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OPINION

Recent international conflicts raised again the question of why it is so hard to hold actors accountable for the destruction of buildings and objects with real cultural significance. Bijan Rouhani, a senior researcher at the Endangered Archaeology in the Middle East and North Africa project, says that the legal framework may be strong on paper but in practice it almost inevitably falls short. "No state actor has ever been tried for this offence. The obstacle is no longer evidence. We have satellite imagery, remote sensing and monitoring teams. The obstacle is jurisdiction and political will."

Looking at the cauldron of conflicts convulsing the world, the question is ever more pressing as to whether effective action is possible to stop the damage being done or ensure accountability when it does.

**A casualty of war**

Tareq Abu Dayyeh sells craftwork, souvenirs and antiquities in Gaza. The Great Omari Mosque features on many of the items he sells. It represents the very identity of Gaza — charting its history through the building's many manifestations from ancient pagan temple to Byzantine church to 7th-century mosque to Crusader Cathedral and then back to being a mosque.

The Great Omari Mosque was all but destroyed in an Israeli strike in 2023. The Israeli military said the strike was targeting Hamas.

Now, Dayyeh says his heart is broken every time he sees the ruins. "When your past is destroyed, you have no present."

The war in Gaza has claimed tens of thousands of lives and an estimated 200,000 buildings have been damaged or destroyed by Israeli bombardment. But despite the overwhelming death and devastation, such cultural losses run deep. This is a sentiment expressed throughout history by people living through war. In Sudan, Lebanon, Yemen and Iran, the alarm has been raised time and time again. More than 100 sites in Iran are reported to have been damaged during the aerial war launched by the US and Israel back in February. They include the UNESCO-listed Golestan Palace in the capital, Tehran, and Naqsh-e Jahan Square in Isfahan.

The civil war in Sudan has further imperilled one of the ancient wonders of the world — the Meroe Pyramids, built during the flourishing civilisation of the Kingdom of Kush.

UNESCO, which designated Meroe as a World Heritage Site in 2011, has warned that the fighting has halted all preservation work there, leaving the fragile ancient structures prey to erosion from the encroaching sand and vegetation.

**A difficult task**

In response to the massive destruction of World War Two, the first-ever international treaty exclusively dedicated to protecting cultural heritage during armed conflict was adopted in The Hague in 1954.

It applies to monuments and architecture, but also works of art and books, requiring states to safeguard and respect cultural property and refrain from any actions that might endanger it.

Since the Hague Convention, there have been several additional moves to strengthen protective measures for cultural heritage. A Second Protocol to the Convention in 1999 said that any site that

# Cultural treasures being destroyed worldwide

## So why no-one being punished?



Golestan Palace's hall of mirrors in Tehran, Iran, was damaged with its intricate mirrorwork shattered during a US-Israeli air raid on the vicinity of this cultural heritage.

● ANADOLU

has been placed under enhanced protection due to its immense cultural significance must not be made a military target even if it is being used in such a way as to have become a 'military objective' — unless there is no other feasible way of ending its use in that way. When the International Criminal Court (ICC) was established in The Hague in 2002, part of its remit was to bring accountability for deliberate attacks in war against buildings of religious, artistic and educational value as well as historical monuments, which had been defined as war crimes. But this has been a complex and difficult task. So far, only one case has been successfully brought at the ICC. Ahmad al-Faqi al-Mahdi was a jihadist militant leader in Mali who was found guilty of directing attacks that destroyed mausoleums and a mosque in Timbuktu. He was sentenced to nine years in prison.

Rouhani says that without the full backing of the major powers and a genuine commitment to international law and its enforcement, the world will simply keep watching the same devastating pattern repeat itself.

"For most governments, heritage is a secondary concern, unless it becomes useful for propaganda,"

Rouhani says. "The Hague Convention requires states to build protection into their military rules and to respect cultural property abroad as well as at home. Looking at the scale of damage in recent conflicts, it is difficult to conclude that these obligations are taken seriously."

In conflicts from Ukraine to Iran to Gaza, where schools and hospitals are seen as permissible military targets by combatants, how likely is it that a museum or pile of ancient stones, however freighted with beauty and history and memory, will be spared?

**Heritage ambulances**

One international group that's played a big role is the Aliph Foundation, which was set up in Geneva in 2017 to protect and repair cultural heritage. Alexandra Fiebig, a project manager with Aliph, says that her group provided millions of dollars in funds to Ukrainian museums scrambling to move their most valuable items to safety. This has involved the use of what she describes as 'heritage ambulances': "These vehicles that have specialised equipment and space with specialised teams and equip-

The photo shows some of the 700 Iraqi antiquities that were recovered from smugglers along the Syrian-Iraqi borders. These antiquities were looted from Iraq amid the chaos of the 2003 US-led invasion that toppled former Iraqi president Saddam Hussein.

● LOUAI BESHARA/AFP



ment, they were in the beginning travelling a lot to affected museums that were damaged through military action."

Now, she says the teams also check on the artefacts that were transported in great haste to safer places to make sure they remain in good condition.

Other conflicts have seen civilians take similar measures to protect their culture.

In February 2015, Daesh (ISIS) turned its attention from hacking down ancient statues and artefacts in Mosul in northern Iraq to ransacking its written heritage as its fighters laid waste to the city's much treasured public libraries. They burned the Central Library and destroyed or stole many thousands of books — many of them rare manuscripts that told the story of the city.

"These were not simply books or shelves, they represented decades of knowledge and research and formed an important part of the intellectual heritage of Mosul University and the wider community... Within days, everything was gone," Dr Mohammed Jasim Mohammed al-Hamdani says. The main library in Mosul has played a key role in his life — to such an extent that he is now the director there.

"Seeing it destroyed felt like losing a part of myself. Many people in the city had a story connected to the University of Mosul and therefore the loss felt very close to home. And this is why when that part of Mosul was liberated from ISIS, young people, old people rushed to the library to save what they could."

**A lucrative trade**

The obverse of communities taking it into their own hands to protect cultural property is the looting of those same sites.

Again, this is a byproduct of war that dates back to the dawn of history.

Blue Shield International is a group that operates in multiple war zones, working with armed forces and local heritage officials to such an extent that it's come to be known as the Red Cross for culture.

Dr Emma Cunliffe, the head of operations for the group, says that understanding the reasons for looting — which can vary from place to place — is a necessary starting point: "That might then in turn result in greater sanctions, greater prosecutions to take it seriously as a threat." She says that it's important, if possible, to convey a sense to local communities that by assisting this, they are selling their own heritage. In Iraq and Syria for example, both during and after the ISIS rampage, looting of priceless artefacts was carried out on an industrial scale. The precious objects were spirited out and trafficked abroad, including to the US. A years-long investigation by the US Justice Department traced and tracked the smuggling routes and resulted in thousands of looted artefacts being returned to Iraq.

In Europe and elsewhere, co-ordinated, multi-national police and customs operations take place

regularly, seizing large numbers of stolen antiquities and arresting some of the traffickers. But the trade remains highly lucrative and the plethora of conflicts provides ever more opportunities.

In Sudan, the national museum in Khartoum was stripped of its treasures in 2023 when it came under the control of one of the warring factions, the RSF, which loaded them onto trucks and left the display rooms bare.

As in other conflict zones like Ukraine, specialised training has been provided for those involved in trying to recover the antiquities, which has had some success. But much of the museum's display — which told the story of the region over thousands of years — may have disappeared for good.

**Slim chance of deterrence**

The challenges of trying to limit the scale of destruction and looting of cultural heritage are huge. At an international or state level, there are regulations in place, but putting them into practice in a timely fashion is difficult enough — and often there isn't even the will to attempt this. Local initiatives backed by organisations like Aliph and Blue Shield International can make a difference on a small scale. But if — as seems the case right now — the chances of anyone facing consequences for destroying a heritage site are close to zero, then there is all but no real deterrent.

"What would change the calculation is not harsher sentences," says Dr Bijan Rouhani, "but a real prospect of being named — arrest warrants for the commanders who authorise these strikes, prosecutions in national courts under universal jurisdiction, and targeted sanctions on named individuals. Those measures don't require a new treaty. They require states to be willing to use the instruments they already have, against allies as well as adversaries."

Of all the recent attempts to erase the cultural past embodied in stone, Palmyra in Syria still stands out. ISIS blew up temples there and might have done far worse if it had not been defeated. One man became emblematic for standing up to them. For 40 years, the archaeologist Khaled al-Asaad had been the principal custodian of Palmyra. He was in his eighties when ISIS descended on the ancient city. They captured him and tortured him to try to find out where its most valuable artefacts had been hidden. When he refused to tell them, they beheaded him in a public square and hung his corpse from a traffic light.

Al-Asaad was celebrated across the world as a heroic defender of culture against the forces of darkness. He was awarded the Order of Civil Merit in Syria and in Palmyra, a school was named in his honour. But nothing is free from political complications. Years later, under the new authorities in Syria, his name has now been removed from the school.

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