



U.S. COMMITTEE OF THE BLUE SHIELD

**Committed to the protection of cultural property worldwide
during armed conflict**

**The U.S. Committee of the Blue Shield
and
The Lawyers' Committee for Cultural Heritage Preservation
present the conference:**

“CULTURE & CONFLICT: THE U.S. & THE 1954 HAGUE CONVENTION”

DATES:

Thursday, October 22nd, USCBS and LCCHP membership meetings and joint reception
Friday, October 23rd, Culture and Conflict: the U.S. and the 1954 Hague Convention

LOCATION:

National Trust for Historic Preservation
1785 Massachusetts Avenue NW Washington, DC 20036
www.preservationnation.org

In March 2009, the United States ratified the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict raising serious questions about implementation and next steps for the U.S. military and for this country generally.

The Lawyers' Committee for Cultural Heritage Preservation and U.S. Committee of the Blue Shield present a conference, “Culture and Conflict: The United States and the 1954 Hague Convention,” to consider the domestic and international ramifications of U.S. ratification.

The conference will begin with an evaluation of the continuing efforts to restitute art works looted during the Holocaust and not recovered in the immediate aftermath of World War II, particularly in light of the June 2009 Prague conference on the status of restitution efforts throughout Europe and the United States. The program will then turn to what government organizations, particularly the U.S. military, are doing to ensure compliance with the 1954 Hague Convention and to avert or mitigate cultural damage in future conflicts. The final panel will discuss what more the U.S. must do to protect its own cultural heritage in event of conflict, the prospects for future ratification of the Hague Convention's First and Second Protocols, and the role of the Hague Convention ratification within U.S. public and cultural diplomacy.

FULL SCHEDULE:

Thursday, October 22nd

National Trust for Historic Preservation 1785 Massachusetts Avenue NW, Washington, DC

2:30 pm – 3:45 pm USCBS and LCCHP membership meetings (non-members welcome!)

3:45 pm – 5:00 pm USCBS and LCCHP joint reception

Friday, October 23rd

Conference, “Culture and Conflict: The US and the 1954 Hague Convention”

National Trust for Historic Preservation 1785 Massachusetts Avenue NW, Washington, DC

8:30 am – 9:00 am Coffee and Registration

9:00 am – 9:15 am Welcome and Introduction

9:15 am – 10:45 am

Panel 1

Unfinished Business: Continuing Restitution of Art Works Looted During the Holocaust: Private Litigation, Public Responses

Moderator: * Thomas Kline, Partner, Andrews Kurth LLP

Speakers: Robert Edsel, author of "The Monuments Men: Allied Heroes, Nazi Thieves, and the Greatest Treasure Hunt in History" and of "Rescuing Da Vinci" * Marc Masurovsky, Historian * Monica Dugot, Senior Vice-President and International Director of Restitution, Christie's, NY * Nancy Yeide, Head, Dept of Curatorial Records, National Gallery, DC

10:45 am - 11:15 am Break

11:15 am – 12:45 pm

Panel 2

The United States and the 1954 Hague Convention, Part 1 Changes in the Military in Light of US Ratification: Training and Planning Initiatives

Moderator: * Corine Wegener, President, U.S. Committee of the Blue Shield; Associate Curator, Decorative Arts, Textiles, and Sculpture at the Minneapolis Institute of Arts and Major (Ret.), U.S. Army Reserve

Speakers: * W. Hays Parks, Senior Associate Deputy General Counsel, International Affairs, U.S. Department of Defense * Laurie Rush, Army Archaeologist, Ft Drum, NY; Director, Office of the Secretary of Defense Legacy In Theater Heritage Training Program * MAJ James Ahern, Force Development Plans Officer, U.S. Army Civil Affairs and Psychological Operations Command, Ft. Bragg, NC * Karl von Habsburg, President, Association of the National Committees of the Blue Shield

12:45 pm - 2:15 pm

Lunch and Keynote Speaker

Lynn Nicholas

Author of "The Rape of Europa"

2:15 pm – 3:45 pm

Panel 3

The United States and the 1954 Hague Convention, Part 2 Future Perspectives

Moderator: * Patty Gerstenblith, President, Lawyers' Committee for Cultural Heritage Preservation; Distinguished Research Professor, DePaul University College of Law

Speakers: * Ann Hitchcock, Senior Advisor for Scientific Collections and Environmental Safeguards, National Park Service, U.S. Department of the Interior * Jane Gray Yagley, ESF #11 National NCH Coordinator, Office of Environmental Policy and Compliance, Office of the Secretary, U.S. Department of the Interior * Michael Peay, Assistant Legal Advisor for Public Diplomacy, U.S. Department of State * Richard Jackson, Special Assistant to the Judge Advocate General for Law of War Matters, U.S. Department of Defense, Colonel, U.S. Army (Ret.)

3:45 pm – 5:00 pm Closing Reception

REGISTRATION: [Click here to register](#) or go to culturalheritagelaw.org

The U.S. Committee of the Blue Shield plans to focus on three key program areas:

1 Military Cultural Property Emergency Response Training USCBS and its partner organizations, the [AIA \(Archaeological Institute of America\)](#) and [AIC \(American Institute for Conservation of Artistic and Historic Works\)](#), provide U.S. military units with training on the recognition, protection, and preservation of cultural property during armed conflict. The training is tailored to the particular unit needs and is provided free of charge at the unit's location.

Topics include:

- History and role of the U.S. military in the protection of cultural property during armed conflict from WWII to Iraq.
- Recognizing immovable and movable cultural property, tangible and intangible cultural heritage, libraries, archives, religious sites.
- Protection, handling, and storage of cultural property.
- Basic documentation of cultural property.
- Coordinating with local cultural heritage officials and organizations.
- Archaeological site recognition and protection.
- Additional cultural property resources.

For more information or to request training, email information@uscbs.org or call USCBS at 612-839-7654 **2 Cultural Emergency Response Teams** As part of the ANCBS (Association of National Committees of the Blue Shield), USCBS will help coordinate an emergency response to cultural property worldwide threatened by armed conflict. USCBS will partner with [AIC \(American Institute for Conservation of Artistic and Historic Works\)](#) and other U.S. cultural professional organizations to develop a list of volunteers interested in being part of such an emergency response. **3 Promote the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict**

History of the 1954 Hague Convention This international convention regulates the conduct of nations during war and military occupation in order to assure the protection of cultural sites,

monuments and repositories, including museums, libraries and archives. Written in the wake of the widespread cultural devastation perpetrated by Nazi Germany during World War II, and modeled on instructions given by General Eisenhower to aid in the preservation of Europe's cultural legacy, the Hague Convention is the oldest international agreement to address exclusively cultural heritage preservation. The First Protocol was adopted in 1954 with the Convention. The Second Protocol was introduced in 1999 and came into force in 2004.

The Hague Convention covers immovable and movable cultural property, including monuments of architecture, art or history, archaeological sites, works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections of all kinds regardless of their origin or ownership. **Why is the 1954 Hague Convention so Important?** The States which are party to the Convention benefit from a network of more than 100 States that have undertaken to lessen the consequences of armed conflict for cultural heritage and to take preventive measures for such protection not only in time of hostility (when it is usually too late), but also in time of peace, using a variety of measures:

- Safeguard and respect cultural property during both international and non-international armed conflicts;
- >Consider registering a limited number of refuges, monumental centers and other immovable cultural property of very great importance in the International Register of Cultural Property under Special Protection and obtain special protection for such property;
- Consider marking certain important buildings and monuments with a special protective emblem of the Convention (the Blue Shield);
- Set up special units within the military forces to be responsible for the protection of cultural heritage; and
- Penalize violations of the Convention and promote widely the Convention within the general public and target groups such as cultural heritage professionals, the military or law-enforcement agencies.

United States Ratification of the 1954 Hague Convention

The United States helped to draft the Hague Convention and signed it in 1954. However, the Executive Branch decided not to transmit the treaty to the Senate for ratification due to military concerns about how it might affect policy at the height of the Cold War. At the end of the Cold War, the Department of Defense withdrew its objections and in 1995 the U.S. Joint Chiefs of Staff unanimously recommended that the U.S. Senate ratify the Convention. In 1999, President Bill Clinton transmitted the 1954 Hague Convention and a part of the First Protocol to the U.S. Senate Committee on Foreign Relations with his support for ratification by the full Senate, along with a detailed report on its importance written by the Department of State. (See Treaty Doc. 106-1 January 6, 1999 at: <http://foreign.senate.gov/treaties.pdf>).

The Senate Committee on Foreign Relations took no action until recently, when public attention given to the looting of the Iraq Museum in Baghdad and the looting of archaeological sites in southern Iraq during the ensuing years revived interest in the Convention. The U.S. Committee of the Blue Shield, the Lawyers' Committee for Cultural Heritage Preservation and the

Archaeological Institute of America formed a coalition of preservation organizations that submitted testimony to the Senate Committee on Foreign Relations in support of ratification, and worked with members of the Senate to promote ratification. The Statement of the Archaeological Institute of America, the Lawyers' Committee for Cultural Heritage Preservation, and the U.S. Committee of the Blue Shield urging Senate ratification, joined by twelve other cultural preservation organizations, is available at: <http://www.culturalheritagelaw.org/advocacy>. We acknowledge the additional assistance of the Society for American Archaeology and of the Oriental Institute of the University of Chicago in the effort to achieve ratification of the Hague Convention.

The Senate Foreign Relations Committee held a hearing on the 1954 Hague Convention and several other Law of War treaties on April 15, 2008. The full Senate voted to give its advice and consent to ratification on September 25, 2008. The United States now joins 121 other nations in becoming a party to this historic treaty. By taking this significant step, the U.S. demonstrates its commitment to the preservation of the world's cultural, artistic, religious and historic legacy.

Ratification will raise the imperative of protecting cultural heritage during conflict, including the incorporation of heritage preservation into military planning, will clarify the United States' obligations, and will encourage the training of military personnel in cultural heritage preservation and the recruitment of cultural heritage professionals into the military. Cori Wegener, President of the U.S. Committee of the Blue Shield, noted that "Ratification of the Hague Convention provides a renewed opportunity to highlight cultural property training for U.S. military personnel at all levels, and to call attention to cultural property considerations in the early stages of military planning. The U.S. Committee of the Blue Shield will continue its commitment to offering cultural property training and coordination with the U.S. military and to increase public awareness about the 1954 Hague Convention and its international symbol, the Blue Shield."

Patty Gerstenblith, President of the Lawyers' Committee for Cultural Heritage Preservation, cited among the advantages of ratification, "Most importantly, it sends a clear signal to other nations that the United States respects their cultural heritage and will facilitate U.S. cooperation with its allies and coalition partners in achieving more effective preservation efforts in areas of armed conflict." The Archaeological Institute of America has advocated ratification of the Hague Convention for more than fifteen years. John Russell, Vice President for Professional Responsibilities of the AIA, commented "By ratifying the 1954 Hague Convention, the U.S. has affirmed its commitment to protecting cultural property during armed conflict. The Archaeological Institute of America will continue to work with the Department of Defense to integrate the Convention's provisions fully and consistently into the U.S. military training curriculum at all levels."