

Dear readers!

Every project has its own story. War Free World Heritage Listed Cities is not an exception, and we want to tell you our story.

This is our very first edition of the Newsletter that will be published bi-monthly. We will focus on the cultural heritage protection in Mtskheta and Byblos, publish relevant news and a calendar of upcoming events. We will show how our project works and how citizens' activity can make things better. The newsletter will help us to reach our overall objective – to promote widespread awareness concerning risk and risk mitigation measures to secure Enhanced Protection for WHL cities threatened by armed conflicts, in accordance with international conventions.

But our communication with readers is not a one-way street, we definitely need your feedback! All of your comments are welcome! You can share with us your news, ideas, photos, etc... Only through good communication we can make this project a success. Enjoy your reading!

Claudio Cimino,
Secretaty General of WATCH



A talk with...

The Mayor of Mtskheta Teimuraz Abashidze: "We have lack of experience in implementation of such a project"

July 28, 2011

Mtskheta, a small town in Georgia, is sometimes referred to as second Jerusalem. It is where Christianity in Georgia takes its origin, it has a sacred Christian object Holy Coat, it has the main Christian cathedral of Georgia Svetitskhoveli. All of these historical values must be properly defended. The town is already placed on UNESCO List of World Heritage in Danger because of serious deterioration of the stonework and frescoes. Moreover, it has to be protected from military attacks – Mtskheta was just about to be affected by the war operations of Russia against Georgia in 2008. Protecting cultural heritage is the task of the War Free World Heritage Listed Cities project that is already being implemented in the town.

The Mayor of Mtskheta Teimuraz Abashidze told the Newsletter about progress of the project:

It is important that we ordered the general plan of the town. This project will indicate where to build houses, hotels, etc. It means that we will take into consideration what is possible and what is impossible to build next to the cultural values.

Is it the very first plan of the town?

Yes. Nobody made it before since it is very difficult. But now the project is already underway.

Do local people know about the project?

The local council had a special meeting on the project with presence of local people. They were told about the project in detail. In general I think that up to 60-70 per cent of the population do know about the project and they like it very much.

A Talk with.... 1

Byblos and the Project 2

The Hague Convention 3

A talk with..., continues

What are the main difficulties in the project implementation?

So far we did not have any difficulties. Everything goes normal.

Probably you are lacking in money, or human resources, or enthusiasm of some colleagues...

We have enough money for the duration of the project for the next 2, 5 years. But we are lacking in experience. We have never made such a project, thus lack of experience is our biggest problem.

During the war operations in 2008 were the cultural values of Mtskheta in danger of being destroyed or damaged?

It is good that it did not go that far. If the Russians invaded our capital Tbilisi, then it would be a real danger for Mtskheta. But they stopped earlier.

Were the cultural values of Mtskheta damaged in the past?

There was not such a case in the new history. But Mtskheta is a very ancient capital of Georgia. In past centuries, in 16 or 12 century it did happen.



Mtskheta



Byblos and the Project



Through the CIUDAD project we want to set a paradigm for other cities in the world
July 28, 2011

Byblos is the site of multi-layered ruins of the most ancient cities in Lebanon, inhabited since Neolithic times and closely tied to the legends and history of the Mediterranean region for many thousands of years. Byblos is directly associated with the history of the diffusion of the Phoenician alphabet. There is a dozen of cultures crossing and fertilizing one another.

Now we are hoping through the international collaboration supported by the European Union, within the context of Cooperation in Urban Development and Dialogue [CIUDAD] to revisit the urban planning codes, process, site management and protection of this precious cultural heritage site, both in times of peace and war and set a paradigm for other cities in Lebanon, Georgia and the world community. To achieve this aim, we are working in close cooperation with our partners:

Board of the Municipality of Mtskheta (Georgia), WATCH (World Association for the Protection of Tangible and Intangible Cultural Heritage in Times of Armed Conflict - Italy) and the associates FOCUH (Friends of Cultural Heritage - Turkey) and NEREA (NEtwork per il REstauro Avanzato - Italy).

Previous efforts were focused on the protection of the city, the medieval harbor of Byblos and its archeology (defined as a world heritage site). Earlier studies were engaged in the protection of the site to include but not limited to Delft University of Technology in the Netherlands,



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Byblos and the Project, continues

April 1999 and the Lebanese American University, Byblos Lebanon, November 1999 in collaboration with the UNESCO and Byblos Municipality. The objectives remain to generate creative and productive ideas and propose practical solutions in four principal areas of interest in this project:

1. Risk preparedness plans for the two WHL cities: Byblos, Lebanon and Mtskheta, Georgia.
2. Risk mitigation policies in place (this is expected to drive to an application for enhanced protection under the 1999 Hague Protocol).
3. Main actors, stakeholders and civil society awareness promoted.
4. Setting practices for the implementation of The Hague Convention (1954) Guidelines.

We have some difficulties in the implementation of the project.

Lebanon was facing major political problems including the absence of the government; it was impossible to contact ministers and officials in order to have their participation in the Focus Group. The Focus Group activity was postponed and we hope, as we are anticipating a new government now, to have the project on track again and have all people concerned to participate again in the future activities.

The Focus group meeting will be on Wednesday September 14th and the ground studies in Mtskheta (Georgia) in September 27 through 30 and, in Byblos in October 25 through 28.

I would like to thank everybody who is putting an effort into and supporting this project in this unstable situation we are facing in our country. I hope we can recover soon and have the project running again in a normal pace. I believe that it will also promote cultural tourism which is one of the major characteristics of Lebanon that needs to be recovered.

Fadi Martinos



President of the Council of the United Municipalities of Jbail (Byblos)



**The 1954 Hague Convention and its protocols-impacts on military planners and commanders.
July 28, 2011**

Military operations and their aftermaths have often resulted in the destruction of irreplaceable cultural property, a loss not only to the people of origin but also to the cultural heritage of all peoples. Recognizing the significance of this loss, the international community adopted the 1954 Hague Convention for the Protection of Cultural Property (PCP) in the Event of Armed Conflict. A Protocol dealing with cultural Property Protection during times of occupation was adopted at the same time.

To confirm and balance shortcomings in the treaties mentioned previously, the 1999 Second Protocol to the 1954 Convention was adopted. The Second Protocol applies equally to international and non-international armed conflicts. The extension of the application of the Second Protocol to non-international armed conflicts is essential.

Most modern armed conflicts are non-international, and history has shown that the protection of cultural property in such conflicts can be problematic.

Nevertheless, damage to cultural property can even occur in peace support operations as the events in Kosovo bitterly demonstrated in 1999 and 2004.

The adopted convention and protocols seem to provide sufficient legal instructions and clear guidance to soldiers and commanders. However, military planners and leaders might be confused by these myriads of legal provisions to abide by in today's military operations.

Hence, they need easy understandable and applicable rules in order to ensure a proper protection for cultural property during any military operation. International Humanitarian Law (IHL) is not only laid down in international conventions but also in customary international law. Customary international law is formed by the practice of States, which they accept as binding upon them.



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The 1954 Hague Convention, continues

The International Committee of the Red Cross (ICRC), which plays a special role in the dissemination and implementation of IHL assists this request through providing 4 rules specifically dealing with the Protection of Cultural Property and assuming general applicability under customary IHL:

1. Each party to the conflict must respect cultural property.
2. The property of great importance to the cultural heritage of every people for purposes, which are likely to expose it to destruction or damage, is prohibited, unless imperatively required by military necessity.
3. Each party to the conflict must protect cultural property.
4. The occupying power must prevent the illicit export of cultural property from occupied territory and must return illicitly exported property to the competent authorities of the occupied territory.

Military planners and leaders of any kind of operation must be fully aware that national and international law provides also a system for repressing violations of its rules based on the individual criminal responsibility of those responsible, both on the military and civilian side.

The hierarchical superiors will be held individually responsible too when they fail to take proper measures to prevent their subordinates from committing serious violations of the law.

In conclusion, cultural property is of importance not only for individual states but the whole world. Furthermore, it is not only a military but also civilian obligation to bear responsibility for applying and respecting relevant legal provisions for the PCP.

In order to discharge this responsibility in a professional way, both the civilian and military side must have a system in place to ensure PCP in the planning and conduct of operations. As PCP is a dynamic process it must keep pace with developments in international policies, politics and warfare.

Guidelines, manuals and intensive training on PCP must represent user-friendly tools for further consideration and advice on compliance with the relevant international law provisions in any operation. The 1954 Hague Convention and its protocols are the best base in this regard. WATCH and others are requested to support or be involved as advisors and facilitators.

Michael Pesendorfer

Career officer, lawyer and member of the Legal Service of the Austrian Armed Forces,



To find out more about the Hague Convention visit:

<http://www.unesco.org/new/en/culture/>



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