started before World War II, the 1954 Hague Convention was the first international convention to exclusively address cultural property.

The Hague Convention begins with a Preamble asserting the universal value of cultural property whereby we are all diminished when cultural property, situated anywhere in the world, is damaged or destroyed. In setting out the justifications for the Convention, the Preamble states that the nations join the Convention:

> Being convinced that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world;
>
> Considering that the preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection[.]

The phrasing of the Preamble draws on a tradition that imposes obligations on nations to care for the cultural property within their borders during both peacetime and military conflict.

In Article 1, the Convention defines cultural property to include:

> movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives ....

Also included in the definition are buildings whose purpose is to preserve or exhibit cultural property, including museums, libraries and archives, as well as refuges intended to shelter cultural property during armed conflict.

The core principles of the 1954 Hague Convention are the requirements to safeguard and to respect cultural property. Article 3 defines the safeguarding of cultural property: nations have the obligation to safeguard cultural property by preparing during peace to protect it from 'the foreseeable effects of an armed conflict'. Article 4 addresses the respect that should be shown to cultural property during armed conflict and imposes primarily negative obligations – that is, actions which a nation is required to refrain from taking. The first provision calls on nations to respect cultural property located in their own territory and in the territory of other parties to the Convention by refraining from using the cultural property 'for purposes which are likely to expose it to destruction or damage' during armed conflict and by refraining from directing any act of hostility against such property. Unfortunately, the next provision provides for a waiver of these obligations where 'military necessity imperatively requires such a waiver'. The Convention is unclear as to what is meant by military necessity. While there have been some attempts to define it, there is no universal agreement and it has been argued that this provision significantly undermines the value of these provisions as a whole.

The third paragraph of Article 4 had received virtually no commentary or interpretation until after the looting of the Iraq Museum in Baghdad in April 2003. The provision states that parties to the Convention 'undertake to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage, or misappropriation of, and any acts of vandalism directed against, cultural property'. When read literally, it seems to impose an obligation on nations to prevent *any* form of theft or pillage, even if it is being carried out by the local population. However, for reasons that I have explained more fully elsewhere (Gerstenblith 2006, 308–11), this provision probably refers only to an obligation to prevent acts of theft, pillage and misappropriation carried out by members of the nation's own military. In particular, because there is no caveat stating that the obligation extends only to what is feasible or practical under the circumstances and given the post-World War II context in which the Convention was written, it seems very unlikely that the drafters intended to impose a blanket obligation during conflict. However, it is perfectly reasonable to expect nations to control the conduct of their own military and to provide for punishment of those who violate such restrictions. The final provisions of Article 4 prohibit the requisitioning of cultural property and acts of reprisal taken against cultural property.

Article 5 turns to the obligations of an occupying power. The primary obligation of an occupying power is to support the competent national authorities of the occupied territory in carrying out their obligations to preserve and safeguard its cultural property. The only affirmative obligation imposed is to take 'the most necessary measures of preservation' for cultural property damaged by military

operations and only if the competent national authorities are themselves unable to take such measures. The primary value promoted by this provision is one of non-interference – in other words, the occupying power should interfere as little as possible with the cultural heritage of the occupied territory, and only when the local authorities are unable to do so. Any actions taken by the occupying power should be done only in concert with the competent national authorities whenever and to the extent possible.

The Convention provides special protection for centres with monuments, immovable cultural property and repositories of movable cultural property (Articles 8–11), but this mechanism has rarely been used. Cultural property under special protection is immune from acts of hostility except in exceptional cases of 'unavoidable military necessity' or if the property or its surroundings are used for military purposes. Article 6 provides for the marking of cultural property with the Blue Shield symbol, as outlined in Article 17. Article 7 requires parties to the Convention to introduce into their military regulations and instructions provisions to ensure observance of the Convention and to foster a spirit of respect for the culture and cultural property of all peoples. It also requires nations to establish within their armed forces services or specialist personnel whose purpose it is to secure respect for cultural property and to cooperate with the civilian authorities responsible for safeguarding cultural property.

The First Protocol to the Convention was written contemporaneously with the Convention to address the disposition of movable cultural property. These provisions were separated from the main Convention at the request of the United States and other Western nations, which were reluctant to restrict the flow of cultural objects. The First Protocol consists of two parts; when ratifying the First Protocol, nations can opt out of one part or the other. The first part requires occupying powers to prevent the export of cultural property from occupied territory, take into their custody any cultural property in their territory that has been illegally exported from occupied territory and to return such cultural property to the competent authorities of formerly occupied territory at the end of hostilities. If such cultural property must be returned, the occupying power that had the responsibility to prevent the export from occupied territory must pay an indemnity to the holder in good faith of the cultural property. The second part of the First Protocol requires nations that take cultural objects into custody during conflict for the purpose of protecting them to return the objects at the conclusion of hostilities. The First Protocol was not popular with the major art market nations of Western Europe and the United States and has been ratified by fewer nations than the main Convention.

After four decades of experience with the Convention and, particularly, the experiences during the Balkan Wars, UNESCO undertook the writing of the Second Protocol, which was completed in 1999 and came into effect in 2004 (Boylan 1993). The Second Protocol accomplishes five primary goals: it narrows the circumstances in which the 'military necessity' waiver can apply; it requires nations to establish a criminal offence for serious violations of the Convention, including responsibility for those in higher command; it requires the avoidance or minimisation of collateral damage to cultural property; it requires that the justification for a legitimate military action that might cause damage to cultural property must be proportionate to the damage that may result, and it clarifies the 'non-interference' principle – that is, that

occupying powers should not interfere with or destroy the cultural or historical evidence of the occupied territory and should not conduct archaeological excavations, unless necessary to preserve the historical record, and that occupying powers have an obligation to prevent illegal export of cultural property from occupied territory.

At this time there are 123 High Contracting Parties to the main Convention, 100 Parties to the First Protocol and 56 Parties to the Second Protocol. The United States and the United Kingdom *signed* the main Convention in 1954 but had not *ratified* it at the time of the 2003 Gulf War. However, by signing the Convention these nations indicated their intention to ratify it. Furthermore, 'customary international law imposes an obligation on states that have expressed intent to be bound to a treaty through signature to refrain from any activity that might defeat the "object and purpose" of that treaty for the period of time ratification is pending' (Corn 2005, 35). However, a convention is not legally binding on a nation until it completes the formal process, which differs from nation to nation, by which the nation becomes a State Party. Neither the US nor the UK has signed either the First or the Second Protocol.

Despite its failure to ratify the Convention, the policy of the United States was to view as binding those provisions of the Hague Convention that the United States regarded as part of customary international law. Customary international law is general practice among nations that is accepted as law. To be a part of customary international law, a rule must be a part of State practice and there must be 'a belief that such practice is required, prohibited or allowed ... as a matter of law ...' (Henckaerts 2005, 178); because customary international law is based on a combination of State practice and rules that are generally accepted among nations, it is therefore difficult to determine its precise content. Those core provisions of the Hague Convention that are accepted as customary international law include the primary responsibility of nations to protect the cultural property located within their own territory, the obligation to avoid targeting cultural sites, subject to the military necessity waiver, and the obligation to prevent members of the military from engaging in theft, pillage and misappropriation of cultural property. Beyond these core principles, however, it is difficult to determine what other provisions of the main Convention and the two Protocols are part of customary international law.

In addition to the Hague Convention and its Protocols, other international instruments are available to protect cultural property. For example, Article 53 of *Additional Protocol I* of the *1977 Protocols to the 1949 Geneva Conventions* states that it is prohibited '(a) to commit any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; (b) to use such objects in support of the military effort; (c) to make such objects the objects of reprisals'. Similar provisions appear in *Protocol II to the Geneva Conventions*, but these are focused more explicitly on conflicts of a non-international character. Finally, article 8 of the Rome *Statute of the International Criminal Court* includes among its serious violations 'intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes [and] historic monuments ... provided they are non-military objectives'.

RECENT DEVELOPMENTS

The situation with respect to ratification and implementation of the Hague Convention is in the process of radical change. In 2004, on the Convention's 50th anniversary, the United Kingdom announced its intention to ratify the Convention. Following the release of a Consultation Paper and opportunity for public comment, the United Kingdom introduced draft legislation for implementation of the Convention and both Protocols in January 2008. This legislation is notable for establishing, in line with the requirements of the Second Protocol, a criminal offence for serious breaches of the Convention and of the Second Protocol, including liability for those in command. The legislation also implements the First Protocol by establishing a criminal offence for a person who deals 'in cultural property illegally exported from occupied territory knowing or having reason to suspect that it has been unlawfully exported'. This legislation has, however, become bogged down in discussion over certain aspects of implementation and the UK has not moved further towards ratification. New Zealand also introduced implementing legislation for all three instruments in Parliament at the beginning of September 2008, but has so far ratified only the main Convention.

Although the United States signed the Convention in 1954 it took no further action throughout the Cold War because of objections from the military. With the collapse of the Soviet Union, the US military withdrew its objections. President Clinton transmitted the Convention and First Protocol to the Senate Foreign Relations Committee in 1999, but no action was taken until the State Department placed them on its treaty priority list in early 2007. The Senate Foreign Relations Committee held hearings in April 2008, and the Senate gave its advice and consent to ratification of the Convention in September 2008. The United States deposited its instrument of ratification on 13 March 2009 and immediately became a party under Article 33, which allows ratification to be given immediate effect for nations currently engaged in armed conflict. Although President Clinton transmitted the First Protocol in 1999 along with the main Convention, and it was placed by the State Department on its treaty priority list, the Senate Foreign Relations Committee did not consider it, and it was not voted on by the Senate.

United States ratification of the Convention was subject to four understandings and one declaration. The First Understanding states that the level of protection accorded to property under special protection is one that is consistent with existing customary international law; the Second Understanding states that the action of any military commander or other military personnel is to be judged based on the information that was reasonably available at the time an action was taken; the Third Understanding states that the rules of the Convention apply only to conventional weapons and do not affect other international law concerning other types of weapons, such as nuclear weapons; and the Fourth Understanding states that the provisions of Article 4(1) requiring Parties 'to respect cultural property situated within their own territory ...' means that the 'primary responsibility for the protection of cultural objects rests with the Party controlling that property, to ensure that it is properly identified and that it is not used for an unlawful purpose'. The Declaration states that

the Convention is self-executing, meaning that it operates 'of its own force as domestically enforceable federal law', without requiring any implementing legislation, but the Declaration also notes that the Convention does not confer any private rights enforceable in US courts (Senate Foreign Relations Committee 2008).

While US policy has been to follow the principles of the Convention, ratification brings additional advantages. It will increase awareness of the importance of protecting cultural heritage during conflict, including the incorporation of heritage preservation into all phases of military planning, and it will clarify the United States' obligations and encourage both the training of military personnel in cultural heritage preservation and the recruitment of cultural heritage professionals into the military. The area where ratification of the Hague Convention could have the greatest impact is in preventing unintentional damage resulting from ignorance rather than intentional actions, as the possibility of unintentional damage is reduced through the educational efforts required by the Convention. A military that is better informed about the value of cultural heritage and the specifics of the cultural heritage of an occupied territory (such as the location of sites and monuments) will be less likely to cause unintended harm. Perhaps most importantly, ratification sends a clear signal to other nations that the United States respects their cultural heritage and will cooperate with its allies and Coalition partners in achieving more effective preservation efforts in areas of armed conflict.

CONCLUSION

While the 2003 Gulf War caused devastating losses to Iraq's cultural heritage, far beyond those sustained in the looting of the Iraq Museum, the war also seems to have provided the necessary impetus for several of the major military powers to take action to ratify and implement the 1954 Hague Convention. Unlike the United Kingdom, which is attempting to address all three instruments at the same time, the United States has not moved on either of the two Protocols. Such action must await review by the appropriate executive agencies. However, the same motivations for ratification of the main Convention apply to ratification of the two Protocols. In particular, the United States may be left in a situation in which its closest military allies will be subject to differing legal requirements with regard to the protection of cultural heritage during armed conflict and occupation. It is to be hoped that the United States will soon consider the two Protocols so that it can continue to demonstrate its commitment to preserving the world's cultural heritage.

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2

Rescuing Europe's Cultural Heritage: The Role of the Allied Monuments Officers in World War II

KRYSIA SPIRYDOWICZ

INTRODUCTION

Throughout history the looting of enemy property in times of war has been an accepted practice. Monuments, works of art and culturally significant objects have always been favoured targets. Not until the 20th century did a more enlightened attitude finally emerge. The most successful large-scale action to rescue and protect cultural property in the 20th century occurred during World War II. British and American fine art advisers were attached to fighting units in the Allied forces in Europe with the express objective of preserving what remained of Europe's great architectural and artistic traditions. This chapter will focus on the history and accomplishments of this extraordinary group of men and women.

INITIAL RESPONSE

In the early 1940s the occupation of Western Europe by Nazi forces led to growing concern, both in Britain and in America, over the protection of works of art and monuments located in the war zones. In the USA, numerous civilian groups were formed at centres of learning. The most prominent of these included a special committee of the American Council of Learned Societies and the American Defense–Harvard Group, which consisted of concerned faculty from Harvard University in combination with local citizenry (Smyth 1988). In response to a request from the War Department, both groups began to prepare lists of art objects and monuments requiring protection in occupied territories or in possible theatres of war.

A four-part report was produced which consisted of lists of monuments and artworks organised by country and included an explanation of the significance of the material, a brief historical outline and a short bibliography. Also included was a brief 'first aid' manual outlining principles and practices of safeguarding and preserving cultural material in the field as well as lists of military and civilian personnel experienced in handling cultural material (Perry 1943). This comprehensive document, which included lists for virtually all enemy-occupied countries, was all the more remarkable for the fact that it was completed within eight months by busy museum professionals and academics.

Lobbying of the US government by the Harvard Group and the American Council of Learned Societies, combined with the efforts of prominent individuals such as Francis Henry Taylor, Director of the Metropolitan Museum of Art, and William