

Heritage Destruction in the Mediterranean Region

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All over the news we see cultural property,¹ often connected to the cradles of civilization, being damaged, smuggled and abused. Currently much devastation is taking place in the Middle East and North Africa (MENA) region, more specifically the Mediterranean area, e.g. Syria, Iraq, Libya and Egypt. Within the size limitations of this article I will indicate some problems, causes and possible solutions regarding safeguarding cultural property. These examples will hopefully stimulate discussion, research and a more pro-active approach towards short and long-term solutions.

Problems and Deficiencies

Because of recent conflicts and upheavals, some of which are ongoing, substantial parts of the world's cultural resources, which are not just artworks but also containers of identity and memory, have been lost or are under threat. In modern asymmetric conflicts cultural property protection (CPP) is a complex and serious issue due to the variety of stakeholders with unbalanced interests, its multidisciplinary character and the potential sensitivity of heritage issues, which is often connected with local, national or religious identities. Since institutionalized CPP emergency activities as mandatory operations under national and international law are virtually absent, a

small number of cultural experts, often acting as concerned private individuals without funding, took matters into their own hands to give a good example for official CPP institutions. This resulted in a modest number of relevant and innovative activities like undercover on-site emergency assessments and engagements with military stakeholders resulting, for instance, in cultural no-strike lists, as was used in Libya in 2011 and the development of CPP doctrines for military operational planning (Kila & Zeidler 2013, Kila & Herndon 2014.). Notwithstanding this, CPPs should no longer be taken care of solely by the purview of this small group of concerned people. Phenomena like using cultural property to finance conflicts, iconoclasm, military aspects, CPP and global security, strategic communication (parties as protectors or destroyers of culture) and conflicting interests of old and new stakeholders need structural research and organization. Furthermore, the links with identity, counterinsurgency, transnational organized crime and illicit trafficking, including its related transnational finance flows, heritage as a resource for local development and the overlap between cultural and natural resources need attention. Worldwide cooperation is also dependent on new stakeholders like military organizations, crime experts, tourism organizations and cultural diplomats. Although legal frameworks for heritage protection appear in place (e.g. The Hague 1954, the Rome Statute 1998), today's state of cultural property in conflict areas clearly illustrates that the effectiveness of policies and strategies (to be) implemented by institutions tasked with CPP in the event of conflict is insufficient. Most institutions seem to lack pro-activity and tend towards bureaucratic and risk-avoiding behaviour (Wilson 1989, Kila 2012, Kila, Zeidler 2013). The latter relates to (over) politi-

¹ The legal term widely used for cultural heritage.

cising heritage because of sensitivity caused by identity, religion and economic issues. Consequently, essential developments concerning the changing status of heritage, its economic value, heritage protection as an instrument in counter-terrorism denying the enemy financial means to prolong a conflict and legal developments, e.g. the criminalization of offenses against cultural property in international criminal law, are not studied in a coherent transdisciplinary context.

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Organizations themselves claim lack of funding as a major reason for their indolence. In the meantime devastation continues, whereas the international cooperation, coordination and research that should drive transdisciplinary, interagency and emergency endeavours, as well as the necessary funding, is either lacking or misspent. In this context a recurring misconception is that although protection of heritage is important, aid to those in need because of conflicts and natural disasters should have priority. This line of argument does not hold water because one does not exclude the other. CPP and humanitarian aid are substantively and financially separate. No funds are withdrawn from monies allocated to humanitarian disasters when heritage is protected.

Europe and CPP

One could say that CPP including combating illicit trade in artefacts is not the specific capability of the EU. Certainly it is not stated per se in the treaties, but it does fall within several areas of EU compe-

tence. Examples of this are the internal market, freedom, security and justice (AFSJ) and culture along with common foreign and security policy (CFSP). The EU probably has no CPP expertise capability but there are experts that can provide knowledge on this. Stakeholders like NATO², Europol, Interpol and the International Criminal Court, all based in Europe, share identical problems (lack of cultural expertise and funding), so potentially this burden can be shared making it less costly and more efficient. An example: a potential step forward was made by creating the EU CULTNET,³ in theory a platform for networking, expertise and knowledge sharing. Alas, so far this initiative is in a sleeping modus and there are the usual rumours over its lack of funding. In 2015, the EU Parliament called on Member States to take necessary steps to involve universities, research bodies and cultural institutions in the fight against illicit trade in cultural goods from war areas. Instead of just calling the usual re-active institutions, and in an attempt to really act without delay, a task force including cultural experts with proven track records and strong networks is highly advisable. Such an entity can be created at short notice to provide expert advice for all stakeholders. Simultaneously Europe should start coordination, research and education regarding CPP and the implementation of (legal) instruments to safeguard cultural property. Currently the United States do more than Europe, and unfortunately there is little cooperation with them on this topic; maybe this will change when Europe follows in taking responsibility for CPP in the context of conflicts.

The Mediterranean Region

Cultural heritage can suffer from multiple types of damage and offences related to conflict. Typical examples include collateral damage, vandalism, encroachment as part of development, iconoclasm and looting. In Libya and Syria all these phenomena occur simultaneously; Syria is already seriously affected and Libyan heritage is, for the most part, still under threat. Moreover, we should consider that,

² Military organizations especially NATO do not have CPP expertise nor are they hiring experts to educate the military and to bring CPP into operational planning doctrines.

³ Council Resolution 14232/12 of 4 October 2012 on the creation of an informal network of law enforcement authorities and expertise competent in the field of cultural goods (EU CULTNET).

according to several sources, substantial numbers of artefacts looted and smuggled out of the Mediterranean region are hidden in secret depots. These will enter the market in the future. As the NY Times put it: "Long-established smuggling organizations are practiced in getting the goods to people willing to pay for them, and patient enough to stash ancient artefacts in warehouses until scrutiny dies down."⁴

Some Case Examples

Syria

Many important sites, libraries, archives, churches and mosques in Syria were destroyed in 2015. All warring parties are guilty of devastation and illicit trade, but IS drew the most attention. We all remember images of temples and graves in Palmyra being blown up by IS, not to mention the execution of Palmyrian archaeologist Khaled al-Asaad in August 2015.

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In Syria, we see the return of iconoclasm driven and legitimized as an excuse for eliminating perceptions of heresy as well as the 'recycling' of antique monuments originally built for defence, like Krak de Chevaliers, Palmyra's Fakhr-al-Din al-Ma'ani Castle or the destroyed Temple of Bel. Iconoclasm is not only directed at immovable heritage but also at written heritage making manuscripts and books equally at risk. The majority of today's warring parties are guilty of destruction intentionally or by accident while disregarding cultural property's protected status under

(inter)national laws. The increase in looting and illicit traffic of cultural property, the revenues from which are used to finance conflicts, implies that CPP can be a military incentive (force multiplier) denying the enemy the means to prolong a conflict. CPP should therefore be part of military operational planning processes (OPP). NATO could play a role in this, helped by cultural experts, by supplying CPP doctrine planning models to Member States. The ICC should investigate possibilities of prosecuting cultural war crimes in Syria through international criminal law and certain treaties that give the ICC jurisdiction in Libya. Cultural expertise is needed for organizations like the ICC and, therefore, funding has to be in place.

Libya

Present-day Libya is divided in two parts controlled by two rival 'governments,' in Tripoli and (recognized internationally) Tobruk. Negotiations are taking place under supervision of the United Nations to unite the country again. The latest news is the announcement of a new government of national accord temporarily based in Tunis. The Department of Antiquities in Tripoli is still active (January 2016) and has made urgent demands for international help in order to assess the nature of the threats against Libyan heritage in situ and to find simple and cheap solutions. Libya has five UNESCO World Heritage sites: the ancient Greek archaeological sites of Cyrene; the Roman ruins of Leptis Magna; the Phoenician port of Sabratha; the rock-art sites of the Acacus Mountains in the Sahara Desert; and old Ghadamès, an oasis city. Sites like Leptis Magna are out in the open and exposed to all kinds of threats, especially theft and urban encroachment. The Benghazi area suffers from a lack of security, and Cyrene is not only threatened by looting, but also by (illegal) commercial developments destroying precious heritage. At the end of 2015, pro-ISIL militants took temporary control of part of the town of Sabratha to free members seized by a rival militia. Libya's anti-government Islamic militants have aligned with IS and are active in the surroundings of Sabratha, which people fear will fall victim to iconoclasm and looting. Iconoclastic at-

⁴ Source www.nytimes.com/2016/01/10/world/europe/iraq-syria-antiquities-islamic-state.html?_r=0 accessed on 20 January 2016.

tacks have already taken place against Sufi tombs and mosques, amongst others, in Tripoli. Several international structures and organizations exist that could and should deal with CPP in Libya but they are not doing so (effectively) because they are (or feel) restricted often by their own governments, due to possible political implications.

Conclusions

Cultural heritage abuse and destruction are rampant. Old phenomena like iconoclasm are back in strength. Iconoclasm arose in Europe in the iconoclastic rage of 1566 in which Calvinists destroyed

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statues in Catholic churches and monasteries. Apart from being driven by religious motives, the destruction of antiquities and cultural objects of heritage in the Mediterranean region seems to be used as a modern form of psychological warfare. Attacks on cultural heritage also show elements of cultural genocide and, as acknowledged by the United Nations, war crimes or even crimes against humanity. Monuments and cultural objects stand for the identity of groups and individuals. If you want to hurt a

society or a nation at its heart or erase their existence from historical memory, then their cultural heritage is a grateful prey. The main concern is that there is presently no operational protection system being implemented based on international cooperation and coordination. Legal obligations and sanctions are not sufficiently implemented and enforced – for instance, cultural war crimes should be prosecuted by the International Criminal Court. Can we stop the destruction of our shared cultural heritage in the Mediterranean area? This is hard to say, but we, especially Europe, should now, more than ever, resist the dismantling of our shared identity and become pro-active.

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