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### Heritage under siege: military implementation of the 1954 Convention for the Protection of Cultural Property

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## Appendices:

### Appendix 1 Dutch CIMIC Civil Assessment report Iraq

CIMIC Group North Civil Assessment Team Iraq 26 augustus 2003 – 10 september 2003

## Hoofdstuk 4: CULTUUR (*CULTURAL AFFAIRS*)

Lkol (R) drs. Joris Kila ed. Lkol (R) Rob Schuurman, Majoor (R) Dr. Rudolf de Jong.

### 1. BEVOLKING EN SOCIALE STRUCTUUR

- a. De provincie (of governoraat) Al-Muthanna staat met bijna 500.000 inwoners tot nu toe bekend als een van de rustigste provincies in Irak. Door deze relatieve rust in de rurale en qua ontwikkeling achtergebleven provincie, haar ligging aan de 300 km lange (en nauwelijks bewaakte) grens met Saoedi-Arabië, en het feit dat deze grens door vrijwel leeg woestijngebied loopt, vindt er veel smokkel en illegaal verkeer plaats van ongewenste individuen (politieke tegenstanders van de coalitietroepen zoals voormalige Ba'ath leden en moslim extremisten).
- b. De meeste bewoners van de provincie leven in het noorden, waar het gebied wordt doorsneden door de Eufraat. De belangrijkste dorpjes/stadjes daar zijn Khidr (rond 30.000 inwoners.), Rumaytha (bijna 80.000 inwoners.) en de hoofdstad van de het governoraat, As-Samawah (ruim 150.000 inwoners). Verder bevindt zich in het centrale deel van de provincie – op weg naar de Saoedische grens, zo'n 200 km ten zuiden van As-Samawah midden in de woestijnvlakte – nog het plaatsje Salman (ongeveer 1.500 inwoners), dat tegenwoordig blijkt te fungeren als centrum voor genoemde smokkelpraktijken.
- c. De bevolking van Al-Muthanna, vrijwel allen sjiieten, bestaat uit een mengeling van bedoeïenen en boeren op het platteland, en "stedelingen" in As-Samawah (de andere stadjes/dorpjes hebben een veel ruraler karakter). De bedoeïenen die nog een nomadisch bestaan leiden (en vaak niet uit Irak, maar uit Saoedi-Arabië afkomstig zijn), zijn 's zomers te vinden aan de randen van het vruchtbare land, waar ze hun kleinvee en kamelen laten grazen en vertoeven in hun tenten.
- d. Sedentaire bedoeïenen en boeren bewonen de bevoelbare landerijen, waarop zij landbouw bedrijven. Voor deze landbouw zijn zij geheel afhankelijk van een stelsel van irrigatiekanalen waarmee water van de Eufraat wordt verdeeld.
- e. Vrijwel iedere inwoner van Al-Muthanna – bedoeïen, boer of stadsbewoner - is gelieerd aan een bepaalde stam, waarvan er omstreeks veertien zijn. In principe is een Irakees in eerste instantie loyaliteit en gehoorzaamheid verschuldigd aan zijn/haar familie of clan. Vervolgens ligt zijn loyaliteit bij het grotere stamverband, en pas op de laatste plaats komt gehoorzaamheid aan de lokale overheidsinstanties. Idealiter vallen de belangen van overheid en stam samen, maar het kan zijn dat loyaliteit aan de stam strijdig is met die aan de overheid. Bij de wederopbouw worden daarom in de lokale overheidsstructuur ook zoveel mogelijk de sjeiks van de lokale stammen betrokken, zodat in een pril stadium van de besluitvorming consensus kan worden gevormd over te nemen maatregelen.

### 2. PROJECTEN OP HET GEBIED VAN CULTUUR EN ERFGOED

- a. Het gaat hier voornamelijk om "Low Cost High Visibility" projecten.
- b. De beveiliging (tegen plundering) van Uruk en andere archeologische sites in de naaste omgeving. Met de KMar zijn tijdens de missie reeds eerste afspraken gemaakt voor extra patrouilles.
- c. Uruk
  - (1) Eén van de oudste en belangrijkste steden van Zuid Mesopotamië, gelegen aan een Eufraat-arm ca. 250 km ten zuidoosten van Bagdad; thans Warka. De Ziggurat is de grootste ruïneheuvel in dit gebied, met een oppervlak van ca. 680 ha. Opgravingen (nu reeds jaren gestaakt vanwege de politieke situatie) hebben nog maar een deel van de stad kunnen blootleggen.

- (2) Uruk is het van de oudst bekende stedelijk gebied van Mesopotamië; al voor 4000 v. Chr. woonden hier mensen. In het vierde millennium vestigden zich de Sumeriërs in de stad. De belangrijkste gebouwen die in deze tijd werden opgetrokken waren de grote "ziggurat" (tempeltoren) van de oppergod Anu, en de tempel gewijd aan de godin Inanna (Venus). Deze gebouwen hebben tot het einde van de bewoning van de stad bestaan.
  - (3) De belangrijkste periode in de geschiedenis van Uruk was ongetwijfeld de tijd van ca. 3400 tot 2800 v. Chr. Het is de tijd van de zgn. "high civilisation", een periode waarin een geweldige sprong voorwaarts werd gemaakt op bijna elk denkbaar gebied. Naast grote bouwwerken, die een goede organisatie van het bestuur doen veronderstellen, was er vooral de uitvinding van het spijkerschrift. In de vondsten kan men de ontwikkeling die tot vervolmaking van dit zogenaamde cuneiform leidde goed volgen: eerst klei-enveloppen met stukjes klei die bepaalde hoeveelheden weergaven, daarna tabletten met daarop dezelfde tekens. Tenslotte werd daarbij een schriftteken gevoegd, dat een bepaald voorwerp voorstelde, zoals een kruik of een dier. Later werden deze tekens gebruikt om de taal te schrijven, in dit geval het Sumerisch. In Uruk is het spijkerschrift niet alleen ontstaan maar het heeft zich vandaar over het hele oude Nabije Oosten uitgebreid. Men kan met recht zeggen, dat in Uruk voor het eerst door mensen geschreven is
  - (4) In de 27e en 26e eeuw moet Uruk ook een belangrijke stad geweest zijn, al valt dit uit de vondsten niet zo duidelijk op te maken. Het is de tijd van grote koningen als Enmerkar, Lugalbanda en vooral Gilgamesh, die de hoofdpersoon geworden is van het naar hem vernoemde epos. Hij zou de grote muur van Uruk hebben gebouwd, die inderdaad in deze periode ontstaan moet zijn. Gilgamesh is zelf nog niet in een eigentijdse tekst opgedoken. Wel hebben we die voor twee tegenstanders uit het noordelijk gelegen Kish. Hoewel Uruk een belangrijke stad bleef vervulde het geen leidende rol meer in de politiek van Mesopotamië.
  - (5) In de Oud-Babylonische tijd raakte Uruk betrokken in conflicten tussen verschillende steden, zoals buurstad Larsa (waar ook belangrijke archeologische sites liggen) en het noordelijke Babylon. In de 18e eeuw werden door de Babylonische koning als straf de muren van de stad afgebroken. Daarna zwijgen de bronnen lange tijd over Uruk. Waarschijnlijk hoorde de stad tot in de 9e eeuw bij het 'Zeeland', een gebied aan de rand van de Perzische Golf, waar ook nu nog veel moerassen zijn, en waar de Babylonische koningen moeilijk greep op konden krijgen.
  - (6) Pas vanaf de 9e eeuw v. Chr. weten we meer over Uruk. De stad speelde een belangrijke rol in het verzet tegen de Assyrische overheersing en lag nu in het gebied van de Chaldeeuwse Bit-Amukani stam. In de burgeroorlog tussen de Assyrische koning Assurbanipal en diens broer, de gouverneur van Babylonië, koos Uruk de kant van de Assyrische koning. Merkwaardig genoeg is Uruk vooral belangrijk gebleken voor de 'uiteinden' van de Mesopotamische beschaving. Niet alleen de oudste tijd, maar ook de jongste tijd (3e-2e eeuw v. Chr.) heeft heel veel teksten opgeleverd, die ons laten zien, dat de Babylonische cultuur nog springlevend was, al gaat het hierna wel snel bergafwaarts. In de Parthische tijd (2e-3e eeuw na Chr.) kwam Uruk opnieuw tot bloei, maar zal vermoedelijk niet lang daarna verlaten zijn.
- d. Het opbouwen van de lokale oudheidkundige dienst (The Local State Board of Antiquities and Heritage).
- (1) De leiding is in handen van de archeoloog Toufiq Abed Mohammed die nu tevens de enige werknemer is; hij wordt door Bagdad betaald. De oudheidkundige dienst moet aan een nieuw onderkomen geholpen worden, want het huidige kantoor is gevestigd in een zwaar geplunderd en gebombardeerd gebouw dat op instorten staat.
  - (2) Ook zijn meubels en kantoormiddelen noodzakelijk alsmede training en begeleiding op onder andere het gebied van management en registratiemethoden van cultureel erfgoed.
  - (3) Er is een verzoek binnengekomen om de Kunstacademie annex stedelijke muziekschool aan een onderkomen en middelen te helpen.
  - (4) Een cultureel en educatief belangrijk project vormt de wederopbouw van de stedelijke bibliotheek in As-Samawah. Het gebouw is zwaar beschadigd en de collectie is verdwenen dan wel vernietigd. Een Nederlandse organisatie heeft een grote collectie studieboeken toegezegd.

### 3. CULTUURBEWUSTZIJN EN CONSEQUENTIES VOOR COALITIE- EN NL TROEPEN

#### a. Gesprekken/tolken

- (1) Vrijwel geen van de lokaal ingehuurde tolken is professional, d.w.z. getraind als tolk en getoetst op vertaalvaardigheid en betrouwbaarheid. Meestal zijn deze gerekruteerd uit wat er nu eenmaal beschikbaar is, zoals bijvoorbeeld docenten of studenten Engels.
- (2) Door hun gebrek aan training en ervaring gaat het bij gesprekken regelmatig mis: essentiële informatie gaat dan in de vloed van gedachtenuitwisselingen verloren. Zelfs als drie keer om specifieke informatie wordt gevraagd, komt het vaak voor dat de gevraagde informatie verloren gaat in het exposé dat daarop als antwoord volgt.
- (3) Enkele tips om dergelijke situaties te vermijden:
  - (a) Stel korte duidelijke vragen waarin zoveel mogelijk naar slechts een enkel feit wordt gevraagd.
  - (b) Instrueer de tolk zelf behapbare stukken te tolken en bij langere stukken desnoods aantekeningen te maken van wat er wordt gezegd.
  - (c) Laat de tolk ook de gesprekspartner tijdig onderbreken om te kunnen tolken.
- (4) Aan de andere kant bleek CIMIC (en DART) personeel zeer wel in staat in korte tijd tot de kern door te dringen door het blijven herhalen van gerichte vragen. Dat dit soms door tijdsdruk leidt tot een verloop van het gesprek dat normaliter binnen de Arabische cultuur als onbeleefd wordt ervaren, wordt op de koop toe genomen. Aan Irakese zijde bestaat ook meestal wel begrip voor de tijdsdruk waaronder bij CIMIC wordt gewerkt. De werkwijze is “straightforward and to the point”, en men maakt snel duidelijk wat wordt gewenst van de Irakese partij. Direct worden ook afspraken gemaakt om een volgende stap te bespreken (en controleren of die is gezet). In veel gevallen wordt de Irakese partij erop gewezen dat men zijn behoeftes kenbaar moet maken bij de departementen. Toch dient men er rekening mee te houden dat een minimum aan wellevendheid betracht moet worden in contacten met de Irakese counterpart; even vijf minuutjes over koetjes en kalfjes praten en bijvoorbeeld informeren naar het welzijn van de gesprekspartner. Wie als een “Rambo” komt binnenstormen zal uiteindelijk merken dat zijn gesprekspartner slechts een minimum aan informatie geeft. Een initiële investering van vijf minuten betaalt zich in het verdere gesprek dubbel en dwars terug.
- (5) Vergeet daarbij niet dat het ook een doel van CIMIC is om goodwill te kweken onder de lokale bevolking om daarmee acceptatie van de aanwezigheid van de stabilisatiemacht te bewerkstelligen. Een “Rambo” die de deur intrapt bereikt daarmee minder dan een vriendelijke korporaal die eerst even heeft aangeklopt. Een opgedragen afstandelijke houding aannemen kan ook op een beheerste manier, hetgeen wel respect afdwingt.
- (6) Verder dient rekening te worden gehouden met de machtspositie die tolken in de lokale gemeenschap als gevolg van hun werkzaamheden opbouwen. Niet alleen verdienen zij een goed salaris, maar een tolk zou bij zijn vertaalwerkzaamheden zaken zodanig kunnen manipuleren dat hij er zelf beter van wordt (bijvoorbeeld door bepaalde aannemers – die hem daarvoor betalen – voor te dragen).

### 4. CONCLUSIES

- a. “Cultuur” bleek nog niet in enige CIMIC planning bij de Sie 9 opgenomen. Onderzoek ter plekke leerde dat er bij de bevolking wel degelijk behoefte bestaat aan hulp voor diverse projecten zoals hiervoor genoemd.
- b. Het belang van de archeologische sites binnen Al-Muthanna en dan speciaal Uruk is grensoverstijgend, aangezien er hier sprake is van mondiaal cultureel erfgoed dat qua importantie gelijk staat aan sites als de Pyramiden van Gizeh en de tempels van Luxor en Babylon. Zie verder de toelichting over Uruk.
- c. Zowel van Amerikaanse (State Department, Afdeling Cultural Heritage) als Duitse zijde (Aussenministeriums Oriëntinstitute) zijn reeds verzoeken gedaan om Uruk veilig te stellen.
- d. Er zijn berichten dat vanuit de CPA in Bagdad grote belangstelling bestaat voor de Nederlandse gemilitariseerde culturele expertise speciaal voor het museum in Bagdad.
- e. Cultureel bewustzijn onder sommige uitgezonden militairen, inbegrepen de Sie 9 vertoonde tekortkomingen die van invloed bleken op de werkresultaten.

## 5. AANBEVELINGEN

- a. Een belangrijke aanbeveling is het zenden van Functioneel Specialisten uit het Nederlandse bestand (Veldarcheologen en Assyriologen) om tijdelijk te assisteren bij de wederopbouw van de lokale oudheidkundige dienst.
- b. Tevens wordt geadviseerd om in overleg en samenwerking met Irakese deskundigen, instanties en instituten een onderzoek te doen naar mogelijkheden om behoud van de Uruk site en andere binnen het NL gebied vallende omliggende sites (consolidatie van de monumenten) mogelijk te maken. Voorgesteld wordt om Functioneel Specialisten naar het gebied uit te zenden (wellicht dezelfde die assisteren bij de oudheidkundige dienst) die ieder opeenvolgend drie weken onderzoek doen.
- c. Het verdient aanbeveling om, zeker bij grotere projecten, ook gebruik te maken van tolken die niet uit de lokale gemeenschap afkomstig zijn.
- d. Toekomstig uit te zenden CIMIC personeel dient gericht onderwijs te ontvangen in Cultureel Bewustzijn en de praktische invulling daarvan te velde door middel van door CIMIC Group North op te zetten en te verzorgen missiegerichte cursusmodules. CIMIC personeel dient daardoor in staat gesteld te worden om die kennis over te dragen.
- e. De stedelijke bibliotheek te restaureren, in te richten en zomogelijk door inzet van een FS op het gebied van bibliotheken en archieven de Irakezen te helpen met het opzetten van een catalogus, registratie systeem en een klimatologisch concept om boeken en documenten in goede conditie te houden.
- f. Het zo mogelijk honoreren van een verzoek van de zijde van de CPA om met NL FS'n t.b.v. het Museum in Bagdad training op het terrein van restauratie, klimaatbeheersing, registratie, museummanagement etc. te geven. Er zijn diverse gemilitariseerde specialisten op deze terreinen beschikbaar. Eerst dient een korte fact finding mission plaats te vinden om de exacte behoefte te peilen. De kosten zijn relatief laag.

## **Appendix 2 Definition Cultural Property**

### **Cultural Property (CP)**

The definition of CP according to the Hague Convention of 1954.

The definition is found in Chapter I. General provisions regarding protection, Article 1. Definition of cultural property.

For the purposes of the present Convention, the term "cultural property" shall cover, irrespective of origin or ownership:

(a) 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 or of reproductions of the property defined above:

(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

(c) centres containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as "centres containing monuments".

Rules for the safeguarding of CP are given in Article 2. Protection of cultural property.

For the purposes of the present Convention, the protection of cultural property shall comprise the safeguarding of and respect for such property.

As a further explanation it should be mentioned that the types of CP described by the Hague Convention of 1954 can have different or shifting connotations or be of increased importance in the event of conflict or in the period just before the outbreak of a conflict (or directly after ending a conflict). This brings implications for the planning of military operations. For instance (working) archives: can be of value or danger to military intelligence (intel) due to their contents whereas historical archives can be of important for the national or ethnical identity of certain groups involved in a conflict. Often such archives contain contemporary as well as historical and cultural materials.

Monuments of architecture: can be of strategic importance in the terrain due to height (snipers) location or strategic use e.g. weapons can be hidden or stored same goes for prisoners and hostages that can be used as a human shield.

Works of art, books, manuscripts: can have propaganda value or can be considered as icons from certain ethnic, religious or political groups within a society. Even natural monuments can fill such a role e.g. the tree behind the Anne Frank house in Amsterdam<sup>334</sup> and Uluru (Ayers Rock) the sacred rock of the aboriginals in Australia.

<sup>334</sup> In 2007 there were big protests when the municipality of Amsterdam wanted to cut down a sick tree that was mentioned in Anne Frank's Diary.

There is a distinguish between material and immaterial<sup>335</sup> heritage on the latter we can list a.o. performing arts such as music and theatre, national anthems, dialects , languages, oral history and certain traditional performances, tribal rituals. These also can have links to propaganda, national pride etc. and therefore can be of relevance for military intelligence and give ‘valuable’ information for the planning phase of an operation. Certain ethics and procedures should be developed and codified for scientists, subject matter experts, militarized experts, CPP officers and the like to avoid them getting compromised. A similar approach as in the case of military medical experts seems logic in this respect.

Heritage Sites are divided into cultural heritage and natural heritage sites. Different properties recommended by each country are included in the World Heritage List after being screened according to strict criteria defined by the World Heritage Committee<sup>336</sup>.

<sup>335</sup>See the Convention for the Safeguarding of the Intangible Cultural Heritage, Paris, 17 October 2003

<sup>336</sup>The committee was founded 1976 in Nairobi aiming at: Identification, protection and preservation for future generations of the cultural and natural heritage, incl. buildings, monuments, landscapes important from a historical, art historical and scientific point of view placed on the World Heritage List by the Committee. The properties vary from cultural, natural and mixed.

## Appendix 3 CIMIC Doctrine

### NATO Civil-Military Co-Operation (CIMIC) Doctrine AJP 9<sup>337</sup> 102 DEFINITION AND APPLICATION

1. Definition. CIMIC is defined as:

“The co-ordination and co-operation, in support of the mission, between the NATO Commander and civil actors, including national population and local authorities, as well as international, national and non-governmental organisations and agencies.”

2. Application. Four further factors condition the application of CIMIC:

a. CIMIC activities form an integral part of the Joint Force Commander’s (JFC) plan, are conducted in support of his mission and are related to implementing the overall strategy and achieving a stable and sustainable end-state.

b. The Commander’s CIMIC staffs are fully integrated into his Headquarters (HQ) and have full vision of and are authorised to co-ordinate CIMIC activities in the Joint Operations Area (JOA), theatre or region.

c. In co-operating with a potentially wide range of civilian bodies, NATO forces will, as far as possible and within military means and capabilities, accommodate and support the activities of these bodies, providing this does not compromise the mission.

d. CIMIC activities are carried out with a view to timely transition of those functions to the appropriate civilian organisations or authorities.

<sup>337</sup> Source: <http://publicintelligence.net/nato-civil-military-co-operation-cimic-doctrine/>



## Appendix 4 CENTCOM Environmental guidance

HEADQUARTERS UNITED STATES CENTRAL COMMAND  
7115 SOUTH BOUNDARY BOULEVARD  
MACDILL AIR FORCE BASE, FLORIDA 33621-5101  
REGULATION  
Number 200-2  
Environmental Quality  
CENTCOM CONTINGENCY ENVIRONMENTAL GUIDANCE

R 200-2

h. Conservation: USCENTCOM forces will conserve, protect and restore (if damaged) all HN natural and historical / cultural resources, using all practical means consistent with the USCENTCOM mission. See Chapter 6: Historical/Cultural.

### Chapter 6

#### HISTORICAL AND CULTURAL PRESERVATION

6-1. SCOPE. This chapter establishes criteria to ensure the proper protection of historic and/or cultural resources within USCENTCOM AOR countries engaged in contingency operations.

6-2. BACKGROUND. Historical/cultural protection is becoming more important around the world. In 2008, the USG ratified the 1954 Hague Convention (Protection of Cultural Property in the Event of Armed Conflict). Accordingly, USCENTCOM personnel should expect future misconduct and poor decisions involving HN natural and cultural resources to have more severe consequences.

6-3. ENVIRONMENTAL RESPONSIBILITIES. The LEC will have the following procedures in place for the management of HN historical/cultural properties:

a. A process to ensure each base camp Commander take into account the effect of any proposed military action on property listed on the World Heritage List (WHL) and/or on the HN equivalent of the U.S. National Register of Historic Places.

(1) Proposed military actions should attempt to avoid and/or mitigate any adverse effects to such historic or cultural resources.

(2) Proposed military actions include, but are not limited to, the following actions:

- (a) Construction
- (b) Demolition
- (c) Combat operations
- (d) Training
- (e) Land-use

b. World Heritage List (WHL): Ensure base camps have access to the WHL and/or the HN equivalent of the National Register of Historic Places to assist in historical/cultural planning and decision making.

c. Inventories: Base camps are required to do an

archaeological inventory to record and report all historic and/or culturally significant locations at and near the base camp. The LEC will keep a master inventory.

d. Archaeological Maps: Each base camp is required to keep an updated map of all known or suspected archaeological and other historical/cultural resources at and near their base.

e. Interim Measures: Establish interim measures sufficient to protect archaeological or other historical/cultural resources until appropriate mitigation or preservation can be completed (e.g. signage, declaring the area off limits, or removal).

f. Infrastructure Improvements: Each base camp will take into consideration the possible harm to HN relationships and the potential damage to HN historic/cultural properties during base camp infrastructure improvements, new construction, demolition and/or mitigation projects. See Appendix K: Historical/Cultural Flowchart

g. Historical/Cultural Discoveries made on a Base Camp: Items of potential historical/cultural importance that are discovered during the course of construction and/or demolition work on a base camp will be preserved and protected. The base commander will consult with the LEC and then make a decision on final disposition.

If possible, include coordination with the HN authorities and do the following:

(1) Temporarily suspend work within a 5 meter radius of the find.

(2) Do not search for additional cultural material by digging or exploring within a 5 meter radius.

(3) Contact local or reach back historical/cultural experts to determine the significance of find.

(4) Document the date, location, and nature of the find with GPS, photography, and notes.

(5) Leave the find in place if possible and protect it from damage and/or additional damage.

(6) Place historical/cultural materials in a protective container (bag or box) and label the container with the location,

date of encounter, name of contents, and name of recorder if they must be removed.

(7) Report the encounter and site location through the proper chain of command. All photographs, notes, and objects must remain together. Turn them into the nearest local museum as soon as possible if they are significant.

h. Historical/Cultural Discoveries off Base Camp: Items of potential historical/cultural importance discovered off base camp will be reported to the LEC. Record the location, description, and if possible pictures of the discovered items. This information will be transferred to the appropriate HN authorities if it is significant.

i. Proper Conduct: USCENTCOM personnel (military, civilians, contractors) must not pick up or disturb artifacts found on or

below ground surface without proper authorization.

(1) Do not alter any standing monument or building suspected to be protected cultural property.

(2) Do not make military use of any protected cultural property, monument, archaeological site, historic or religious building unless there exists a genuine and imperative military necessity with no feasible or logical alternative.

(3) Do not purchase artifacts, antiquities, or cultural heritage items without proper authorization.

(4) Do not dig without first determining whether the location is a protected archaeological or historical/cultural site.

j. Training: Units involved in construction and/or ground disturbing activities will designate a historical/cultural resources manager. This individual will complete a basic archaeology awareness training course.

## Appendix 5 NATO STANAG cultural resources

### STANAG 7141 EP JOINT NATO DOCTRINE FOR ENVIRONMENTAL PROTECTION DURING NATO LED MILITARY ACTIVITIES

A few excerpts that relate to Cultural Property protection:

b. Identify the characteristics of the environment that may be impacted by or have an impact on NATO led military activities, i.e.:

- (1) general environmental condition of the area;
- (2) climate;
- (3) water quality;
- (4) air quality;
- (5) natural and cultural resources;
- (6) presence of endangered species and critical habitats;
- (7) presence of birds or bird migration routes.

c. Identify potential (environmental) impacts caused by military activities, including the impacts of alternatives and contingencies, e.g.:

- (1) **Water Pollution.** This pollution may include emissions from human wastes (black water), wash and rinse waters (grey water), erosion and

c. Identify potential (environmental) impacts caused by military activities, including the impacts of alternatives and contingencies, e.g.:

7) **Endangerment of Natural and Cultural Resources.** Impacts on natural and cultural (historic and archaeological) resources should be prevented where possible.

b. Environmental planning. An environmental plan should be developed using this guidance, and should be part of the OPLAN or exercise directive as a separate annex. The plan should include provisions for environmental contingencies, a list of the identified risks and prescribed mitigation measures. Evaluation of the plan should be conducted to incorporate any lesson learned in future planning.

c. Implementation. The commander should ensure all personnel are trained and aware of environmental issues. There must be clear assignment of responsibilities and resources where applicable for environmental protection. Units must work with local authorities and the community to identify and resolve problems.



Mission  
Report

Civil-Military Assessment Mission for Egyptian  
Heritage

By Blue Shield and

IMCuRWG February 12 to

16, 2011

**Objective**

The objective of the mission was to assess possible damages and looting attempts to Egyptian Heritage sites and museums after the recent unrests.

Many contradicting messages were reported regarding looting and vandalism, without the possibility of properly checking the real situation. Therefore there was an urgent need to send a mission especially to those sites that were supposedly affected by criminal acts, in order to **document** the situation, to **state** damages incurred and to **encourage** the parties involved to further efforts in protecting the invaluable Cultural Heritage of Egypt.

**Composition of the Mission**

The mission had 3 main persons involved.

**Karl von Habsburg** is President of the 'Association of National Committees of the Blue Shield' (ANCBS) since 2008. He is a former member of the European Parliament for Austria and has specialized in International Humanitarian Law and Intangible Cultural Heritage Protection. A former air force pilot, he is still serving in the reserve of the Austrian armed forces as Cultural Property Protection Officer. He is vice president of the Austrian Society for the Protection of Cultural Heritage and a founder member of Blue Shield Austria. Karl von Habsburg is frequent lecturer and author of several publications on the subject of Intangible Cultural Heritage Protection and Military Cultural Property Protection.

**Drs. Joris Kila** is chairman of the 'International Military Cultural Resources Work Group' (IMCuRWG). He is a researcher at the Institute of Culture and History of the University of Amsterdam. He has been acting chairman of the cultural affairs department at the Civil-Military Cooperation (CIMIC) Group North in the Netherlands, and in that capacity he

undertook several cultural rescue missions in Iraq and FYROM (Macedonia). He is author and co-author of several publications on the subject of Cultural Property protection in times of armed conflict utilizing militarized experts. He is a reserve Lieutenant Colonel and is regularly asked to advise the Dutch MoD on Cultural Property protection issues. In 2008, he co-authored a study on "Vernacular Mudbrick Architecture in the Dakhla Oasis, Egypt".

**Dr. Thomas Schuler** is chairman of the Disaster Relief Task Force (DRTF) of ICOM (since 2005). He was director of the Stadtmuseum Tübingen (1985 – 1992) and of the Schlossbergmuseum Chemnitz (1992 – 2004). He has specialized in Museum Management and Disaster Preparedness and Management. He was lecturer at the Museology Department of HTWK Leipzig and is regularly offering training courses for museum staff.

Karl von Habsburg and Drs. Joris Kila went to Egypt, Dr. Thomas Schuler coordinated the mission from Germany and did background research.

### **Political Situation** (the main players)

The political environment in Egypt was still very complicated and confusing. After Hosni Mubarak stepped down as President, the Parliament was dissolved and the Constitution declared invalid. This is problematic since only the Parliament can change or amend the Constitution. The process by which the President stepped down was also not according to the Constitution, which was then still valid. This put the whole legality of the State in question.



The de facto power lays currently with the military, so making the head of the Armed Forces Supreme Council, Field Marshal Tantawi, the actual ruler of the country.

The security system in Egypt was still not really in place. The police in Cairo had literally vanished after the beginning of the demonstrations, since they were identified with the repressive measures of the old regime. They were now slowly coming back. The police functions were taken over by the military and by spontaneously created neighborhood

watch groups. There were many roadblocks around Cairo and Alexandria manned by thugs, but this was now dissipating.

The demonstrations were overall peaceful and conducted with astonishing restraint. The Tahrir Square demonstrations were dealing with the democratization process and Hosni Mubarak. Currently most demonstrations are dealing with employment, wages, bad economy and other matters.

It is foreseen that elections will take place in September; the current government staying in place though changes would be announced by the military. If elections are held earlier, it is likely that the two organizations who have currently nationwide structures, Mubaraks old National Democratic Party NDP and the Muslim Brotherhood might gain the best result.

### **Preparatory Work**

After it became clear by end of January that the Egyptian Cultural Heritage was really in danger through looting and vandalism, Karl von Habsburg and Joris Kila consulted with Thomas Schuler who had been following and analyzing the situation closely, regarding a mission to find out the truth between all conflicting messages and documenting the situation. All were aware of the very insecure situation: Travel warnings had been issued by almost all embassies in Cairo and foreigners evacuated in great numbers. Therefore it was decided that the mission should be small, flexible and conducted by Cultural Heritage Experts with military expertise. On February 5th the date was set for the mission to take place a week later.

While Thomas Schuler was conducting media research and liaising with academics, Karl von Habsburg and Joris Kila were activating their contacts in the political and diplomatic world, but also their personal contacts in Egypt. The staff of the Austrian Embassy in Cairo was also very helpful with information and organization.



Joris Kila on Tahrir Square

## Short Description of the Mission

Karl von Habsburg and Joris Kila arrived in Cairo on February 12 coming from Vienna. It was decided to take only small digital tourist cameras since until the day before often camera equipment was confiscated upon arrival. In the evening the mission decided to visit the area of the Egyptian Museum and Tahrir Square to get an impression of the situation. Getting around Cairo was very complicated, the fastest way usually by foot. Although the mood was generally jubilant, Mubarak had just stepped down and the situation was far from secure. The area of the museum was teeming with military and tanks. That evening the mission tried to make contact with their personal contacts in order to get an objective impression of the situation. A night curfew still existed.

On February 13 the mission visited the Dutch Institute. From there it was possible to reach an official of the Supreme Council of Antiquities (SCA) in Saqqara, who confirmed attempts of looting but denied anything had been stolen. A big problem was the constant stream of contradictive information as well as the large number of complot theories and fantasy or propaganda driven stories. It was also decided to focus on the archaeological sites around Cairo who had mostly not been visited by independent experts since the beginning of unrest in Egypt. The Egyptian Museum had already been visited several times at least by journalists, but the experience gained in Iraq showed that it is dangerous to focus only on one important museum and at the same time neglect the important archaeological sites. That day the mission received multiple background briefings on the situation in Egypt and Cultural Heritage.

In the morning of February 14th the mission went to the area of Saqqara accompanied by the director of the Austrian Institute of Archaeology in Cairo, but was turned away by armed guards. In Memphis they managed to get access to the open air museum. To the great relief of the mission the museum was, in spite of many contrarian reports, seemingly untouched. At noon the mission had a meeting with the Minister of Antiquities Dr. Zahi Hawass. Dr. Hawass is personally known to the mission members since many years and promised his support for the mission to visit Saqqara, Abu Sir and Dahshur. The situation at the ministry, the former SCA building, was very tense. There were vast demonstrations outside the building and the mission members had to enter and leave the building through a besieged backdoor. In the afternoon, the mission tried to check out the situation in Abydos and the Kharga Oasis by phone. Both places had reported violent unrest but damage to Cultural Heritage could not be confirmed.

On February 15th the mission, accompanied by the office manager of the Dutch Institute, left early to Saqqara. After some initial difficulties it was possible to have a conversation with the local SCA official. He was telling us about his experiences during the time of looting in Saqqara and Abu Sir. After that the mission visited several sites at Saqqara, following a provisional list of reported damages. In Abu Sir it was, due to time constraint, only possible to visit a few places reported to be affected. The mission decided it was very important to visit Dahshur, and especially the De Morgan warehouse where looting had been reported that supposedly took place until the day before the mission arrived. Although strongly discouraged to go there and with all sorts of constraints, the mission found that the doors and windows of the warehouse had recently been walled in (the mortar still being wet). The accounts of the local guards were not encouraging. At the end of a day enriched by a constant sandstorm, the mission visited the red pyramid of Snefru at Dahshur.

On February 16th, the mission still explored further possibilities to support training of Cultural Heritage Protection staff in Egypt and left back in direction of Vienna in the afternoon.



## Results

### Memphis

The museum was seemingly untouched. No broken windows in the office building, no signs of vandalism. The shopping stalls were equipped with the usual goods but no personnel. There might have been demonstrations in front of the museum. Later info learns that there is supposed to be a warehouse containing objects somewhere in the environment; however the mission did not know at the time, so possible damage to this facility was neither checked nor confirmed.



Assessment of Memphis by the Director of the Austrian Archaeological Institute at Cairo, Irene Forstner-Müller, Joris Kila and Karl von Habsburg.



Even the souvenir shops at Memphis remained untouched.

## Saqqara

The museum and the main storage facilities next to the main office building were untouched according to the SCA inspector, but could not be visited.

During the tour of the premises the mission went first to see the tomb of Mereruka – it looked seemingly undamaged

Teti – undamaged

Tomb of Kagemni – the door was opened by vandals but now it was welded shut, supposedly no damage.

Unas Pyramid – was especially opened for the mission, obviously closed since a long time and was untouched.

Tomb of Isisnofret – door was welded, supposedly unharmed

Tomb of Maya – clear signs of vandalism (broken locks, broken pieces of wood), supposedly no looting. The entrance to the famous reliefs was sealed with an SCA seal so it could not be visited. It was guaranteed to be in perfect order. The mission had no real reason to doubt this, since reliefs were generally left untouched.

Tomb of Tia & Tia – cupboards for reliefs were not locked, though reliefs look untouched. Some cupboards were sealed but definitely only after the break in.

Tomb of Horemheb – seemingly untouched, same as Tia.

2 brothers – new locks, doors welded shut, definitely broken into before. The same applies to Nefer.



The guard house at the entrance to the site is intact and the police is back on duty.



Chamber of the Unas pyramid

### **Abu Sir**

The mission was told by a very helpful SCA inspector about illegal diggings. Supposedly they went no deeper than 50 cm and were already filled in again. But the illegal digs were too far away to be checked within the limited time available. It was decided to visit only the Mastaba of Ptahshepses as an example. This one could not be locked, and the mission was told that there had been people there but no damage could be immediately assessed.



Assessment of Abu Sir by the Office Manager of the Dutch Institute at Cairo, Tilly Mulder, ( with Joris Kila and Karl von Habsburg).

## Dahshur

The mission went to see the De Morgans storage facility. It was recently broken into several times up to February 14th, but now the doors and windows were walled off. The roof was secure. The mission found ammunition shells around the compound. Important pieces were supposedly brought to other more secure warehouses, but there was no doubt that looting on a big scale took place.



De Morgans storage facility

### **Lessons Learned**

The mission was definitely necessary and very well received as shown by the encouragement of the local staff on site, once they were convinced that the mission was about Cultural Heritage Protection and not about journalism or tourism.

A crucial element of the mission proved to be the reach-back capacity at the home base (office of Dr Thomas Schuler in Chemnitz / Germany) that was constantly furnishing the newest information and coordinating contacts.

The mission would not have been possible without a concentrated effort from the people in public positions, diplomacy and the military. A basic condition for the operation was the willingness of the participants to go and take certain risks without waiting for insurances. The disappointment that other big NGOs and GO's dealing with Cultural Heritage, had not yet managed to send experts or assistance to Egypt could be heard from all sides.

### **Suggestions for the Future**

It is important to plan further missions in Egypt in the near future, since only a very small portion of areas where damage was reported could be surveilled.

It is strongly suggested by the mission that a conference in Egypt should be planned in the near future to analyze the security situation at archaeological sites, on how to deal with emergency situations and how to create contingency plans using the Egyptian example.

Military contacts and training about protection of Cultural Property are indispensable, this is for instance mandatory under IHL (1954 Hague Convention and Protocols) and is still not put into practice in many countries. The damage and access problems would have been less if the international community realizes this and would live up to the treaties they sign not only in word but also in practice.

### **Acknowledgements**

The mission would like to recognize the support they got from the Ministry of Archaeology, the Minister Dr. Zahi Hawass and the whole staff of the SCA in Egypt in these very difficult and tense times.

The mission would also like to recognize the outstanding support by the Austrian Embassy, the Cultural Attaché, the Defense Attaché and the Director of the Austrian Archaeological Institute in Cairo.

Without the personal support of the office manager of the Dutch Institute, Tilly Mulder, and her perfect and convincing command of the Arabic Language, a lot of the goals of the mission could not have been achieved.

Only the help of the many individuals the mission met in Egypt, but also those helping with information from abroad, made the success of the mission possible.

### **Links**

The photo documentation of the mission can be found at <http://www.blueshield.at/>.