Introduction

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The massive and intentional destruction of cultural and religious property in Bosnia-Herzegovina\(^1\) during the 1992–1995 Bosnian War became a seminal marker in the discourse on cultural heritage in both the professional and non-professional spheres. The destruction (carried out as part of widespread campaigns of ethnic cleansing and one of the defining features of the conflict) provoked worldwide condemnation, particularly the attacks on iconic structures like the National Library (Vijećnica) in Sarajevo and the Old Bridge (Stari Most) at Mostar. It stimulated a variety of strong responses from international and supranational organizations, national governments, international and national cultural heritage bodies, individual professionals and members of the general public. At the war’s end addressing the devastation to Bosnia’s cultural heritage was considered so crucial to the success of the peace process that Annex 8 of the 11 Annexes to the Dayton Peace Agreement provided for the formation of a Commission to Preserve National Monuments. Furthermore, the concerted attacks on Bosnia’s cultural heritage crystallized a more definitive discussion and recognition in international humanitarian law that destruction of a people’s cultural heritage was an aspect of genocide and were to feature in indictments for war crimes issued by the International Criminal Tribunal for the former Yugoslavia (ICTY) and its subsequent prosecutions. It brought to the fore, as well, the question of how to deal with the protection and preservation of cultural property in conflict and post-conflict scenarios, particularly in the context of multinational military peacekeeping and peace enforcing/peace-implementing operations.

Yet almost two decades after the end of the war there has yet to appear a comprehensive overview and analysis of the destruction of Bosnia’s cultural heritage, its significance, and wide-ranging impact, in part because the attention of the heritage community moved to assessing the disastrous effect of the 2003 invasion and occupation of Iraq on that country’s patrimony. Thus there has been little critical analysis of responses to the destruction, with the exception of the case of Mostar and the reconstruction of the Old Bridge, on which there is a surfeit of publications – in itself symptomatic of the focus of post-conflict reconstruction efforts by the international community.

Despite the widespread and widely-publicized censure, what active intervention did the international community take to protect and preserve Bosnia’s heritage during the conflict? Was the extensive worldwide condemnation followed by equally extensive international assistance in restoring Bosnia’s cultural heritage after the conflict ended? What form did any assistance take and who were the major actors? How did varying external agendas

\(^1\) Both Bosnia-Herzegovina and Bosnia will be used throughout to mean the internationally-recognized state of Bosnia-Herzegovina.

\(^2\) The full name of the library is the National and University Library. However, as most sources refer to both the building and the institution as the ‘National Library,’ this designation will be used throughout.
impinge on the reconstruction process? What types of structures were restored and by whom? What were the roles of UNESCO and other intergovernmental/international organizations, national governments and NGOs in the restoration scene? Did Annex 8 and the Commission to Preserve National Monuments fulfill their mandate?

As cultural heritage preservation/restoration and protection are slowly coming to be seen as a significant element in post-conflict and development aid and a crucial part of the recovery process in post-conflict societies, this volume seeks to assess these questions. It gives the first comprehensive overview and analysis of the destruction to the cultural heritage in Bosnia-Herzegovina during the 1992–1995 war. Both a case study and source book, it provides an account of the first significant destruction of European cultural heritage during conflict since World War Two and the international community’s responses to that destruction during the conflict and over the first decade of post-war recovery.

While the narrative moves at times close to the present, it will not examine such questions as the construction of new mosques (and churches), particularly those mosques in the Federation built with funds from Saudi Arabian, Indonesian, Malaysian or other Islamic sources. Nor will it comment on the contentious issue of the construction of memorials to those (civilians and soldiers) who died in the 1992–1995 war – or the equally contentious prohibition of the construction of such memorials. It does not seek to describe the evolution of more recent heritage/identity politics and the ongoing story of the restoration and preservation of Bosnia’s cultural patrimony – one of the frontlines in the continuing battle to defend the country’s historically diverse identity, and one with its own problems and dilemmas.

The War in Bosnia

The 1992–1995 Bosnian War was the most violent and destructive of the Wars of Yugoslav Succession that accompanied the breakup of the federal socialist state of Yugoslavia into its constituent republics after the rise of Slobodan Milošević and what became known as the Greater Serbia project. The wars, which most analysts now agree were essentially the outcome of this contemporary political project, were driven by an aggressive ethno-national exclusivism and a race for territory. While the Wars of Yugoslav Succession (including the Bosnian War) are not considered religious wars, those promoting the conflicts extensively mobilized the past and ethno-national/ethno-religious differences in pursuit of their aims.


4 Such as at Prijedor municipality where the local authorities have banned the construction of memorials to non-Serb victims of ethnic cleansing. See also, for instance, Irwin, R. and Šarić, V. 2010. Calls for war memorials divide Bosnia, Institute for War & Peace Reporting (iwpr.net), 6 December; Sito-Sucic, D. 2013. Bosnian activists erect ‘guerrilla memorials’ to war crimes victims, Chicago Tribune [online], 26 October.

The continual blocking of attempts (led by Slovenia and Croatia) to realign political relations between the constituent republics of federal Yugoslavia by Milošević’s Serbia and a series of aggressive moves by Serbia and the Serb-dominated Yugoslav People’s Army (JNA), including its support for breakaway nationalist Serbs in Croatia prompted the secession of the republics of Slovenia and Croatia (led by its president Franjo Tuđman)\(^6\) from Yugoslavia in June 1991. The Wars of Yugoslav Succession began in earnest as the JNA swiftly attacked both countries in response.\(^7\) Ethnically homogenous Slovenia suffered only a ten-day war, but Croatia, historically home to a large Serb minority with many living along its borders with Serbia and Bosnia and where the self-proclaimed Serb para-state of Republika Srpska Krajina had already been established,\(^8\) came under sustained assault.

While the conflict in Croatia followed a very different trajectory to the Bosnian War, it was here that cultural property was first targeted – initially Croat/Catholic and later Serb/Orthodox heritage. Most notorious in terms of heritage destruction by JNA/Yugoslav Navy/Serb paramilitary forces was the bombardment of the non-military target of Dubrovnik (a World Heritage Site) and the devastation of the Baroque city of Vukovar in 1991; a substantial part of Vukovar’s museum and gallery collections were subsequently removed to Serbia. But destructive as the attacks on cultural and religious property in Croatia were, they could not compare with the devastation Bosnia-Herzegovina’s cultural heritage was to face.

Unlike Slovenia and Croatia, Bosnia-Herzegovina was home to a demographic patchwork of three principal ethno-national groups – Bosnian Muslims (Bosniaks), Bosnian Serbs and Bosnian Croats\(^9\) – and separation from Yugoslavia was always going to be problematic. By 1990 the ‘…neighbouring nationalisms of Serbia and Croatia had become intimidating presences, with the ultimate ambitions of Milošević and Tuđman [towards Bosnia-Herzegovina’s territory] barely concealed.’\(^10\) A stream of (predominately anti-Muslim) propaganda and the alleged threat to Serbs in Bosnia streamed from Belgrade, while Tuđman made no secret of his desire to incorporate Bosnia-Herzegovina into a Greater Croatia.\(^11\)

In this menacing environment the first multi-party elections Bosnia in December 1990 brought three ethno-nationalist parties into power: the ‘Party of Democratic Action’ (SDA)\(^12\) led by Alija Izetbegović, the ‘Serb Democratic Party’ (SDS)\(^13\) led by

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\(^6\) Sometimes spelled Franjo Tudjman.

\(^7\) For a good brief overview of the war and the events leading up to it see Hoare, M.A. 2010. The War of Yugoslav Succession, in *Central and Southeast European Politics since 1989*, edited by S.P. Ramet. Cambridge: Cambridge University Press, 111–35.

\(^8\) Republika Srpska Krajina (RSK) = Republic of the Serbian Krajina.

\(^9\) Muslim was a term of ‘nationality’ (rather than religion) in Yugoslavia. Many Bosnian Muslims now choose to call themselves as Bosniak as a national group; Bosniaks, Serbs and Croats are legally Bosnia-Herzegovina’s three main ‘constituent people’ according to the country’s constitution as outlined in the Dayton Peace Agreement. For brevity Muslim / Bosniak, Serb and Croat will occasionally be used to mean Bosnian Muslims, Bosnian Serbs and Bosnian Croats except where differentiation between Serbs from Serbia and Croats from Croatia is required. According to the 1991 census held in Bosnia-Herzegovina Muslims formed 43.47 per cent of the population, Serbs 31.21 per cent, Croats 17.38 per cent, Yugoslavs 5.54 per cent and Others 2.4 per cent.


\(^12\) Stranka demokratske akcije.

\(^13\) Srpska demokratska stranka.
Radovan Karadžić, and the ‘Croatian Democratic Union’ (HDZ),\textsuperscript{14} essentially an off-shoot of Franjo Tuđman’s party of the same name in Croatia. With the SDA holding the largest number of seats, Alija Izetbegović led a coalition government formed of the three parties.

Following the events in Croatia, in May 1991 Karadžić’s SDS called for the secession of parts of northern and western Bosnia with the intention of uniting them with the Republika Srpska Krajina in Croatia and began receiving deliveries of arms from Serbia.\textsuperscript{15} The SDS secretly formed so-called ‘Crisis Committees’ (krizni štab/krizni štabovi) in a number of municipalities across the country – parallel local political structures that could assume control and provide assistance to Serb-led forces when the time came.\textsuperscript{16} In September 1991 JNA units withdrew from Croatia into Bosnia-Herzegovina and many regard the date of the real start of the war in that country as 1 October 1991 when JNA troops destroyed the town of Ravno in southern Herzegovina on their way to attack Dubrovnik. Over the winter of 1991–1992 the JNA constructed heavy artillery positions around Bosnia’s principal cities, including Sarajevo.\textsuperscript{17}

Thus, by early 1992 it was clear that the question of Bosnia-Herzegovina’s sovereignty needed to be decided and a referendum on independence was held between 29 February and 1 March. Although boycotted by many Bosnian Serbs on the urging of Karadžić and the SDS,\textsuperscript{18} 63.4 per cent of the electorate voted overwhelmingly in favour of secession.\textsuperscript{19} The Republic of Bosnia-Herzegovina, with Alija Izetbegović as its president, declared independence on 3 March 1992 and received international recognition as a state soon afterwards. Bosnia-Herzegovina was swiftly admitted to the Conference on Security and Co-operation in Europe (CSCE) on 30 April 1992 and became a member state of the United Nations on 22 May 1992.\textsuperscript{20}

War broke out almost immediately, a war that was to be characterized above all by the practice known as \textit{ethnic cleansing}. Secessionist Bosnian Serbs, led by Radovan Karadžić and aided by Biljana Plavšić, Nikola Koljević and Momčilo Krajišnik, established the breakaway para-state of Republika Srpska with the support of the JNA and Serbian paramilitary units which moved into Bosnia from Serbia, carrying out a systematic and well-planned programme of ethnic cleansing of non-Serb populations (targeting both Muslims

\textsuperscript{14} \textit{Hrvatska demokratska zajednica}. The party was first led by Stjepan Kljuić but when Kljuić insisted on supporting the elected government of Bosnia-Herzegovina under Alija Izetbegović and the country’s territorial integrity, he was forced out of power under pressure from Tuđman in Zagreb in January 1992 and replaced with the ardent Croat nationalist Mate Boban who was keen to see ‘Croat’ territories in Bosnia become part of a Great Croatia. See: Ramet, S.P. 2006. \textit{The Three Yugoslavias: State-Building and Legitimation}, 434.

\textsuperscript{15} Malcolm, N. 2002, 225.

\textsuperscript{16} For more on the Crisis Committees, see Hanson, D. 2004. \textit{Bosnian Serb Crisis Staffs}, expert report (updated) prepared for the Office of the Prosecutor, the International Criminal Tribunal for the former Yugoslavia (ICTY), Exhibit P528, 26 November 2004.

\textsuperscript{17} Malcolm, N. 2002, 230.

\textsuperscript{18} Bosnian Serbs were actively urged to boycott the referendum by Radovan Karadžić and his Serbian Democratic Party (SDS) often through intimidation and the refusal of local officials to participate in the proceedings. See the Commission on Security and Cooperation in Europe (CSCE) 1992 report, \textit{The Referendum on Independence in Bosnia-Herzegovina February 29–March 1, 1992} for a full account.

\textsuperscript{19} The number voting in favour of independence was 99.7 per cent.

\textsuperscript{20} The CSCE was the precursor of the OSCE until 5–6 December 1994. The former Yugoslav and now independent republics of Croatia and Slovenia became new UN member states on the same day as Bosnia-Herzegovina. Bosnia-Herzegovina became a member state of the Council of Europe on 23 April 2002.
and Croats) in an attempt to create a contiguous mono-ethnic territory. By autumn 1992 the Bosnian Serbs controlled over 70 per cent of Bosnia-Herzegovina’s territory.21 During these campaigns of ethnic cleansing many atrocities and human rights abuses considered war crimes and breaches of international humanitarian law took place, including the destruction of the religious and cultural symbols of the expelled populations. The most notorious paramilitary leaders were Arkan (Željko Ražnatović) and Vojislav Šešelj. At the same time, the three and a half year siege of Bosnia’s capital, Sarajevo, by first JNA, then Bosnian Serb forces (VRS/BSA)22 led by Ratko Mladić began in April 1992. It was during the early months of the siege that the Vićenica was bombarded and set alight, one of the many attacks on the city’s cultural institutions.

A separate ‘war within a war’ followed in January 1993, propelled by the proposals of the Vance-Owen Peace Plan (VOPP) to divide Bosnia-Herzegovina into ethnically-dominated cantons.23 Now Bosnian Croat forces (HVO),24 which had been fighting up till then in a brittle alliance with Bosnian government troops (ARBiH),25 turned on their allies in an attempt to gain territory and establish Mostar as the capital of an ethnically homogenous Croat para-state of Herceg-Bosnia,26 during which they received substantial support from Croatia and the Croatian Army. The removal of Bosnian Muslim populations from Croat-held areas was a key aim of the attacks.27 Once again, ethnic cleansing took place, accompanied by the wide devastation of religious and cultural heritage, including the total destruction of the Stari Most (Old Bridge) in Mostar. With intensive fighting between HVO and ARBiH forces in central Bosnia, there was also a large-scale HVO-assisted transfer of Croat populations from there to Croat-held territory in Herzegovina.28 This distinct phase of the conflict ended in March 1994 with the Washington Agreement and the establishment of the Federation of Bosnia-Herzegovina, the so-called Muslim-Croat Federation.

In 1995, though the siege of Sarajevo worsened, the UN safe area of Srebrenica fell to the Bosnian Serb Army in July and the Sarajevo marketplace massacre by a BSA mortar attack took place on 28 August, the trajectory of the war was changing as Serb-held territory began to be retaken in the west, first in Croatia and then in western Bosnia-Herzegovina. In May 1995 the Croatian Army retook the Serb-held enclave of Western Slavonia resulting in a flood of Serb refugees into Republika Srpska. The Split Agreement of 22 July 1995 between Bosnia-Herzegovina and Croatia allowed for the intervention of the Croatian

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21 On 28 August 1995 Bosnian Serb General Zdravko Tolimir summed up the situation succinctly when he told the RS Assembly how, with material and technical support from the former Yugoslavia, Republika Srpska had acquired the means ‘with which 35 per cent of the population succeeded for four years in holding over 70 per cent of the territory on which lived over 65 per cent of the inhabitants of our enemies’ (that is, Muslims and Croats); Assembly Minute Summaries, ICTY, Exhibit P537.4.

22 VRS = Vojska Republike Srpske (Army of Republika Srpska), or BSA = Bosnian Serb Army.


24 HVO = Hrvatsko vijeće obrane or Croatian Defence Council.

25 ARBiH = Armija Republike Bosne i Hercegovine / Army of the Republic of Bosnia-Herzegovina. Sometimes referred to in sources as the ‘Armija’ or ARBH.

26 Herceg-Bosna was an unrecognized and illegal ethno-national para-state formed by extremist Bosnian Croats that came into being in 1991 and ceased to exist with the signing of the Washington Agreement. Sometimes referred to as the Croatian Community (later Republic) of Herzeg-Bosnia.

27 The Bosnian Serb population by this time had largely fled or been expelled.

28 Called by some an attempt at ‘reverse ethnic cleansing.’ See: Memorable Solidarity or Ethnic Cleansing, Sense Tribunal [online], 26 August 2008.
Army in Bosnia and the first operations in western Bosnia-Herzegovina cut Serb supply routes into the Republika Srpska Krajina. In August the Croatian Army swiftly retook the Krajina in Operation Storm; once again thousands of Serb refugees fled to Serb-held northern Bosnia.

Now combined offensives of the Bosnian Army, HVO and Croatian Army moved swiftly eastwards reclaiming territory, helped by the NATO bombing of Bosnian Serb military installations that followed General Ratko Mladić’s failure to abide by an ultimatum issued by the international community after the Sarajevo marketplace massacre. Bosnian and Croatian troops came ever nearer to Banja Luka and there was a real prospect of a Serb military defeat.

However, US-led diplomatic efforts were beginning to bear fruit and a Serb defeat was not a prospect the international community was prepared to envisage. Negotiations were stepped up and on 12 October 1995 the final ceasefire of the Bosnian War began. Intensive talks at a US Airforce base in Dayton, Ohio throughout November led to the signing of the Dayton Agreement in Paris on 14 December 1995.29

Over three and a half years of war, 2.2 million people were internally displaced or became refugees, just under 100,000 were killed,30 tens of thousands were raped and tortured, and thousands of monuments of cultural or religious importance were destroyed or badly damaged until the ceasefire was declared in October 1995. While the Bosnian War is even now occasionally characterized as entirely a civil war, the international nature of the conflict and the involvement and material support of Serbia and Croatia have been documented decisively by the investigations and case law of the International Criminal Tribunal for the former Yugoslavia, although it did incorporate aspects of civil conflict.31

Ethnic Cleansing

The ethnic cleansing campaigns of the Bosnian War featured forcible mass expulsion, mass killings, mass rape, internment in concentration camps, torture and intentional destruction of the religious and cultural symbols of the expelled populations. There were two explicitly voiced aims in this destruction: first, to eliminate any evidence of the expelled population’s historic existence on the territory, and second, by the removal of these markers of community identity, to discourage those who survived ethnic cleansing from ever returning.

Responsibility for the campaigns of ethnic cleansing that took place in Bosnia-Herzegovina has been well-established by investigations such as those of the United Nations Commission of Experts and the International Criminal Tribunal for the former Yugoslavia (ICTY), and by assessments like the 1995 Central Intelligence Agency (CIA) Report.32 The

29 The Dayton Peace Agreement (or Dayton Accord) is formally known as the General Framework Agreement for Peace, or GFAP. For the full text and Annexes see http://www.ohr.int/dpa/default.asp?content_id=380.
30 The now most commonly accepted figures and statistics on the conflict are produced by the Research and Documentation Center (Istraživačko dokumentacioni centar), Sarajevo.
Commission of Experts’ Final Report of 28 December 1994 (Annex IV) found that the majority of systematic and well-planned ethnic cleansing operations (and consequently of the destruction of cultural and religious property) were carried out by Bosnian Serb forces, together with Yugoslav People’s Army (JNA) forces and paramilitary units from Serbia, mainly against Bosnian Muslim populations, but also against Bosnian Croats. The report further determined that Bosnian Croat forces had also carried out policies of ethnic cleansing targeted principally at Muslims, but also Bosnian Serb populations, but on a significantly lesser scale than the Bosnian Serbs and their allies. Finally, it found while Bosnian government forces (largely Muslim) had engaged in practices that constituted ‘grave breaches’ of the Geneva Conventions, they had no policy of ethnic cleansing and did not carry out such operations.33

The International Presence

The war in Bosnia was not a war entirely carried out far from the gaze of the global public. It was a war in which the international community was deeply involved on the ground, and as the conflict played out thousands of external actors were present in the country as military peacekeepers and observers, humanitarian aid workers, journalists and other members of the media. The headquarters of UNPROFOR,34 the multinational United Nations peacekeeping force formed to monitor the ceasefire in the Croatian war in February 1992, was based in Sarajevo itself when the Bosnian conflict began in earnest in April 1992. By June 1992 UNPROFOR’s mandate was extended to Bosnia-Herzegovina, but it began with narrow focus: to ensure the functioning of Sarajevo airport so that aid could be delivered, and in September to support the humanitarian activities of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). These two organizations worked across Bosnia-Herzegovina during the war and its employees were often the sole international witnesses to human rights abuses, including the destruction of cultural property and its immediate aftermath.35 Both UNHCR and ICRC frequently found themselves in effect accomplices in campaigns of ethnic cleansing when it seemed the only way to protect targeted populations was to evacuate them.36

Observers from the European Community Monitor Mission (ECMM) which had been operating in Yugoslavia since July 1991 were also deployed throughout Bosnia, though they had limited access to Bosnian Serb-held areas and were intermittently blocked from movement elsewhere. Though not all operated in all parts of the country, hundreds of other

Ethnic Cleansing and Atrocities in Bosnia, Statement by CIA Deputy Director for Intelligence, John Gannon, Joint SSCI SFRC Open Hearing, 9 August 1995.
34 UNPROFOR = United Nations Protection Force.
humanitarian organizations were present too, from the extensive operations of the United Nations and its agencies, the International Rescue Committee (IRC), state international aid departments like Britain’s Overseas Development Administration (ODA), NGOs (secular and faith-based) like the Danish Refugee Council, the Methodist agency UMCOR and Islamic Relief, civil society organizations like George Soros’ Open Society Fund, to small voluntary and activist efforts such as SOS Bosnia and Workers’ Aid which, while they only travelled to the country sporadically with humanitarian relief, were often both witnesses and targets.  

What is Bosnia? International Perceptions of Bosnia and the Bosnian War

The Bosnian War has been called one of the most written about events in modern history, and the responses of the international community to the conflict have been comprehensively documented. Moreover, it was a war not only written about after the event, but played out daily on television screens to global audiences as it happened, reported and analysed at length in the media week after week. It was a war where the views of many quasi-experts, a few real experts, historians, anthropologists, journalists, travel writers and other opinion-formers were to loom unusually large and have a far-reaching impact.

For despite the extensive media coverage, the roots of the conflicts that accompanied the dissolution of Yugoslavia were all but unknown to policy-makers who existed in a ‘fog of historical ignorance’ as the war began – and for long afterwards. The history of Bosnia-Herzegovina itself was largely unfamiliar outside the former Yugoslavia. Few western academics had made a study of the complexities of its political, religious and cultural history and the interrelationships between Bosnia’s three principal ethno-national/ethno-religious groups: Bosnian Muslims (Bosniaks), Bosnian Serbs and Bosnian Croats. And unlike Iraq, site of the long-researched ancient civilization of Mesopotamia from which artefacts were on display at major museums around the world and had the benefit of a corps of well-informed international experts ready to speak out on its behalf, even fewer knew anything of Bosnia’s cultural heritage. 

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41 Bosnian Muslims (Bosniaks), Bosnian Serbs and Bosnian Croats are all Slavs. Historically the great majority of Serbs were Eastern Orthodox by religion, Croats Roman Catholic, while Muslims/ Bosniaks are descended from local converts to Islam (variably Orthodox, Catholic and followers of the local schismatic Bosnian Church) after Bosnia became part of the Ottoman Empire in 1463.
42 Chief among them were historian John Fine and art historian Marian Wenzel.
Washington Post commentator Amy E. Schwartz wrote in September 1993 on this lack of knowledge in the United States, a lack that led to a cultural disconnect of little help to Bosnia:

Even though Americans in large numbers are agonizing over the slaughter in Bosnia, there’s a dimension of the destruction … that outsiders can’t grasp. News reports last week described the gradual decimation of the Ottoman bridge at Mostar – the most famous of the many gorgeous stone bridges that used to be a Bosnian trademark, built by Ottoman architects in the 1500s to splice the mountainous realm together. Post reporter John Pomfret quoted a local soldier who told him, “I’m fighting for the bridge,” not for his family or nationality or ethnic group.43 But not many people this far from the Balkans have read the literature and poetry that return over and over throughout centuries to the beauty of the bridge at Mostar. To those who have, hearing of the bridge’s destruction would be something like a person in the West hearing of the flattening of Notre Dame or Canterbury.44

Schwartz goes on to compare a booklet on Bosnia’s destroyed heritage with its grainy photos45 and the glossy productions brought out by UNESCO to support the rebuilding of the tourist destination of Dubrovnik in Croatia: ‘No contrast could be as depressing, nor as obliquely illustrative,’ she writes, ‘of the distance between Bosnian history and our “canon”’ as the difference between the publications. Despite the evidence of a staggering and ongoing destruction, Schwartz wonders why the publication cataloguing Bosnia’s devastated heritage has ‘so different and pathetic an effect’ compared with those on Dubrovnik: ‘In innumerable subtle ways it lies beyond a veil and a dividing line, out of the reach of tourism authorities and familiar literary and historical references.’ Schwartz quotes Shreve Simpson, Islamic curator at the Freer and Sackler galleries who says ‘In North America there’s just no sense that these places with funny names can be repositories of vital heritage. It’s all at a remove somehow. It must be for UN officials too … because otherwise how could they let this happen?’

Thus pundits and decision-makers on both sides of the Atlantic turned to travelogues old and new to learn the ‘history’ of the region and a handful of books were to have an astonishing influence. Two of them, Rebecca West’s Black Lamb and Grey Falcon, an account of her travels in Yugoslavia, and Ivo Andrić’s fictional The Bridge on the Drina – often held up as an accurate and telling account of ‘Balkan’ history going back to the Ottoman era – had been written not within the recent past, but during the years of the Second World War,46 an era repeatedly invoked as a paradigm for understanding

events and mentalities in the former Yugoslavia (particularly how the Serbs/Bosnian Serbs would behave militarily) by the corps of experts and advisors, among them the elderly Fitzroy Maclean (who had fought with Tito’s Partisans) and whose *Eastern Approaches* also became an essential reference book.

Most notorious in its impact on policy-making was the effect of reading Robert Kaplan’s *Balkan Ghosts* on US President Clinton when making his decision not to lift the arms embargo against the countries of the former Yugoslavia – a decision which in reality only affected the beleaguered Bosnian government. Kaplan, who declared: ‘I would rather have lost my passport and money than my heavily thumbed and annotated copy of *Black Lamb and Grey Falcon,*’ was heavy in his emphasis on ‘ancient ethnic hatreds.’

Thus an image of Bosnia was constructed which was to have a critical impact on Euro-Atlantic decision-making. It was an image mediated by the activities and influence of an energetic Serb lobby which sought to present the conflict on their terms, combined with a carefully-nurtured confusion as to whether the war was a civil war or international in nature. Viewed through the lens of racist representations and pejorative stereotypes of ‘the Balkans’ as a cauldron of ‘ancient ethnic hatreds,’ this image was infused, too, with the growing Islamophobia of the early 1990s which had a negative effect on international relationships (including relationships with UNPROFOR) for Bosnia-Herzegovina’s legitimate and legally recognized government – usually characterized as ‘Muslim’ and as one of the ‘warring factions.’ An additional ingredient in this representation was a relativist insistence of the equivalence of the three main parties in the conflict in respect of atrocities, human rights abuses and destruction of religious and cultural property committed, despite considerable evidence to the contrary.

Thomas Cushman has written on such relativistic thinking during the Bosnian War, seeing this ‘moral equivalence’ as ‘an independent cultural force, which affected the interpretation of concrete, objective historical events’ and ‘concrete policies of western

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47 For an account see Ramos, R. 2003; Kaplan, R.D. 1993 *Balkan Ghosts: A Journey Through History,* New York: St. Martin’s. Described originally in Drew, E. 1994 *On the Edge: The Clinton Presidency,* New York: Simon & Schuster. The Bosnian Serbs had the huge resources of the JNA (Yugoslav People’s Army) to draw on; the Republic of Bosnia-Herzegovina had no army at the start of the war.

48 Quoted in Ramos, R. 2003, 4.


50 Despite that, outside the countries of the former Yugoslavia, no open conflict between different ethno-religious groups followed the collapse of Communism in other parts of the Balkans. Much has been written on this characterization of the Balkans, but see, for instance Campbell, D. 1998, 90–91 on the subject in relation to Bosnia.

political elites.'\textsuperscript{52} While looking particularly at the work of anthropologists, his remarks might apply equally to all those who took on the status of experts during the conflict when he noted that:

‘ … in many cases they advised political leaders or their accounts have been quoted in justifications for particular political policies. The articles and their authors thus form part of the core of the expert system, which drove much of western understanding of the Balkan conflict and political action in the region … ’ and ‘ … how supposedly objective, dispassionate, academic analysis of the conflict worked at another level as propaganda which both legitimated Serbian military aggression in Croatia and Bosnia and helped to justify the lack of response to stop genocide by western political powers.’\textsuperscript{53}

Brendan Simms in \textit{Unfinest Hour}, his work on British foreign policy towards Bosnia, has also written extensively on the detrimental role of ‘experts’ during the conflict.\textsuperscript{54} The central role Britain played in driving international policy towards Bosnia until the very end of the war has been widely acknowledged.\textsuperscript{55} Reviewing \textit{Unfinest Hour}, Noel Malcolm described how in Britain:

An official doctrine reigned supreme. It was promulgated at the highest levels of government, never challenged by the opposition, and accepted by pundits, newspaper editors and leader writers throughout the land. Those who did criticize it were dismissed as unreliable or extreme. And yet every element of it was simply and obviously false.\textsuperscript{56}

The starting point for this ‘official doctrine’ was that the war in Bosnia was ‘an incomprehensibly complex “ethnic” war, of a sort that had raged there for centuries.’\textsuperscript{57} As Simms himself noted later, though now it was widely accepted as being ‘essentially a Serbian war of aggression waged by externally supported proxies,’ at the time the conflict was presented as a civil war (‘a three-sided quagmire’), and describes how,

British official sources tried to head off demands for military intervention by suggesting a rough moral equivalence between aggressor and victim; that this equivalence was reinforced by a rhetoric of ‘warring factions,’ which failed to distinguish between rebel Serb – and later Croat – perpetrators and their victim, the internationally recognised government of Bosnia-Herzegovina; that the ‘orientalist’ mindset of much of the military profoundly affected perceptions on the ground.\textsuperscript{58}

\textsuperscript{53} Cushman, T. 2004, 22.
\textsuperscript{55} Britain is one of the five permanent members of the UN Security Council, it held the Presidency of the European Union during the crucial period July–December 1992, and key negotiators during conflict were the British peers Lord Carrington and Lord Owen. Owen was co-author of the failed Vance-Owen and Owen-Stoltenberg Plans.
\textsuperscript{57} Malcolm, N. 2001.
\textsuperscript{58} Simms, B. 2003. The end of the ‘official doctrine’: The new consensus on Britain and Bosnia, \textit{Civil Wars}, Vol. 6, Iss. 2, 53. He was writing on the impact of his book \textit{Unfinest Hour}.  

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James Pettifer attributed this ‘official doctrine’ more pungently to ‘profoundly Serbophile key decision-makers in the Government, the Foreign and Commonwealth Office and Army swimming in a murky sea of sentimentality and bogus history about Tito and the Second World War, Germanophobia after the Croatian conflict, appalling anti-Americanism, and Orientalizing ideology about the Balkans,’ noting ‘the entrenched anti-Islamic assumptions in much of the SIS, Joint Intelligence Committee, and military intelligence worlds, and the still largely unknown levers Belgrade can pull in a few British elite circles.’

Observers like the journalist Maggie O’Kane described these depictions and characterizations as a cynical political ploy, part of a calculated process of fostering disengagement and distance in domestic audiences by western (particularly British, French and US) governments ‘in order to justify their inaction and political cowardice,’ citing as an example British Foreign Secretary Douglas Hurd’s continued insistence on referring to the Bosnian government – the legally recognized government of a UN member state – as the ‘Muslim’ government.

Gregory Kent’s work on media ‘framing’ of the Bosnian War, has demonstrated that, despite unambiguous evidence of responsibility, with a few notable exceptions, the greater part of the media colluded with this ‘official version’ of the conflict, showing how ‘the manner in which the problem of Bosnia had been framed and, therefore, defined meant there were only “shades of grey”, “no heroes, only villains” ….’

Added to this, Bosnia was described repeatedly (and erroneously) in the media as never having been a nation or state, or even a defined territorial unit – and therefore, seemingly not worth taking international action in support of its integrity – and that a distinctive Bosnian cultural identity did not exist. An outspoken commentator in this respect was former US Secretary of State Henry Kissinger whose views were given wide coverage in the media. Kissinger declared on more than one occasion throughout the war that ‘Bosnia has never been a nation; there is no specifically Bosnian cultural identity.’

Despite the efforts of a group of activists, academics, analysts, journalists, aid workers, officials and politicians who sought a more accurate representation of Bosnia and the conflict, this dominant ‘framing’ of the Bosnian War undoubtedly had its effect. As we shall see, these perceptions of Bosnia and the nature of the conflict and of the moral equivalence of the warring parties was to have an impact on international responses towards preserving and protecting Bosnia’s cultural heritage during the war and on restoration and rebuilding in the years following the final ceasefire.

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60 O’Kane, M. 1996. *The Role of the Media in Bosnia*. Balkan Papers/Interview Series, Australia Region Media (armedia.net.au), May 1996.
62 Kissinger, H.A. 1993. Bosnia has never been a nation and has no specific cultural identity. Why are we intent on preserving this Balkan no man’s land? *Los Angeles Times*, 16 May, M2.
The Peace in Bosnia

The signing of the Dayton Peace Agreement (DPA) on 14 December 1995 marked the legal conclusion of the Bosnian War. Yet despite bringing the fighting to an end, there was widespread dissatisfaction with Dayton and a belief that it was a peace without justice for anyone, victims and aggressors (who often felt themselves victims) alike. Regardless of the peace agreement’s aim to reverse the effects of ethnic cleansing, the DPA effectively formalized the territorial gains achieved through the process. Bosnia-Herzegovina was divided into two entities: the Federation of Bosnia-Herzegovina (the so-called Muslim-Croat Federation) formed of ten cantons, with either Bosniak (Bosnian Muslim) or Bosnian Croat majority populations, and Republika Srpska, a unitary authority dominated by a Bosnian Serb majority. The treaty’s endorsement of Bosnia’s three “constituent peoples”63 (Bosniaks/Muslims, Croats and Serbs) worked towards the reinforcement of ethno-national/ethno-religious identities and the entrenchment of powerful ethnocracies who came to dominate the post-war realm.64 Broad political powers were devolved to the entities and new institutions were formed at entity-level. What central state structures remained were fragile and constantly undermined by the activities of (typically) Serb and Croat ethno-nationalist politicians, while many former state institutions (including cultural institutions such as the Zemaljski Muzej, Bosnia-Herzegovina’s national museum) struggled for legal recognition and consequently a place in central state budgets and funding streams.65

The host of international organizations responsible for implementing and monitoring the peace agreement was led by the Office of the High Representative (OHR) headed by an appointed High Representative that oversaw civilian aspects of the treaty,66 while its military aspects were supervised by the NATO-led multinational peacekeeping force IFOR (becoming SFOR a year later).67 An International Police Task Force (IPTF) was also created under the DPA to oversee local law enforcement agencies.68 Most important and visible of the attendant intergovernmental organizations were the Organization for Security and Cooperation in Europe (OSCE),69 the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the UN Mission in Bosnia-Herzegovina (UNMIBH), other UN agencies such as UNDP and UNESCO,70 the World Bank, and the Council of Europe (COE). Humanitarian aid and development agencies/NGOs came in their hundreds to implement recovery and reconstruction programmes.

But unlike those who had spent the war in the country, many in the post-conflict aid and development community arrived in Bosnia-Herzegovina for the first time and had little knowledge or understanding of the recent history of the environment in which they

63 See DPA, Annex 4, Constitution of Bosnia and Herzegovina.
65 At the time of writing in October 2012, the Zemaljski Muzej closed its doors to the public for the first time in its 124-year history due to the continued lack of funding stemming from recognition of its legal status.
66 See Annex 10 of the DPA.
68 The IPTF was created under Annex 11 of the DPA.
69 See Annex 1-B of the DPA.
were operating. Human rights expert and former aid worker Diane Paul, reporting to the Commission on Security and Cooperation in Europe (CSCE) in June 1996 on a recent mission to Banja Luka (where she had been a frequent visitor during the war) observed:

My last visit in April 1996 was deeply disturbing … for I found a city newly populated with internationals who seemed to have little concept of the horrors which had happened there. It was as if the past had never happened, as if the Dayton Agreement was the beginning of time.71

All too frequently this mindset grew into empathy with the majority population among whom international workers were living – the last group prepared to discuss the human rights abuses which had taken place in their communities during the war and where many of the perpetrators still held public office. Not only that, some national contingents within IFOR/SFOR were believed to have a positive bias towards particular ethno-national groups (often co-religionists or historic former allies), as for instance, Spanish troops based in Croat (Catholic) dominated municipalities in Herzegovina were regarded as pro-Croat and French troops as actively pro-Serb.72

This was to have a negative impact on (largely Muslim) displaced populations as they began to return to their pre-war towns and villages and rebuild not only homes and workplaces, but more contentiously, their places of worship and other cultural monuments. When returnees began to exert their rights in such spheres as education, the practice of religion and equality in the public space – particularly through the reconstruction of the physical markers of community identity – they were too often seen by members of the international community as demanding, obstructive and negative.73 That great numbers were categorized as so-called ‘minority returns’ in spite of the fact that the returned community had been in the majority before they had been ethnically cleansed did not help.

Yet, paradoxically, within months of the end of the conflict there was mounting pressure from the international community for the so-recently warring ethno-national groups to ‘reconcile’ – regardless of who had been the victim and who the aggressor. The restoration of the built heritage came to be linked by these external actors with this drive towards reconciliation as conveniently visible symbols of the process.

The Impact of the Wars of Yugoslav Succession on Cultural Property Protection

The deliberate and widespread destruction of cultural heritage in Bosnia and Croatia galvanized considerable activity in the sphere of cultural property protection though, as will be discussed elsewhere in this volume, few of these activities were in, or even directed


72 This bias towards historic allies could extend to British troops. In 1996 the author was told by a British Army sergeant based in Bijeljina, Republika Srpska: ‘We have to be pro-Serb because we’re British.’

towards, Bosnia itself. But in the wider domain of heritage preservation, the impact of the devastation of the Wars of Yugoslav Succession was such that ‘Yugoslavia’ was to become the paradigm of cultural property destruction during the so-called non-traditional conflicts that followed World War Two, with the Old Bridge at Mostar as the instantly recognizable visual signifier that inevitably accompanies discussions on the subject and adorns the covers of scores of books.

On the level of international humanitarian law and policy-making the catastrophe in Bosnia and Croatia brought forward an urgent review of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict by UNESCO, prompted by a proposal from the Netherlands during the 140th session of the organization’s Executive Board in October 1992, which led ultimately to the drafting and adoption of the Second Protocol to the convention in 1999. The Statute of the International Criminal Tribunal for the former Yugoslavia (ICTY) of 1993 was an important addition to international criminal law on the destruction of cultural property. In October 1993 the heads of state and government of the member states of the Council of Europe met in Vienna for the first time in the organization’s history, marking the end of the division of Europe and the integration of new member states; their Vienna Declaration explicitly referred to the events in the former Yugoslavia in reference to the declaration’s focus on democratic values and respect for human rights and the protection of minorities (stressing their right to culture), naming cultural co-operation (including protection and enhancement of cultural heritage) as essential for creating a ‘cohesive diverse Europe.’

The events in Bosnia were to prompt an eruption of symposia and workshops on disaster preparedness and damage to cultural heritage during armed conflict, such as the series of round tables organized by ICOMOS and UNESCO beginning in October 1992 in conjunction with the review of the Hague Convention from which a Risk Preparedness Scheme and an Inter-Agency Task Force (IATF) on Cultural Heritage at Risk consisting of ICOMOS, ICCROM, UNESCO, ICOM (among others) emerged. The meetings also saw the formation of the Blue Shield movement that resulted in the establishment of the International Committee of the Blue Shield (ICBS) in July 1996; while characterizing

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76 Vienna Declaration, the Council of Europe, Vienna, 9 October 1993.

77 Second Information Report on war damage to the cultural heritage in Croatia and Bosnia-Herzegovina, Parliamentary Assembly of the Council of Europe (COE), Doc. 6869, Strasbourg, 17 June 1993, 21; ICOMOS’ Risk Preparedness Scheme, ICOMOS Newsletter, No. 2 1994, July 1994, 18. The organizations represented at the meeting included UNESCO, ICCROM, ICOMOS, the Getty Institute and Patrimoine sans Frontières.


79 See the Blue Shield website at www.ancbs.org/. The ICBS brings together representatives of the Co-ordinating Council of Audiovisual Archives Associations (CCAAA), International Council on
itself as ‘the cultural equivalent of the Red Cross,’ this description unfortunately proved very far from true, and ICBS became notable for its inaction. Another gathering prompted by the destruction in Bosnia and Croatia was the seminar held in Stockholm in June 1994 on Information as an Instrument for Protection against War Damages to the Cultural Heritage which brought together not only heritage professionals from international organizations and NGOs, but a former Commander of UNPROFOR as well.80

For the destruction of the Bosnian War undoubtedly raised an awareness in the military, and more particularly in NATO and NATO member states, of the importance of cultural property protection in conflict and post-conflict scenarios (with the Netherlands and Austria showing a special interest). In June 1996, not long after the NATO-led multinational force IFOR had deployed in Bosnia on its peace-implementing operation, NATO held a conference on Cultural Heritage Protection in Wartime and in State of Emergency in Krakow as part of its Partnership for Peace (PfP) programme during which participants expressed their support for the Appeal for International Aid for Croatian and Bosnia-Herzegovina Monuments Destroyed During the War made at the IVth European Conference of Ministers Responsible for the Cultural Heritage at Helsinki on 31 May 1996.81

The concept of CIMIC (civil military cooperation) evolved in concrete form during NATO’s post-conflict IFOR/SFOR operations in Bosnia and came to be seen by the organization as an essential element of its peacekeeping and peace-implementing operations.82 NATO’s Strategic Concept of April 1999 (SC-99)83 recognized the new environment in which the Alliance’s forces were operating, mentioning its role in Bosnia, as well as stressing the importance of military cooperation with civilian actors in such circumstances. This led to an initial interest in incorporating cultural property protection within the framework of CIMIC operations. However as Joris Kila, a Dutch art historian and archaeologist involved at the early stages of the NATO/CIMIC project in 1999, has traced, interest gradually waned apparently in large part due to the same perceptions as in the wider sphere of post-conflict aid (described below) of the low status of cultural property protection, a preference for ‘high-visibility, quick impact’ projects (like refurbishing schools), and a reluctance to be seen as competing with state international development departments and the NGOs that traditionally provided humanitarian assistance.84

While its response to the destruction of cultural property in Bosnia and Croatia undoubtedly spurred some soul-searching at UNESCO which had legal responsibility for application of the 1954 Hague Convention, the International Committee of the Red Cross (ICRC), too, now had to take stock. For the ICRC also had unambiguous responsibilities towards protection of cultural and religious property under Additional Protocols I

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80 The seminar was held by the Swedish Central Board of Antiquities, ICOMOS Sweden and the Swedish National Commission for UNESCO in Stockholm in June 1994, Information as an Instrument for Protection against War Damages to the Cultural Heritage.
Introduction

(Article 53) and II (Article 16) to the Geneva Conventions,\(^{85}\) as well under international humanitarian law applicable in armed conflicts more generally, which the ICRC’s own statutes undertook to uphold and seek to apply.\(^{86}\) Not only that, the ICRC’s Legal Division was an active contributor to the drafting of the Second Protocol to the Hague Convention.\(^{87}\) It is difficult to discover evidence of any action the ICRC took in respect of cultural property protection during the Bosnian War.

After the war was over, however, the ICRC began to work more actively in promoting and disseminating information on international humanitarian law on the issue, through forums such as the Meeting of Experts on National Implementation of the Rules for the Protection of Cultural Property in the Event of Armed Conflict held by its Advisory Service on International Humanitarian Law in Geneva 5–6 October 2000\(^{88}\) or Heritage Under Fire: The Protection of Cultural Property in Wartime, a conference held by the British Red Cross in London on 26 June 2001. On 14 November 2001 the Council of Delegates of the International Red Cross and Red Crescent Movement, issued a Resolution on Protection of Cultural Property in the Event of Armed Conflict when it met in Geneva.\(^{89}\) UNESCO and the ICRC began to work more frequently together on the issue of the protection of cultural property during armed conflict, mostly through the joint organization of regional seminars and workshops.\(^{90}\)

Heritage and Warfare

As will be shown, responses to the destruction of Bosnia’s heritage during the 1992–1995 war plainly illustrate the paradox of cultural property protection in times of conflict. Though international humanitarian law clearly mandates protection of a people’s cultural property, concerns over being seen to be privileging buildings over people remained problematic for external actors – even for those engaged in heritage protection – which without doubt led to a reluctance to take action. Yves Sandoz, in 2000 a Legal Advisor at the International

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\(^{86}\) The ICRC Statutes assert its role to ‘undertake the tasks incumbent upon it under the Geneva Conventions, to work for the faithful application of international humanitarian law applicable in armed conflicts and to take cognizance of any complaints based on alleged breaches of that law’ (Article 5.2c), and ‘to work for the understanding and dissemination of knowledge of international humanitarian law applicable in armed conflicts and to prepare any development thereof’ (Article 5.2g).


\(^{88}\) For the proceedings of that meeting see Dutli, M.T. (ed.) 2002. Protection of Cultural Property in the Event of Armed Conflict.


Committee of the Red Cross, noted the dilemma of trying to implement international laws on cultural property protection when faced with human suffering in the field, but emphasized:

Deliberate attacks on cultural property are marks of contempt, and contempt can serve as an excuse or a pretext for the worst outrages, of which it is often the precursor. The struggle to defend the cultural property of a population, and hence respect for its dignity, is therefore an integral part of the humanitarian operation aimed at protecting that population.  

However, the Bosnian War raised the question, too, of whether it is even possible to protect cultural heritage during conflict where warring parties/aggressors are determined on destruction. This question was brought to the fore less than three years after the end of the war in Bosnia, as well as that of the role of multinational peacekeeping forces in cultural property protection, with the outbreak of war in nearby Kosovo, then still part of Serbia and the Federal Republic of Yugoslavia (FRY). When open conflict broke out in the province between Serbian police units and the Kosovo Liberation Army (KLA) over spring 1998, what appeared to be a repeat of the Bosnian War unfolded. Serbian forces once more engaged in ethnic cleansing, this time of the majority Kosovar Albanian population, engaging in the widespread destruction of their cultural and religious heritage.

As in Bosnia, claims over the damaged and destroyed heritage became highly politicized. Assertions by the FRY/Serb authorities of extensive damage to Kosovo’s important medieval Serbian Orthodox heritage following a NATO bombing campaign proved to be largely without foundation. However, despite the arrival of a multinational NATO-led UN peacekeeping force (KFOR) in Kosovo in June 1999, many minor Orthodox churches did suffer revenge attacks. UNESCO and ICRC responded to these increasing attacks on cultural property in 2000 with the preparation of a leaflet outlining the basic principles of cultural property protection in Albanian, Serbian and English aimed at both the local population and international peacekeepers.

But worse was to follow in March 2004, however, when notwithstanding the presence of KFOR troops guarding Orthodox sites, an eruption of interethnic violence resulted in destruction and extensive damage to 35 Serbian Orthodox sacral structures (many of them important historic monuments) by Kosovar Albanian rioters. Lessons (in theory) had been

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92 The dynamics of the conflict in Kosovo where the majority ethnic Albanian population had long endured repression on the part of Serbia was very different than that in Bosnia-Herzegovina. The Federal Republic of Yugoslavia (FRY), consisting of the former Yugoslav republics of Serbia and Montenegro, was formed on 28 April 1992. It became the state union of Serbia and Montenegro in 2003 and in 2006 the union was dissolved and Serbia and Montenegro became independent states.


96 See Activity Report of the Reconstruction Implementation Commission (RIC) for Orthodox Religious Sites in Kosovo 2005 for information on the sites affected.
learned from the Bosnian experience, and KFOR troops had a mandate to intervene with the use of force in police/military grey areas such as had occurred at the 2001 riots at Banja Luka and Trebinje during cornerstone-laying ceremonies to begin the rebuilding of destroyed historic mosques.\footnote{97 See Friesendorf, C. 2012. \textit{International Intervention and the Use of Force: Military and Police Roles}, SSR Paper 4, Geneva: The Geneva Centre for the Democratic Control of Armed Forces (DCAF), 39–58. For more on the 2001 riots at Banja Luka see Valery Perry and Helen Walasek, \textit{Domains of Restoration}, in this volume.}

Yet the KFOR responses to the 2004 attacks in Kosovo differed from contingent to contingent, with each following their own national rules of engagement.\footnote{98 See Friesendorf, C. 2012. \textit{International Intervention and the Use of Force}; Serbenco, E. 2005. The Protection of Cultural Property and Post-Conflict Kosovo, \textit{Revue québécoise de droit international}, (2005) 18.2, 121.} Whereas Italian troops resisted the attack on the monastery of Visoki Dečani, at Devič Danish troops evacuated the residents of the monastery and then withdrew, leaving it to be set alight. In Prizren German troops guarding the Orthodox cathedral of St George, whose orders only permitted the use of force in self-defence, returned to barracks, leaving the church to be destroyed. The German forces’ behaviour was widely condemned, compelling the commander of the German KFOR contingent in the city to defend their actions, saying: ‘We acted exactly according to our regulations.’\footnote{99 Von Flottau, R., Ihlau, O., Szandar, A., Ulrich, A. 2004. Deutsche Soldaten: Die Hasen vom Amsfeld, \textit{Der Spiegel} [online], 3 May. See also: Paterson, T. 2004. German troops ‘hid like rabbits’ in Kosovo riots, \textit{The Telegraph} [online], 9 May.}

### Heritage and post-Conflict Recovery

In 2007 Sultan Barakat, director of the Post-war Reconstruction and Development Unit (PRDU), writing as someone who worked extensively in the field,\footnote{100 Barakat and PRDU had worked in Bosnia. See Helen Walasek, \textit{Destruction of the Cultural Heritage} in this volume for more on the work of PRDU in Bosnia.} noted that even with a dramatic step change in the recognition of the importance of post-war reconstruction in development and humanitarian fields, cultural heritage reconstruction was still perceived as an unaffordable luxury in post-war scenarios and received little attention either in academic discourse or in international policies or practice.\footnote{101 Barakat, S. 2007, 27.} Indeed, in the scores of analyses of post-war Bosnia-Herzegovina, Dayton implementation and refugee return published over the nearly two decades following the end of the war there is scarcely a mention of Annex 8 or the reconstruction of cultural property.

In his approach to post-war heritage reconstruction, Barakat argues for (among other things) the ‘integration of cultural heritage into the wider physical, economic and social responses’ to post-conflict recovery.\footnote{102 Barakat, S. 2007. Postwar reconstruction and the recovery of cultural heritage: Critical lessons from the last fifteen years, in \textit{Cultural Heritage in Postwar Recovery, papers from the ICCROM Forum held in Rome 4–6 October 2005}, edited by N. Stanley-Price. Rome: ICCROM, 26–7.} As will be seen, despite the widely acknowledged role destruction of cultural and religious property had played as a key war aim, and despite the importance attached to preservation of Bosnia’s heritage by the inclusion of Annex 8 in the Dayton Peace Agreement, in the years following the end of the war, implementation of the annex was almost completely neglected by the international community until forced to
Bosnia and the Destruction of Cultural Heritage

As this book will demonstrate, the catastrophic attacks on Bosnia-Herzegovina’s cultural heritage were almost entirely intentional and systematic. In Chapter 1, Helen Walasek gives a detailed account of this devastation, looks at patterns of destruction, offers an analysis of losses to the built heritage and assesses the main perpetrators of the destruction and their motivation and justification for their acts. The fate of movable heritage from museums, libraries, archives and other collections is examined, including the looting and other movement of cultural property as a result of the conflict. She then turns to examine international responses to these deliberate attacks which she shows to have been (with a few exceptions) lacking in concrete action during the war and far from meeting the expectations raised after the conflict’s end.

As noted above, the war in Bosnia has been one of the most written about events in modern history, yet despite the worldwide censure, was the destruction of Bosnia’s heritage so extensively analysed? In Chapter 2, Richard Carlton and Helen Walasek provide an appraisal of documentation of the damage to Bosnia-Herzegovina’s cultural and religious property, noting that, ‘Given the scale and significance of the cultural destruction in Bosnia-Herzegovina during the 1992–1995 war … the surveys or scholarly works on the subject are remarkably few.’ Their assessment reveals that although at first glance the destruction appears to be extensively documented, yet precise figures of destruction or damage remain elusive. They note as well how wartime damage reports became a politicized tool in the propaganda battle being waged by competing interest groups regarding the pattern of destruction and accusations of culpability. They examine both wartime and post-war reports produced by local and regional sources, especially those coming from the different religious communities and heritage preservation bodies, turning finally to surveys carried out by international bodies and organizations.

The lack of independently verified information and doubts about the accuracy of the reports coming from local and regional sources led – as in other spheres – to early (and erroneous) assumptions of an equivalence of destruction of cultural and religious heritage by all three main warring parties in the conflict, an assumption which Carlton and Walasek note ‘continues to have a long afterlife in academia.’ Even after the end of the war, with the dismantling of Bosnia’s pre-war heritage system and a lack of resources (and political will) for local bodies to complete a comprehensive survey and the inability to physically access large areas where the most widespread devastation had occurred, even as late as 2000–2001, the true extent of the destruction was hard to gauge. With the conclusion of hostilities the international community had little interest in making such an assessment.

Carlton and Walasek attempted to address this partial, often inaccurate record and the absence of a comprehensive assessment by carrying out targeted surveys to validate and enhance existing data. Chapter 3 describes the authors’ fieldtrips across Bosnia-Herzegovina in 2000–2001 and subsequently, which in addition to verifying the nature and scale of monumental destruction of all types, allowed a critical examination of the validity of the highly charged and politicized wartime claims and counter claims of heritage.
determination, including scrutiny of assertions made during the war by Bosnian government authorities that Christian sacral monuments were protected by Bosnian Army forces, as well as challenging the commonly-held view of the equivalence of destruction by all three main warring parties in the conflict.

With the end of the war, the issue of how to deal with the damage to Bosnia’s cultural and religious heritage was one among the many enormous human and material problems that faced the ravaged country – one that was to a large extent ducked by the international community which had been so vociferous over its destruction during the conflict. Yet that damage to the cultural heritage had been perceived as one of the peace settlement’s critical concerns by those who framed the Dayton Peace Agreement with its ambition to reverse the effects of ethnic cleansing. Arguably the most overlooked of Dayton’s 11 annexes, Annex 8 uniquely attempted to address the issue of Bosnia-Herzegovina’s destroyed and damaged cultural heritage, providing for the creation of the Commission to Preserve National Monuments of Bosnia-Herzegovina mandated to receive petitions on monuments and sites for designation as National Monuments.

With Chapter 4, Valery Perry provides an overview of Annex 8 and the evolution of the Commission during its first five years under the aegis of UNESCO. She moves on to assess the lack of attention to the annex by those implementing Dayton until the crisis of mid-2001 when violent demonstrations over mosque reconstruction in Republika Srpska highlighted its importance in underpinning refugee return. Coming at a time when the mandate of the UNESCO-led Commission had ended, the violence prompted a new focus on Annex 8 and the body’s re-establishment as a state-level institution of Bosnia-Herzegovina under the terms of the Dayton Agreement. Perry traces the reconstituted Commission’s emergence as a key actor in the battle to preserve and reconstruct Bosnia-Herzegovina’s heritage and its historic diversity. Yet as the only heritage body in the country with a state-wide remit, the limited mandate that Annex 8 gave the Commission and its status as a Dayton institution came to be a straightjacket in the following years as it increasingly became the focus of attacks by Serb and Croat ethno-nationalist politicians and power structures.

With the Dayton Agreement focused on reversing the effects of ethnic cleansing and the global condemnation of monument destruction during the war, restoration and reconstruction of cultural heritage should have been high on the international agenda. Yet, influenced by the negative ‘framing’ of Bosnia and the aid and development community’s perceptions of the low importance of restoring historic monuments among the many challenges facing post-war reconstruction, international heritage restoration efforts converged on the iconic site of Mostar and its Old Bridge with its easily-grasped value as a symbol of reconciliation, almost to the exclusion of other sites. In Chapter 5, Helen Walasek examines international and domestic responses in respect of post-war restoration including lack of/obstructions towards restoration (including the mobilization of archaeology), the politicization of restoration, the linkage of restoration with reconciliation, and restoration as form of justice and a human right. She shows how the moral equivalence of the war years was to evolve into an often fruitless search for equivalence in restoring historic structures of importance to each of Bosnia’s three principal ethno-national groups. Yet community-led restoration of sacral structures began, despite the lack of international or local support.

The first of two case studies that continue the assessment of post-war restoration looks in greater depth at one such community-led effort. In Chapter 6, Amra Hadžimuhamedović describes the mobilization of displaced Muslims (and some Serbs) who returned to their home town of Stolac and in the face of determined and prolonged resistance from the dominant Croat ethno-nationalist power structures, began to restore its destroyed heritage in
one of the most difficult settings in Bosnia-Herzegovina, a process in which she was deeply involved. A second appraisal of the restoration scene is offered in Chapter 7 by Tina Wik, who gives an overview of the work of the Swedish organization Cultural Heritage without Borders (CHwB), virtually the only international NGO carrying out heritage restoration and preservation across Bosnia-Herzegovina in the years following the end of the war. Wik outlines the many issues and challenges she confronted during her time implementing conservation/restoration projects as CHwB’s Bosnia project leader, among them how to apply international conservation charters (like the Venice Charter) in this post-conflict setting where destruction had been so catastrophic and where local praxis or political events demanded contradictory solutions.

Finally, Helen Walasek examines how the search for justice for victims of the 1992–1995 Bosnian War became a testing ground of international humanitarian and human rights law in respect of the protection and preservation of cultural and religious property, the right to a people’s enjoyment of their cultural heritage and the development of concepts of cultural heritage and identity. In Chapter 8, Walasek outlines the ground-breaking legal precedents of the International Criminal Tribunal for the former Yugoslavia (ICTY) in their treatment of the destruction of cultural property not only as a crime in itself, but also as a manifestation of persecution and genocide, as well as summarizing influential decisions of the International Court of Justice (ICJ), the Human Rights Chamber for Bosnia and Herzegovina (HRC) and domestic courts in Bosnia-Herzegovina.