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Under new management : the obligation to protect cultural property during military occupation / John C. Johnson

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Title:	Under new management : the obligation to protect cultural property during military occupation
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Abstract:	Major John C. Johnson, a U.S. Judge Advocate General, assesses whether the United States violated international law in the days immediately following the invasion of Iraq by failing to secure the Iraqi National Museum against looters. More specifically, the author attempts to determine if the United States violated its obligations under the laws pertaining to military occupation and the protection of cultural property. The author compares the legal regimes for the protection of cultural property during armed conflict and in times of peace. He then briefly describes the complex international legal framework that governs military occupation. Based on this historical review, the author identifies possible sources of U.S. responsibility to protect cultural property during a military occupation. He then applies these obligations, stemming from both the 1907 and 1954 Hague Conventions, to the Iraqi National Museum incident. While the author finds that there is too much uncertainty surrounding the events in Baghdad to discern whether U.S. forces complied with international law, he does believe the incident is cause for concern and may have been avoidable. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]
Authors:	Johnson, John
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