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Cultural Property Protection and the Blue Shield

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INTRODUCTION

On 21 July 1953 Luther Evans, Director General of the newly established UN Agency UNESCO, addressed representatives of 37 countries assembled to draft what was to become the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict (1954HC). Evans stressed that they had been brought together not only to draft the Convention but also to create the "Red Cross for Cultural Property". He went on:

...and have it accepted by all States and by public opinion, that property of cultural value is entitled to the respect which civilised peoples recognise as due to civilians, prisoners of war, medical personnel and hospitals.

I should like to put this thought in evidence. This Conference has for its object the drafting of a Red Cross charter for cultural property. The aim and the work of the Red Cross, to protect human life and relieve suffering, rightly command the admiration of the whole world. It is evident that the work of the Red Cross occupies a higher grade in the hierarchy of values, since human life is of essentially greater worth than cultural property, but it is certain that the protection of works where human genius reveals such love and piety and such artistic feeling is of a value which can be compared to the noble work of the Red Cross". (quoted in Wilhelm, 1955, 79).

Evans realised that the cultural property protection (CPP¹) envisaged to be included in the 1954HC, could not be delivered alone by the fledgling UNESCO. While UNESCO was to have a pivotal role written into the Convention, regarding what can be termed as the legal implementation of the new Convention, it was clear in his mind that to succeed the Convention would also need an independent, impartial, and neutral organisation to carry out work that, quite understandably, UNESCO did not have the flexibility or expertise to do. In this he was anticipating the creation of a parallel organisation for the new Convention to fulfil the same roles the International Committee of the Red Cross (ICRC) did for the 1949 Geneva Conventions. Indeed, the final text of the 1954HC was seen to have been heavily influenced by that of the Geneva Conventions (Wilhelm, 1955, 80).

Over the following weeks, the assembled experts renamed Evans' organisation the 'Blue and White Shield', after the formal emblem of the Convention, and expected the new organisation to be established alongside the new Convention in 1954/55. Sadly, it was not to be.



The emblem of the 1954 Hague Convention: The Blue (and White) Shield

¹ Normally the term 'heritage' would be used to describe the focus of this paper, but the terms 'cultural property' and 'cultural property protection' are used as they derive from the 1954HC.

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A VERY BRIEF HISTORY OF CPP

The idea of CPP in armed conflict is not new. Sun Tzu, writing in sixth century BCE China, was very clear that actual fighting in war should only be an absolute last resort: it was much better to defeat an enemy without spilling blood or destroying property or crops as, put simply, the vanquished would be more willing to accept their defeat if their country was left intact. In his writing, Sun Tzu anticipated the 13th century Christian writing of St Thomas Aquinas discussing what became known as 'Just War Theory'²: when a war should be waged and if it could be justified (*jus ad bellum*), and how, in particular, it should be waged (*jus in bello*) (Guthrie and Quinlan 2007). Neither author specifically mentioned CPP during conflict, but it can be seen as an obvious, clear, and implicit extension of their arguments.

Despite such theoretical writings, for hundreds, if not thousands, of years armies were frequently paid by allowing them to loot indiscriminately. Nevertheless, echoing Sun Tzu and Aquinas, several commentators, including the ancient Greek historian Polybius (Miles 2011, p.30-1), the Seventeenth Century Dutch polymath Hugo Grotius (1625), and the Nineteenth Century military theorist Claus von Clausewitz (1832), all argued against such action stressing, variously, that it alienated the defeated population, contributed to the likelihood of future conflict, and did the victors no credit. Such theorists were not alone: for example, several French artists and architects signed letters condemning the looting of Italian art by Napoleon – citing the importance of the original intended location and context for the art (Miles 2011, p.33)³.

It is commonly agreed that CPP was first enshrined in modern Law of Armed Conflict (LOAC) in the 1863 *Instructions for the Government of Armies of the United States in the Field* (the so-called 'Lieber Code'). The Lieber Code was essentially a LOAC/humanitarian document that covered the usual array of humanitarian issues, and its primary purpose was to define what was acceptable, read ethical, and not, for Federal troops. It was thus an overtly military document, outlining military humanitarian responsibilities, and in Article 35 explicitly stated that "*Classical works of art, libraries, scientific collections... must be secured against all avoidable injury...*"⁴. Several later international LOAC documents, for example, the Hague Conventions of 1899 and 1907⁵, also included articles relating to CPP. These were all essentially LOAC/International Humanitarian Law (IHL) treaties that included CPP as an element of good practice in *jus in bello*.

Given this history of the inclusion of CPP as a small part of wider treaties regarding the humanitarian conduct of conflict, it seems somewhat surprising that the modern humanitarian sector has generally failed to include CPP within its remit (although see below).

These early iterations of rules regarding armed conflict are both pragmatic and ethical and provide a general context for modern CPP. It was only, however, in the twentieth century that the ethical context was drawn out more overtly. In January 1920 the international community reacted to the carnage and devastation of the First World War, partly caused by the failure of European Royal families to avert, or quickly end, the war, by creating the League of Nations.

² Many, if not most, religions have concepts associated with the preservation of buildings, e.g., the Islamic concept of 'Waqf' where buildings are preserved usually for educational or religious reasons, see, e.g., Khalfan & Ogura 2011. However, a comparison of such initiatives is beyond the scope of this article.

³ It is, however, salutatory to note that CPP has, until recently, been ignored in contributions to military ethics and practice, see, for example, Baker 2015; Frowe 2016; Walzer 1977. However, in Baker's revised edition (that was due to be published in 2024) the topic will apparently be covered, as it is in Bülow *et al* 2003. The topic is becoming accepted as a core issue for debate.

⁴ https://avalon.law.yale.edu/19th_century/lieber.asp

⁵ <https://ihl-databases.icrc.org/ihl/INTRO/150>; <https://ihl-databases.icrc.org/ihl/INTRO/195>

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The League aspired to achieve international peace and security through (simplistically) a reduction in arms held by all nations, diplomacy, and arbitration – emphasising political and economic solutions to diffuse potential conflicts. In 1939, having at its height only a membership of 58 Nations (and never some key nations, e.g., the USA), the League failed to prevent the outbreak of the Second World War. In 1945 it was replaced by the United Nations (UN) in order “...to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind [sic]...” (UN Charter, Preamble, 1945).

While retaining many of the League's functions and approach, the UN acknowledged that to achieve world peace it would have to add an additional, ethical, dimension to the League's actions and identified the central role of “*humanity's moral and intellectual solidarity*” in maintaining peace. This ‘ethical lens’ through which to view the importance of cultural property and, by implication CPP, was understood by those who had lived through two world wars. It was to be spearheaded by the UN's new agency for education, science, and culture, UNESCO, and is addressed in the opening words of the UNESCO Constitution that emphasises that “*since wars begin in the minds of men [sic], it is in the minds of men [sic] that the defences of peace must be constructed*” (UNESCO 1945) and in the Preamble to the 1954HC (UNESCO's first cultural convention) that “...*damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind [sic], since each people makes its contribution to the culture of the world*”. In other words: peace supported through education, science, and culture.

These ideas had been permeating international discussion since the 1930s and two immediate consequences were the conviction of senior Nazis for crimes against not only people in the Holocaust but also their cultural property (O'Keefe 2006, pp.88-9) and a commitment to access to culture, and by implication cultural property, in Article 27 of the 1948 Universal Declaration of Human Rights (and see Novic 2016, pp.23/4).

A Key Figure, Raphael Lemkin

Much of this thinking was stimulated by the work of the lawyer, Raphael Lemkin. Lemkin, a Polish Jew, had escaped Poland in 1939, first to Sweden and then the USA (Luck 2018, p.31, endnote 31). Lemkin had been appalled by European pogroms against the Jews and the death of large numbers of the Armenian population in the Ottoman Empire in the First World War and had begun to study other instances of minority groups being attacked by the majority. Lemkin could not understand how someone could be tried and convicted for killing one person, while there was no legal recourse for the mass murder of whole communities (Korey, W. 2009, 6ff). By the early 1930s he already begun to advocate the need for a new international instrument to combat such activity while studying and working in Poland (Cooper 2008, pp.15 & 250-2).

Lemkin produced early drafts of what was to become the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Cooper 2008). Lemkin actually invented the term ‘genocide’ and, in early writings (Lemkin 1933; nd) he identified two forms of the crime: ‘barbarity’ defined as “*the premeditated destruction of national, racial, religious and social collectivities [sic]*”; and ‘vandalism’, later referred to as ‘cultural genocide’, the destruction of the cultural property of such groups. Echoing, intentionally or not, the nineteenth century German playwright Heinrich Heine who wrote in his 1821 play *Almansor*, “*Where they burn books, they will in the end burn people*”, Lemkin clearly saw vandalism as an early warning sign and precursor of barbarity⁶. In his 1933 submission to the 5th Conference for the Unification of

⁶ It is worth noting that Heine was referring to the burning of Islamic manuscripts and Muslims by the Spanish Inquisition.

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Penal Law in Madrid, Lemkin defined “*Acts of Vandalism (Destruction of the culture and works of art)*” as:

An attack targeting a collectivity can also take the form of systematic and organized destruction of the art and cultural heritage in which the unique genius and achievement of a collectivity are revealed in fields of science, arts, and literature. The contribution of any particular collectivity to world culture as a whole, forms the wealth of all of humanity, even while exhibiting unique characteristics.

Thus, the destruction of a work of art of any nation must be regarded as acts of vandalism directed against world culture. The author [of the crime] causes not only the immediate irrevocable losses of the destroyed work as property and as the culture of the collectivity directly concerned (whose unique genius contributed to the creation of this work); it is also all humanity which experiences a loss by this act of vandalism.

While these sentiments were picked up in the preamble of the 1954HC (as above), Lemkin was forced to drop ‘vandalism’ from the text of the Genocide Convention at the Legal Committee meeting for the Convention on 25 October 1948 following a vote of 25 votes (in favour of its omission) to 16 with four abstentions (Cooper 2008, p.158). While there is no space here to go into the debate surrounding this decision, one key factor was that ex-colonial powers and countries with large Indigenous populations were against the inclusion of cultural genocide as it might be used against them by those populations for past, and in some cases current, sins (and see Novic 2016). Lemkin agreed to have vandalism addressed elsewhere, although later wrote that “[c]ultural genocide [was] the most important part of the Convention” (quoted in Novic 2016 p.29).

PRACTICAL ATTEMPTS TO INTRODUCE CPP

Alongside these theoretical, legal, and strategic initiatives there were also early practical initiatives. The Covenant of the Prophet Mohammed with the monks of the Holy Monastery of Sinai⁷ c.625CE provides very early clear evidence of the protection of places of worship of other faiths:

No Bishop is to be removed from his diocese, nor monk from his monkhdom, nor ascetic from his cell, nor pilgrim from his pilgrimage, neither is any of their assembling-places or churches to be pulled down, neither shall any of the wealth of their churches be employed for the building of mosques or houses for the Moslems; and whoever doeth this shall have violated the charter of God and the charter of His Prophet.

This, essentially political, Covenant emphasises the protection of Christians and their places of worship at a time when Islam was establishing itself as the predominant religion and way of life in the region. It appears also to have been honoured by later Islamic leaders and dynasties, including the Rashidun Caliphate (Abu Bakr, ‘Umar, ‘Uthman, and ‘Ali), as well as the Umayyads, and the ‘Abbasids (in other words until at least the mid thirteenth century).

The first military record (known to the author) of such concern appears in the 1385 *Durham Ordinances*, drawn-up immediately prior to England’s Richard II’s invasion of Scotland. The *Ordinances* were essentially a general *jus in bello* document that also included specific instructions not to plunder religious buildings on pain of death (the same sentence as identified for rape) (Cox 2013). It is in the *Ordinances* that the protection of religious buildings and their

⁷ [The Covenant of the Prophet Muhammad with the Monks of Mount Sinai – The Covenants of the Prophet Foundation](#). Thanks to Emma Cunliffe for pointing out this reference.

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contents is given effectively equal status as the protection of people. While the authors may not have recognised it as such, CPP had been explicitly written into an early example of national LOAC/humanitarian law.

The First World War saw the unprecedented, although still limited, destruction of cultural property, partly through the increase in scale and impact of munitions and partly through the broadening of war to include bombardment of towns to both target military factories and supply lines and to lower morale amongst the general population. The war also saw positive action. In 1915 a Kunstschutz (art protection) unit was created in the German Army for the protection of historic buildings and collections (O'Keefe 2006). Capturing Jerusalem in 1917, the British commander Allenby instructed that "*every sacred building, monument, holy spot, shrine, traditional site ... of the three religions will be maintained and protected*" and, showing a nuanced understanding of cultural sensitivities, ensured that Muslim troops from the Indian Army under his command were deployed to protect important Islamic sites (See http://firstworldwar.com/source/jerusalem_allenbyprocl.htm - accessed 19 January 2024). Someone on Allenby's staff was thinking about what sites needed protection to ensure a smooth occupation and which troops were best to use. This is an excellent example of CPP as good military practice. It took no additional forces (Allenby's troops all needed something to do). At a practical level there was almost certainly no military difference in Indian Army troops carrying out this duty rather than British troops. However, the use of Muslim troops showed sensitivity to the beliefs and values of the vast majority of the local population, thereby helping to 'disarm' those who might speak out against the occupation. Sadly, Allenby's actions appear to have been an unusual practical example of understanding the importance of CPP to the military⁸.

It was not until the 1935 Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments, known as the Roerich Pact,⁹ that CPP became the subject of its own international law. The Treaty states in Article 1: "*The historic monuments, museums, scientific, artistic, educational and cultural institutions shall be considered as neutral and as such respected and protected by belligerents.*" Unfortunately, the Treaty was not taken up by the majority of the international community: it was only signed by twenty-one states, all in the Americas, and ratified by only ten.

Despite, and because of, the enormous damage to European heritage, mainly along the Western Front in the First World War, the international community was still debating how better to protect cultural property during war on the eve of the Second World War. During this war the protection of cultural property was seen clearly as part of the responsibility of the combatants, and the Western Allies, and some elements of Axis forces, took this responsibility seriously. In the German Army the Kunstschutz unit continued to operate although many of its activities appear to have been increasingly related to looting rather than protection (*Pers Comm* Nigel Pollard). The 'Monuments, Fine Arts, and Archives' unit was created in Allied forces and these 'Monuments Men (and women)' made enormous efforts to protect cultural property in all Western and Far Eastern theatres of the war (see e.g. Edsel 2009 & 2013; Nicholas, 1995;

⁸ It should be noted however, that Allenby's occupation of Jerusalem, his declaration of Martial Law, and his Proclamation followed just a few weeks after the publication of the Balfour Declaration ([Balfour Declaration - Wikisource, the free online library](#)) that publicly supported a Jewish homeland in Palestine "while it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine". Despite the caveat in the Declaration to the civil and religious rights of those living in Palestine already, the Declaration is usually regarded as the first acknowledgment of a Jewish State. In this context, the positive response to his Proclamation may be regarded as slightly surprising: a local reaction within a more complex geopolitical world.

⁹ See US Committee of the Blue Shield, "Roerich Pact," <https://uscbs.org/1935-roerich-pact.html>.

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Spirydowicz 2010; Woolley 1947). The unit had the full backing of Eisenhower, the Supreme Allied Commander, who wrote, immediately before the Normandy landings, reminding troops that *"Inevitably, in the path of our advance will be found historical monuments and cultural centres which symbolise to the world all that we are fighting to preserve. It is the responsibility of every commander to protect and respect these symbols wherever possible..."* (Eisenhower 1944). Many cultural sites, buildings, and collections were, of course, destroyed: but as much as possible was done by the 'Monuments Men' to limit the destruction and much looted material was restored to pre-war ownership following the war. At the same time on the Eastern Front organised and opportunistic looting appears to have been the norm. The scale of destruction was partially the result of the continuing increased power of munitions and partly of decisions taken by both sides to proactively target cultural property and civilian populations as a means of warfare – for example in the Allied raids on Lübeck in March 1942 and the so-called Baedeker raids carried out in retaliation on historic targets in England by Germany (Bevan 2006)¹⁰.

The international community, reacting to the intentional and collateral devastation of much of Europe by the war, built on previous treaties and, in 1954, developed the Hague Convention and its 1st Protocol¹¹. It remains the primary piece on international humanitarian law relating to CPP.

Unfortunately, almost in parallel with the development of this international convention, a key part of its potential practical support was dismantled. At the end of the war the conscript 'Monuments Men' went back to their civilian lives and, apart from limited residual interest, for example in US Civil Affairs units, little remained of the military's interest in CPP. Indeed, and equally detrimental to the protection of cultural property in the event of armed conflict, the heritage community's willingness to work with the military had also all but disappeared. Some limited CPP work was done in the fighting in the former Yugoslavia (see e.g. Kila 2012) and the international community did respond to the deliberate targeting of and damage to cultural heritage during this conflict by producing the 2nd Protocol to the 54HC. However, it was not until the 2003 invasion of Iraq by the Coalition led by the USA and UK, that the protection of cultural property during armed conflict was brought back into sharp focus.

In 2003, astonishingly, neither the USA nor the UK had ratified the 1954 Hague Convention. In 2002, in anticipation of the invasion, six so-called 'think tanks' were set-up in Washington to plan for post-Saddam Iraq. One of these had a sub-committee on culture... which appears never to have met. As a result, it appears that little was planned regarding CPP. No combat troops had orders to protect any cultural property or to stop looting, the national museum appears not to have been marked on combat maps, and the few American civil affairs troops who might have played a role in protection were still in Kuwait or the USA when much of the early looting took place.

As is so frequently the case, several things had combined to allow this failure to happen; three are particularly relevant. First, the individuals planning the invasion—politicians and military alike—simply did not see culture, cultural property, or the cultural heritage as important. Second, while the Coalition had enough troops to effectively topple Saddam Hussein, they did not have enough to provide a safe environment in which a new government could develop. When senior military staff were asked to plan an invasion of Iraq, they argued that a minimum force of 300,000 troops would be required. In 2003 the invasion force comprised 145,000 troops (Ricks 2006, Ch.6 & P.117). As one US General has explained to the author, if you have less than half the minimum number of required troops, then a lot of aspirational priorities will not be

¹⁰ Such bombing, and the specific targeting of cultural, property might well be classified today as war crimes.

¹¹ See: www.unesco.org/.../convention-and-protocols/1954-hague-convention

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delivered. CPP was very low, if even on, a long list of things that might have been nice to do if the resources were available; they were not. Third, and perhaps most problematic, the cultural heritage community and the military had failed to maintain the close links that had saved so much European and Far Eastern cultural property during the Second World War.

The lack of CPP in Coalition planning, and the fact that still in 2006 Coalition troops had no orders to protect religious or cultural sites or buildings, has been suggested as allowing the 2006 bombing of the al-Askari mosque in Samarra. The destruction of much of the mosque has been identified by many commentators as the tipping-point when a restless population, tired of a foreign Coalition occupying its country, descended into a full-scale sectarian civil war. The sectarian fighting required, in the minds of Western political and military leaders, that Coalition troops stay for a further five years. In 1917 the British took the opportunity to use the protection of sites to emphasise that they were beneficial liberators and through their actions they created a stable, secure, environment—a significant contribution to ‘mission success’, with little impact on military capability. If only someone in the 2003 Coalition had been aware of British CPP in 1917 Jerusalem things might have turned out very differently. As it was, the Coalition lost the war and Iraq still suffers. Crucially, the Coalition lost the *information* war. This allowed for the re-emergence of Al Qaida in Iraq and provided the oxygen for the emergence of the so-called Islamic State. It is extremely unlikely that either of these horrendous organisations are going to disappear in our, or perhaps our children's, lifetimes.

As cultural beings it is difficult for us to exist without our cultural references. Recent attacks by the Taliban in Afghanistan (in particular during its first period in government), the so-called Islamic State in the Middle East, and Ansar Dine in Mali have, perversely, been encouraged by their awareness of this relationship and focused on the high-profile destruction of cultural property for perhaps three key reasons: First, many in these groups really believe it is their religious duty to destroy all remains of the past that they regard as idolatrous. Second, the destruction of cultural property has been an important double-edged propaganda tool. On one hand it has been used to upset, ridicule and emasculate the international community who deplore the destruction but who have been powerless to stop it; on the other, it has been deployed as a recruitment tool encouraging those young people disillusioned by the decadent ‘western’ norm to join the extremists’ cause. Third, although the sums involved remain unknown, the looting, rather than destruction, of movable cultural property has created a definite income stream. Al Shabaab has also specifically attempted to undermine the economic stability of Kenya through targeting tourism based on cultural property.

This does not mean that we should prioritise protection of tangible cultural places (e.g. historic buildings, libraries, archives, works of art and archaeological sites) or intangible cultural heritage (e.g. the language, stories, songs and traditional knowledge of a community, held within, and transmitted by, people) over the protection of people. It does mean, however, that we should acknowledge that CPP is indivisibly intertwined with the protection of people. Two recent examples suffice to make the point.

First, as has been reported by Yazda¹², the global organisation that supports the Yazidi and other vulnerable ethno-religious groups, the planned genocide of the Yazidi people by the so-called Islamic State went hand-in-hand with the destruction of Yazidi religious shrines and buildings. Second, the UN has documented the fact that massacred members of the community

¹² <https://www.yazda.org/>

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of the village of Brčko in former Yugoslavia were buried in the same grave as the rubble of their destroyed mosque¹³. Indivisibly intertwined.

THE ESTABLISHMENT OF THE INTERNATIONAL COMMITTEE OF THE BLUE SHIELD

Despite the Blue and White Shield being welcomed by the ICRC (Wilhelm, 1955) it was not until 42 years later, in 1996, that the International Committee of the Blue Shield was finally established (although unfunded) effectively as a heritage organisation by the international NGOs for archives, libraries, museums, and monuments & sites (Boylan 2002), now collectively known as the Founding Four (FF). The Blue Shield finally received limited funding only in 2017 through Newcastle University's (UK) UNESCO Chair in Cultural Property Protection and Peace that had, on its establishment in 2016, the creation of an effective and efficient Blue Shield as one of its main objectives. It is an astonishing situation that one university has, 62 years after its anticipated establishment, taken on the responsibility of 'incubating' an international organisation seen as so important by the international community so long ago. Of course, such University funding cannot go on *ad infinitum* and, in reality, is but a small fraction of what is actually needed.

THE BLUE SHIELD IN 2025

The organisation is now referred to as simply 'The Blue Shield' and includes a central Secretariat, known as Blue Shield International (BSI), and currently 35 national committees (NCs - with over 40 anticipated by the end of 2025). The Blue Shield is overseen by a Board elected every three years by the General Assembly (GA - with voting rights held by the NCs and FF). The Board comprises four places reserved for representatives of the FF, four elected members usually from the NCs, and a directly elected President. The Blue Shield is established as an international NGO under Dutch Law (<https://theblueshield.org/>).

Since the establishment of the ICBS in 1996 the Blue Shield has significantly broadened its role and is no longer just a heritage organisation but is committed to working in partnership with the heritage, uniformed ((i.e., armed forces, border/customs forces, police, and other emergency services), and humanitarian sectors as equal partners, encouraging them to see the relevance and importance of CPP to their disparate agendas and together delivering more than the sum of their individual parts.

The primary context for the Blue Shield remains IHL, and in particular, the 1954HC and its two (1954 and 1999) Protocols and the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. However, the organisation works more generally within the context of the UN (e.g., Security Council Resolutions 2199 [UN 2015], 2347 [UN 2017a], and 2368 [UN 2017b]) and UNESCO's cultural conventions and wider cultural protection strategy. It is also informed by international initiatives regarding natural/human-made disaster such as the Sendai Framework for Disaster Risk Reduction ([Sendai Framework for Disaster Risk Reduction 2015-2030 | UNDRR](#)).

In order to develop better CPP in the event of armed conflict or following natural or human-made disaster, the Blue Shield has developed its remit from solely the protection of tangible cultural property (CP), as identified in Article 1 of the 1954HC, to one acknowledging that *all* CP, tangible and intangible, cultural and 'natural', moveable and immovable, are crucial foundations for human communities.

¹³ Final Report of the UN Commission of Experts Established Pursuant to SC Res. 780 (1992), under the direction of M. Cherif Bassiouni, Annex X: Mass Graves

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With this in mind, BSI co-ordinates and sets the framework within which it and NCs work through six areas of activity:

- Policy development,
- Co-ordination, of Blue Shield and with other relevant organisations,
- Proactive protection and risk preparedness,
- Education, training, and capacity building,
- Emergency response,
- Post-disaster recovery and long-term activity. (and see Stone 2019 for a more detailed discussion).

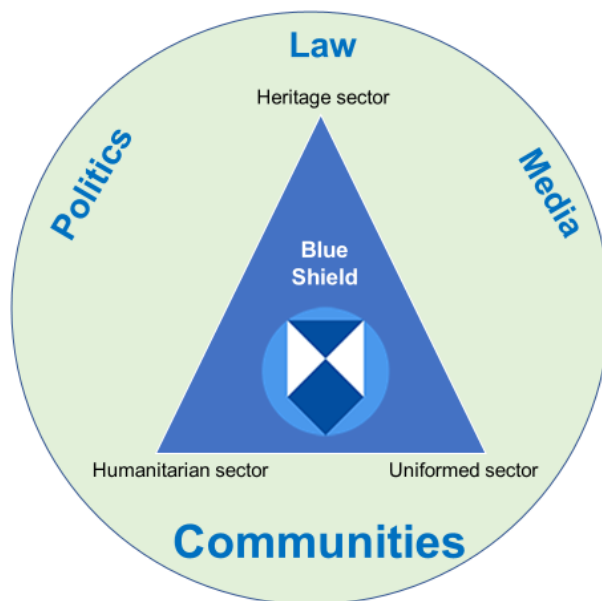
These areas are not meant to be 'straight-jackets' restricting what individual NCs can do, but rather a flexible framework where NCs priorities the areas to suit their specific national situation. It is fully acknowledged that, in some years a particular NC may only have the capacity to focus on one or two areas. All NCs and BSI plan to and report on their work under these headings on an annual basis. By reporting in this uniform way, the NCs are clearly seen as part of the same international organisation, while not being legally tied to it.

All of Blue Shield's work emphasises the indivisible link between the protection of people and their CP; that such CP is the tangible and intangible link to the past that helps to provide individuals and communities with a sense of place, identity, belonging, and through these, wellbeing, and dignity, giving people a reason for living. Undermining this by allowing, or worse causing, the unnecessary destruction of CP during armed conflict removes a fundamental building block for the delivery of healthy, peaceful, stable, secure, sustainable, communities – the bedrock of peaceful societies.

The World Health Organisation defines 'health' as "*a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity*" and notes that "*The health of all peoples is fundamental to the attainment of peace and security and is dependent on the fullest co-operation of individuals and States*" (WHO nd). The Blue Shield always prioritises the safety and social, mental, and economic wellbeing of people and their communities, but emphasises that the protection of their CP is an indivisibly intertwined factor contributing to their wellbeing and dignity.

As noted above, over the last decade there has been a growing realisation that, to help sustain such communities impacted by armed conflict, the Blue Shield must work across the heritage, humanitarian, and uniformed sectors to emphasise the importance of, and value to, these sectors' *own* agendas of integrating good CPP into their thinking and practice. Strong and stable communities are prime goals for both the uniformed and humanitarian sectors. CPP cannot be a heritage-only aspiration, for if it remains so, it is doomed to failure. To this end the Blue Shield has developed formal agreements with uniformed, humanitarian, and heritage partners (e.g., ICRC, NATO, the UN Peacekeeping Force in Lebanon, the Smithsonian Cultural Rescue Initiative, and UNESCO) and it envisions its work as shown in the following diagram:

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The three points of the triangle show the interdependence of the three sectors, with the internal 'safe space', where there are no 'stupid questions', within the triangle available for dialogue to mutually understand the importance of good CPP to the goals and aspirations of all three sectors and to identify proactive actions relating to all sectors to implement good CPP. The triangle is set with the wider influences and context relating to specific conflicts:

- **political** (will CP be protected by all parties to a conflict, or will it be a reason for conflict and a weapon and target in conflict?),
- **legal** (what parties to a conflict are bound by which national and international laws and treaties?),
- **media** (will destruction or protection of CP be a central element of media propaganda?) and
- **communities** (what position relating to protection or destruction is taken by those caught-up in a conflict?).

For this relationship to work, there are three key points to understand:

- CPP must be presented in such a way as it fits existing uniformed and humanitarian agendas and not as a heritage-specific (read 'irrelevant'), additional burden. This means emphasising the indivisible link between the protection of people and their CP. Allowing, or causing, the unnecessary destruction of CP can undermine military and/or humanitarian mission success, whereas incorporating CPP can help achieve successful outcomes. There is no debate that the safety, and social, mental, and economic wellbeing of individuals and communities must be prioritised, but the case must equally be made that CPP is an intertwined, significant, contributory activity helping achieve this priority.
- The heritage sector must acknowledge the constraints under which the uniformed and humanitarian sectors work, understanding their existing priorities and concerns.
- To be effective, the partnership must be developed *in peacetime* as emphasised throughout the 1954HC, working at the short, medium, and long term. Activity will continue during armed conflict and post-conflict stabilisation, which should clearly show the importance of CPP to the uniformed and humanitarian agendas and how it can fit their existing practice. The Blue Shield refers to this as the 4 Tier Approach¹⁴ (and see Stone

¹⁴ <https://theblueshield.org/>; also see Stone, P.G. (2013). A four-tier approach to the protection of cultural property in the event of armed conflict, *Antiquity* 87, 166-177. <https://doi.org/10.1017/S0003598X00048699>

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2013 and <https://theblueshield.org/>). To leave implementing CPP until a conflict breaks out is too late and will, inevitably, result in CP being unnecessarily damaged and destroyed.

SOME CURRENT WORK

The BSI team works predominantly to raise awareness of the importance of CPP globally, with multi-national organisations linked to the three sectors (heritage, uniformed, and humanitarian), while at the same time providing the framework as discussed above for the NCs. Much similar work is carried out by NCs at the national level. In terms of raising awareness, since 2017 the team have made over 50 conference presentations, and led workshops, & seminars in 27 countries on CPP and the Blue Shield. All of these presentations are jointly badged as Newcastle University's UNESCO Chair team and the Blue Shield.

Increasingly, this work is seen as part of the developing 'human security' concept (Combatting trafficking in human beings; Children and armed conflict; Conflict-related sexual violence; Protection of civilians; and, Protecting cultural property (e.g., NATO nd.; UN nd.).

Working with NATO. The BSI team works closely with NATO in four areas:

NATO exercises. Team members attend NATO training exercises as CPP Subject Matter Experts. These exercises are framed within different political/military scenarios and the BSI role is to 'inject' CPP challenges that may not have been foreseen during initial military planning or that arise as the hypothetical scenario develops. The key aspect of this work is to establish CPP thinking into military planning as second nature in the same way as protection of civilians or supply of ammunition.

Development of NATO Policy. All of the aspects of human security mentioned above, *except* CPP, have NATO-wide policies in place explaining clearly the issue and NATO's unanimous response. BSI is contributing to the development of this CPP policy.

Integration of CPP data to NATO systems. In 2019 Blue Shield and Newcastle University co-developed a 'preliminary geospatial data capture template' to facilitate the recording of cultural property information for NATO military planners. The aspiration was that the template would meet both the needs of NATO operational forces as the end user, and heritage professionals (including both governmental cultural departments and civil society) who might supply data. NATO presently use a modified version of this original template. Given five years of practice, this is currently under review and the team are working closely with NATO to help maximise compatibility between existing heritage databases and any refined NATO database.

Training and raising awareness. BSI team members take part in numerous NATO training programmes and seminars constantly reiterating the value and importance of CPP to all NATO thinking and action.

It is BSI's medium/long-term aspiration that these areas of work with NATO will be replicated with other similar multi-national organisations globally, embedding CPP into all political/military minds. This however requires a larger central team to co-ordinate and deliver such interaction.

Annual UN & NATO-affiliated courses to support peacekeeping missions. For the last five years the BSI team have developed and contributed to training courses for civilian and military personnel likely to be deployed to support UN/NATO/EU or other peacekeeping missions. A BSI-led CPP course is now part of the annual offer of the UN Training School in Ireland (UNTSI) and BSI also contributes sessions to the annual CPP course at the Hellenic Multinational Peace Support Operations Training Centre in Kilakis, Greece. BSI is currently in initial discussions with the Kofi Annan International Peacekeeping Training Centre in Ghana about modifying the

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UNTSI course for personnel from anglophone Africa and, again, the longer-term aspiration is to establish such courses in the more than 50 UN Training Schools globally.

Developing working relations with the Humanitarian sector. In 2020, in what turned out to be its last in-person act before Covid, the Blue Shield signed an MoU with the ICRC. This built on many years of slowly developing links, that had all but disappeared since 1955, with the ICRC and through it, the wider humanitarian sector. At the signing, the renewed importance of CPP to the ICRC was underlined by its then Director General, Yves Daccord, who emphasised that *"Protecting cultural property and cultural heritage against the devastating effects of war unfortunately remains a humanitarian imperative, today perhaps more than ever"*. The Blue Shield followed this up with publications targeting the humanitarian sector (Price-Jones 2020a; 2020b) and with a short series of four videos specifically targeting the humanitarian sector (Blue Shield nd.). Blue Shield also plans to revisit discussions with SPHERE to include CPP in the next edition of the key humanitarian go-to publication, the *SPHERE Handbook* – *"one of the most widely known and internationally recognized tools for the delivery of the quality humanitarian response. National and international NGOs, United Nations agencies, and governmental authorities across the globe make use of its guidance when planning, delivering and evaluating humanitarian operations"* (<https://spherestandards.org/handbook/>).

Supporting national level activities. While most of BSI's work is at the international level the team does work at a national level, usually where there is no NC in place or where BSI is asked to support a NC. BSI has contributed to training in several European countries (e.g., Austria, Germany, Italy, and the UK) and wider afield, e.g., Fiji, Honduras, and Lebanon. Since 2013 BSI has supported Blue Shield Lebanon in delivering CPP training to staff of the UN Peacekeeping Mission, the Lebanese Armed Forces, and the Directorate General of Antiquities (and see [Action plan to preserve heritage sites during conflict | UNIFIL](#)). The trust and mutual respect built up over seven years of training together enabled the organisations to work together following the devastating explosion at the port of Beirut to secure and stabilise cultural property damaged in the explosion and more recently during, and in preparation for, the Israeli invasion of southern Lebanon. Much of this work is now spearheaded by the Lebanese NGO Biladi.

Recent projects in Afghanistan, Iraq, Syria, and Ukraine. BSI worked with other heritage partners to support the protection of cultural workers and cultural property in Afghanistan following the return of the Taliban in 2021. Much of this work was, for obvious reasons, confidential. We have also worked on projects in Iraq investigating the destruction of religious buildings by the so-called 'Islamic State' and in Syria monitoring the damage to cultural property in the devastating earthquake in 2023 and the current situation since the fall of the Asad regime. Blue Shield has supported CPP initiatives in Ukraine since 2022 by helping to establish a Blue Shield NC in Ukraine and a specialist CPP capability within the Ukrainian armed forces; investigating whether there might be enough evidence of the specific and deliberate targeting of cultural sites that might be considered war crimes; and training Ukrainian prosecutors to have the skills to prosecute potential war crimes against cultural property. BSI has also developed a working relationship with the International Association of Prosecutors, a non-governmental and non-political organisation, which is the only global network of prosecutors (<https://www.iap-association.org/>).

None of the above would have been possible without the support of Newcastle University.

THE FUTURE

In 2024 the Blue Shield developed a fundraising strategy based on the University continuing its support as the 'incubator' for the Blue Shield until the end of the current iteration of the UNESCO Chair on 31 December 2027. This aspires to have a central team of 12/13 people in

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place by 2030 that would integrate the current work of the UNESCO Chair team and expand it to build an ever-widening level of international partners. Given the current financial situation facing UK Higher Education this strategy has been refocussed to try to find substitute external (mainly country-based) funding more quickly and in the worst-case scenario to attempt to find funding to replace that currently provided by the University through the George Brown Endowment. Discussions are currently underway with some seven countries, but it is unlikely enough replacement funding would be in place by 30 June 2025 if the University takes the difficult decision to withdraw funding for the two UNESCO Chair posts it currently supports through the George Brown Endowment.

Neither the work of the Blue Shield, nor that of the wider cultural property protection community, is not going to stop armed conflict. Such work *might* mitigate the impact of armed conflict on cultural property and by doing so *potentially* provide some building blocks for peace building and reconciliation. We can but hope - although even this may be a pipedream if a particular armed conflict was predicated on different cultural understanding. Nevertheless, as archaeologists and heritage managers I would suggest that we have a common responsibility in trying to preserve and protect as much of the tangible and intangible, immovable and movable, cultural and natural record of the past as possible to help current and future generations to understand where we have come from and where our actions may take us to in the future.

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