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# Protection of Cultural Heritage in Peace Operations

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BLUE HELMET FORUM AUSTRIA 2019

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## Foreword

*“Damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world.”* (Convention for the Protection of Cultural Property in the Event of Armed Conflict, 1954)

The Association of Austrian Peacekeepers (AAP) annually organizes the Blue Helmet Forum Austria (BHFA) in cooperation with the Austrian Ministry of Defence, especially the Directorate General for Security Policy and the National Defence Academy. The BHFA brings together international, regional and local experts of the peacekeeping community to discuss issues that are at the heart of their agenda.

Since military targets have changed from purely opposing armed forces to the identity of the opponent, the conflict between cultures and the destruction of cultural heritage have become an integral part of armed conflict. What can be considered a type of cultural genocide has become a weapon of war; hence, the international community is slowly but surely now including cultural protection in its peace operations.

Not only military targets have changed, but legislation has also changed. The military perception of legislation stems from World War II, when the bombing of Dresden

and Coventry was not deliberate destruction of cultural heritage but part of psychological war and destruction of cultural heritage was collateral damage. The 1954 Hague Convention, which established rules for the protection of cultural goods during armed conflict, is the first international treaty designed to protect cultural heritage in war and conflict, and led to the establishment of the International Committee of the Blue Shield (ICBS) in 1996 aimed at protecting the world's cultural heritage threatened by wars and natural disasters. The Second Protocol of 1999 to the 1954 Hague Convention was important because it brought the destruction of cultural heritage into the realm of criminal law, including the role of the individual soldier.

The next major legal step was the establishment of the International Criminal Court at The Hague, a legal institution which could pursue and prosecute (as it did, for example, the Malian fighter who destroyed shrines and historic sites in Timbuktu in 2012). In response to increasing challenges, the international community has launched a number of initiatives to strengthen the protection of cultural heritage in conflict situations and to combat the illicit trafficking of cultural property. The UNESCO Military Manual and newly developed NATO heritage protection training materials are useful tools for insights and a solid understanding of the legal and operational aspects of the protection of cultural property in armed conflict, in the framework of the 1954 Hague Convention.

The United Nations Security Council resolution 2347 (2017) has resulted in the adoption of strong regulations and growing efforts to document, preserve and safeguard cultural heritage at risk. In addition to resolution 2347 (2017), the Security Council has adopted the following resolutions related to cultural heritage: resolution 2199 (2015), adopted under Chapter VII of the Charter of the United Nations; and resolutions 2253 (2015) & 2368 (2017), in which the Security Council recognised the illicit trafficking of artefacts as a source of terrorist financing. The Security Council has further considered culture and its protection in the context of United Nations peacekeeping and political missions, in its resolutions 2100 (2013) on Mali and 2233 (2015) on Iraq.

The Blue Helmet Forum Austria 2019 was held in cooperation with Blue Shield Austria in line with the Blue Helmet Blue Shield Memorandum, which was signed in Vienna in 2016. The memorandum was triggered by the recognition of the necessity of a sustainable and prompt integration of cultural property protection in the planning and operations of all UN Peacekeeping missions as well as in the training of UN Peacekeeping officers.

The Blue Helmet Forum Austria 2019 was devoted to cultural property protection as a new and important agenda in training and in peacekeeping missions.

It furthermore explored in a comparative approach the status of cultural property protection in NATO as well as in national armed forces in cooperation between different actors in the broad field of cultural property protection, including civilian experts and academia.

General (ret) Günter Höfler,

President of the Association of Austrian Peacekeepers

## Table of Contents

Anna Puhr	
Summary – Blue Helmet Forum Austria 2019 .....	9
Joseph Kreidi	
UNESCO Beirut and the 1954 Hague Convention.....	19
Laurie W. Rush	
Field Training for Cultural Property Protection.....	27
Frederik Rosén	
The Nordic Centre for Cultural Heritage and Armed Conflict.....	33
Stefano Bergonzini	
The Role of NATO Stability Policing in Cultural Property Protection .....	41
Tiziano Coiro	
The Carabinieri Command for the Protection of Cultural Heritage .....	71
Joanne Farchakh Bajjaly and Neil Brodie	
ESTERDAD A training network for the recovery and return of trafficked cultural objects .....	83

Svetlana Jovic Protection of Cultural Property in the UNIFIL area of operations: Tyre Union of Municipalities case study .....	99
Franz Hollerer Protection of Cultural Property (PCP) in UN Peacekeeping Missions: A Short Report about the Practical Part of the Training within UNIFIL .....	107
Anna Kaiser & Hannes Schramm The Concept of Cultural Heritage Rescue Teams and its Potential for the Military .....	113
Alois Hirschmugl Hybrid Threats, Disaster Relief and the Military – A Challenge for South-Eastern Europe/Western Balkans .....	131
Stefan Jangl Protection of Cultural Heritage during Armed Conflicts .....	149
Authors .....	171

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Summary – Blue Helmet Forum Austria 2019

This year's Blue Helmet Forum Austria was opened by General (ret) Günter Höfler, President of the Association of Austrian Peacekeepers (AAP) and General (ret) Günther Greindl, Honorary President of the AAP, and welcomed over 40 guests and lecturers from Austria, Croatia, Denmark, Italy, Lebanon, Slovakia and the United States. During two lively forum days, national and international experts were brought together for an interdisciplinary discourse on the protection of cultural heritage to reveal current challenges, exchange best practices and find possible solutions. Special attention was paid to protect not only in armed conflicts, but also particularly in military peace operations.

In his opening remarks, General Höfler highlighted the fact that military targets have changed from purely opposing armed forces to conflicts between cultures.

*“The destruction of cultural heritage has become an integrated part of armed conflicts.”*

Measures such as the Hague Convention for the Protection of Cultural Property in Armed Conflict (1954) and the Second Protocol to the Hague Convention (1999) formed the first legal fundamentals in the field of cultural heritage protection. They were followed by resolutions of the United Nations Security Council, the “UNESCO Manual on the Protection of Cultural Property” (2016), and the newly de-

veloped NATO training material on “Best Practices for Cultural Property Protection in NATO-led Military Operations”. Shocking events as what happened in Palmyra recently raised media coverage and public awareness for the relevance of cultural property protection and also demonstrated what the destruction of cultural heritage can cause in a region.

### Input of participants

The event was organized in four panels followed by an expert discussion.

#### *The first panel,*

chaired by General Greindl, gave insight into the international framework starting with an overview of Blue Shield International by its President Dr. Karl Habsburg-Lothringen. The international organization was founded in 1996 to protect the world’s cultural heritage from threats such as armed conflict and natural disasters. He clarified the fact that UNESCO does not have an executive arm and therefore, Blue Shield was initiated to take up that duty. Recent developments have been the shift from protecting tangible cultural heritage to including intangible heritage, as well as a change in focus from post-conflict to pre-conflict scenarios.

*“If a soldier is going on an international mission, most likely, the first element of culture he will be confronted with – which might be under threat – is intangible.”*

Dr. Frederik Rosén of the Nordic Centre for Cultural Heritage and Armed Conflict drew attention to the gap between promises and performances when it comes to state actions of implementing the 1954 Hague Convention. He sees this gap because of three major difficulties: the lack of scientific evidence of the implications that loss of cultural heritage has to a society, the academic discussion that takes place only within humanities, excluding the defence sector, as well as confusion amongst authorities concerning responsibilities.

The American anthropologist and archeologist, Dr. Laurie Rush, gave valuable information about soldier trainings and highlighted the importance to include cultural heritage into existing training exercises where she presented numerous pioneering programs that included playing cards, video games and fake cultural properties to educate soldiers effectively in preparation for a mission.

Joseph Kreidi from the UNESCO Office Beirut gave an insight into the Lebanese perspective and their experiences in restoring post-conflict heritage sites as well as trainings with the Lebanese Armed Forces (LAF) and the United Nations Interim Force in Lebanon (UNIFIL), whose main purpose is to enhance the soldiers' knowledge about the relevance of the Hague Convention. He claimed that cultural heritage protection is essential for long-lasting peace in the country and informed about the first workshop only for female military officers in the framework of the gender equality agenda.

*The second panel,*

chaired by General Höfler, was dedicated to specific experiences and best practices from the field. Italian contributions came from Luogotenente Carica Speciale Stefano Bergonzini and Captain Tiziano Coiro who spoke about the Carabinieri Headquarters for the Protection of Cultural Heritage (Comando Carabinieri Tutela Patrimonio Culturale - TPC). Since the 1980s, the TPC has been using the “Database of illegally removed cultural artefacts”, an investigative tool that collects information on artefacts and cultural properties and, at the same time, a sophisticated computer technology pioneering in the field of cultural heritage.

Joanne Farchakh Bajjaly, founder of the Lebanese non-governmental organization BILADI, shared her long-term experience in the field of education, protection and promotion of cultural heritage. She presented the successful training program “Esterdad”, a training course aimed at specialists in the field of cultural heritage protection, teaching them legal and law enforcement aspects of preventing the illicit trade of cultural objects. The course was organized in cooperation with Oxford University and funded by the Norwegian Embassy in Lebanon until 2019. Bajjaly pointed out the necessity of training participants as trainers within the program to keep it sustainable and ongoing.

An Austrian perspective was brought in by Brigadier Dr. Christian Ortner, Director of the Austrian Military History Museum, who spoke about the progress in museums and the long history of dealing with cultural objects and mili-

tary trophies. In 1946, Austria adopted the first law on the restitution of cultural objects in the context of many formerly Jewish collections having been confiscated by the Nazi regime. Nowadays, every Austrian state museum has to prove the origin of every object to show it was received in a legal way.

*The third panel,*

chaired by Dr. Karl Habsburg-Lothringen, took a closer look at UNIFIL's work. Svetlana Jovic, UNIFIL Deputy Chief Civilian Affairs, presented a cultural property protection seminar at the UNIFIL Headquarters that took place in April 2019 in cooperation with Blue Shield International and BILADI. Priorities were aspects like building local capacity, engaging local actors in the process and teaching peacekeepers of their responsibilities. UNIFIL military peacekeepers, civil affairs personnel as well as LAF and the civil society were active participants and gained important knowledge how to support local governments in providing cultural heritage protection. In addition, Brigadier General Franz Hollerer from the Theresian Military Academy and Dr. Friedrich Schipper from Blue Shield Austria shared their experiences from their engagement in the project.

*The fourth panel,*

chaired by Lieutenant General (ret) Bernhard Bair, gave examples of national and international training programs. Captain Dr. Anna Kaiser from the Danube-University Krems presented the EU project "ProteCHt2save" which aims to mitigate the impacts of climate change and natural

hazards on cultural heritage sites, structures and artefacts by an improvement of capacities of the public and private sectors. The focus is hereby set at the importance of civil-military cooperation (CMC) and teaches academia how to train with military.

Dr. Prof. Alois Hirschmugl, Brigadier General from the Austrian Armed Forces, outlined the structure of current international disaster relief-hybrid threats and presented international trainings. He pointed out that hybrid threats might lead to disasters but can challenge affected states more than necessary. Therefore, it is of high importance to develop resilience which can be achieved by a well-informed population and a functioning network of neighboring countries, regional and international organizations.

The panel was finalized by Colonel Stefan Jangl, President of the Association of Slovakian Peacekeepers, who presented the Slovakian perspective about peacekeeping missions and their potential of increasingly including cultural heritage protection on the agenda.

*The expert discussion,*

chaired by General Greindl, was held with Dean Prof. Christian Hanus from the Danube-University Krems who reminded of the different reception of countries when it comes to cultural heritage, and the importance of memory and history embedded within this topic. He pointed out that the German translation of monument is "Denkmal" which already contains the word *thinking* and can be understood – when it comes to cultural heritage sites – as *places of thinking*.

These places must be protected not just for the sake of our past but for the education of our future generation.

### Main findings

#### Identity as new target

- An increasingly complex warfare aims to attack the enemy at their roots: their culture, their identity;
- Erasing cultural goods and properties that contributed to a population's identity, can disconnect people from their roots and thus erase their identity;
- The destruction of cultural heritage has subsequently been used as a new tool of warfare and cultural property protection has become a concern of the international community.

#### New challenges during peacetime

- Intervening when it is too late can have disastrous consequences for a population's culture;
- It is crucial to protect cultural heritage not only during and after conflicts, but focus on the prevention of its destruction during peacetime;
- The large number of actors in the field such as civil society, archaeologists, local stakeholders, peacekeepers, armed forces and Ministries of Defence, Justice or Culture challenges the division of responsibilities.

## Involvement of the military

- The involvement of the military can lead to stabilization, trust and reconciliation and a cooperation with civilians can further bring confidence among the population;
- The military has implemented trainings to make soldiers aware of cultural property protection, but from a legal point of view, civil organizations are still the ones in charge to take the right measures in peacetime;
- A stronger civil-military cooperation (CIMIC) in this field is therefore priority to foster military inclusion in peace operations;

## Necessity of institutional framework

- The two main difficulties for an institutional framework are the lack of academic research on the consequences of destructed cultural heritage and the fact that academic discussion takes only place in the civil area without the necessary language and knowledge from the defence sector.
- Resources are limited in the military as well as in the civil area and the international community calls for an institutional framework and a scientific foundation: without a framework, no budget.
- NATO could be the organization to offer a legal framework such as a directive on cultural heritage, provided that a strategic and scientific concept is given.

## Claim for interdisciplinary cooperation

- CIMIC plays an essential role in protecting cultural heritage in peace operations but it emerged very clearly that also science and academia must be part of actors in the field;
- Best practices at the forum have functioned as model examples how such cooperation can work and have led to fruitful discussions – the overall agreement was the demand for an interdisciplinary approach for the necessary cooperation between the actors.

The Blue Helmet Forum Austria 2019 was dedicated to the protection of cultural heritage as an important agenda in peacekeeping operations and has picked up on a topic that cannot be avoided in the upcoming years. Culture has always been fundamental for stability and development in communities and it is in all of our interests to protect cultural heritage, whether tangible or intangible, from conflicts, natural disasters or catastrophes. Fortunately, this has nowadays been recognized by the international community. An official NATO directive would be fundamental in establishing the necessary institutional framework for the required implementation and challenges can only be mastered with a systematic approach that aims at strengthening the cooperation between the military, civil society and science.



Joseph Kreidi

## UNESCO Beirut and the 1954 Hague Convention

The Hague Convention is the first international agreement of universal vocation focused exclusively on the protection of tangible cultural heritage in the event of armed conflict. Its scope covers both immovables such as monuments of architecture and archaeological sites and movables, which include works of art, manuscripts and other objects of archaeological interest as well as scientific collections. The concept of protection under the Hague Convention is based on two fundamental principles: the safeguarding of, and respect for, cultural property.

In times of armed conflict, each State party to the Convention is requested to respect cultural property on both its proper territory and the territory of its adversary. Furthermore, it must prohibit, prevent or stop any form of theft, misappropriation or vandalism against cultural property. In the event of occupation, the occupying State is under an obligation to support the relevant authorities of the occupied country in safeguarding and preserving its cultural property.

The Convention was adopted together with a Protocol, which prohibits the export of cultural property from occupied territory and requires the return of such property to the territory of the State where it came from. Currently, 133 States are party to the Convention, 110 of which are also Parties to the 1954 Protocol. It is to be noted that Lebanon is a State party to both agreements.

The protection of cultural property in the event of armed conflict is not the responsibility of countries alone, but also that of the international community as a whole, knowing that it is today one of the most important challenges that we all have to face together. Despite the increasing number of parties to the Hague Convention and its two Protocols and the increasing awareness of the public and the military forces of the importance of their implementation, we still have a long way to go to solve this big problem. Thus, the importance of this Forum. Regrettably, cultural heritage has been damaged or even destroyed in a number of conflicts throughout the world. The most recent examples of tragic and mindless destruction were Iraq and Syria. By destroying or damaging the world heritage sites of Aleppo and Palmyra in Syria, warring factions deprived not only the countries, but also the whole of humanity, of important cultural heritage. Thus, there has been a renewed importance of the 1954 Hague Convention and its two Protocols.

Lebanon has experienced the need and importance of protecting cultural property first-hand, in particular during the 2006 War, when on 11 August 2006, the Director-General of UNESCO issued two public statements:

- a "Heritage Alert" calling for the protection of cultural heritage, in particular World Heritage sites, potentially affected by the crisis;
- a Declaration of a general nature, expressing "fear that the grief caused by present events will jeopardize the future": The Declaration refers to the environmental dis-

aster, the humanitarian situation, the violence and turmoil created by the conflict and its impact on the future of the country and its people.

The countries in the Middle East received the alert and limited damage to World Heritage sites resulted. Subsequently, Lebanon and UNESCO-Beirut cooperated post-conflict to restore the Byblos, Baalbek and Tyre World Heritage sites.

To that effect, and in view of the ongoing tensions in the Region, the UNESCO-Beirut Office organized two training seminars: One for the Lebanese Army in 2013 and the second for the UNIFIL Officers in 2015.

These trainings' main purpose was to enhance the knowledge of the UNIFIL officers and Lebanese Armed Forces of the relevant obligations under the Hague Convention and its two Protocols. The 2015 seminar was attended by 36 UNIFIL Officers of a variety of nations and was the first seminar of that sort ever conducted for "Blue Helmets" in the history of the UN. It included five thematic sessions:

- 1) Introduction into the Hague Convention and its two Protocols and examples of the Secretariat's activities regarding the implementation of those agreements.
- 2) Specific examples of UNESCO's activities regarding the Arab region.
- 3) Military aspects of the implementation of the Hague Convention and its two Protocols.

- 4) Measures of respect relating to the Hague Convention and its two Protocols.
- 5) Penal aspects of the Hague Convention and its two Protocols.

In addition, the participants also took up the issue of the fight against the illicit trafficking of cultural property. It is worth mentioning that the agreement between the United Nations and the Government of Lebanon on the status of the United Nations Interim Force in Lebanon which was signed on December 1995 (still on force) includes Article 7(a) that obligates UNIFIL to conduct its operation in accordance with the 1954 Hague Convention. The article reads as follows:

“7. Without prejudice to the mandate of UNIFIL and its international status:

(a) The United Nations shall ensure that UNIFIL shall conduct its operations in Lebanon with full respect for the principles and spirit of the general convention applicable to the conduct of military personnel. These international conventions include the four Geneva Conventions of 12 August 1949 and their Additional Protocol of 8 June 1977 and *the UNESCO Convention of 14 May 1954 on the Protection of Cultural Property in the Event of Armed Conflict;*”

The agreement, which was signed 24 years ago (even before the adoption of 1999 Second Protocol), demonstrates the will of the host country to ensure the observance of cultural property protection by the UN (UNIFIL).

The protection of cultural heritage in times of armed conflict is essential to achieve long-lasting peace. Lebanon was one of the first countries, which expressed its commitment to the preservation of heritage. Lebanon ratified the 1954 Hague Convention and its First Protocol in 1960. Throughout these years, Lebanon trained its armed forces, cultural heritage professionals and law enforcement agencies to ensure the protection of heritage in times of emergencies. Lebanon improved its legislation to deter possible crimes against cultural property. Throughout these years, Lebanon worked very closely with UNESCO in a number of initiatives both at national and international level.

It is to be noted that a few years ago, Lebanon established with the support of the UNESCO Beirut Office a committee representing the Ministries of Culture, Defence and Foreign Affairs to study the possibility of ratifying the 1999 Second Protocol.

The committee submitted a preliminary report to the Ministry of Culture and I am pleased that the joint Parliamentary Commission approved the ratification of the 1999 Second Protocol by Lebanon.

The Lebanese Army, which currently consists of approximately 75,000 troops, has formed a Directorate to provide training and support related to enforcing all UN Conventions including the 1954 Hague Convention. The Key elements of their efforts include:

- training during the induction of all new recruits on the various UN conventions;
- a poster that provides directives to all military regarding what they are supposed to do when they see the Blue Shield;
- a pocket-sized card that all military are expected to carry with them with the directives.

Induction training also includes reference to gender equality. The Lebanese Army includes women, so recruits are advised on harassment and human rights policies.

Since Lebanon adopted the Hague Convention in 1960, the Lebanese government has not sent any list of important Cultural and Heritage sites to the UNESCO headquarters in order to protect them during armed conflicts. In 2015, the UNESCO Beirut Office prepared a no-hit list for South Lebanon. The list was handed over to UNIFIL and to the Lebanese army officials in order to help them protect the cultural and the heritage assets of the South Lebanon during any potential armed conflict in the future. 94 archaeological sites and monuments were identified. The no-hit list included the main information needed together with the x and y coordinates reported in the stereographic projection system.

In addition, the UNESCO-Beirut Office launched an educational pilot activity where more than 1,000 students participated in several workshops entitled "Safeguarding Heritage: La Hague Convention for Children" which aimed at raising awareness on heritage issues among the young

generation focusing on the Hague Convention and also introducing them to the notion of World Heritage sites.

Furthermore, in light of the UNESCO's global priority of gender equality and need to provide appropriate training to the armed forces in the protection of cultural property, UNESCO organized a first-of-its-kind regional workshop on the protection of cultural property for the female military officers in Beirut, Lebanon, from 1<sup>st</sup>-3<sup>rd</sup> October 2019. This workshop aimed to strengthen the knowledge of female members of the armed forces on cultural property protection, as well as to contribute to their career development.



Laurie W. Rush

## Field Training for Cultural Property Protection

This article is written in the private capacity of the author and does not reflect the official position of Fort Drum, the US Army, or the US Department of Defence.

The military archaeologist or heritage professional who works to educate military personnel serves as an interlocutor between the academic and military communities. These individuals have a responsibility not only to be competent subject matter experts within their own areas of expertise, but they also require a thorough understanding of how military culture, military training and military operations work. Men and women who are risking their lives to support a military mission deserve accurate and pertinent information that will genuinely contribute to a successful mission outcome. Laws of Armed Conflict and Treaty Obligations are important, but if the goal is truly the protection of cultural property during the course of armed conflict, it is critical to help deploying personnel develop an understanding of how the ability to identify and respond appropriately to cultural property on the battlefield will contribute to mission success. This process requires effective cross-cultural communication between members of the academic community who can provide knowledge, training, and education and the military personnel who will benefit from access to critical infor-

mation and the opportunity to practice their skills in the field.

During the course of the Science for Peace and Security (SPS) Cultural Property Protection (CPP) Project, the participants made a compelling case that CPP applies at every phase of a military operation, and they shared those findings in both the final report and in the CPP Best Practices Handbook. In addition, in a comparison of villages in Afghanistan where NATO vehicles avoided cemeteries and roadside shrines versus villages where NATO vehicles parked in cemeteries and damaged roadside shrines, Aronson<sup>1</sup> (2016) discovered a 30% increase in attacks with improvised explosive devices (IEDs) in the latter locations. When cultural property issues have a direct effect on the lives of military personnel, training and education becomes increasingly important.

Military professional education and field training methods can range from distribution of graphic training aides to formal classroom sessions to offering soldiers in the field the opportunity to solve a cultural property protection challenge. In terms of graphic training aides (GTAs), successful examples include the US archaeology awareness playing cards, which have been extremely well received and in fact have been duplicated in additional NATO countries and by some Blue Shield Committees. Another successful model for GTAs are the Mali, Mosul, and Raqqa Cultural Property

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1 Jacob Aronson, University of Maryland, 'Identifying the Impact of Heritage Site Damage in Afghanistan' (unpublished paper, 25 November 2016).

Passports. These multilingual booklets offer maps with images that share information on key cultural properties and sacred sites found in highly important and contested urban conflict zones.<sup>2</sup>

It is very important to remember that graphic training aides can and should not take the place of detailed intelligence, cultural property inventory, and mapping products that identify important features like cemeteries, shrines, and sacred features in the landscape. Imagery analysts need to be able to identify signatures and clues for heritage properties and indigenous infrastructure in aerial images. Equally important, when they encounter clearly man-made features of unknown origin in the imagery, they need to know who to ask, and when they ask, they need prompt and accurate responses.

Formal presentations provide an opportunity to give a brief introduction to the concept and significance of CPP distinct from cultural awareness. Pre-deployment training opportunities not only offer information but also create the potential for reach back partnerships with subject matter experts, some of whom have decades of experience in a specific region. Formal presentations can be especially effective when military officers are also heritage professionals. The Donau University Krems CPP Masters Degree Program

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2 The Mali Passport was developed by UNESCO and the Mosul and Raqqa Passports were developed by the Smithsonian and Penn and distributed in partnership with USCBS and the US Department of Defence.

demonstrates this concept in its role as a global leader and model for CPP education.

As valuable as the above methods may be, nothing can substitute for field experience. The 10<sup>th</sup> Mountain Division, a US Army unit based at Fort Drum, NY, is demonstrating increasing success with the implementation of “injects” into actual field training experiences. An inject is a special challenge built into a field scenario that works to make the training experience more realistic in ways that hopefully mirror surprise challenges a soldier may encounter in the deployed environment. The Fort Drum CPP injects are designed to involve as many types of soldiers as possible in addition to senior leaders. Injects offer the opportunity to use actual cultural property found in military training areas as training assets. At Fort Drum, all of the protected archaeological properties are incorporated into major exercise scenarios and offered to the scenario writers and mission planners as the cultural property inventory for the Fort Drum no strike list. The archaeology team serves as role players, and Fort Drum’s LeRay Mansion Historic District is an ideal venue for Key Leader Engagements (KLEs) as it provides a setting that soldiers might expect in foreign embassies and provincial palaces. The active participation of subject matter experts enables implementation of realistic scenarios like iconic or sacred cultural property targeted for destruction by terrorists; looting of archaeological sites; theft of objects from museums, places of worship and cultural institutions; interdiction of smuggling; and/or first use of cultural property for strategic or tactical advantage. A typical inject could

begin with theft of cultural objects by the adversary, continue with a KLE between the host nation Minister of Culture and the Brigade Commander where the host nation expresses concern about the potential for the presence of iconic property on the battlefield, can continue with recovery of critical objects by military personnel and culminate with a successful repatriation and the associated positive strategic communication messages. Mills and Rush have provided more detailed step-by-step information about how to implement CPP injects<sup>3</sup> in their Military Review publication.

Exercises in deployed environments also offer opportunities for “on site” training. Just as western monuments officers offered educational opportunities in sites like Leptis Magna and Cyrene Libya during World War II, subject matter expert partners have offered on site training in conjunction with the Egyptian Bright Star War Games at sites like Saqqara, Giza and El Alamein. The overwhelming consensus is that offering military personnel the opportunity to experience world heritage sites is a powerful way to convey the significance of cultural property that is difficult to duplicate.

When CPP information is used wisely during the kinetic phases on an operation, the goal is for as much cultural fabric of a community to be left intact in order to enable the final phase of military operations, which is transition back to civil society at the community level. Prepared military per-

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3 Mills, Kristoffer and Laurie Rush 2017 The Integration of Cultural Property Protection into a Decisive Action Training Exercise, Nov/Dec Military Review, pp. 106-116.

sonnel will be less likely to inadvertently damage cultural property, reducing the probability of exacerbating conflict unnecessarily. When heritage professionals and academic personnel provide valuable information and training that has direct application to a military operation, military personnel will be extremely receptive and appreciative. When sacred places, agricultural infrastructure, traditional gathering spaces and other elements of cultural life are spared during conflict, a host nation community has a greater chance for peace in the future.

Frederik Rosén

The Nordic Centre for Cultural Heritage and  
Armed Conflict

First, I would like to thank the organizers, Austria and all our good Austrian colleagues for their great and ongoing contributions in supporting CPP.

The Nordic Centre for Cultural Heritage and Armed Conflict (Denmark) is a small organization with a big footprint. We work with stakeholders in defence and security sectors as well as international organizations with the aim of providing research-based support for crafting policy, doctrine and capacity to accommodate the aims and ambitions of the 1954-Hague regime as well as other military concerns related to cultural heritage.

We have been running a most influential international project with regard to developing military approaches to cultural heritage protection, the NATO Science for Peace and Security project on Cultural Property Protection in NATO-led Military Operations (2014 - 2017). In 2019, NATO member states approved a second round of the project, which we are just about to launch. Parallel to the NATO workstream, I have also been involved in policy-focused research on UN peacekeeping, and I am familiar with collaborating as a researcher with UN member states, the UN secretariat as well as UN missions.

I would now like to focus this gap between political attitudes and practical action that we see on the international level but also on state level with regard to addressing challenges related to cultural heritage in armed conflicts. The gap, which affects

CPP, also in the context of UN peacekeeping, is vertical viz. political versus operational levels; it is also horizontal viz. between sectors, namely the cultural, the defence and security sectors.

Whoever wants to instigate work in *the UN peacekeeping setup on a thematic issue like CPP first of all needs to convince UN member states and namely their military stakeholders about its relevance. A standard reply from defence organisations is that with the exception of military targeting, cultural heritage is not really relevant for them, because this matter is “taken care of” by UNESCO. Nevertheless, despite the great work carried out by UNESCO, its Member States never provided UNESCO with the necessary tools and resources to work on the ground to provide effective protection and safeguarding of cultural heritage during armed conflicts.*

If you ask the UN Member States, they strongly believe that CPP should not be added to the already overburdened UN peacekeeping operations. Troop Contributing Countries (TCCs) already voice strong discontent about being asked to perform too many and too difficult Protection of Civilians-related tasks in ever-more perilous environments. It may here be worth noticing that France did not push cultural heritage protection language into United Nations Security

Council Resolution 2100 (25<sup>th</sup> April 2013) that established the UN peace operation in Mali to make CPP a function of UN peacekeeping. Rather, the aim was to support the International Criminal Court by providing the Court's forensic staff with security coverage to enable their investigation of Ansar-Dine's crimes against cultural heritage in Mali.

If we look at the European Union's External Action Service, they only very recently, in 2018, started to build an approach to integrate the cultural dimension within the EU's overall security policy, and the ambitions remain unclear. The EU did experiment with running CPP courses as a component of the EU Advisory Mission in Iraq (EUAM Iraq), and the reports coming back from the field are that the course was well received by Iraqi trainees, so we will see how that develops.

NATO's work with building a military approach to cultural property protection and management during NATO operations shows progress. In many ways, it blazes the trail for other international organisations including UN Peacekeeping. It must however be noticed that NATO's work has been anchored in the strategic commands with expertise provided by the academic community. NATO still lacks an overall framework in the form of a NATO policy to enable stakeholders to work on CPP, yoke together CPP-related activities across the NATO organisations, and empower cooperation including information sharing with other international organisations.

My point is that despite growing political agreement across the international community that cultural heritage including places of worship forms a dimension of contemporary conflicts that warrants urgent attention, we see few top-down investments in practical instruments to accommodate these challenges. The international level mirrors the national level where CPP initiatives in the defence and security sectors struggle to mobilize resources, define their roles in their institutional contexts, and achieve formal recognition. The challenges with elevating the cultural heritage agenda in UN peacekeeping must be viewed as part of this general slowness of states and *international organisations to act on this matter*.

From my experience engaging with the cultural heritage agenda in defence and security sectors, I see three major roadblocks for developing the agenda:

Firstly, we have strong norms and a comprehensive international legal framework that applies to cultural heritage during armed conflict. Nevertheless, we lack a clear picture of the actual implications to society that the loss of cultural heritage brings. For instance, the concept of “cultural cleansing”, with its idea that cultures may be destroyed by demolishing their material expressions, appears intuitively correct and historical examples come to mind. Not forgetting how the concept of “cultural genocide” almost made it into the Genocide Convention. Yet no systematic research evidences and explains empirically such a link between destruction of heritage and destruction of cultural groups. Likewise, we lack systematic research on the role of sites and objects of signif-

icant cultural value in conflicts in countries hosting UN peace operations. In the same way, regardless of its clearly destructive impact on heritage, we lack accurate knowledge of the actual effects of looting and trafficking of heritage objects on international security, including its link with the financing of terrorism.

Now, this lack of substantiated knowledge makes it difficult also for UN member states and the UN Department of Peace Operations to set priorities. Because who wants to take the lead and use already way overstretched resources to develop a new thematic area without firm facts underpinning aims and ambitions?

Secondly, another difficulty we face is that, apart from international law of armed conflict, the academic discussions on cultural heritage in war and conflict primarily take place within the humanities, and the CPP agenda generally viewed remains dominated by civilians. The predominance of humanities researchers and civilians with weak knowledge of the inner workings and language of defence and security sectors has the effect that recommendations tend to be impractical to stakeholders.

On the other side, I see how defence and security scholars and researchers, including those who work on UN peacekeeping, hold on to a tradition of viewing culture as something immaterial and purely social. They study religion, nationalism, identity-politics, belief systems, friends and enemy formations as discourse and social constructions. This hinders the development of an academic agenda on peace-

keeping that explores this material dimension of culture that we call cultural heritage.

Thirdly, there is definite confusion among states concerning how to determine the relevant authority for implementing the 1954 Hague Convention and its Protocols. At the domestic level, the topic continues to fall between the chairs of the ministries of defence, culture, and justice. The 1954 Hague Convention and its protocols are habitually put under the umbrella of “culture conventions” and are often managed by the national ministries or departments of culture, despite forming an integral part of the laws of armed conflict, and as such should be solidly anchored in the ministries or departments of defence.

The misperception is generic also on the international level. At the first conference ever in NATO Headquarters on cultural heritage protection, held in April 2019, one of our key panelists started with saying that “it is a bit odd to come to NATO to discuss cultural heritage”. Why does it feel odd to come to NATO to discuss a key instrument of the Laws of Armed Conflict? Is NATO not exactly the place where these discussions are supposed to take place? Unfortunately, his comment expresses, I believe, the general confusion about the 1954 Hague regime that dominates also UN member states’ perceptions as well as stakeholders in the UN secretariat.

In that regard, we also need to acknowledge that the UN peacekeeping system works in a different way than NATO. When NATO employs missions, it is the same na-

tions that approve the missions and write up the mandate that send troops. When the UN Security Council mandates peacekeeping missions, the UN hires troops from India, Pakistan, Bangladesh, Uruguay, Nigeria, and so on. And the protection agenda in UN peacekeeping as well as in NATO and in military affairs – generally viewed – remains under-resourced and under-prioritised. In view of how wars increasingly crave civilian lives, generate refugee flows and scarcity of food, health and security, we could expect states to invest in this area. And they do – but only so much. A few years ago, I did a survey of UN troop contributing countries and their use of UN developed Protection of Civilians material – and what we found was that the material was hardly used, and that commanders and military staff hardly understood the Protection of Civilians concept.

So, I see a bumpy road ahead to elaborate a CPP component in UN peacekeeping. It's not enough to wave the 1954 Hague convention or Security Council Resolution. What is needed to get things right is a better evidence base for presenting the case. And that evidence base needs to depend on case by case studies of the implications of cultural heritage to peace operations, to showcase how cultural heritage matters to conflicts and peacebuilding in mission areas. Moreover, that research needs to be conducted from a military and peace operations perspective and communicated to stakeholders in a manner they understand. That was what we did in NATO; and it worked. It is not a tall order, we have the research tools and access to the field, and we just need to find the way to pay for it.



Stefano Bergonzini

## The Role of NATO Stability Policing in Cultural Property Protection

Disclaimer: This paper is a product of the NATO Stability Policing Centre of Excellence and its content does not reflect NATO policies or positions, nor represent NATO in any way, but only the NATO SP COE or author(s) depending on the circumstances.

Till now Cultural Property Protection (CPP) has regrettably been only sporadically mentioned and partially covered within the NATO doctrinal corpus. This lack of comprehensive, harmonized and actionable documents deprives commanders, planners and practitioners of the needed tools to understand and fully appreciate the significance of Cultural Property and its protection.

Within the Alliance, CPP is considered a crosscutting topic (CCT) and has finally been addressed in line with the “Policy for the Protection of Civilians”<sup>4</sup>, the related Action Plan<sup>5</sup> and the “Military Committee Concept for the Protection of Civilians”<sup>6</sup> through the “NATO Bi-Strategic Com-

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4 PO(2016)0477 NATO Policy for the Protection of Civilians endorsed at the Warsaw Summit dated 10 June 2016.

5 PO(2017)0055 Action Plan for the Implementation of the NATO Policy for the Protection of Civilians dated 06 February 2017.

6 PO(2018)0227-AS1, Military Committee Concept for the Protection of Civilians, dated 21 June 2018.

mand Directive CPP”<sup>7</sup>, which was approved on April 1<sup>st</sup>, 2019.

This directive goes beyond the merely authoritative nature of doctrine and, being prescriptive, it provides direction and guidance regarding CPP in the preparation, planning and execution of NATO and NATO-led operations, missions and NAC-approved activities, as well as training, education, and evaluation. In fact, it focuses efforts and recognises fundamental international treaties, among which stands the 1970 “*UNESCO Convention on the Means on Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*”, which is often overlooked by military practitioners, and relevant United Nation Security Council Resolutions (UNSCR)<sup>8</sup>. Its momentum should be conducive to the mainstreaming of CPP throughout the NATO doctrinal corpus, including the “*Allied Joint Doctrine for Stability Policing*” (AJP-3.22) and the “*Allied Tactical Publication for the Replacement and Reinforcement of Indigenous Police Forces*” (ATP-103), the latter currently being drafted by a Writing Team led by the NATO Stability Policing Centre of Excellence (NATO SP COE).

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7 Bi-SCD 086-005 Implementing Cultural Property Protection in NATO Operations and Missions, dated 01 April 2019.

8 UNSCR 2347 dated 24 March 2017, although not specifically mentioned in the BiSC, is of fundamental importance, being the first UNSCR exclusively focused on CPP.

## The NATO SP COE



Figure 1: Emblem of the NATO SP COE, taken from [www.nspcoe.org](http://www.nspcoe.org).

The NATO SP COE is a combined-joint multinational military body located in Vicenza (Italy), whose activation

was endorsed by the North Atlantic Council on 9<sup>th</sup> December 2015. The centre represents the Alliance's hub of expertise for innovation and transformation in the field of Stability Policing. Italy is the Framework Nation (FN) with the Carabinieri Corps in the lead. The Czech Republic, France, Greece, The Netherlands, Poland, Romania, Spain and Turkey participate as Sponsoring Nations (SN). The Italian Army, Navy and Air force each have deployed one representative.

Following the economic crisis of 2008 and inspired by the Declaration of the NATO Summit of 2010 in Lisbon and the related Strategic Concept, NATO enacted the "*Smart Defence*", a "*cooperative way of generating modern defence capabilities that the Alliance needs, in a more cost-efficient, effective and coherent manner*"<sup>9</sup>. This includes the establishment of Centres of Excellence (COE), in which a Framework Nation offers its expertise in a specific subject matter to the Alliance. The Allied Command Transformation (ACT) in Norfolk that is responsible for innovation and transformation verifies the

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9 [https://www.nato.int/cps/ua/natohq/topics\\_84268.htm](https://www.nato.int/cps/ua/natohq/topics_84268.htm).

relevance of the topic and the absence of any overlapping with existing COEs. It furthermore provides general guidance and coordination of the establishment process, which culminates in the accreditation, a formal recognition of the ability of the organization to interact seamlessly with NATO.

The commitment of nations in NATO COEs is three-fold and consists of appointing Subject Matter Experts (SME) for the different positions, assigning required funds and designating a National Representative within the Steering Committee (SC), the centre's governing and decision-making board.

The Framework Nation (FN) designates the Director who, authorized by the Steering Committee, provides strategic vision, executive guidance and oversight; the FN is also responsible for administrative, logistic and security aspects, mostly within the centre's directorate and covers the related costs.

The branches develop concepts, draft and review doctrine, provide education and training (E&T) products such as curricula and courses, and operate the lessons learned (LL) cycle.

COEs are not part of the NATO command structure or NATO force structure, and their program of work (POW) is approved annually by the SC in response to requests for support (RFS). The required funding is covered by the participating nations as cost sharing in relation to the number of covered positions. To pursue their goals COEs interact with

national and international, military and civilian bodies and institutions, industry and academia.

The NATO SP COE establishment team started operating in March 2013 and the first SC meeting was held on 14-15<sup>th</sup> May 2015. In 2018, the quality assurance accreditation was granted by HQ SACT.<sup>10</sup>

### NATO Stability Policing

Stability Policing is a concept, developed in 1997 by the Italian Carabinieri and operationalized in 1998 with the deployment of the first multinational specialized unit (MSU) within the NATO stabilization force (SFOR) in Bosnia and Herzegovina, followed by further deployments to Kosovo, Albania and Iraq<sup>11</sup>.

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10 <http://www.nspcoe.org/about-us/history/nato-sp-coe>.

11 The MSU in Iraq was not a NATO mission.



Figure 2: The first MSU travels from Ploce to Sarajevo, 1998, [www.fiammablu.org](http://www.fiammablu.org).

This idea preceded the *“Report of the Panel on United Nations Peace Operations”*, the so-called “Brahimi report”<sup>12</sup> of 2000, which concluded that *“to save succeeding generations from the scourge of war” ... “is the most important function of the Organization. Over the last decade, the United Nations has repeatedly failed to meet the challenge”* and formulated *“recommendations focus not only on politics and strategy but also and perhaps even more so on operational and organizational areas of need.”* Recommendations included *“preventive action” ... “robust doctrine and realistic mandates” ... “on-call list” of about 100 experienced, well qualified military officers” ... “on-call lists of civilian police” ... “Member States to establish enhanced national “pools” of police officers and related experts, earmarked for deployment to United Nations peace operations, to help meet the high*

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12 <https://undocs.org/A/55/305>.

*demand for civilian police and related criminal justice/rule of law expertise”.*

### The Doctrinal Framework for SP

It still took NATO 18 years from the deployment of the first MSU and the clear indications of doctrinal requirements and shortfalls within the UN in peacekeeping to achieve the promulgation of an operational-level publication dedicated to SP, notably the “*Allied Joint Doctrine for Stability Policing*” AJP-3.22<sup>13</sup>.

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13 AJP-3.22 was promulgated on the 14<sup>th</sup> of July 2016 and is currently under review. One of the suggested improvements is to specifically mention Cultural Property Protection as task for SP.

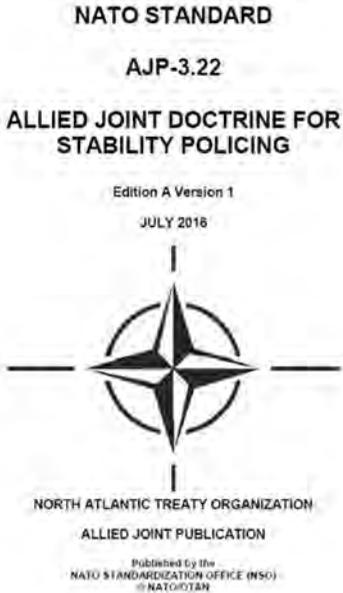


Figure 3: AJP-3.22 cover page.

An SP Concept has been proposed to the NATO International Military Staff (IMS) aiming at the development of a dedicated capability for the Alliance, a necessary initiative to integrate SP within the NATO conceptual architecture and NATO Defence Planning Process.

Stability Policing is defined in this document as *"Police related activities intended to reinforce or temporarily replace the indigenous police in order to contribute to the restoration and/or upholding of the public order and security, rule of law, and the protection of human rights."*

The two clearly identified missions of SP are the reinforcement of the indigenous police forces (IPF), should these be incapable of answering the policing needs of the populace, and the temporary replacement, when the IPF are inexistent or unwilling to perform their functions.

In accordance with Military Committee Memorandum (MCM) 362/1, "*civilian law enforcement is not a NATO function. ... "The situation may arise, however, where NATO or NATO-led forces, when specifically authorised by the NAC (and agreed with the Host Nation when appropriate), may become involved in support to or the conduct of civilian law enforcement functions.*" This statement explains that the Alliance as a politico-military organization does not aim at performing policing activities. Nonetheless, it realizes that circumstances such as the inability for other actors including International Organizations (UN, EU, AU etc.) to intervene promptly might require NATO to shoulder this burden until a (military or civilian) follow-on force (FOF), or the host nation (HN) itself can take over.

The main objective of SP is bridging the police-related component of the security gap aiming at re-establishing the so-called safe and secure environment (SASE)<sup>14</sup>. This "polic-

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14 Safe and Secure Environment (SASE) "In a SASE, the population has the freedom to pursue daily activities without fear of persistent or large-scale violence. Such an environment is characterized by a local norm of public order, physical security, territorial security, a state monopoly on violence and protection of civilians. A SASE allows other S&R activities to proceed." Not a NATO agreed term, the suggested text is derived from the "Allied Joint Doctrine for the Military Contribution to Stabilization and Reconstruction" (AJP-3.4.5).

ing gap” is the capability/capacity void between the police-related needs of the civilian population in the crisis area on one side and on the other side the inadequacy of the indigenous police forces (IPF), if present, other relevant actors and the “traditional” NATO military instrument of power, to address these challenges properly.



Figure 4: Koninklijke Marechaussee  
<http://www.nspcoe.org/home>.

SP is not a new concept and NATO nations have been engaged in police stability activities for over two decades under different names. It is not solely a military matter but part of a comprehensive approach to crisis management and is not exclusive to NATO. In fact, it is shared under different names with other international organizations (UN, EU, AU, etc.).

SP contributes to all the three NATO core tasks of collective defence, crisis management and cooperative security. It can be conducted throughout the full spectrum of conflict and crisis in all operations themes (from peacetime military engagement to warfighting), before, during and after (armed)

conflicts and manmade and natural crises. Although it is “land-heavy”, SP applies to all domains.

SP can create new avenues of approach to address traditional and emerging military problems with different, policing means normally precluded to the military instrument. In fact, combat and lethal/kinetic tools and procedures are supported, where appropriate, by policing, non-kinetic and non-/less than lethal ones. This “*legal targeting*”<sup>15</sup> creates effects on the adversary by enforcing international and applicable HN law including through arresting (war-/ organized/transnational) criminals, terrorists and insurgents, seizing and confiscating their means, equipment, infrastructure and funds and disrupting their networks. In this sense, SP expands the reach of the Alliance operating in the remit of police, hitherto neglected by NATO.

Dedicated SP lines of operation (LOO) or SP elements within established LOOs, can concur to deter, identify, locate, target and engage adversaries or spoilers and create effects aiming at reaching Decisive Conditions (DC) and helping attain objectives of the allied military campaign at tactical, operational and strategic levels. The added benefits of this approach lie, among others, in promoting the reduction in the use of force and decreasing collateral damage as well as responding to the security needs of the population. This in turn will contribute to the improvement of the ac-

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15 “Legal targeting, enforce international and applicable HN law to create effect on the adversary” is not a NATO agreed term, but a definition suggested by the author.

ceptance and legitimacy of the Alliance, within stakeholders from the local to the international level including NATO nations, enhancing mission sustainability.



Figure 5: Ziggurat of Ur, South Iraq, photo by the author during MSU deployment 2003.

### New threats – new solutions

Conflicts and crises present the “traditional” war-fighter with increasingly complex challenges including asymmetric and urban warfare, hybrid threats, lawfare<sup>16</sup>, war-crime overlap, use of ambiguity, unconventional means, covert activities by state and non-state actors, strategic communication (StratCom - media, Information, PsyOps, battle of the narra-

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16 “Lawfare” can be defined as “using the law as weapon/to conduct warfare”. Adapted from Andrés B. Muñoz Mosquera and Sascha Dov Bachmann, Understanding Lawfare in a Hybrid Warfare Context, NATO Legal Gazette, Issue 37, October 2016.

tives etc.), and cyber threats, which cannot be effectively addressed solely by combat means.

This evolution of the (military) problem requires tailored responses, one of which is represented by SP, which generates two major implications for the Alliance; the transformation of the military instrument (the force) in order to acquire new capabilities, such as SP to face these threats on one hand and on the other enhancing the role of the Alliance within a comprehensive Approach (CA) by taking advantage of the existing expertise, experience and networks in the field of policing.

Since the Alliance will be called to operate among civilians, the established expertise of policing among civilians is clearly advantageous and would encompass less focus on the conventional defeat of the enemy in favour of the integration of more fitting, hence preferable non-combat-oriented approaches.



Figure 6: Palmyra, Joseph Eid, AFP/Getty Images.

### The SP Actors

An important, not yet codified, but universally accepted principle concerning the SP actors stipulates, "*All can contribute to SP, but not everyone can do everything*".

SP focuses on the HN populace and the IPF (regardless of their civilian or military status); hence gendarmerie-type forces (GTF)<sup>17</sup> are the best suited to perform it, since they

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17 There is no NATO agreed term for "*gendarmerie*" or "*gendarmerie-type forces (GTF)*". The subordinate terminology source, the concise Oxford English dictionary (COED) does not solve the issue either, inasmuch it defines a "*gendarmerie*" as "*a force of gendarmes*", the "*gendarme*" as "*a paramilitary police officer in French speaking countries*" and "*paramilitary*" as "*organized on similar lines to a military force*". The combined meaning is in fact not very helpful, since not only does it not completely encompass all entities nowadays referred to by the term "*gendarmerie*" (such as the French Gendarmerie Nationale, the Dutch Royal Marechaussee, the Italian Carabinieri, the Polish Zandarmeria Wojskowa, the Portuguese Guarda Nacional Republicana, the Romanian Jandarmeria, the Spanish Guardia Civil and the

possess the necessary police expertise, the civilian-policing experience and the required civilian-oriented mindset. They have been historically and are currently operating in urban environments and among civilian populations in their nations. Their dual nature deriving from the military structure and their focus on the policing of civilians endows them with a unique flexibility in operating within a military force but at the same time, to address the necessities of the civilian population properly.

Actors that can validly contribute to SP are the military police<sup>18</sup>, beyond its traditional role of “policing and enabling the force”, other military forces, if trained and equipped, as well as civilian and private entities including contractors when practicable.

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Turkish Jandarma), but the reference to French speaking countries is more often than not outright wrong. Many perceive the locution “*paramilitary*” as outright offensive, due to the connection with “death squadrons”. For the purpose of this paper, “*gendarmarie*” is intended as “*a military force performing civil law enforcement/policing civilians.*”

- 18 “Military Police, designated military forces with the responsibility and authorization for the enforcement of the law and maintaining order, as well as the provision of operational assistance through assigned doctrinal functions” is a NATO agreed term.



Figure 7: KFOR MSU, <http://www.nspcoe.org/home>.

### Why does CPP matter?

There are a number of reasons testifying to the importance of CP and its protection and, although an exhaustive listing lies outside the scope of this paper, among the fundamental ones the following cannot be omitted due to their impact on military campaigns.

CPP is a legal obligation under the law of armed conflict (LOAC) and not protecting CP can result in legal consequences including as war<sup>19</sup> and common crimes, the destruction of cultural heritage funds terrorism<sup>20</sup>, CPP influences force protection (FP)<sup>21</sup>, and situational awareness (SA)<sup>22</sup>.

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19 Ahmad Al Faqi al Mahdi judgement and sentence: <https://www.icc-cpi.int/Pages/record.aspx?docNo =ICC-01/12-01/15-171> and Pavle Strugar: <https://trialinternational.org/latest-post/pavle-strugar/>.

20 CTC Sentinel Feb.15 Digging In and Trafficking Out: How the Destruction of Cultural Heritage Funds Terrorism, by Brig.Gen.(Ret.) Russell Howard, Marc Elliott, and Jonathan Prohov.

21 Dr. Laurie W. Rush, "Cultural property Protection as a force multiplier: Implementation for all phases of a military operation".

CPP impacts positively on the battle of the narrative if it is conducted well<sup>23</sup> or negatively if not or badly performed<sup>24</sup>. It should be part of the military decision making (MDM) process, contribute to education, training, exercise and evaluation (ETEE) also in relation to HN and IPF capacity building and would likely improve results in the remit of interoperability if duly considered.

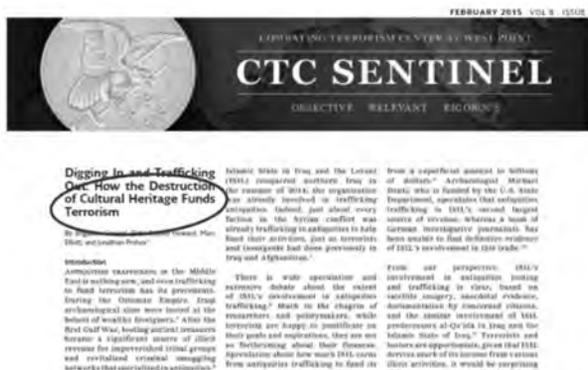


Figure 8: CTC Sentinel Feb.15 Digging In and Trafficking Out: How the Destruction of Cultural Heritage Funds Terrorism, by Brig. Gen.(Ret.) Russell Howard, Marc Elliott, and Jonathan Prohov.

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- 22 Dr. Laurie W. Rush, "Cultural property Protection as a force multiplier: Implementation for all phases of a military operation".
  - 23 CBSNEWS, 04 November 2011, "Expert:NATO raids spared Libyan antiquities" Hafed Walda; [http://www.cultureindevelopment.nl/index.php?id=125&sub\\_id=1384](http://www.cultureindevelopment.nl/index.php?id=125&sub_id=1384).
  - 24 "US Reportedly Damaged Ancient Babylon; Museum Claims Military Caused Substantial Damage," MSNBC News, accessed 3 May 2018, <http://www.msnbc.msn.com/id/6829036/> (site unavailable).

## The Threats to CP

There are three broad categories of threats that affect CP, namely force majeure such as earthquakes, tsunamis, volcanic eruptions and floods, which have an indirect impact on policing activities, mostly focused on post-event requirements. Natural processes and effects such as the influence of light and humidity, parasites, aging as well as physical, chemical and organic changes to the components, have a marginal influence on policing, notably in relation to due diligence, and finally anthropogenic ones, which have a direct, often severe impact on policing. The latter include (war/organized/transnational) criminal activities, terrorism, insurgency, vandalism, theft, robbery, forgery and counterfeiting, looting, illegal excavating, smuggling and fencing as well as logical threats such as cyber-terrorist and cyber-criminal attacks such as ransomware<sup>25</sup>.

### NATO SP within CPP

The author repeatedly experienced CPP as being perceived within NATO as a burden, sometimes leading to a rather passive, reactive-only attitude. The knowledge about the significance of CPP was often vague and frequently only

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25 "Ransomware" from "ransom and software", " a form of malicious software, that locks and encrypts a victim's computer or device data, to demand a ransom to restore access.", adapted from <https://us.norton.com/internetsecurity-malware-ransomware-5-dos-and-donts.html>, also Stefano Allegrezza Università degli Studi di Bologna (Campus di Ravenna) La salvaguardia degli archivi digitali: criticità e soluzioni CIVILPROTECT 2018 Bolzano, 24 March 2018.

focused on the LOAC aspect (sometimes referred to simplistically as a “LEGAD<sup>26</sup> issue”). At times, the nexus between CPP and logistic considerations (building infrastructures and military installations), the environment<sup>27</sup> and, more frequently with no-strike lists (NSL) was highlighted properly. Only in few occasions outside CPP-focused gatherings were populace-centric aspects, heritage and cultural identity as well as HN development mentioned in the discourse; the possible policing role for NATO forces in CPP was a rare consideration.



Figure 9: Patrolling the Ziggurat of Ur, South Iraq, photo by the author during MSU deployment 2003.

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26 “LEGAD, legal advisor” NATO agreed.

27 The “AJEPP-2 Environmental Protection Best Practices and Standards for Military Camps in NATO Operations”, featuring only an Annex I “Cultural Property Protection” is to date the most comprehensive, although somehow superficial doctrinal publication about CPP in NATO.

Nonetheless, SP has relevant contributions to military campaigns also within the protection of cultural property, through its reinforcement<sup>28</sup> activities, i.e. building police capabilities and capacity where they are lacking and/or the temporary substitution of the Host Nation (HN) Police Force (HNPF)<sup>29</sup>.

The current annex A in AJP-3.22 does not specifically list CPP as a SP task, however many listed tasks include and impact on CPP such as criminal investigations and police intelligence, searches and seizures, critical site security and biometrics, crime scene management and forensics.

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28 For this paper the terms "*reinforcing*" and "*building police capabilities and capacity*" and, conversely, "*substitution*" and "*replacing*" are understood as having the same meaning.

29 For this paper, the terms "*Indigenous Police Forces (IPF)*" and "*Host Nation Police Forces (HNPF)*" are understood as having the same meaning.



Figure 10: Offering vases 5th century BC, Polo Museale Locri, 7th underwater archaeology course 2019, photo by the author 2019.

SP within CPP encompasses, among others, recognising cultural property in the local context and contributing to geolocating it, feeding no-strike lists (NSL) and allowing to develop priorities in *safeguarding and respecting*<sup>30</sup> items, sites, people (e.g. artefacts and relics, museums, monuments, and ruins, archaeological digs, digital archives, collection curators and directors of museums).

Furthermore, SP identifies, collects and analyses police and crime-related information regarding CP, its threats and the related actors, to feed the intelligence cycle. By produc-

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30 Articles 2-4 of the The Hague Convention of 1954 define CPP as "*safeguarding and respecting*".

ing law enforcement intelligence (LEINT)<sup>31</sup>, SP improves the understanding of the operational environment (OE) and generally the force situational awareness (SA) also focusing on CP.



Figure 11: MSU Carabinieri TPC Recovering artefacts, South Iraq, from Carabinieri TPC presentation.

Through the determination of the modus operandi (MO) and the identification of CP sources and origins, trafficking and smuggling ends, ways, means and routes, SP seeks to identify, locate and arrest perpetrators for their prosecution by HN, international or hybrid<sup>32</sup> courts. Identifying, collecting, preserving and analysing crime scenes and their evidence and by ensuring the chain of custody, SP can

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31 "LEINT Law Enforcement Intelligence, further than police intelligence, LEINT is related to the wider conceptual remit of law enforcement" not a NATO agreed term.

32 In the (partial) absence of HN courts, the international community might step in as replacement.

supply the forensic corroboration for the judiciary to make informed decisions.

By recovering cultural property for its restitution, SP advances the perception of the Allied Force in the battle of the narratives, favourably influencing audiences ranging from the local populace, to NATO nations and the international environment. In our globalised and connected world, this contribution to the Strategic Communications (Strat-Com)<sup>33</sup> effort aims at eroding consent for NATO's opponents. At the same time, it seeks to foster acceptance, the benevolence and the active support of the HN and its population, which are conducive to improved Force Protection (FP).

SP can detect and intercept flows of CP-related illegal revenue to seize, confiscate and redirect these resources to the HN and its populace, with economic and development benefits, which transcend the sheer economic value of the items. Investigating these money trails does not only deprive irregular actors of a source of funding, but allows penetrating their networks, singling out prime movers and leaders for legal targeting.

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33 "Strategic Communications is the coordinated and appropriate use of NATO communications activities and capabilities in support of Alliance policies, operations and activities, and in order to advance NATO's aims. These activities and capabilities are Public Diplomacy, Public Affairs, Military Public Affairs, Information Operations and Psychological Operations." (NATO agreed term)  
Note of the author: PsyOps are significantly different from the other elements of StratCom and consideration should be given to properly highlight this.



Figure 12: MSU Carabinieri TPC investigating in South Iraq, from Carabinieri TPC presentation.

Attacks on CP, due to its pivotal significance for the collective memory and community identity, may be good indicators for the security situation or the instability, since they frequently precede genocide, ethnic cleansing and a plethora of crimes of violence.

Fielding SP assets and operators specialised in CPP such as the members of the Carabinieri Headquarters for the Protection of Cultural Heritage (TPC)<sup>34</sup> offers several contributions in the prevention, deterrence and fight against these criminal activities. It can de facto provide competent enforcement of applicable international and HN legislation, facilitate the liaison with and provide advisors to relevant authorities, public and private actors as well as within the allied force.

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34 <http://www.carabinieri.it/multilingua/en/the-carabinieri-tpc>.



Figure 13: Italian Army guarding the monastery of Decani in Kosovo, [http://www.kosovo.net/edecani\\_pw.html](http://www.kosovo.net/edecani_pw.html).

In order to trigger or improve the ability of the IPF in addressing CP-related policing needs of the populace and HN it is essential to assess their existing capabilities and capacity (DOTLMPFI-I<sup>35</sup>), extant threats and challenges. Then the gaps can be determined to subsequently devise ways to fill them by establishing planning, resourcing and enforcement priorities.

In fact, in their non-executive policing role, the aforementioned SP CPP specialists contribute with their expertise to the reinforcement of the IPF and in part of the HN Judiciary and governance actors with activities including moni-

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35 DOTMPLFI-I Doctrine, Organisation, Training, Materiel, Personnel, Leadership, Facilities, Interoperability - Information.

toring, mentoring, advising and training as well as partnering with and reforming<sup>36</sup>.

The principle of local ownership should be applied whenever practicable; this means leaving the IPF and HN acting as the ones primarily responsible, support them if and where necessary and only when not otherwise practicable, replacing them for the shortest time possible. An easy example could be represented by NATO SP guarding a museum, while the training of a (dedicated) IPF asset is ongoing. This would be followed by an advising phase, in which the SP operators would counsel local personnel, who in the end take over the task altogether.

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36 The extant “Monitoring, Mentoring, Advising, Reforming, Training and Partnering (MMARTP)” construct for SP reinforcement activities is currently under discussion within the WT for drafting the ATP-103 and the adoption of the Security Force Assistance (SFA) framework “Generate, Organize, Train, Enable, Advise, Mentor (GOTEAM)” is being proposed, also aiming at harmonization and coherence.



Figure 14: A man guarding a Sumerian archaeological site in Iraq from looters, photo: picture-alliance/dpa.

Developing capable, accountable, legitimate, efficient and effective IPF and, where required, the whole Justice Sector (including judicial and corrections institutions), is essential to answer the justice needs of the HN. It is key that the population they are to serve, if they have to stand a chance at achieving long-term sustainability, accepts them. This in turn is facilitated by improving their skills, capabilities and performance but most importantly, their attitude and behaviour, especially about corruption and human rights abuse.

The extant adaptation-inspired approach relegates SP to the remit of stability activities. A more innovative, possibly audacious perspective, also considering the ongoing reviewing process of the Allied Joint and Tactical Publications of the 3.2 series could instead envision SP performing stability operations. This would expand the SP remit to include the

performance of offensive, defensive and enabling<sup>37</sup> activities to achieve effects on criminals, insurgents and terrorists. Their wilful participation in an overarching warfighting or hybrid warfare strategy, possibly as proxy forces for a third (state) party, may indeed imply a change in status to that of enemies. As a result, their being subject to legal targeting in the context of offensive<sup>38</sup> or affirmative lawfare<sup>39</sup>, would mean that SP “*fights the enemy with other means*”, addressing the war-crime overlap and complementing the “traditional” war-fighting instrument.

### Conclusions

The evolution of the (military) problem requires NATO to integrate tailored responses to a plethora of diversified threats in a comprehensive approach; the Alliance cannot afford to play down the relevant role of Stability Policing also in protecting cultural property.

SP is a military tool that contributes with policing activities to reaching the objectives of the military campaign. Since it concurs to de-escalate the use of force, hence reducing collateral damage, SP influences local, national and interna-

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37 The NATO agreed term for “enabling” is not applicable, in the COED “*enable, give (someone) the possibility or means to do something*”. In a simplified approach, SP enables the HN and IPF; they should not be considered as “enabling forces” of the Allied force, such as the MP.

38 “*Offensive Lawfare*”: term by the author in doctrine comments, private notes.

39 See footnote and Andrés B. Muñoz Mosquera and Sascha Dov Bachmann, Understanding Lawfare in a Hybrid Warfare Context, NATO Legal Gazette, Issue 37, October 2016.

tional audiences favourably, therefore contributing to winning the StratCom battle of narratives.

SP engages adversarial stakeholders including criminals, insurgents and terrorists threatening and endangering cultural property. Through legal targeting, SP disrupts their networks and associated flows of illicit revenues.



Tiziano Coiro

## The Carabinieri Command for the Protection of Cultural Heritage

The Carabinieri Command for the Protection of Cultural Heritage (Comando Carabinieri Tutela Patrimonio Culturale - TPC) was established in 1969, one year before the signature of the UNESCO Paris Convention in 1970, whereby all UNESCO member states were invited to create specific services with a view to protecting the cultural heritage of the individual nations.

The Commander of the TPC dialogues directly with the Minister of Culture on topics regarding the protection of cultural property and the Minister can give indications on the general objectives to be pursued regarding the safety and protection of the national cultural heritage, through the prevention and repression of the multiple interrelated criminal activities.

The Carabinieri TPC organizational chart comprises, at central level, a Staff Office, a Group, and an Operational Department (*located in Rome, it conducts national and international investigations all over Italy and collaborates with foreign police forces and several offices abroad - split into three sections: Archaeology, Antiques, Modern Art and Counterfeiting*) and, on a territorial level, 15 units, named nuclei, with regional or interregional jurisdiction, plus a sub-unit in Syracuse, Sicily. The "nuclei" are under the control of the Group, they report to it and, as far as police investigations, to the competent public prosecutors.

Furthermore, there is one officer located, as an expert, at the Permanent Delegation of Italy to UNESCO in Paris.

As a police service, the primary task of the TPC is to protect works of art from criminal actions and, its experience taken in this matter, according to the specific Italian legislation, has been identified as the center of information and analysis for the Italian law enforcement agencies. It operates nationwide in coordination with all other territorial and special branches of the Carabinieri Corps, other police forces, and the territorial offices of the Ministry of Cultural Heritage and Activities and Tourism (MiBACT) for protection and preservation tasks through:

- special investigations aimed to identify perpetrators of crimes against cultural heritage, theft, receiving stolen property, unauthorized archaeological research, counterfeiting, forging and recovering unlawfully removed goods;
- monitoring - even with aircraft overflights and coordinated services with Carabinieri horse mounted units, patrol boats and scuba divers' teams - of the land and marine archaeological sites, as well as areas of scenic interest and UNESCO "World Heritage" sites;

- controlling commercial activities and fairs/markets where the sale and purchase of cultural property take place; regular checks on the antiques market, both on physical commercial activities and on the internet, since the licit market is usually where eventually all the stolen art ends up, sometimes dozens of years after the actual crime was committed;
- checks on the catalogues of auction houses and e-commerce sites;
- the management of the database of unlawfully removed cultural assets;
- the provision of expert advice to the MiBACT and, consequently, to the central and peripheral offices of the Ministry;
- the participation in national and international crisis and coordination units for the safety and recovery of artworks and cultural properties in areas affected by natural disasters;
- checks on museums, libraries and other places of culture for the verifications on security measures. Every control is recorded in our database and every museum in Italy, regardless of its ownership, is regularly checked by the TPC. Registering the checks also allows us to verify the increment or decrement of the security level;

- regular control of archaeological areas. It prevents illicit excavations, and also allows us to keep track of all the illegal diggings performed and to gather evidence that can be useful to recover the items illegally excavated.
- Obviously, the purpose of all the investigations of the command is to recover the items that have left Italy in an illegal manner, finding the way to repatriate items illegally moved from their home country and, having done this, discouraging buyers from purchasing objects of unknown or suspicious origin and persuading criminal organizations that there will be no gain in trading cultural property.

Nevertheless, great effort is placed on sharing at international level, in addition to working in the sphere of international police cooperation via INTERPOL and EURO-POL, the expertise and knowledge acquired by the Command in its 50 years of activity and on providing for the Ministry of Culture the necessary bases to recover items illegally exported through diplomacy.

Raising public awareness is another important part of TPC tasks, since our experience made us realize that effective protection of cultural heritage can be achieved only thanks to the help of the public. In this regard and over the years, the TPC organized several awareness raising initiatives, aimed especially at the involvement of students and youngsters with a frequent presence in schools. The awareness can be a lot easier and more effective for a group of students if, for example, a TPC Officer presents them the

most vibrant and attractive aspects of his work, highlighting the importance of the recovery of cultural property for its public use and the need to bring it back to the place where it belongs.

The exhibitions and publications are an important part of this raise in public awareness. They allow for showing the items recovered to the public, and they represent the clear evidence of the damage that clandestine excavations and illicit export of art and archaeological objects, do to scientific research, and how complex and long the investigations and procedures to recover them are.

In the last years we have realized several exhibitions but the very last one, in the order of time, has been entitled "L'ARTE DI SALVARE L'ARTE - Fragments of History of Italy" held at Palazzo del Quirinale from May 3<sup>rd</sup> to July 14<sup>th</sup>. 2019 with a selection of works recovered in the past 50 years. After the period of exposure at Palazzo del Quirinale, the exhibition has gone abroad to the World Heritage Centre - UNESCO in Paris (from October 3<sup>rd</sup> to 18<sup>th</sup>. 2019) and will later go to the United Nations Headquarter in New York. We are firmly convinced that the awareness of cultural heritage is part of our identity, of our "home", it is the only tool that can ensure unremitting and effective protection, in every place and at every time, of each and every object that is a part of the heritage of humanity.

Since the 1980s, the Carabinieri TPC have been using an auxiliary instrument in their investigations: the "database of illegally removed cultural artefacts", provided by Arti-

cle 85 of the Legislative Decree no. 42 dated 22<sup>nd</sup> January 2004 (*Code of the Cultural and Landscape Heritage*), which contains information of the artefacts to recover, of Italian or foreign provenance, and on related criminal events.

The use of sophisticated computer technology has made the database a reference point for the entire Headquarters and for the other Italian and foreign law-enforcement agencies allowing to conduct a careful analysis of criminal phenomena concerning the illicit trafficking of cultural property. The database “Leonardo”, core business of the TPC, includes more than 1,200,000 stolen objects described, with more than 700,000 images. It is a powerful information technology tool that allows the recovery of stolen items due to the combination of the efficacy of its image search algorithm and the experience of TPC operators. Furthermore, it allows conducting a careful analysis of criminal phenomena concerning the illicit trafficking of cultural property. A portion of the database is freely accessible from the Carabinieri website and contains about 24,000 items (those of major historical and artistic significance, which are the main subject of our research). The same portion of the database is already available on the iTPC app; it works in Italian and English and its download is possible from the App Store for Apple, and on Google Play for Android. Among its many functionalities, you can find the geolocation of the nearest TPC office responsible for the area; advice to the citizens on “what to do” in many situations related with interactions with cultural items (purchase, objects found by chance, discovery of an illicit excavation, forgeries etc. etc.) and the object-ID

filling. It is a form for expeditious cataloging of a cultural object that the Command promotes and spreads. In addition, thanks to the application you can also check whether an item is researched because it has been stolen through a simple photograph: The system, once the image is loaded, makes a visual verification and answer, in case of positive feedback, with a match. The citizen, therefore, can activate the Command and report the location of the work.

In order to increase awareness of the protection of cultural property on an international scale, the TPC have helped several institutions in training both police forces and other ministerial officials regarding their intervention procedures and expertise in trafficking in cultural property and with a transnational investigative approach. We have to keep in mind that often objects are stolen from one country, smuggled across the border or borders of others, sold illegally in another, and ultimately, perhaps, find their home in yet another. The looting and smuggling of cultural property is a complex crime that requires a specific focus and unique expertise that goes beyond the usual toolkit of police personnel. Over the years, experience has taught us that the only way to successfully protect cultural heritage is through close interagency work across borders.

In this direction, the TPC participates in several international workshops, seminars and the plan is to increase the training capacity of the Command and to involve other countries in the training process that now have lesser capacity and limited instruments to protect their cultural heritage presenting the Italian model for cultural property protection.

In addition, the exchange of information is fundamental for a better cooperation and represents a way to build capacities in fighting cultural property crimes for countries less experienced in the field. Points of contact are the main issue, because having a network of contacts is a facilitator for any police unit that has the necessity to work with foreign counterparts. The Carabinieri TPC have already served abroad in some international missions, and their main tasks during those missions were:

- assessing war damage to cultural heritage;
- cataloguing existing items;
- surveying archeological sites and assessing their security;
- training local officials in the protection of cultural heritage such as providing specialized support to peacekeeping operations, as was the case in Kosovo in 2002 to 2003, and Iraq from 2003 to 2006;
- training of police officers and customs officials in countries that submit such a request;
- consulting the Ministry of Cultural Heritage and Activities and Tourism, in respect to activities focused on retrieving archaeological relics belonging to the national heritage and exhibited in museums and private collections abroad.

## The Task Force “UniteforHeritage”

The Italian government, especially through the Ministry of Cultural Heritage and the Carabinieri TPC, in tune with UN Resolution no. 2199 adopted on 12<sup>th</sup> February 2015, which condemns (paragraph 15) the destruction of cultural heritage in Iraq and Syria and acknowledges (paragraph 16) that the illicit trafficking of cultural property is a source of funding of terrorism, are working hard to face and avoid this new threat. In particular, the aforementioned Ministry has led the idea of setting up a specialized “Task Force” ready to deploy on short notice and with the capacity to operate in hostile environments. Given the international sharing, the Minister of Cultural Heritage and the Carabinieri General Commander proceeded to the operational phase developing their own “team”. The Italian task force encompasses 30 carabinieri and 30 Ministry officials.

The basic structure of the team is fixed:

- team leader;
- database team, that is in charge of data gathering;
- intervention team, that performs the first operations for securing the items;
- support team, in charge of logistics;
- training team, dedicated to train locals in order to rapidly increase the operational capacity of the Task Force itself.

Nonetheless, the structure is open; the task force can be tailored according to mission requirements if any specific expertise is needed.

There are three basic scenarios in which the task force may be effectively employed:

- natural disasters;
- peace keeping missions;
- pre/post conflict situations (given the necessary security framework that can be granted either by local, international or foreign security forces).

The task force is ready, equipped and operational: a Technical Agreement with UNESCO (which is currently being drafted) is needed for its deployment abroad under the umbrella of that international organization.

The task force Unite4Heritage has been employed for the first time in central Italy, after the recent dramatic earthquakes.

The primary assignment given to the unit was to recover all the movable cultural items, catalogue them and store them in safe havens in order prevent their damage or disappearance.

Since the emergency outbreak, the effort in recovering cultural items has been relentless. Working against time, weather and the earth that keeps on shaking, our Carabinieri and Ministry officials, with the support of the firefighters,

the civil protection authorities and volunteers, have managed to recover and place more than 30,000 relevant artefacts in safe havens.

Once the situation in the region allows it, it will be possible to plan an ad hoc mission and also an increase the number of personnel deployed.

Training activities on cultural property protection are now carried out on a regular basis, and the local authorities and their international partners can count on the expertise of the Carabinieri TPC on site.

We trust that the Italian cultural goods, illegally exported, will come back to Italy and we strongly believe in the culture of restitution on a global scale. For this reason, we try to help other countries to regain possession of their lost items, in order to create a culture of restitution, to start a chain reaction of repatriations.



Joanne Farchakh Bajjaly and Neil Brodie

## ESTERDAD

A training network for the recovery and return of  
trafficked cultural objects

### Summary

Arab countries continue to suffer badly from the looting of archaeological sites, museums and other cultural institutions for objects to be sold on the international market to foreign museums and collectors. The countries concerned attempt to recover stolen and trafficked cultural objects, but struggle because of the legal and diplomatic complexities of the necessary actions. This paper describes the work of the Esterdad training network, established in 2017 with the aim of improving this situation by increasing the ability of Lebanon, Syria and Iraq to navigate recovery actions and by facilitating communication, information exchange and mutual support among those countries and with experts in the market countries of Europe and the United States.

### Introduction

For centuries now, the antiquities and other cultural objects of Arab countries have been removed by European and latterly US archaeologists and collectors. For most of that time, when colonial administrations typically allowed easy access, these foreign scholars, diplomats and merchants were

not acting illegally. However, after World War II, upon achieving independence, one of the first acts of most if not all formerly colonised countries was to impose some sort of statutory definition and control over cultural heritage. Thus, now the unauthorised removal of cultural objects usually constitutes a criminal offence in the country concerned. Nevertheless, the undocumented looting and trafficking of cultural objects to feed the international market has continued, heightened and worsened by the conflicts that continue to plague many of the affected countries. Archaeological sites are now riddled with looting pits, museums and libraries have been emptied, and the stolen objects trafficked and ultimately acquired by foreign collectors and museums. The dispossessed countries of origin struggle as best they can to recover looted and trafficked objects, but their success rates are low, stymied by the legal and diplomatic complexities of a confusing array of possible recovery actions.

### Conception

The recovery by countries of origin of recently looted and trafficked cultural objects is important for many reasons. One reason is simply that such objects comprise stolen property and in many jurisdictions, there is a long-standing legal presumption that stolen property should be restored to its rightful though dispossessed owner. However, there are other and more important considerations. Cultural objects are believed to possess intangible (cultural) qualities that set them apart from or even above the more quotidian objects of everyday use and exchange. The cohering of belief in such

things as their religious or artistic importance can cause cultural objects and their embedding cultural heritage to inspire collective reflection and pride, and become constitutive of the memory, historical consciousness and identity of communities or nations. The cultural value of a cultural object can far outweigh its monetary value, giving rise to comments to the effect that a cultural object might be 'priceless' or 'beyond value'. Thus, the theft of cultural objects and any damage caused to cultural heritage by their theft can inflict debilitating personal, socio-cultural and even political harm that far outweighs any straightforward material and financial loss. The preamble of the 1995 Unidroit Convention on Stolen or Illegally Exported Cultural Objects makes a clear statement of position. The States Parties are:

*DEEPLY CONCERNED by the illicit trade in cultural objects and the irreparable damage frequently caused by it, both to these objects themselves and to the cultural heritage of national, tribal, indigenous or other communities, and also to the heritage of all peoples, and in particular by the pillage of archaeological sites and the resulting loss of irreplaceable archaeological, historical and scientific information (Unidroit 1995).*

The recovery of looted and trafficked and trafficked objects can help mitigate this damage. The Unidroit statement of concern also draws attention to the damage that may be caused to cultural heritage by the unscientific and undocumented extraction of archaeological objects from archaeological sites, though it is less clear in those circumstances how the recovery of looted (pillaged) objects can repair the

damage caused by undocumented extraction. Nevertheless, there are reasons enough for countries of origin to press for the return of recently looted and trafficked cultural objects, and the Unidroit statement does not finish the accounting.

Although the many countries of the Arab world that are suffering from the plunder of their cultural objects were formerly under European mandate and before that were Ottoman colonies, they are now formally independent. These sovereign nations have enacted their own laws and regulations for heritage protection, but the laws are ignored by those who buy and sell on the international market. It is an open secret that many cultural objects looted and trafficked from Arab countries are destined for museums and private collections in North America and Europe<sup>40</sup>, where they can be displayed and discussed with impunity. Among countries of origin, there is a pervasive sense of powerlessness and injustice that this should be the case, and the seemingly blatant irretrievability of what are stolen objects can become a festering sore of post-colonial anger and angst.

It should not be overlooked either that for some collectors, cultural objects are nothing more than financial assets, while even for the more monetarily-disinterested collectors and museums there must be some pecuniary calculation behind their acquisitions. The loss or threatened loss of valuable cultural objects to recovery actions should encourage collectors to conduct more rigorous due diligence, thereby

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40 Followed closely by nations from the Gulf and East Asia (such as China and Japan).

discouraging the purchase of poorly-provenanced, most likely recently looted and trafficked objects, exerting a cooling or deterrent effect on the market, and diminishing incentives for theft and looting at source. Thus, there are many good reasons why countries of origin should endeavour to recover recently looted and trafficked cultural objects. It is not surprising that Article 3(1) of the 1995 Unidroit Convention states clearly and without equivocation that 'The possessor of a cultural object which has been stolen shall return it' (Unidroit 1995).

Since its foundation in 1945, UNESCO has taken the international lead in tackling the illegal trade of cultural objects and securing their return, not least through the provisions of its 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (UNESCO 1970). There is a tendency for cultural heritage professionals in countries of origin to believe that recoveries and repatriations of stolen cultural objects can be secured through the legal provisions of the 1970 Convention, but that is not usually the case. The 1970 Convention is not retroactive, it applies only to objects stolen or trafficked after the date of adoption by the country concerned. It applies only to objects stolen from the inventoried collections of institutions. Finally, its implementation in market countries is variable. Some countries, for example Switzerland and more recently Germany, have enacted domestic laws that implement the Convention almost in its entirety, while others, the United Kingdom being the notable example here, have ratified it only minimally without any

implementing legislation. The 1995 Unidroit Convention on Stolen or Illegally Exported Cultural Objects makes up for some of the shortcomings of the 1970 Convention, and should be regarded as complementary legislation; but again, it is not retroactive and to date its uptake has been poor. Major market countries such as the United States and the United Kingdom have not signed up, and even among countries of origin, adoption is slow. Syria acceded to the Unidroit Convention in 2018 but Iraq and Lebanon remain outside its ambit. International conventions by no means exhaust the range of possible actions for object recovery. Options remain to recover objects through either the criminal or the civil courts of market countries, or through alternative means such as arbitration, mediation, negotiation or voluntary surrender. Whichever action is chosen, it requires evidence of theft, though standards of proof are variable. Deciding which action to follow will also have cost implications, so that for example although the likelihood of securing the return of an object through a civil action may be better than through bilateral negotiation, the civil action will likely be far more expensive. Thus, countries of origin wishing to recover stolen cultural objects face a bewildering array of possible actions, each with their own procedures, evidential requirements and expense accounting. Faced with such choices, it is not surprising that civil servants charged with conducting recovery actions cannot function optimally and recoveries are difficult to secure.

With our understanding of these difficult issues facing cultural heritage professionals in countries of origin tasked

with initiating and pursuing recovery actions, in late 2016 we began discussing the possibility of establishing a training network in Beirut aimed at increasing their international effectiveness. The idea was to bring together cultural heritage professionals from Lebanon, Syria and Iraq with international experts in law and law enforcement from the United States and countries in Europe for training about the legal, procedural and evidential practicalities of preparing and presenting successful claims for recoveries of stolen objects from the possession of foreign collections and more broadly the market, and afterwards to maintain an international network of participants and experts that going forward would offer informal channels of advice and communication. Our discussions bore fruit when the Royal Norwegian Embassy in Beirut generously agreed to fund our projected training network, starting in early 2017. We chose to call the programme Esterdad. Esterdad means recovery in Arabic, and uppermost in our minds when choosing that word was the obvious imperative to facilitate recovery actions for the return of looted and trafficked objects. However, over and above that, we were hoping to capture the sense that the programme was also intended to empower Lebanese, Syrian and Iraqi cultural heritage professionals by helping them to recover control of their domestic cultural heritage through an assertion of their sovereign right to have their own countries' laws respected internationally.

## Implementation

Esterdad ran for three years: two one-week sessions in January and February 2017, a two-week session in February 2018, and a one-week session in March 2019. In advance of each session, we advertised the programme and invited potential participants to apply with copies of their CVs, followed by interviews for suitable candidates. We were then able to select participants according to merit, also taking into account the likely benefit they would derive from training going forward in their careers. There was no registration fee or attendance charge for selected participants, with travel and accommodation also paid when appropriate. For all countries involved, their respective government departments (DGA, DGAM and SBAH) were kind enough to allow selected employees time off work to attend. Other participants included academics from Lebanese universities, private sector lawyers and civil society actors, all with an active interest in cultural heritage protection. Cultural heritage professionals from Lebanon and Syria attended the 2017 sessions and were joined in 2018 and 2019 by colleagues from Iraq. For Syria, we were able to secure the attendance of participants who were living and working inside Syria and also from among the expatriate community in Europe. Similarly, for Iraq, we were able to attract resident and expatriate participants. We endeavoured, as far as we were able, to achieve gender equivalence and over the three years participation was 60 per cent female (Table 1).

Each year, we offered basic training concerning the history and nature of the trade and collecting of cultural objects, law and law-enforcement responses to the trade and collecting, and the evidential and procedural requirements of legal and alternative means of recovering looted and trafficked objects from collections abroad. The training was approved and accredited by Blue Shield International. Over the three years, we were able to accommodate 77 people for the basic training – 25 per cent from Syria, 56 per cent from Lebanon, and 19 per cent from Iraq (Table 1). In 2018 and 2019 we were also able to ‘train the trainers’, selecting seven of the best participants from the preceding year for advanced training in pedagogical methods, thereby enabling them to reproduce the training themselves and sustaining the programme’s impact over the longer term.

Table 1. Breakdown of Esterdad participation by gender and nationality

<i>Year</i>	<i>Number of participants</i>	<i>Men</i>	<i>Women</i>	<i>Lebanon</i>	<i>Syria</i>	<i>Iraq</i>
2017	24	13	11	14	10	-
2018	24	9	15	10	4	10
2019	29	9	20	19	5	5
Total	77	31	46	43	19	15

Each year we had about 10 international experts in attendance. They comprised professors from European and US universities, representatives of Interpol, ICOM and Blue Shield, and of the private sector including the Art Loss Register (ALR). We were particularly fortunate in securing the attendance of a senior member of the Egyptian Ministry of Antiquities. Egypt has been more successful than most countries of origin in recovering looted and trafficked objects, and it was encouraging for participants to hear about and potentially learn from Egypt's experience. The training was undoubtedly strengthened by the contribution of regional experts, including representatives of the Syrian DGAM, the Lebanese office of UNESCO, the National Museum of Beirut, ICOM Lebanon, the Lebanese University, the Lebanese Security Forces, and Blue Shield Lebanon. Training took place through formal lectures and a series of interactive exercises aimed at introducing participants to 'real world' problems. For these exercises, we established mixed-nationality groups to encourage internationally collaborative working. We were also happy to see in this context that expatriate and resident Syrians were able to work together collegially and productively, emphasising once again how a shared cultural heritage can be a force for peace. All sessions took place in Arabic and English with simultaneous translation. It would be a mistake to overdraw the distinction between 'experts' and 'participants'. Many of the participants were experts in their own right and made valuable contributions for the benefit of other participants and visiting experts alike. We were particularly disturbed throughout the programme to receive first-hand reporting about the situation in

Syria and the work being done there in difficult circumstances to safeguard cultural heritage.

Following talks with the head of the International Theft Unit of the Lebanese Security Forces and the archaeology department of the Lebanese University (Faculty of Letters and Human sciences, Fanar), a new addition to the programme in February 2019 was a four-day training course for police officers and archaeology students from the Lebanese University. Training was offered by local experts, most of whom had previously participated in the Esterdad training and training of trainers. The idea was to sensitise law enforcement agents to the harms caused by the looting and trafficking of cultural objects, and to help them in their work of recognition, seizure and investigation. The training included an introduction to on-site archaeology and object identification, particularly those objects in market demand. This was the first collaboration between the Lebanese University and the Lebanese Security Forces in this subject area.

### Reflection

It is important to recognise that the Esterdad programme is perhaps unique in that it was conceived, organised and implemented by an Arab-world NGO – Biladi, based in Beirut. It was supported by funding from the Royal Norwegian Embassy in Beirut and most of the funding was spent inside Arabic-speaking countries, on central organisation in Beirut but mainly on travel and accommodation for participants. The programme did pay travel and accommo-

dation for visiting experts, but they received no other recompense or monetary reward for their time and generous provision of expertise. In fact, two of the experts even arranged for their travel to be paid by their home institutions. This regionally restricted pattern of expenditure is unusual as to our knowledge most training programmes are organised by agencies outside the Arab world and often a large part of their funding is siphoned off externally to the organisers or visiting experts and fails to trickle down to where it is really needed and will do most good on the ground.

It is too soon to judge the success of the Esterdad training programme in material terms as its real legacy will be realised through the results of long-term international networking. The networking took place on several levels. First, nationally, within Lebanon, bringing together the Lebanese University and the International Theft Unit of Lebanese Security Forces. Second, regionally, between the employees of government departments in Lebanon, Syria and Iraq (DGA, DGAM and SBAH). Trafficked objects routinely cross borders between these countries and increased cooperation will improve investigation and evidence gathering. Finally, the effectiveness of this regional networking was improved by links established to experts based in Europe and the United States, able to offer advice about the documentation required for a successful recovery action and establish communication with relevant law enforcement agencies or government offices.

We are aware of some ongoing negotiations facilitated through the work of Esterdad, though of course their subject matter is sensitive and for the time being confidential. Nevertheless, there have been some notable outcomes. Through participation at Esterdad, one of our experts (a cultural property lawyer in London) was able to intervene in the investigation of a cultural object looted from Syria and seized by police in London. She acted as a liaison between UK law enforcement and the Syrian DGAM and helped DGAM staff, whom she had met at Esterdad, to provide necessary key information. As a result, the DGAM is now corresponding directly with the appropriate prosecutor's office and the case is progressing. A more public example is provided by the ALR's announcement in February 2018 of the return to Lebanon of two stolen fourth–fifth century BC marble male torsos it had identified for sale on the market that had been looted from Lebanon during the civil war (ALR 2018; Afeiche 2018: 9-12). The objects had been excavated in the Temple of Eshmun at Sidon in 1972 and after the outbreak of the civil war moved to Byblos for safe storage in 1979. In 1981, the Byblos storage was raided and hundreds of objects from Eshmun were stolen. Many of the stolen sculptures were published in 1993 by archaeologist Rolf Stucky who had previously studied and photographed them, and his photographs were subsequently entered onto the ALR's database. The two torsos were recognised when dealers in London and Freiburg checked them through the database. In its press release, the ALR thanked Esterdad for the networking that had facilitated negotiations with Lebanese authorities leading to the return of the pieces. During

the repatriation ceremony for these sculptures, which took place in the National Museum of Beirut, the ALR's Director of Recoveries and General Counsel was given an award on behalf of the Lebanese Ministry of Culture in recognition of the ALR's help. These two cases demonstrate the importance of interpersonal face-to-face interactions in building collaborative networks, made possible through personal rapport established through Esterdad.

Although training has finished, the Esterdad network continues to function quietly away from the public eye. We maintain a WhatsApp group for mutual support and encouragement amongst former participants. We hope in the future to organise some closed meetings bringing together network members from the relevant government services of Iraq, Syria and Lebanon with law enforcement agents from market countries to enable more effective information exchange and closer cooperation towards the recovery and return of looted and trafficked cultural objects.

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Svetlana Jovic

Protection of Cultural Property in the UNIFIL area of  
operations:  
Tyre Union of Municipalities case study

Introduction

Following an invasion by Israeli forces into Lebanon, the Security Council, in March 1978, established the United Nations Interim Force in Lebanon (UNIFIL) mandating it to confirm the withdrawal of Israeli forces from Lebanon, restore international peace and security, and assist the Lebanese Government to restore its effective authority in the area. Over the years, the mandate of UNIFIL was adjusted twice because of the developments, in 1982 and 2006. SC resolution 1701 adopted in 2006, significantly enhanced UNIFIL's strength and expanded its original mandate. That was when UNIFIL Civil Affairs (civilian) and Civil-Military Coordination were established as the main mechanisms used to interface with the communities, and to play a key role in liaising with local authorities as well as undertaking a range of activities in support of the population such as implement quick-impact projects and initiatives to support the extension of state authority in the areas of operations.

Cultural Heritage and UNIFIL

Due to the nature of recent conflicts, cultural property protection is becoming very important, more and more

United Nations Peace Operations are called to be more active in protecting cultural property.

UNIFIL does not have a formal mandate regarding cultural property protection, Security Council resolution 1701 (2006) has no reference to the protection of cultural heritage. The fact that the UNESCO World Heritage site of Tyre is located in the UNIFIL area of responsibility triggered the internally-led initiatives to develop in-house knowledge on importance of cultural property protection and raise awareness on a role of peacekeepers in protection of cultural heritage, especially in the context of increased destruction of cultural heritage throughout the Middle East.

UNIFIL has no budget or dedicated resources for cultural property protection, thus CPP activities are led by UNIFIL Civil Affairs (usually responsible for the mission's cross-cutting issues) in collaboration with the UNESCO Regional office Beirut, state authorities at local and central level and non-governmental organizations.

UNIFIL Civil Affairs (CA) cooperation with UNESCO on the protection of cultural heritage dates from the year 2013. In June 2013, the UNESCO Regional Office Beirut organized a seminar on protection of cultural heritage (under the title "Implementation of the 1954 Hague Convention for the Protection of Cultural Monuments in the events of Armed Conflict") for the Lebanese Army, and UNIFIL was invited to participate as an observer.

During the seminar, it became clear how important it was for UNIFIL and LAF to engage and work together on

the protection of cultural heritage especially since the location of UNESCO World Heritage Site of Tyre was in the UNIFIL area of operation. Thus, one of the recommendations of the workshop was to have a follow-up seminar on the same topic in the south of Lebanon with UNIFIL and the Lebanese Armed Forces (LAF).

Subsequently, in November 2015, UNIFIL CA and UNESCO Regional Office Beirut organized a first seminar on the Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols for UNIFIL and LAF representatives at UNIFIL Headquarters in Naqoura, under the auspice of the Ministry of Culture.

The seminar came in the aftermath of a series of deliberate destructions of culture heritage throughout the Middle East, which highlighted out a renewed importance of the 1954 Convention. The objective of the seminar was raising awareness and building internal capacity of UNIFIL personnel, both military and civilians, of importance of protecting cultural property. Very positive feedback was received from the peacekeepers, who stressed how they had been given an overview of different levels of protection and obstacles the Force was faced with in the process of the implementation of the Hague Convention and its Protocols. Having an opportunity to hear from the experts who had first-hand experience with the protection of cultural monuments during the Iraq War was very awarding and appreciated by the participants. The recommendations from this seminar stressed the need to continue collaboration between UNESCO, UNI-

FIL, LAF, and Blue-Shield and further expand the future training with field visits to culture heritage sites in Tyre so to incorporate practical aspects of CPP in the learning process as well as to expand discussions on the role of peacekeepers in the protection of cultural monuments.

In April 2019, the second CPP seminar was organized in the UNIFIL Headquarters in Naqoura under the patronage of Dr. Karl Habsburg-Lothringen as president of Blue Shield International, the Blue Shield National Committees of Austria and of Lebanon, together with Biladi, UNESCO and the UNESCO Regional Office Beirut, UNIFIL and the Lebanese Armed Forces. This time, the objective of the training was to raise awareness of the importance of safeguarding cultural heritage, the need to integrate protection into the planning and operations. UNIFIL peacekeepers and LAF were not the only targeted audience; the audience was expanded to include actors working first-hand in Cultural Property Protection such as staff from the General Directorate of Antiquities (DGA), the Tyre municipality, and the Disaster Risk Reduction Unit of the Tyre Union of Municipalities. On the part of UNIFIL, Civil-Military Coordination teams from the field and HQs (J9, G9), planning teams (J5) and Civil Affairs field staff were involved. The Lebanese Armed Forces (LAF) were represented by officers from the LAF brigade deployed in Tyre area and LAF CIMIC South office, which has recently become operational in UNIFIL AO. Twenty-seven participants attended a four-day course, which was divided in two parts, one being theoretical and one practical. The first two days focused on the 1954 Hague

Convention and its Protocols, the 1970 UNESCO Convention, CPP in armed conflict and in UN peace operations, CPP in the region, the illicit trade in antiquities, etc., while the last two consisted of practical exercises. The participants were tasked to draw a map of heritage sites that are under protection and identify locations for Blue Shield signs to be installed.

The focus of the training was not only to raise the awareness of the UNIFIL and LAF officers of the importance of cultural property and to recognize the need to integrate protection into their planning and operations, it was also an occasion to explain to the actors working in Cultural Property Protection the importance of CIMIC and civil-military cooperation to enhance the work in CPP. For many of them this was a first opportunity for interaction with peacekeepers and learning about their roles and responsibilities. The fact that the training was attended by a wider range of stakeholders working in CPP contributed to better understanding of different roles of responsibilities.

### Engaging with National Stakeholders

One of the key requirements of the successful implementation of a mandate for any peacekeeping mission is to achieve acceptance and support of the local community. In order to achieve this goal, civil affairs components in peace operations primarily act as enablers, facilitators, focusing on strengthening local efforts and local capacity development as well as promoting local ownership as a way of ensuring sustainability of interventions. A similar methodology can apply

in case of initiatives to strengthen the protection of cultural heritage, as military components cannot be the only actors and executors of protection measures.

At the seminar organized in April 2019 at the UNIFIL HQ, the role of actors directly involved in working in culture property protection and local authorities was crucial in discussions and engagement of the participants to think outside the box when discussing modalities of raising awareness on protection of cultural heritage. Engaging with staff from the Directorate General for Antiques, the Tyre Union of Municipalities Disaster Risk Reduction Unit (DRR), and Tyre municipality, in addition to UNIFIL and LAF gave an added value to the discussion on respective roles, organization and training in cultural property protection. This should become a good practice for all future training involving UNIFIL and LAF.

### Lessons Learnt

Cultural Property Protection is becoming very important, due to the changed nature of a conflict, more and more peacekeeping missions are called to be more active in this field. The successful integration of Cultural Property Protection into UN peace operations is ultimately dependent on the extent of education, training, understanding, cooperation and coordination between many mission components, and, most importantly, between the mission and the local population.

Engaging a wide range of stakeholders in raising awareness of protection of cultural property is very important, as

peacekeepers cannot solely carry out the responsibility of protection. In this context, UNIFIL is already engaged in building local capacities, for example improving emergency response skills of Disaster Risk Reduction Unit of the Tyre Union of Municipalities, building capacities of municipal police and other actors that have role during emergency response. Established and well-coordinated civil-military cooperation is another important element that can enhance cultural property protection as well as it is important to bring all cultural property actors together in order to define respective roles and responsibilities, establish a clear chain of command, response plan and preventive measures.



Franz Hollerer

Protection of Cultural Property (PCP) in  
UN Peacekeeping Missions:  
A Short Report about the Practical Part of the Training  
within UNIFIL

The author works at the Austrian Theresian Military Academy, the oldest military academy in the world. The great empress Maria Theresa gave a very short and very clear order in the year 1751: "*Make them fine officers and righteous men!*" Almost 270 years later, this is still the guiding principle of our officer training. There is only one small, but very important amendment to make: Since the year 2000, also female officer cadets have been trained, hence: "*Make them fine officers and righteous women and men.*"

Of course, PCP is an important and essential factor within the Austrian Armed Forces' officer training. In our basic officer training, we deal with the principles of PCP and we clarify the importance of this matter. We foster a spirit of respect for culture in the young officers, in particular for cultural property.

At the Theresian Military Academy, we do not only provide basic officer training but also advanced officer training. This training is mainly conducted by way of map exercises. We create different situations in which the future officers have to consider different matters and necessities of PCP. They have to follow the military guidelines, regulations and instructions on PCP.

From this point of view, I have a more or less practical approach to PCP. My part within our seminar within UNIFIL was to conduct a "one and a half day"-field exercise on the very interesting topic of Cultural Property Protection in the World Heritage site of Tyre.

Located on the southern coast of Lebanon, 80 km south of Beirut, the ancient town of Tyre was the great Phoenician metropolis that reigned over the seas, whose inhabitants founded prosperous colonies such as Cadiz and Carthage and which, according to a legend, was the birthplace of the goddess Europa. Tyre is one of the oldest continually inhabited cities in the world, allegedly founded in 2750 B.C. The city has many ancient sites, including the Tyre Hippodrome, and was added as a whole to UNESCO's list of World Heritage Sites in 1984.

First, a Greek city and then a Roman one were constructed on this site, which is now a promontory. The historic role of Tyre declined at the end of the period of the crusades. There are important archaeological remains, mainly from Roman times.

The property consists of two distinct sites; we trained at both of them. The key attributes of the property – the impressive ruins of the Roman city and the mediaeval construction of the crusaders on the former island, and, on the mainland, the necropolis, monumental causeway, aqueduct and hippodrome – reflect the former glory of Tyre. They are, however, highly vulnerable because there is a certain lack of conservation.

During the period of the civil war (1975-1991), the urban development of Tyre progressed, uncontrolled by the authorities, and consequently numerous tower constructions were built in the immediate vicinity of the property. The integrity of the property is still threatened by extensive urban development and building speculations.

The property is protected by the Antiquities Law No. 166/1933, and the Law on Protection of Cultural Property, No 37/2008. The conservation and management of the property are assured by the Directorate General of Antiquities (DGA). A Protection and Enhancement Plan is being prepared. The goal of this project is to ensure an improved presentation of the unique vestiges and to develop a new system for protection of the property that respects the international charters. The Cultural Heritage and Urban Development Project (CHUD), financed by the World Bank, covers a large part of the measures, necessary for the protection and management of the property.

Threats to Tyre's ancient cultural heritage include development pressures and the illegal trafficking of antiquities. In addition, various hostilities, for example the 2006 Lebanon War, put the ancient structures of Tyre at risk.

In the first part of our training, we focused on the situation before the conflict.

First, we reconnoitered or rather explored the site and the surroundings to have a better understanding of the monuments.

This first part was followed by a group exercise. The task was to plan where to place ten Blue Shield emblems. We started to discuss the criteria for the decision. Then the participants were asked to present and explain their respective choices of placement.

In the afternoon of the first field exercise day, we worked on a preventive action plan to safeguard the site from a heavy military attack. Here we could use the input, which had been given by all the lecturers on the days before. Especially the discussion of different risks was very helpful for the completion of these tasks. After a short theoretical input concerning the Austrian decision-making process, we conducted an estimate of the situation as we do it in our Armed Forces. Accordingly, we defined the types of threat and the possible courses of action to take.

On the morning of the second day, we worked on the challenge of what to do after the site had been damaged in a conflict. We highlighted this question from the UN Peace-keeping point of view.

Finally, we discussed an action plan we would like to see put in place with the UNIFIL Forces in Southern Lebanon. Unfortunately, we were running short of time. Nevertheless, we had indeed very interesting discussions with our participants.

Summing up, it was very fruitful to work with the highly heterogeneous groups. We could work with officers and civilians from UNIFIL (most of them working in the area of Civil Affairs or CIMIC), officers of the Lebanon Armed

Forces, officials of Tyre and the General Directorate of Antiquities in Lebanon. Heterogeneity was, from my point of view, one of the key factors for this success story. Especially the highly interested students with their different backgrounds were extremely conducive to finding creative solutions.

All the lecturers, especially those from “Blue Shield International” did a great job in the theoretical part of the seminar. Therefore, it was more or less easy to continue with the field exercise. All participants were rather satisfied and at the end, they were convinced of the necessity of this sort of training.

It is for the above-mentioned reasons that the seminar proved to be both professionally and personally rewarding. Anyhow, for me it was a great pleasure to be part of this mutually beneficial undertaking.

Therefore, let's hope that in future conflicts the war-fighting parties will follow one of the principles of the famous Chinese General Sun Tzu, who lived around 500 before Christ:

*“In the practical art of war, the best thing of all is to take the enemy's country whole and intact; to shatter and destroy it is not so good.”*

For this reason, don't destroy what is important to your enemy!



Anna Kaiser & Hannes Schramm

## The Concept of Cultural Heritage Rescue Teams and its Potential for the Military<sup>41</sup>

The EU has recently focused on the protection of cultural heritage from both man-made disasters and natural catastrophes.<sup>42</sup> The necessity of a joint effort to protect our common heritage was made clear by recent events in Europe as well as beyond. In order to tackle this challenge, the EU has funded a series of projects developing measures and joint strategies for the protection of our cultural heritage. One of these projects is “ProteCHt2save”. This paper will outline the approaches made within ProteCHt2save and highlight how the Cultural Heritage Rescue Teams, currently being developed, can be exploited by the military.

### ProteCHt2save

The EU-funded Interreg CENTRAL EUROPE project “Risk Assessment and Sustainable Protection of Cultural Heritage in Changing Environment”, abbreviated as “ProteCHt2save” focuses on the development of transnational best practices and common strategies for the sustainable use

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41 This paper is based on developments in the EU Interreg CENTRAL EUROPE project CE1127 “ProteCHt2save – Risk Assessment and Sustainable Protection of Cultural Heritage in Changing Environment”.

42 Bonazza, A., Maxwell, I., Drdácý, M., Vintzileou, E., Hanus, C. Safeguarding Cultural Heritage from Natural and Man-Made Disasters. A comparative analysis of risk management in the EU. European Union: 2018.

and the protection of cultural heritage in a changing environment, meaning climate change. The project comprises ten partners from seven Central European countries and focuses on flood, heavy rain and wild fires as catastrophes challenging the protection of European cultural heritage. Deliverables of the project include ICT solutions for risk management and cultural heritage protection in Central Europe, i.e. interactive maps and inventories, best practice and example tools like a decision support tool for those responsible for the management and maintenance of built cultural heritage, a best practice manual for recovery procedures and a handbook with recommendations for rescuers. One of the main deliverables are prototypes of Cultural Heritage Rescue Teams that are to be implemented in the partner countries. These Cultural Heritage Rescue Teams offer huge potential for cooperation with the military in the field of military cultural property protection, as will be explored below.

#### Cooperation is key for the protection of cultural heritage

One of the challenges in cultural heritage protection is that the different experts usually don't work together on a permanent basis and are therefore often not aware of what other parties involved need in order to facilitate the protection of movable or immovable cultural heritage or property.<sup>43</sup> The two respective sides needed for the protection of

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43 The termini cultural heritage and cultural property are used interchangeably in this paper. Cultural property is the terminus used in the 1954 Hague Convention for the Protection of Cultural Proper-

cultural heritage are the heritage specialists, mostly civilian experts, who rarely have military or catastrophe management experience, and the military or first responders in any catastrophe (man-made or natural) threatening cultural heritage, who rarely have a heritage background vice versa.<sup>44</sup> In order to establish an effective cooperation in an emergency, both sides have to understand how their respective opposite works and what it needs to be able to co-operate. Military staff is used to a well-focused and strictly organized way of working which might initially seem quite alien to someone who has never encountered this procedure. Since the military is not likely to change its established and highly functioning procedures, it is the civilian experts who should at least know how the military procedures work and how to best integrate themselves and their knowledge into this system. A potentially successful way to achieve common understanding is to familiarize civilian heritage specialists with military decision-making process and staff work. To this end, the Centre for Cultural Property Protection at Danube University Krems has started a series of tabletop and live exercises, bringing together both heritage specialists and military as well as civil protection personnel. The target audience of these exercises, however, was the civilian side, who as a result of these exercises gained a fundamental under-

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ty, whereas cultural heritage comprises a somewhat broader extent, not only encompassing tangible, but also intangible heritage.

44 Since the Blue Helmet Forum Austria is a military initiative, this paper will focus on the military. Nevertheless, "military" can easily be substituted with any crisis response units which operate in a strictly organized and focused way when dealing with the catastrophe, i.e. fire fighters or civil protection.

standing how a military staff works and how to best integrate themselves and their knowledge into operational procedures. They were able to contribute their vital knowledge on the cultural heritage affected to the right people at the right time in the right way. The military professionals ensured a sound feedback on the proceedings from their professional side (not being the primary target audience of these exercises) and thereby contributed to the further development and adjustment of the exercises. The three slightly different exercises that have been conducted so far were evaluated and developed further in a Master Thesis written at the Centre for Cultural Property Protection at Danube University Krems.<sup>45</sup> All three exercises have in common that the safeguarding and recovery of the cultural property depends on the cooperation between heritage professionals and the Austrian Armed Forces, which in the different scenarios are called in as disaster relieve force or in support of the Austrian police. Each exercise also features an extended threat to the cultural heritage. It is not only a natural or man-made catastrophe that threatens precious heritage, but internal strife resulting from ethnic tensions and criminal organisations contribute to the situation in general in the exercise scenarios. Security is most important whenever cultural her-

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45 Schramm, H. Integration von zivilen Akteuren des Kulturgüterschutzes in einen Einsatzstab. Ein Planspiel zur Vermittlung von Kenntnissen zu Funktionen und Verfahren. Master Thesis Danube University Krems 2019.

itage is at risk, but at the same time security is one of the most neglected aspects during exercises.<sup>46</sup>

The first exercise was a tabletop exercise as part of the post-gradual Master Programme in Cultural Property Protection at Danube University Krems. The students were tasked with the support of a battalion staff during an emergency assistance operation dealing with the evacuation of a medium-sized town in Austria (some 13 000 inhabitants) and the surrounding districts because of an atomic threat originating from a nearby power plant. In the same area, a number of museums displayed important pieces of art on loan from the most renowned museums worldwide in a special exhibition. Due to the generally insecure situation, the provincial government decided to put the museums in the evacuated area under tight protection and remove as many of the high value assets as possible. The students were tasked with planning the cultural heritage protection related part of the mission in

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46 Rush, L. (ed.) Cultural Property Protection as a Force Multiplier: Implementation for all Phases of a Military Operation. Booklet produced by the NATO SPS project "Best Practice for Cultural Property Protection in NATO led Military Operations", 2017. The project was directed by Dr. Frederik Rosén, and co-directed by Dr. Laurie Rush, LTC Hazim Hodzic, and Mr. Richard Osgood from 2014-2016. For security issues see especially the expertise of the Centre of Excellence for Stability Police Units in Vicenza, inter alia: Veronese, A. Cultural Heritage Protection, in: The CoESPU Magazine. The online quarterly Journal of Stability Policing 3/2017, 1–5. Foradori, P. Cops in Foreign Lands: Italy's Role in International Policing, in: The CoESPU Magazine. The online quarterly Journal of Stability Policing 2/2018, 34-38. Finally, Stefano Bergonzini's article in this compendium.

coordination with the battalion staff planning the evacuation of the entire region.

The second exercise was a combination of a table top and a live exercise. The exercise was part of the above-mentioned project ProteCHt2save and took place in May 2018. Sixteen participants from six countries took part in the three-day exercise at the Austrian Army's Disaster Relief Training Area TRITOLWERK, a former ammunition factory, dating back to the days of the Austro-Hungarian Monarchy and now being used as realistic but safe training area for especially urban search and rescue in earthquake scenarios. The aim of the exercise was to further develop the training scheme for civilian cultural heritage experts and to get a first idea of the capabilities a Cultural Heritage Rescue Teams needs to display. This time, the scenario was an earthquake that had hit the Eastern part of Austria destroying a former Imperial castle, nowadays being one of the top tourist sites in Austria and listed as UNESCO World Heritage. On the first day of the exercise the participants planned the deployment of cultural heritage experts embedded into urban search and rescue platoons of the Austrian Army's CBRN Defence Command, which supported the whole exercise. On days two and three, the participants consequently took over the role of subject matter experts, conducted a recce in the affected area and recovered the cultural heritage on site in cooperation with a real life urban search and rescue platoon. This exercise showed the huge benefit of combining the tabletop exercise for the planning and decision making

with the hands-on approach that was much valued by the participants.



Figure 15: Description – Civilian and military heritage experts planning the recce for the former Imperial castle affected by the earthquake during exercise TRITOLIA18.

The third exercise took place as part of Pro-teCHt2save's Summer University Cultural Property Protection at Melk Monastery in August 2018 and once again combined a tabletop exercise for 24 participants from ten different countries with the evacuation of parts of the museum of the monastery due to an imminent natural catastrophe. This time, the exercise took place in a real tourism magnet and UNESCO World Heritage site, which is inter alia well known through Umberto Eco's novel "The name of the Rose" as the monastery of the Benedictine novice Adso of Melk. The Territorial Military Command of the province

of Lower Austria was a partner of this exercise and supported the evacuation of the museum with its liaison officers for cultural property protection. Since the monastery has its own functioning emergency evacuation plan, the high priority assets were packed down for the evacuation by museum personnel (during the exercise represented by a mixture of personnel from the monastery and participants of the summer university) and brought to the hand-over point, where the military took responsibility for the preciosities before transporting them under police escort to a safe haven. In this case, the safe haven was located in the military barracks nearby since the scenario once again was a disaster relief scenario and no armed conflict. In the barracks, the liaison officers for cultural property protection unloaded the items, registered them and secured their storage until they could be moved back into the monastery itself.

In all three exercises, civilian heritage specialists with no previous knowledge of military staff procedures got a first impression how the military decision-making process functions. In addition, they learned how to best integrate their knowledge into a very focused and highly developed system that is not likely to be adapted to the particular needs of heritage specialists in case of an emergency that demands attention on multiple threat factors. This understanding is needed to enable heritage experts to cooperate with the military or crisis response organizations in order to ensure success in the protection of cultural heritage.

## Cultural Heritage Rescue Teams

Handbooks and treatises on how to best handle different affected materials or on how to best compose an emergency plan for cultural property have been developed and published by numerous expert institutions and are readily available online.<sup>47</sup> However, the necessary link enabling the cooperation and knowledge transfer between the two sides in order to successfully protect cultural property is still missing.

A potential link is being developed and tested in *ProteCHt2save*. So called Cultural Heritage Rescue Teams (CHRT) would ideally be composed of a mixture of heritage experts and personnel from emergency units or the military, but a team composed solely of heritage experts could do the job as well, provided their understanding of how the military and emergency units plan and operate.<sup>48</sup> During the afore-

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47 To give a few examples of online available material: Tandon, A. (ed.) *Endangered Heritage. Emergency Evacuation of Heritage Collections*. ICCROM-ATHAR: 2016. UNESCO and Ministerio de Cultura y Patrimonio del Ecuador (ed.) *Manual for Contingency Procedures in Historical Archives in the Events of Natural Disasters. General Guide for dealing with Natural Disasters*. UNESCO: 2017. Tandon, A. (ed.) *First Aid to Cultural Heritage in Times of Crisis*. Vol. I: Handbook for coordinated emergency preparedness and response to secure tangible and intangible heritage. Vol. II: Toolkit for coordinated emergency preparedness and response to secure tangible and intangible heritage. ICCROM / Prince Claus Fund: 2018.

48 A role model for any Cultural Heritage Rescue Team is the joint UNESCO and Carabinieri initiative #Unite4Heritage and the so called „Blue Helmets for Culture“, see further: D’Elia, D. *Tutela del Patrimonio Culturale Mondiale*, in: *The CoESPU Magazine*.

mentioned Summer University on Cultural Property Protection in August 2018 at Melk Monastery, first ideas on structures and procedures for Cultural Heritage Rescue Teams were developed.<sup>49</sup> A CHRT could offer rapid response for the protection of cultural heritage facing natural catastrophes and the consequential effects. It could be either a national organization or an international one. A national organization might make financing easier and allow the integration into an already existing catastrophe management and response system. Nationally defined standards would regulate the admission of team members who then would benefit from extensive training as a team. An international organization might be able to contribute to cultural heritage protection on a broader scale, incorporate the best-qualified and experienced personnel from all participating countries, but team training itself might be more difficult to achieve than on national level. Language and different equipment standards might also pose a challenge.

On organizational level a national or international CHRT would need a team leader, logistic personnel, a liaison officer to the relevant governmental institutions and emergency responders, as well as different subject matter special-

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The online quarterly Journal of Stability Policing 1/2016, 10-18. UN Resolution 2347, Protection of Cultural Heritage in Armed Conflicts, in: The CoESPU Magazine. The online quarterly Journal of Stability Policing 1/2017.

49 A debt of gratitude is owed to all the participants and experts contributing to the development of role models for Cultural Heritage Rescue Teams during the Summer University Cultural Property Protection 2018. The rough outline above does not do the results credit.

ists – archaeologist, structural engineer, conservationist, data and informatics specialist, etc. Capabilities and knowledge on documentation, handling, packing, moving and storing of cultural property of all kind should be present in the team. At least the team leader and the liaison officer should be able to work in close coordination with the different emergency responders on site or the military, hence underlining the importance of training and exercises like the ones described previously.



Figure 16: Description - Civil-military cooperation for the recovery of a statue from the roof of the former Imperial castle. Civilian expertise in stone conservation meets military expertise from the CBRN Defence Command's Urban Search and Rescue platoon.

Another crucial point discussed was the equipment, ranging from personal security equipment for the team members (from hard-toed boots and helmets with integrated light, to gloves, eye and ear protection, waterproof jackets

and first aid kits to reflecting safety vests with the CHRT logo and the name of the individual team member) to communication and technical equipment as well as all kinds of material needed to facilitate documentation, handling, packing, moving and storing of the cultural heritage in question.

Training programmes for CHRTs should include individual training, team training, and specialist training in the specific team member's competence as well as annual refreshers, leadership training and pre-deployment training if on an international scale. In all scenarios a home base operation centre should be considered, which can support the operating team with real life support (personnel, equipment, logistics) as well as knowledge (professional opinion, further research). On national level, this support could be provided by already existing catastrophe management and response systems, if the CHRT will be thoroughly integrated into this apparatus. Notwithstanding the level on which Cultural Heritage Rescue Teams are implemented and deployed it is only the cooperation of all cultural heritage organizations, institutions and relevant universities and educational institutions that can result in the best effort for the protection of our cultural heritage.

The project partners in ProteCHt2save will establish prototypes of Cultural Heritage Rescue Teams in their respective countries and test them at pre-defined pilot sites. The outcome will be evaluated and contributes to the improvement of the system of Cultural Heritage Rescue Teams as accepted players on national and international level.

## The benefit for the military

Concerning military operations, a Cultural Heritage Rescue Team trained in working together with a military staff can provide valuable knowledge and support in cultural property protection matters. Cultural property protection, as defined in the 1954 Hague Convention for the Protection of Cultural Property in Armed Conflict, is a military task and recent experience has shown that conducted in the right way during every phase and on every level of a military operation, cultural property protection can act as force multiplier. A study on the impact of heritage destruction in Afghanistan from 2004-2009 has shown that in villages where allied forces paid respect to the local culture and put some effort in cultural property protection, 33% less insurgent attacks on allied forces happened. If there was only one argument in favour of cultural property protection that was to be listed, it would be the one of force protection – cultural property protection can save soldiers' lives.<sup>50</sup>

This paper's main focus is on the training of civilian heritage experts in military staff work, but that is only half of the holistic approach to cultural heritage protection. Parallel to training civilian heritage experts the military needs to include cultural property protection issues into their day-to-day training and exercises. Not only commanders, but also

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50 Data from the brilliant study by Aronson, J., University of Maryland, on "Identifying the Impact of Heritage Site Damage in Afghanistan". See further Stanley-Price, N. Cultural Heritage in Post-war Recovery. Papers from the ICCROM FORUM held on October 4-6, 2005. ICCROM: 2007.

every soldier should be informed on cultural property protection and especially its force multiplying ability. NATO's CIMIC Centre for Excellence has published a booklet on the topic, NATO SPS has funded a project on cultural property protection in NATO-led military operations, Italy's Carabinieri with their Carabinieri Tutela Patrimonio Culturale have a special branch dealing with cultural property protection, the 10<sup>th</sup> Mountain Division / US Army has included cultural property protection into their pre-deployment exercises, NATO School at Oberammergau has included a lecture on cultural property protection into their environmental protection course, the German Bundeswehr represents cultural property protection issues in special units, as the Austrian Armed Forces have done over the last decades with their liaison officers for cultural property protection – to name just a few of the present initiatives in the military sphere.<sup>51</sup> The topic nevertheless needs to be given more

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51 Rush, L. (ed.) *Archaeology, Cultural Property, and the Military*. Woodbridge: 2010. Foliant, Y. *Cultural Property Protection Makes Sense. A Way to Improve Your Mission*. CCOE: 2015. Rush, L., Benedettini Millington, L. *The Carabinieri Command for the Protection of Cultural Property. Saving the World's Heritage*. Woodbridge: 2015. O'Keefe, R., Péron, C., Musayev, T., Ferrari, G. *Protection of Cultural Property. Military Manual*. UNESCO: 2016. Rush, L. (ed.) *Cultural Property Protection as a Force Multiplier: Implementation for all Phases of a Military Operation*. Booklet produced by the NATO SPS project "Best Practices for Cultural Property Protection in NATO-led Military Operations", 2017. Rosén, F. *NATO-led Military Operations and Cultural Property Protection*, in: *Cultural Property Protection: NATO and other Perspectives*, NATO Legal Gazette 38/2017, 19–27. Rush, L. *The Importance of Training Cultural Property Protection*, in: *Cultural Property Protection: NATO and other Perspectives*, NATO Legal

space and attention. Especially injects for both the military and civilian heritage experts in live exercises are desirable. Both sides would hugely profit from common experiences, lessons identified and learned during such exercises. During all the exercises conducted at Danube University one request for future training was to include the scenario into a military live exercise and thus enable both sides to further develop their understanding and knowledge on cooperation and protection of cultural heritage. NATO's exercise TRIDENT JAGUAR 2018 was a first step towards a holistic approach to cultural heritage protection in the military, a first step that could lead to the integration of civilian heritage experts into military exercises in general and that could be facilitated by cooperation with Cultural Heritage Rescue Teams bridging civilian and military spheres in the protection of cultural heritage.<sup>52</sup>

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Gazette 38/2017, 80–91. As well as the contributions of Laurie Rush and Tiziano Coiro in this volume.

- 52 The authors are indebted to Dr. Paul Fox, Newcastle University and Blue Shield International for sharing his experiences from exercise Trident Jaguar.

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Alois Hirschmugl

Hybrid Threats, Disaster Relief and the Military –  
A Challenge for South-Eastern Europe/Western  
Balkans

Introduction

Nearly every day you hear or read about an attack, a sabotage act or a natural disaster happening in the world. Are these events hybrid threats or do they happen by coincidence? Is a natural disaster a hybrid threat at all? And what is the role of the military after disasters – are they only “security providers” or can they be used for rescue and humanitarian operations as well? How will a disaster - and maybe missing resilience - influence states, especially fragile states?

Is there a link to the Common Foreign and Security Policy (CFSP)?

In this article an attempt at an answer to all those questions will be made and also to give a short analysis on possible or already happened disasters in the region of the Western Balkans.

Disasters

In a simple way, disasters can be differentiated into natural disasters and man-made disasters (incl. technological disasters). Natural disasters are e.g. floods, volcanoes, drought, tsunamis, forest fires, earthquakes, whereas man-

made disasters are e.g. industrial accidents, transport accidents but also civil unrest, terrorism, sabotage, war etc.

According to the newest report of CRED (Centre for Research on the Epidemiology of Disasters)<sup>53</sup> there were fewer natural disasters and deaths and the total number of people affected in 2017 compared to the previous decade (2007-2016). Most disasters occurred in Asia (136) and the Americas (93), followed by Africa (42), Europe (39) and Oceania (8).

In 2017, 335 natural disasters affected over 95.6 million people worldwide, 9,697 people were killed by such disasters, the economic loss amounting to a total of 335 billion US \$.

However, compared to the years between 2007 and 2016, there was lower mortality (9,697 instead of 68,274 dead people) but much higher costs (increase from 142 billion US \$ to 335 billion US \$).

	Reported disasters	Dead people	People affected	Economic damage
Average 2007-2016	354	68,274	210 million	142 billion US \$
2017	335	9,697	95,6 million	334 billion US \$

In this analysis, the term disaster was defined as “a situation or event that overwhelms local capacity, necessitating a request at the national or international level for external as-

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53 [https://cred.be/sites/default/files/adsr\\_2017.pdf](https://cred.be/sites/default/files/adsr_2017.pdf); Sept 2018.

sistance; an unforeseen and often sudden event that causes great damage, destruction and human suffering”.

### Hybrid threats and disasters

In previous days, it was easy to realize when a conflict was taking place – in most cases it was one force against another one; but nowadays – due to so-called hybrid warfare (“a tailored mix of conventional weapons, irregular tactics, terrorism, and criminal behaviour in the same time and battle space to obtain political objectives”<sup>54</sup>) – it’s not as easy as it was before. In his book “Conflict in the 21<sup>st</sup> Century”, Frank G. Hoffman mentioned the rise of hybrid warfare – that there are many unique combinations of different threats, aligned to national vulnerability, which he then called “hybrid”. The concept behind hybrid threats aims “to capture the mixture of coercive and subversive activity, conventional and unconventional methods (i.e. diplomatic, military, economic, technological), which can be used in a coordinated manner by state or non-state actors to achieve specific objectives while remaining below the threshold of formally declared warfare”<sup>55</sup>.

Following the definition of the Austrian Defence Academy / Institute for Peace Support and Conflict Manage-

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54 Frank G. Hoffman, “On Not-So-New Warfare: Political Warfare vs. Hybrid Threats,” WarontheRocks.com, July 28, 2014, available at <<http://warontherocks.com/2014/07/onnot-so-new-warfare-political-warfare-vs-hybridthreats/>>.).

55 JOIN (2016) 18 final, Joint Framework on countering hybrid threats a European Union response. Page 2.

ment<sup>56</sup>, a “hybrid threat” is the endangerment of a state or confederation of states through the ability and intention of an actor, to use his potential target-oriented, multidimensional (political, economic, military, social, medial) and in a timely coordinated context for the implementation of his interests.

According to the previous simplified definition of disasters into natural and man-made disasters, one must find out if disasters are hybrid threats or not.

Generally speaking, natural disasters do not constitute hybrid threats as long as e.g. somebody does not try to cause a drought by changing the riverbed in his own interest and people must leave their land. Man-made disasters could be caused by a hybrid threat – e.g. if someone uses a terrorist attack against a dam or cyber-attack on a computer system to open the water gates of a dam and the region is flooded – but only if there is the intention to reach a specific strategic goal. Hybrid threats are generally intentional and must have the aim to threaten a state or confederation of states.

An interesting linkage between civilian – military and hybrid threats can be seen in the statement of Mr. Orjan N. Karlson, Specialist Director at the Norwegian Directorate for Civil Protection / DSB (published in the latest Crisis

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56 IFK Aktuell Oct 2016, Krieg ohne Kampf? Hybride Bedrohungen; Oberst Mag. Anton Dengg; <http://www.bundesheer.at/wissensforschung/publikationen/publikation.php?id=802>, p. 7.

Response Journal<sup>57</sup> about “Hybrid warfare as a societal threat”) saying “First and foremost, there is a need for an integrated, or at least well-co-ordinated, national civil-military command structure” to overcome those hybrid threats.

Another hybrid threat can occur after a disaster – misinformation (which can even stop rescue operations like in New Orleans in 2005 after Hurricane Katrina) and loss of trust in the government. For example, after an explosion of 96 containers full of gunpowder in Cyprus on 11<sup>th</sup> July 2011 media reports constantly spread the rumour about uranium that might have been in those containers. Nobody believed the official reports of the government and every day violent demonstrations were held in the capital Nicosia by angered citizens, leading to the resignation of several ministers and high-ranking persons. There was a loss of trust in the government and the reports of the ministries. The only chance to solve this misinformation problem on uranium was to fly in an Austrian military CBRN expert to perform measurements on site and inform the population that there was not more radiation than normally measured on the site. In this case, Cyprus was able to cope with the situation – but what would have happened in states that are more fragile? Wouldn't it have led to even more fragility – like a cycle of fragility and disasters? Each disaster already puts a lot of pressure on the government and hybrid threats increase this

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57 Crisis Response Journal Vol. 13, Issue 4, August 2018, ISSN 1745-8633, page 43.

pressure a lot. This makes hybrid threats in the context of natural disasters so dangerous.

### Crimes after disasters

When talking about hybrid threats and disasters, people often believe that there is an immediate increase in crimes after a disaster event and therefore a need for security forces etc. It is correct that after major disasters, it can happen that crime rates sometimes increase, but they will often even decrease. As an example – in the week after Hurricane Sandy (Oct 2012) in New York City the murder rate went down by 86%, rape by 44%, theft by 48%, robbery by 30%; burglary, on the other hand, increased, but only by 3% (diminished structural integrity, lessened security)<sup>58</sup>.

However, one crime that is often prevalent following natural disasters is looting. Simply put, it is the indiscriminate taking of goods by force as part of a victory (military or political), or during a catastrophe (natural disaster - where law and order are temporarily ineffective; conflicts etc.). In the wake of the 2005 hurricane Katrina, much of New Orleans experienced widespread looting and violence, as there were large devastated areas without a police presence. In the first days there was looting of supermarkets and pharmacies etc. Even shooting was reported by journalists, but also by the mayor Ray Nagin, the police superintendent Edwin Compass and others. Very often, it was only misinformation

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58 Natural Disasters&Crime by John Stringham;  
<https://prezi.com/gvnlbanjjukx/natural-disasters-crime/>; 12 May 2014.

that sometimes even caused a stop of the rescue operation.<sup>59</sup> But it is extremely interesting to see that, when the official authority (police) disappears, these stateless spaces are immediately used by others. In New Orleans, the police was not able to enter the Ernest N. Morial Convention Centre, where thousands of people tried to survive, without the support of the National Guard, and calm down the situation. Therefore, there is often a need for “security forces” besides police forces.

But crimes after disasters should not be overestimated, either - after tropical storm Harvey in August 2017, there were about 63 people charged with storm related crimes (out of a population of nearly five million people in Harris County including Houston city)<sup>60</sup>.

The impacted community is held together by a sense of collective efficacy. However, crimes of opportunity, such as looting and robbery, are common following devastating disasters. This was seen repeatedly in the aftermath of Katrina, when individuals had to fight to find food or water, it meant looking out for oneself. Everybody had to do whatever it

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59 Daniel Lambach, *When the Cat's Away: Staat, Anarchie und Ordnung in New Orleans*, Forschungsinstitut für Politische Wissenschaft und Europäische Fragen Universität zu Köln; [http://www.forschungsnetzwerk.at/downloadpub/new\\_orleans\\_vortrag\\_bremen.pdf](http://www.forschungsnetzwerk.at/downloadpub/new_orleans_vortrag_bremen.pdf); p. 2ff.

60 Brett COOMER, *Houston Chronicle*, Highway 96 sits submerged by floodwaters from Tropical Storm Harvey on Friday, Sept 1, 2017, in Lumberton, Texas; [http://www.philly.com/philly/news/nation\\_world/tales-of-looting-and-crime-are-often-exaggerated-after-natural-disasters-20170902.html?arc404=true](http://www.philly.com/philly/news/nation_world/tales-of-looting-and-crime-are-often-exaggerated-after-natural-disasters-20170902.html?arc404=true).

took to find water for their kids or food for their parents. However, when these basic needs were met, people began to look out for each other, working together and constructing a community. If the relief organizations had been able to saturate the city with food and water in the first two or three days, the desperation, frustration and ugliness would not have set in.<sup>61</sup>

When the official authority is gone, often also the personal security feeling leaves and nobody cares about private property if they want to survive. However, in countries where e.g. Community Disaster Committees are established, which offer help and support, looting does not really exist.

When the police is involved in search and rescue operations and this is then taken over by other first responders, there is less need for police involvement in these activities. The police then can concentrate their efforts on maintaining law and order and protecting property. Priority one have the police forces and only if they are overwhelmed, military forces will be used as additional "security providers" too. But normally military forces are only used for the rescue operation according to existing guidelines (Oslo Guidelines<sup>62</sup>, MCDA Guidelines<sup>63</sup>, etc...).

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61 Trapped in New Orleans by the Flood -- and Martial Law; The Real Heroes and Sheroes of New Orleans by Larry Bradshaw and Lorrie Beth Slonsky, [www.dissidentvoice.org](http://www.dissidentvoice.org), September 7, 2005.

62 Guidelines on The use of foreign Military and Civil defence Assets in disaster relief;  
[https://www.unocha.org/sites/dms/Documents/Oslo%20Guidelines%20ENGLISH%20\(November%202007\).pdf](https://www.unocha.org/sites/dms/Documents/Oslo%20Guidelines%20ENGLISH%20(November%202007).pdf).

## The military in disaster relief operations

Whenever a large-scale disaster occurs, offers are made also by foreign military forces to assist the affected country. However, is it appreciated to let a foreign military into a country? Sometimes the affected country itself does not want to get assistance from other foreign forces, sometimes people fear it could turn into an invasion in the end (e.g. there were a lot of discussions on that in Haiti, when the US brought in additional forces; or after the earthquake in 2015, when Chinese forces entered Nepal areas where they had operated during the civil war in support of the Maoist insurgents). Sometimes other humanitarian organisations do not like the military on site – they fear either that it might endanger their operations, or they fear that the military will take over.

But what is the reality? How does it work? In all my nine United Nations Disaster Assessment and Coordination missions as well as the two European Union Civil Protection missions – foreign military was always involved to a certain extent. Normally, the national military forces of the affected country are the first involved, and afterwards – if requested and/or permitted – there will be foreign military forces on site. The situation significantly changed in the last 12 to 16

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63 MCDA Guidelines (Guidelines on the Use of Military and Civil Defence Assets to Support UN Humanitarian Activities in Complex Emergencies); <https://www.humanitarianresponse.info/en/operations/ukraine/document/mcda-guidelines-guidelines-use-military-and-civil-defence-assets-support>.

years. During the floods in 2000 in Mozambique, foreign military forces were warmly welcomed, the same in 2005 after the Tsunami, but afterwards there was a change to more and more resistance on the part of the “humanitarian world” to use foreign militaries in disaster relief operations. There is always the question – is this really the last resort, and is it needed?

During the Tsunami operation in SE Asia in 2004, more than 30,000 troops from 35 countries were involved and coordinated via our Regional Coordination Centre in Utapao/Thailand. Even in Pakistan after the 2010 floods – besides numerous military troops from Pakistan – also a high number of foreign militaries was involved in disaster response.

Nowadays the reality is that you will always meet foreign military assets on disaster sites to support the rescue operation, sometimes they are even the “first resort” as they are the only ones who have specific assets needed. But it is most important to find ways of how to cooperate.

For several years the Austrian Armed Forces have conducted, together with the Austrian Development Agency and the Austrian Study Centre for Peace and Conflict Resolution, training courses on humanitarian assistance in West Africa (HAWA) – where military, police and civil society (gender balanced) are involved in each course. This is a very valued course, used to break down existing walls between the three entities. It was developed in a modular way so that one simply can adapt it to other regions worldwide.

## Disasters in the Western Balkans

When talking about disasters in the Western Balkans, it is necessary to find out the main disaster risks for each country. For the following overview the INFORM INDEX<sup>64</sup>, which is a global, open-source risk assessment for humanitarian crises and disasters, was used.

In general, main disaster risks in the Western Balkans are floods, earthquakes, forest fires and smaller tsunamis as well as man-made disasters (impacts from old industries, etc.). Below, you find an overview of risks linked to the Western Balkan countries (a lower value – around 0 – always represents a lower risk and a higher value – around 10 – always represents a higher risk).

Country	Earthquake risk	Floods risk	Tsunami risk	Droughts risk
Albania	6.2	4.9	7.4	6.8
Bosnia and Herzegovina	6.3	7.3	1.2	3.4
FYROM	6.6	4.4	0	3.3
Montenegro	4.2	4.9	6.9	2.0
Serbia	6.6	8.6	0	2.6

For Kosovo there are similar risks like in the neighbouring countries – floods, earthquakes and forest fires.

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64 <http://www.inform-index.org/>.

## Influence of hybrid threats on disasters and resilience

Is there an influence of hybrid threats and conflicts on disasters? If so, what can be done against them? And how is resilience linked to those threats?

“Resilience” in security policy means resistance of societies and political systems. It means the ability of a community or society to successfully overcome, adapt or recover threats in an appropriate time, so that vital fundamental structures and basic functions are preserved or recovered.<sup>65</sup>

After a disaster has occurred, it can happen that there are distribution fights between the concerned population, as there might be lack of food, water and other vital items that people need to survive.

In general, people most probably support each other; especially the smaller a community is, the better the bilateral support will work. In smaller groups, where everyone knows each other, it should not be such a problem. However, if people must leave their homes and property as internally displaced persons (very often with nothing), there is a potential for social conflicts. The less a community is prepared in advance and has developed a kind of resilience, the more it will be hit by the effects of a disaster in different ways.

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65 Zum Umgang mit hybriden Bedrohungen. Auf dem Weg zu einer nationalen Resilienzstrategie. Oliver Tamminga, SWP-Aktuell 92 November 2015, p 3; <https://www.swp-berlin.org/publikation/resilienzstrategie-gegen-hybride-bedrohungen/>.

On 13<sup>th</sup> Sept 2018, Hurricane Florence made landfall at the US East Coast. In this context, the Head of Federal Emergency Management Agency / FEMA, Mr. Brock Long, said that there is no preparedness culture in the United States. Americans are not prepared when it comes to natural disasters.<sup>66</sup> Therefore, the impact after the landfall was tremendous. But isn't it similar to all countries worldwide? Are they resilient against major disasters? Was there enough resilience in South Eastern Europe for the floods in 2014? One of the most important learnings was that there is a special need for more preparedness and prevention against disasters.

Preparedness and prevention are vital. The EC estimates that for every Euro that is spent on disaster risk reduction activities, four to seven Euros are saved that would have been spent on response and recovery activities.

One of the effects of a disaster and of limited resilience is that it could lead to the destabilisation of a whole government so that those states leave the area of stability and become permanent fragile states. Those are the states that in the end offer less resilience against natural disasters and hybrid threats and deteriorate more and more, not being able to leave this negative spiral.

Hybrid threats are challenging states to an unknown extent. It can be expected that once a state is challenged by a disaster, it also might come to hybrid attacks to weaken the

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66 Kleine Zeitung, 13 Sept 2018, p. 2.

state. For example, even after a disaster occurred, it happened that rebels tried to affect people, when they tried to remove the rubble (e.g. Algeria earthquake 2003).

As far as I know, most of the analysis done in South Eastern Europe / the Western Balkans was done on hybrid threats linked to conflict and fighting against terrorism. But is there enough information, preparedness and knowledge about how to be resilient against these threats beyond analysis?

In order to build up resilience it will be very important to conduct assessments and analyses of the situation regarding disaster risk reduction/DRR and disaster management in the whole region and beyond. It is absolutely necessary to include the risk of hybrid threats to disaster preparedness strategies, but they must be included in all planning phases.



Figure 17: Disaster management cycle and hybrid threats.

It is of utmost importance to create strong cooperation with neighbouring countries, as well as cooperation with the European Union to develop and set up a modern disaster management system to meet effects of natural disasters and hybrid threats.

In the South Eastern Europe / Western Balkans region several regional initiatives already exist like e.g. the Disaster Preparedness and Prevention Initiative / DPPI, which has conducted disaster management training programs for over 18 years, or the “Instrument for the Pre-Accession Assistance” / IPA e.g. for floods. But there should be done more by the EU eventually, in a European way.

In the Sofia Declaration<sup>67</sup>, the EU welcomes the contribution of the Western Balkans partners to its Common Foreign and Security Policy (CFSP) in all its aspects and expects a progressive deepening of cooperation in this area, especially an enhanced level of alignment, notably on issues where major common interests are at stake (Art 13). Disinformation and other hybrid activities will be fought together through greater collaboration regarding resilience, cyber security and strategic communication (Art 14). This means that there is a need for closer cooperation to especially strengthen resilience in the region.

The European Union in June 2018 also developed a strategic paper – “A Europe that Protects: Countering Hybrid Threats”. In this paper Europe’s attitude is, “Aware-

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67 EU-Western Balkans Summit on 17 May 2018.

ness, resilience and response are at the heart of EU action to counter hybrid threats. We are improving our capacity to detect and understand malicious activities at an early stage. At the same time, we are enhancing the resilience of our critical infrastructure, our societies and institutions. This is fundamental to improve our ability to withstand and recover from attacks. Countering hybrid threats requires action mainly from Member States, as well as closer cooperation between the EU, the Member States, partner countries and NATO.”<sup>68</sup>

Additionally, the Sendai Framework (2015-2030)<sup>69</sup> with its seven global targets and its four priorities for action gives good guidance for activities in the region, especially with its priorities: 1. understanding disaster risk; 2. strengthening disaster risk governance to manage disaster risk; 3. investing in disaster risk reduction for resilience; and 4. enhancing disaster preparedness for effective response and to “Build Back Better” in recovery, rehabilitation and reconstruction.

In the latest publication “Balkan futures. Three scenarios for 2025”<sup>70</sup>, Wildcard 5 - Natural disasters devastating the region there is an excellent short summary of natural disasters at the Western Balkans:

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68 [https://eeas.europa.eu/sites/eeas/files/hybrid\\_threats\\_en\\_final.pdf](https://eeas.europa.eu/sites/eeas/files/hybrid_threats_en_final.pdf).

69 <https://www.unisdr.org/we/coordinate/sendai-framework>.

70 CHAILLOT PAPER N° 147 – August 2018; Balkan futures Three scenarios for 2025; European Union Institute for Security Studies; ISBN 978-92-9198-752-8; p. 61.

Over the course of history, the Balkans has been devastated by earthquakes and floods. Natural disasters have occurred sporadically in several Balkan countries, creating significant destruction and leading them to call on the assistance of other neighbouring countries. Heavy rain and floods like those in Bosnia and Herzegovina and Serbia in 2014, or earthquakes in Montenegro, the former Yugoslav Republic of Macedonia, or Albania, might result in regional cooperation to alleviate the consequences of a disaster.

### Conclusions

Hybrid threats might lead to disasters or increase the effects of a previous natural or technical disaster and can even challenge the affected states more than necessary.

Against hybrid threats – not only for South Eastern Europe / Western Balkans but globally – it is necessary to build good resilience. Resilience is much higher, when the population is well informed, cooperates in an excellent way, has good structures, when people support each other in the case of an event and when there are excellent networks with neighbouring countries, regional and international organisations.

Each emergency already puts a lot of pressure on the affected state and might at the same time be an opportunity for hybrid threats too. Therefore, it is necessary to increase normal resilience and not to trap into this pitfall. Otherwise, a disaster situation might be used for hybrid scenarios, which again will have cascading effects.

It might be recommendable to create a “Common Task Force” to analyse the Western Balkan states regarding the risks of hybrid threats and disasters and prepare them for disaster prevention and response. This could be done similarly to regional initiatives, like DPPI, IPA etc.

In major disaster events besides national military forces, also foreign military forces support rescue operations (tsunami, Pakistan ...). In the frame of civil-military cooperation, it would be fruitful for the Austrian Armed Forces to develop closer cooperation in South Eastern Europe / Western Balkans in the context of disaster prevention, preparedness and response.

At the same time, it makes sense to develop a strategy for a “resilient citizen” – on an individual and family basis – so that they are better informed and prepared for the worst case.

The responsible state should strengthen measures against their main disaster risks like flood, earthquake, forest fires, tsunamis as well as possible hybrid threats (cyber attacks, misinformation ...) to be resilient, simplify response and reduce costs and loss of lives.

Therefore, the Western Balkan states should try to get together in a regional civil-military cooperation to easily overcome natural disasters and hybrid threats by joint planning, common training and common operations.

Stefan Jangl

## Protection of Cultural Heritage during Armed Conflicts

The cultural and natural heritage is an invaluable and irreplaceable property of every nation, but also of all humankind. Its loss due to deterioration or the disappearance of any of these most precious historical symbols and objects amounts to the impoverishment of the heritage of all nations. Given their exceptional nature, they deserve special protection against the threats, which increasingly endanger them.

Every destroyed artefact of the world's cultural heritage means the irreversible loss of a unique legacy left behind by generations and had been dedicated for the future to come. We use the term "cultural heritage" for a wide range of goods – both material and immaterial.

Material cultural heritage is represented by monuments of architecture and territory with well-preserved valuable architecture, monuments of archeology and territory of archaeological significance, materialized real estate, technical works and inventions, historical greenery, or cultural landscapes.

Immaterial heritage refers to songs, various skills, traditional crafts, festivals, customs related to nature, rituals and festive events, or cuisine. It is therefore a subset of the cultural heritage, which can be both material and immaterial. Under immaterial heritage, we could still subsume digital

heritage as cultural, educational, scientific or administrative or technical, medical or other types of information created digitally or converted into a digital form from existing analog sources.

### UNESCO World Heritage Site

The United Nations Educational, Scientific, Cultural and Communication Organization, known as UNESCO, aims to protect and maintain the testimonies of past cultures and unique natural beauty. By designating such sites as cultural and natural heritage sites and listing them on the UNESCO World Heritage List, States, which are signatories to the International Convention for the Cultural and Natural Heritage of Mankind, are committed to actively preserving their most beautiful monuments.

### Application of Conventions in Slovak Legislation

The basic application of the protection of cultural heritage can be found in Article 44 of the Constitution of the Slovak Republic, which lays down everyone's obligation to protect cultural heritage. The Declaration of the National Council of the Slovak Republic on the Protection of Cultural Heritage, which was published in the Collection of Laws of the Slovak Republic under no. 91/2001, represents an effective platform for ensuring legislative, organizational and implementation measures. On December 19, 2001, the National Council of the Slovak Republic adopted 49/2002 Coll. on the Protection of the Monuments Fund. In addition to many important provisions for the preservation, restoration and exploitation of national cultural monuments and heritage

sites, the law in particular establishes bodies of specialized state administration.

### Protection of cultural heritage during armed conflict

The history of humankind has always been largely a history of wars, battles and armed conflicts. Ancient civilizations fought for power, territory, and access to water and food resources. This trend continued after the emergence of the first states, which forcibly pursued their foreign policy objectives. A similar situation persists nowadays, although states have tried to limit and ban wars through international law. Nevertheless, with the advancement of technology, more and more states are craving for power, and with power grows taste.

The essence of armed conflicts nowadays is not only the destruction of the enemy, the conquest of its territory or other foreign policy objectives of that state. Nowadays, cultural values that communicate to us the past of all ancient civilizations and which must be preserved for our future offspring are also becoming objects of destruction, which is a legacy of incalculable value.

### Armed conflicts

There is no universal agreement on the legal definition of armed conflict, and thus its definition is based not only on the texts of the Conventions and Protocols of International Armed Conflict Law and International Humanitarian Law, but also on international law doctrines, case law and

ICTY jurisdiction. (International Criminal Tribunal for the former Yugoslavia, hereinafter referred to as "ICTY").

### The status quo of armed conflicts

The Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict was adopted in response to the great loss of cultural heritage during armed conflicts, recognizing the growing threat of their destruction as a result of the development of military technology and the need to protect the cultural heritage of all mankind. As stated in the Preamble of the present Convention, damage to cultural property beyond any nation is a detriment to the cultural heritage of all mankind, since each nation contributes to world culture. In past armed conflicts, it was common practice to damage various cultural goods, although their destruction was not intentional. This has, however, changed. More and more, we are witnessing the intentional destruction of cultural values during such conflicts and various terrorist attacks in the world.

The essence of the adopted Convention was the protection of cultural monuments, which may be damaged as a secondary consequence of armed conflict accompanying war and other armed conflicts. ISIS activities have taken armed conflicts and the protection of cultural monuments to a completely new level and into a previously unforeseen situation, which urgently requires a solution.

It is said that "culture is a mirror of humanity" and cultural heritage is a historical legacy and an understanding of the whole spirit of the people in terms of its values, actions,

work, institutions, monuments and sites. Too often, the destruction of cultural heritage is based on its value as a symbol for identity. An attack on cultural heritage symbolizes an attack on groups as such, and indicates intolerance and hostility. The protection of cultural heritage and its transfer to future generations are therefore ethical imperatives.

## Balkans

Criminal responsibility to protect the cultural heritage - the bombing of Dubrovnik

The aim of this section is to briefly clarify the protection of cultural property provided by the Convention and its two Protocols, focusing on protection during the period of military activity in Dubrovnik, Croatia.

Let us take a look at the ancient Croatian city of Dubrovnik with its long and extraordinary history. During its journey through history, it was more or less a free merchant city with a strict social hierarchy. The town has retained its historical development and characteristic appearance even after the loss of sovereignty at the beginning of the 19<sup>th</sup> century and up to the present day. Because of its undisturbed historical development, it was included in the UNESCO list in 1979. The whole city is one large pedestrian zone located between the narrow streets that embrace the impressive walls.

Unfortunately, this gem of the Adriatic region was bombed by heavy artillery on 6<sup>th</sup> of December 1991 and the city suffered a lot of damage. Hundreds of thousands of

projectiles hit the roofs of the houses and 70% of all buildings were at least slightly damaged by the bombing.

Was this a regular military action in the interest of the state to preserve territorial integrity?

Was this bombardment justified and do cultural monuments deserve special protection, both during peace and during emergencies such as war? If so, to what extent?

No interest and no value in law is absolute, but is always understood in the context of events and other values that need to be considered in a particular case. Therefore, the protection of cultural heritage is not a value that can be perceived absolutely. It is therefore necessary to clarify at the outset of other circumstances the case of the commander of the military action of early December 1991, Admiral Miodrag Jokić.

In October 1991, Miodrag Jokić became commander of the 9<sup>th</sup> Maritime Sector. For three months, Dubrovnik was surrounded by federal Yugoslav forces. In early December, the Croatian forces were about to sign a ceasefire, where Miodrag Jokić was a parliamentary of the federal party. Nevertheless, the Yugoslav naval forces began to bomb Dubrovnik, as a result of which six buildings of the old town were completely destroyed and several other (more seriously) damaged. This was stated by the International Criminal Tribunal for the former Yugoslavia (ICTY) as a violation of international law, despite the fact that Miodrag Jokić expressed regret to the Croatian side on the same day and that he did not issue such a bombing order. The intensity of the

attack also suggests that no immediate order to stop firing was given. Miodrag Jokić was also charged with the murder of two civilians and the inhuman treatment of three civilians. However, this will not be the primary subject of the paper.

### Crime under international law

Miodrag Jokić's decision-making was not about the creation of a new law (*ex post facto*), which would be contrary to the generally accepted principles of criminal law. Given that both criminality and unlawfulness were already present in international law before the events of 1991, it constituted an obligation to derive responsibility from a rule of law in force *ex ante facto* – for conduct that was punishable under the law in force before or at the time of the act.

### Individual criminal liability – basis of criminal liability

The need that all developed rule of law and democratic states respect the fundamental principles of criminal law stems from the same reasons. This is in particular to ensure that criminal proceedings are fair.

In particular, these principles are as follows:

- *Nullum crimen sine lege, nulla poena sine lege*, including specifications thereof. (No crime without law, no punishment without law). It is manifested firstly by the fact that the constituent elements of crimes as well as punishments to be imposed on their ground are sanctioned, at least at the time of committing thereof, as un-

lawful by International Law. Even if the penalty is not clearly specified, the awareness of unlawfulness of the act shall suffice.

- The principle of the presumption of innocence, in which the in dubio pro reo principle is also subsumed (in doubt [decide] in favor of the defendant).

It should be pointed out that criminal liability does not apply to all persons, but only to those who act in the capacity of state authorities (as well as the rebel movement) or act on their behalf or under their protection. Miodrag Jokić was an admiral of the Yugoslav army, which corresponds without doubt to the situation mentioned above.

Individual criminal liability within the meaning of the ICTY Statute

The ICTY Statute regulates individual liability issues; it inferred individual criminal liability against Miodrag Jokić.

In his case, it is stated that, although the crime was committed by a subordinate, this does not relieve the superior of his responsibility if he knew or could have known that the subordinate was about to commit such acts and as a superior did not take the necessary and proportionate measures to avert them or punish his subordinate. To derive this command form of responsibility, the so-called “command responsibility”, it is also necessary for the superior-subordinate relationship to be effective.

The individual preconditions for the application of command responsibility:

- Relationship superior – subordinate. This relationship need not only be de jure, but also a de facto relationship. It does not have to be solely a relationship within the military hierarchy, but may also be a civil relationship.
- The superior knew or had reason to know that the crime will be or was committed. The presumption is that the superior did not possess such knowledge and it is for the plaintiff to prove his knowledge.
- The superior has not taken all necessary and proportionate measures to avert the crime or to punish the offender. This assumption must be viewed restrictively and causally within the material capabilities of the superior.

According to the judgement, Miodrag Jokić knew that Dubrovnik, as part of UNESCO, was undoubtedly part of the world's cultural heritage, and as one of the commanders of the Federal Yugoslav Army, had knowledge of its bombing since the early hours, but gave no order to preserve protection of the old quarter of Dubrovnik. As commander, after the end of the bombing he took no disciplinary action in relation to his subordinates and punished no one.

The most important element of individual criminal liability for crimes under international law is considered the institute of so-called "command responsibility". This is be-

cause, objectively speaking, the greatest influence on the course of a war conflict is most often made by officers, generality and civilian officials, although their association with specific actions could often be difficult without the existence of this institute. Admiral Miodrag Jokić was sentenced to seven years in prison.

It should be stressed that the state must always play a central role in the protection of cultural heritage. The intervention of the international community and the jurisdiction of its judicial authorities is already an ex post intervention. It can therefore not correct the loss that has already been caused to mankind by the loss of part of its cultural heritage. It is the state that is closest to the individuals and can punish them most quickly, most effectively deter them from doing so or intervene operatively before irreparable damage to the heritage of all humanity is committed.

In anticipation of a new challenge - the UNTAES mission

Cooperation of the population with UN peacekeeping forces in preserving cultural traditions.

The deployment of the engineer battalion of the Slovak Armed Forces to UN peacekeeping forces – to the UN-PROFOR mission in the territory of former Yugoslavia was decided at the request of the UN Security Council by Resolution of the Government of the Slovak Republic No. 135 of 1<sup>st</sup> March 1993 and Resolution of the National Council of the Slovak Republic no. 160 of 18<sup>th</sup> March 1993.

Since 1996, Slovak engineers have continued their work in the Balkans in the UNTAES mission (United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Srijem). The United Nations Security Council established a Transitional Report for Eastern Slavonia, Baranja and Western Srijem before Resolution No. 1037 was issued. The above-mentioned parts of the Croatian territory were previously part of the unrecognized Republic of Serbia and the UN Interim Administration was to prepare the region to come again under the administration of Croatia.

The UNTAES mission included the UN Peacekeeping Engineer Battalion after the Government of the Slovak Republic, in its resolution no. 946 of 14<sup>th</sup> December 1995 and the National Council of the Slovak Republic by Resolution no. 284 of 20<sup>th</sup> December 1995 agreed to the operation of the UN Peacekeeping Engineer Battalion in this mission.

“SLOVENGBAT” (or the Slovak Engineer Battalion) initiated the withdrawal to Eastern Slavonia on 8<sup>th</sup> March 1996 based on UNTAES Commander-in-Chief Ordinance 1. The withdrawal was completed on 20<sup>th</sup> May 1996, when SLOVENGBAT reported the readiness of all its troops and assets.

The Slovak Engineer Battalion in the new mission began to perform tasks from 1<sup>st</sup> March 1996. One of the first was the exhumation of the mass grave in Ovčara. Before work began, the entire area covered with marshy terrain was demined. In order to ensure the import of material for the commission's work, SLOVENGBAT built a bridge with the

AM 50 with a total length of 54 meters. At the same time, they built a field driveway and space for an international team whose work was to uncover the grave. Battalion units participated in the activities of exhumation commissions in other places, near Ernestovo, Marinovici and uncovered mass graves in the area Nemetin and Klisa, as well as in the cemetery area in the village of Lovas. Daily interviews with the local population, daily requests from local mayors for help in the repair of their villages, especially assistance to minorities in the region were our priority. In the program of the construction of bridges for the movement of population in the UNTAES region soldiers of SLOVENGBAT built the bridge of the MS set in the length of 42 m near the village Nijemci and in the village of Borovo in the length of 21 m. Next to the Nijemci settlement, a 52-meter pontoon bridge was used before the MS set bridge was built. In connection with the growing transport tasks on the Osijek-Vinkovci transit route, engineers replaced the deteriorating Bailey Bridge by the MS set bridge in Ernestovo and later they built the bridge in Berak too. This was also one of the forms of help for the local population, although the main task of SLOVENGBAT was demining. The area of all East Slavonia, situated in a beautiful fertile landscape between the rivers Drava, Danube and Sava was one of the most mined areas of former Yugoslavia.

The UNTAES peacekeeping mission took over the rule of the region and gave people hope that reintegration would take place peacefully and that there would finally be the de-

sired peace, which also had an impact on reducing cultural violence in the region.

Cultural violence reduces the mental and social resilience of man and society, undermines integrity, and promotes the growth of destructive factors in the consciousness and behavior of individuals as well as within large groups of the population.

Cultural violence is all that can greatly affect people, mobilize them to promote conflict, or, vice versa, to make them guilty or turn them into victims. All of this had an impact on the people of the region and, consequently, help from UNTAES was needed.

Gradually, the Slovak battalion and other UNTAES units were more actively involved in specific assistance to the local population. Slovak soldiers often also provided assistance to the citizens of municipalities with a predominant minority population in the region, in order to preserve their culture, traditions and language.

“Slovak soldiers, who are highly respected by the inhabitants of Mikluševci, allowed the bells of the Ruthenian Greek Catholic Church to ring for the first time in five years”, General Klein, the first temporary administrator of UNTAES, said in his speech. He explained: “Serbian extremists, guys who ruthlessly destroyed the church, now threatened that if religious ceremonies were to take place in the church, they would deploy mines to the remnants of the church again. We could not allow the provocation to succeed. “General Klein pointed out that Slovak UNTAES

soldiers had removed the rubble and cleaned the interior of the church, aligning and demining the surrounding terrain. The first mass in Mikluševci was served by Bishop Milous from Zagreb in the presence of the American Archbishop Theodore McCorkick on 8<sup>th</sup> of June. "It was an emotionally strong ceremony that brought many to tears. I commend the Colonels Štefan Jangl and Daniel Bovolár as well as the soldiers of the Slovak Engineer Battalion for their outstanding achievements in the struggle for peace. You and the citizens of Slovakia can be justifiably proud of them", said General Klein. The first mass at the Greek Catholic Church in Mikluševci was also attended by SLOVENGBAT soldiers to demonstrate the presence of UNTAES peacekeepers in the region.

The President of the Slovak Republic Michal Kováč thanked the six hundred of our engineers for their work that contributes to the good reputation that Slovakia developed during the mission in eastern Slavonia.

"The presence of our soldiers here has strengthened the locals and gave them a positive mindset, not least trust. The soldiers were a guarantee that plans to overhaul their cultural stands would not be hindered by anyone and that their culture could develop undisturbed. Soldiers gave national minorities patronage in promoting in the region." The national minorities have returned to self-confidence and, in particular, have stopped being afraid.

The national minorities in the region tried to stay away from the war madness, but that is why they were even more

suspicious to the two opposing parties. It is noted by a resident of Ilok that only when the 600-member battalion of soldiers from Slovakia came to their region, they returned to their self-confidence and stopped worrying.

Additional UN troops came to the region to fulfill the mandate of the UN Security Council and to begin restoring the region's cultural heritage, mainly the restoration of the bombed historical baroque Vukovar. It was at this difficult time that the Slovak minority from Ilok decided to carry out their bold plans – to restore a damaged cultural community center. We must admit that after the arrival of Slovak soldiers they did not lack the courage; however, the implementation of such a large reconstruction required a lot of funds, expertise and logistic support.

For the first time on such a large scale, SLOVENGBAT tested civil and military cooperation, as the work at this cultural community center was estimated to last several months. Finally, on 24<sup>th</sup> of August 1997, a cultural community center was opened in the presence of the Croatian Government, representatives of UNTAES, the Ambassador of the Slovak Republic, members of the SLOVENGBAT, and the Slovak minority for which this cultural community center was built.

The activities of the Slovak Engineer Battalion in the UNTAES peacekeeping mission in eastern Croatia held, in essence, also significant cultural potential, respectively the potential of cultural protection in general. Slovak members of the mission did not only save material cultural monuments and values, for example by demining areas around

listed monuments, cemeteries and removing debris in their surroundings (Mikluševci temple), but also supported the restoration and preservation of culture, customs and traditions among the local population. An example is the restoration of the Slovak House (community center) in the town of Ilok in eastern Croatia, where Slovak soldiers restored this extensive local cultural center and created conditions for the smooth continuation of the development of culture, folklore and the preservation of local folk traditions. For this act, the Slovak peacemakers received recognition of the international community.

Cultural heritage as soft targets and problems of its protection

CHARACTERISTICS OF 'SOFT TARGETS' – The phrase 'soft targets' was coined in the English language. At present, there is no universal definition of such objects, but in general, soft targets are inadequately protected civilian objects in which a large number of people are gathered. It is also important to mention that we use the definition of soft targets only in connection with terrorist or violent attacks against which individual objects or premises are not adequately protected.

A soft target means an easy target. Minimal protection and a large number of people in one place increase its attractiveness and the interest of attackers. Therefore, when choosing a future target for attacks, they will consider criteria such as easy and unobserved access (target is available / target is achievable), target significance, media attention,

poor protection or high symbolic historical and cultural value. Objects, premises and events with a high incidence of persons meet such criteria.

Given the above criteria, among the objects as possible soft targets we will or can include the material cultural heritage in any country of the world:

- cultural objects, e.g. theaters, cinemas, museums, galleries,
- church objects, e.g. churches, pilgrimages, religious monuments,
- monuments of architecture and territories with preserved valuable architecture,
- monuments of archeology and areas of archaeological significance,
- materialized technical works and inventions materialized,
- historical greenery,
- cultural landscape.

The areas eligible for classification as soft targets include, in particular, events that may attract the attention of attackers, and therefore may be classified as soft targets, in particular:

- public mass gatherings,

- religious events, pilgrimages, and
- big concerts etc.

Each of these objects or premises fulfills the condition of the simultaneous occurrence of a large number of persons and minimal or no protective measures to prevent the threat of persons by violent attacks.

Attacks on soft targets have the nature of events called "black swans". They are unexpected, always have a great effect on the public and after their implementation we can logically explain them and also clarify the way they were committed.

Soft target attacks can be committed by:

- firearms, mostly automatic weapons,
- explosive systems, either carried, carried into, or carried on (stored in) vehicles,
- dispersing dangerous (toxicant or irritating) substances,
- motor vehicles, and
- cold weapons, especially using the moment of surprise.

The method of attack depends on the type of attacker, his or her abilities and capabilities, and the readiness to perform the attack.

In attacks in church buildings or temples, aggressors mostly used firearms, exceptionally cold weapons.

## HOW TO PROTECT SOFT TARGETS

When addressing the protection of soft targets, it will be a set of security, technical and regime measures aimed to prevent any hostile activity against persons in buildings, premises or areas.

Protection can be seen as part of a direct and situational prevention strategy. It is the planning and implementation of measures that reduce the likelihood of security threats by changing the conditions of those assumptions that allow their activation. It is about implementing such measures that:

- prevent or avoid security threats (attacks),
- affect the amount of 'cost' and 'profit' of the potential offender, and
- increase the risk of detecting and detaining the offender.

When deciding on the need and how to protect objects, premises or events, it is advisable to consider the conditions that we set for the production rule.

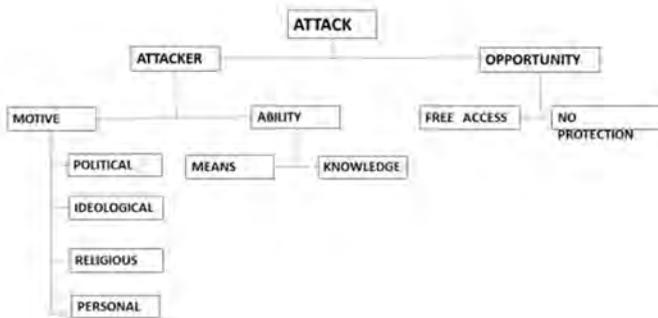
The individual assumptions of the production rule are:

- the existence of the offender and
- the existence of a suitable opportunity.

The assumptions "attacker" and "opportunity" are pre-requisites for attacking a soft target. The relationship between them can be expressed as a conjunction, which is expressed by the notation:

IF (attacker)  $\wedge$  (opportunity) THEN (attack)

In terms of addressing security in buildings and premises, as well as in public events, this means that, from these two necessary conditions, we can influence the assumption of creating appropriate opportunities to carry out attacks.



From the principles of CPTED (crime prevention through environmental design), the following are particularly applicable to cultural heritage objects:

- ensure natural surveillance and control of the environment;
- natural access control;
- visible demarcation of territory.

Ad 1) Natural supervision is a concept aimed primarily at ensuring permanent supervision and control over the events in the space.

Ad 2) The aim of the implementation of this principle is to direct the movement of people (visitors, suppliers, clients,

etc.) in such a way that the opportunity to commit a crime is minimized and access to protected areas prevented if the rules are not broken (in our case churches, temples, historical landmarks, and symbols).

Ad 3) The realization of the principle is that each area, or each restricted area, should be clearly identified and marked. It is intended to make it clear and understandable that intrusion into such an area may or will be penalized. Security services should respond adequately to unauthorized entry into such an area.

Unfortunately, attacks on objects and premises of cultural heritage with a mass occurrence of people have become part of our world. The spectrum of current risks that cause fear in people is widening. The greatest threat to man is a man with a different value system, with a different vision of the world, a man frustrated by the inability to satisfy his needs, a defiant man, a protester. As a target to demonstrate his/her dissatisfaction, he/she chooses the most vulnerable – people attending public mass gatherings, religious events, religious buildings, pilgrimages, symbolic sites, monuments of architecture and territories with preserved valuable architecture.

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## Authors



Günther HÖFLER, GEN (ret)

General ret. Günther Höfler was born on 24 January 1953 in Austria, Province of Styria. In 1971, he joined the Austrian Armed Forces, and after a deployment to the UN mission in Cyprus, he graduated from the Austrian Military Academy as an armor officer.

Later he attended the General Staff Officer's Training at the Austrian National Defence Academy, and he is also a graduate from the US Army Command and General Staff College. His following command and staff positions include: Commander of a Mechanized Infantry Battalion, Chief of Staff of an Infantry Brigade and Director of the Officer Training Institute at the Theresian Military Academy. In 1995, he became the first Austrian Liaison Officer and Military Attaché to NATO/Partnership for Peace. In 1999, he was appointed as Commander of the Austrian International Operations Command, and in 2006, he became the Commander, Joint Forces Command, Austrian Armed Forces. From 2013 until December 2017, he served as Head of the Austrian Military Representation in Brussels and as the national Military Representative to EU and NATO/Partnership for Peace. General Höfler retired from military service in January 2018, and in May 2019, he took over the leadership responsibility of the Association of Austrian Peacekeepers.

General Höfler also is author of several security and military policy related publications, and he developed training manuals for the UN Department of Peacekeeping Operations.



Günther GREINDL, GEN (ret)

was Force Commander of the United Nations Disengagement and Observer Force (UNDOF), of the United Nations Force in CYPRUS (UNFICYP) and of the United Nations IRAQ–KUWAIT Observation Mission (UNIKOM).

Later he served as Director General for Security Policy in the Austrian Ministry of Defence. In 2000, he was appointed as the first Austrian Military Representative to the European Union and as Military Representative to NATO. He was President of the Association of Austrian Peacekeepers and now honorary president.



## Joanne FARCHAKH BAJJALY

is 44 years old, married and mother of three children. Joanne is an archaeologist, founder and manager of Biladi, as well as specialist in heritage in times of conflict.

### Résumé of her work and believes

In 1998, after 6 years of work in the urban excavations of Beirut, and after witnessing massive destruction of archaeological sites, she decided to study journalism so that she could defend Lebanon's heritage in the media and inform in a professional way on the disaster that was taking place. In the same year, she started visiting and working on Iraq's dying heritage because of the international sanctions. In one case, heritage was a victim of conflict and in the other case, of reconstruction plans. This reality has transformed her journalistic skills into a militant one for heritage. In 2003, after witnessing the looting of the Baghdad museum she realized that defending heritage had to be part of the educational system as well in order to involve the young generations in conflict and post-conflict countries in the knowledge of their history in order to defend it. In 2005, Joanne set up Biladi, an NGO dedicated to promoting heritage through educational activities and projects. Heritage is a tool to teaching history in a tangible and fun way. Heritage as a tool for self-development for vulnerable youth and heritage as a tool for self-esteem building for refugee communities. In a rapidly changing world, and in conflict and post-conflict

countries, citizens or refugees tend to lose their ties to their own past. "We believe that by knowing our intangible and tangible heritage, we will become a more solid part of the world; we have more to share because we know and are proud of our individuality." This is why she believes that our mission to keep the notion of one's heritage protected and at the same time alive, thus allowing communities to live it and be proud of it. "

- EDUCATION ON HERITAGE THROUGH BILADI:  
[www.biladi.org](http://www.biladi.org)
- 2015 – till now: AVOCADO – Vocational trainings funded by UNICEF on Traditional food production as tool for self-development for vulnerable youth in Syrian and Lebanese communities.
- 2016 – till now training of heritage professionals: ESTERDAD (funded by the Norwegian Embassy in Beirut) to train Lebanese, Syrians and Iraqis archaeologists and lawyers on building a dossier to stop the illicit sale in Antiquities in market countries.
- 2017 – till now: C.H.I.L.D: Cultural Heritage and Interactive Learning Development a center set to host 100 Syrians refugee children aged between 4 and 10 to teach them basic Learning and Mathematics and Cultural Heritage of Syria.

- 2013 – till now: Special Heritage activities for 1000 students, activities funded by the UNESCO office in Beirut
- “Fighting illicit trade in antiquities”
- “Safeguarding heritage, introducing 1000 students to La Hague convention”
- “Unite for Heritage”, discovering World Heritage sites
- Youth at the National museum of Beirut
- World Heritage sites in Young hands
- Since September 2005, we have organized school trips for more than 32,000 students to the archaeological sites where children are invited to “learn while having fun”.

## EDUCATION

P.H.D student “Teaching history based on archaeological remains in Post-Conflict countries”, Lebanese University, Archaeology department.

M.A. studies in Art & Archaeology, and M.A. in Journalism for the Lebanese University

B.A in Art & Archaeology at the Lebanese University



Stefano BERGONZINI, Lgt.C.S.

48 years, was born in Bolzano (ITA), is living close to Vicenza (ITA).

Languages: Italian, German, English, Spanish, French

University: Bachelor in administrative sciences, University of Siena 2010.

Attended different E&T courses with the Carabinieri, UN, NATO and at ISPI.

Joined the Carabinieri in 1990, holds the rank of: Luogotenente Carica Speciale (OR-9).

1995-2010 Commander of the Carabinieri Station Sesto Pusteria (BZ).

1997-2009 nine peace and humanitarian missions in Israel (TIPH), Bosnia Herzegovina (MSU-NATO), Kosovo (UN), Iraq, Eritrea and Ethiopia (UN), Lebanon (UN), Democratic Republic Congo (UN) and Liberia (UN).

2010-2014 Chief Security Officer at the Italian embassy in Washington DC (USA).

Since 2014 at the NATO Stability Policing Centre of Excellence in Vicenza (ITA) as Staff Assistant Doctrine and Standardization Branch, SME for Stability Policing and POC for Cultural Property Protection.

2014-2017 participated in the NATO Science for Peace and Security (SPS) project "Best Practices for CPP in NATO-led military operations".

2016 participated in the Summer University (SU) Danube University Krems (DUK) "Not- und Evakuierungspläne für Weltkulturgutstätten", presented "NATO SP COE".

2017 participated in the SU DUK, presented "*Evacuation plans and proceedings*" and led the drafting of an emergency/evacuation plan for a fictitious museum.

2018 presented "*Piani d'emergenza ed evacuazione – perché e come approntarli*" within the "CIVIL PROTECT 2018" fair in Bolzano (ITA) organized by SOS Archivi.

2018 participated in the SU DUK/ProteCHt2save, presented "*Evacuation plans and proceedings*" and "*NATO SP COE*" and led the activities to draft an emergency and evacuation plan for the Abbey of Melk and, as emergency coordinator, the exercise to test it.

2018 successfully completed the "*Basic Course LNO Military Cultural Property Protection*" at the National Defence Academy in Vienna and presented "*NATO SP COE*".

2018-2019 Represented the NATO SP COE in the WT for the NATO Bi-Sc CPP Directive 086-005, approved 1<sup>st</sup> April 2019.

2019 represented the NATO SP COE at the CPP conference "*NATO and Cultural Property Protection, Embracing new challenges in the era of identity wars*" at the NATO HQ.

2019 participated in the 11<sup>th</sup> module of the MSC CPP of the DUK/ProteCHt2save in Schruns (AUT) as speaker and WG coordinator, presented "*Why and how to prepare emergency and evacuation plans in a comprehensive approach*".

2019 participated in the SU DUK/ProteCHt2save and presented "*Why and how to prepare emergency and evacuation plans in a comprehensive approach*", led the WG drafting a proposal for the emergency/evacuation plan of the State Gallery of Lower Austria and its practical exercise.

Since 2017 honorary member of "SOS Archivi", which he supports.

FAA commercial rated pilot with seaplane rating.



## Dr. Neil BRODIE

Neil Brodie graduated from the University of Liverpool with a PhD Archaeology in 1991 and has held positions at the British School at Athens, the McDonald Institute for Archaeological Research at the University of Cambridge, where he was Research Director of the Illicit Antiquities Research Centre, Stanford University's Archaeology Center, and the Scottish Centre for Crime and Justice Research at the University of Glasgow. He is presently Senior Research Fellow on the Endangered Archaeology in the Middle East and North Africa project at the University of Oxford's School of Archaeology, and a member of the Trafficking Culture project. He has published widely on issues concerning the market in cultural objects, with more than fifty papers and book chapters devoted to the subject.



Tiziano COIRO, CPT

is a Captain of the Carabinieri Command for the Protection of Cultural Heritage. The Italian Special Department of the Carabinieri Corps, dedicated in prevention and contrast of all illegal actions concerning the cultural heritage.

He has participated in national and international seminars and presentations at institutions and university for the dissemination of cultural heritage.

He has followed the activities of the TPC Command concerning the actions to establish the safety of cultural heritage goods after the earthquakes that, since 24 August 2016, has caused considerable damages to cultural heritage in the centre of Italy.

He has a degree in "*Architecture*" from the "Federico II" University of Naples and in "*Internal and External Security Sciences*" from the University of Tor Vergata in Rome.



Prof. Dr. Alois HIRSCHMUGL,  
BG

Regional Command of Styria/AT

Regular officer - Legal Advisor;  
Humanitarian Affairs Advisor to  
the Austrian Chief of Defence  
Staff; Expert and trainer for inter-  
national disaster management; one

UN Peace Keeping Mission, nine United Nations Disaster Assessment and Coordination (UNDAC) missions since 2000 and two EU Civil Protection (UCP) missions. Partner in several EU Framework Programme 7 / Horizon 2020 Research projects (Space, Disaster Resilience and Security). Project initiator for the "Humanitarian Assistance in West Africa and Beyond" training course for military, police and civilians in Ghana. He holds a Master and Doctorate degree in Law and published a handbook on the legal aspects for peace support operations, humanitarian and disaster management operations.

Alois Hirschmugl is married, with two children.

- UNFICYP 1986, since 2000: nine UNDAC missions (Floods in Mozambique 2000 (2x),
- Earthquake in Algeria 2003,
- Earthquake in Iran 2003/2004,
- Floods Bangladesh 2004,
- Tsunami SE-Asia 2005 (Regional CMCoordCell),
- Explosion of an ammunition depot in Albania 2008 (Team Leader),

- Floods in Pakistan 2010 (TL),  
Disaster Response and Preparedness Mission to Palestine 2014 (Deputy TL),

Since 2006 also EU Civil Protection (UCP),

Expert with two international missions (Earthquake 2006/JAVA and Explosion with impact at the nearby Vasilkos Power plant in Cyprus 2011).



Franz HOLLERER, BG (GS)

is a General Staff officer in the Austrian Armed Forces.

Served on several international operations within UNFICYP and KFOR and, in 2013, was appointed Chief of Staff and Deputy Commandant of the Theresian Military

Academy in Wiener Neustadt.

Lectures on command and control and leadership in the frame of further officer training, is responsible for team training in the Austrian Armed Forces.

Underwent officer training at the Theresian Military Academy, General staff training at the National Defence Academy, holds a diploma degree in political sciences and a combined study (law, pedagogy and journalism) from the University of Vienna, and took Post Graduate Management (university course at the Vienna University of Economics and Business) and the Strategic Level Course at the NATO Defence College in Rome.



Stefan JANGL, PhD, COL (ret)

was born in 1955. He is the President of the UN Veteran Slovakia and holds a PhD in the field of Land Forces Command for Operations and Fight Training.

Military background: Engineer Officer, Commanding Officer at all unit

levels

Current post: Assistant Professor, Security Management Department, University of Transport, Žilina.

Military operations:

- UNPROFOR - Main sapper, senior officer – 1994
- Engineer Company Commander – 1994
- Deputy Commander, Engineer Battalion – 1995
- UNTAES - Commanding Officer of the Engineer Battalion (1996-1998)
- Chief Security Officer, MOD Slovak Rep. (2002-2008)



Svjetlana JOVIC

having extensive and diverse experience working in politically sensitive, conflict and post-conflict environments for international organizations and UN peacekeeping operations on peace and security. Engaged in conflict prevention, confidence building, humanitarian affairs, advocacy, outreach, resource mobilization, post-conflict rehabilitation, development of stabilization initiatives.

Svjetlana has twenty years of experience in diplomatic missions, peacekeeping, conflict resolution, peace negotiations, mediation, civil- military cooperation, protection of civilians, promotion of human rights, child rights, protection of cultural property, mainstreaming gender aspects in mandated tasks.

She also has proven skills in formulating and implementing programmes, (re) building state institutions, inter-agency coordination, analysis of political, legal and socio-economic developments, managing teams in complex settings.

Training and Education:

Master of Law (LL.M) and Judicial Exam - University of Zagreb/Faculty of Law (1985); Judicial Exam - Ministry of Justice, Croatia (1990),

International Humanitarian Law and the Law of Armed Conflict, Peacekeeping and International Conflict Resolution, UNITAR courses (2005),

Course on Child Protection Monitoring and Reporting Mechanism, UNICEF (2009),

Management Development Programme, UN (2012),

Preventive Diplomacy and Advanced Mediation, PATRIR (2012),

Implementation of the 1954 Hague Convention for the Protection of Cultural Property, UNESCO seminar (2013).

Team Leader Civil Affairs, United Nations Interim Force in Lebanon (UNIFIL)

(January 2008 – present)

As Senior Civil Affairs Officer, she manages a field office undertaking programmatic and administrative tasks in support of extension of state authority, building capacity of local authorities, interagency coordination and cooperation and development of programmes to promote stability under peace and security agenda.

Senior Outreach Officer, Mitrovica region, UN Mission in Kosovo (UNMIK),

(January 2006 - January 2008)

Svetlana was engaged in confidence-building measures by developing relationship with local officials and political lead-

ers; developed outreach programmers and stabilization initiatives in coordination with other UN actors and by involving community-based organizations, civil and religious society groups and NGO sector.

Community Affairs Coordinator, Civil Administration, UNMIK

(January 2001 – January 2006)

She was responsible for managing and coordinating the work of twenty community field offices, which were designed to improve access to public services of minority communities Kosovo-wide; developed legislation in support of protection and promotion of minority rights and integration of minorities into local self-government and central level institutions.

Legal Consultant seconded to UNMIK

(October 1999 – January 2001)

Senior Administrative Officer, OSCE Mission to Croatia

(October 1997 – October 1999)



Dr. Anna KAISER, CPT

Dr. Anna Kaiser is course director Cultural Property Protection at Danube University Krems, Austria, and manager of EU projects dealing with cultural heritage protection. She studied ancient history in Salzburg and Vienna and graduated sub auspiciis praesidentis rei publicae from Vienna University in 2013.

Since 2015, Dr. Kaiser has been based at the Centre for Cultural Property Protection at Danube University Krems. She has developed and implemented a post-gradual master's programme in cultural property protection at Danube University Krems and runs EU funded research projects on inter alia climate risks for cultural heritage and developing sustainable resilience measures. She participated in the NATO SPS project "Best Practices for Cultural Property Protection in NATO-led Military Operations".

Dr. Kaiser is reserve officer in the Austrian Armed Forces and fully trained as liaison officer for cultural property protection. She lectures internationally on cultural property protection, inter alia for NATO, the German Bundeswehr and UNESCO. She is board member of the Austrian Society for Cultural Property Protection and responsible for civil-military cooperation matters.



Joseph KREIDI

is a civil engineer and an urban planner.

Program Officer for Culture at the UNESCO Regional Office – Beirut;

He joined UNESCO in 1993 and manages UNESCO technical cooperation activities and projects in the field of culture, mainly concerning the tangible and intangible cultural heritage, the World Heritage sites, the fighting of the illicit trafficking in cultural property as well as the protection of cultural property in the event of armed conflict.

He has worked with several municipalities on cultural heritage protection and management issues.

He contributed to many national, regional and international conferences and was appointed as a judge in the jury for the International Competition for Landscapes Architecture Students on the occasion of the 37<sup>th</sup> and 38<sup>th</sup> IFLA World Congress.

He is the focal point for Recovery and Reconstruction in Lebanon as well as for Disaster Risk Reduction on the aspect of protection of cultural heritage sites.



## Anna PUHR

worked as Policy Advisor at the political section of the Austrian Mission to NATO in Brussels from 2017-2019. There, she supported the administrative and organizational management of the Mission, represented the interests of Austria on humanitarian security and defence issues and acted as contact point for “Building Integrity” and “Cultural Property Protection (CPP)”. Before, she has gained professional experience while interning at the Austrian Cultural Forum in Brussels and at the United Nations Information Service in Vienna. Since September 2019, she has been doing a Master’s degree in “Cultural Studies” at the University of Leuven focusing on “Cultural Heritage, Memory and Identity”.



Dr. Frederik ROSÉN

directs the Nordic Center for Cultural Heritage and Armed Conflict, an international research initiative that sustains projects and partnerships developed by the NATO Science for Peace and Security Project “Best Practices for Cultural Property Protection in NATO-led Military Operations” (2014-2017).

Dr. Rosén holds a PhD from the Department of Political Science at the University of Copenhagen. He has held positions as Associate Professor at the Faculty of Law University of Copenhagen and Senior Researcher at the Danish Institute for International Studies, and is currently a Chief Consultant at the University of Southern of Denmark.

Dr. Rosén has published widely on international peace and security, including *Collateral Damage. A Candid History of a Peculiar form of Death* (Hurst Publishing, 2016) and *The Preservation of Art and Culture in Times of War* (Oxford University Press 2020, co-edited).



Dr. Laurie RUSH

BA Indiana University Bloomington,  
1976 Summa Cum Laude, Phi Beta  
Kappa.

MA, PhD Northwestern University,  
1984 Northwestern University Fel-  
low, National Science Foundation  
Fellow.

2011 Fellow of the American Academy in Rome.

Register of Professional Archaeologists Distinguished Ser-  
vice Award.

Chairman's Award for Achievement in Federal Preservation.

Archaeological Institute of America Public Service Award.

Visiting Faculty Donau University Krems, American Univer-  
sity in Rome.

Dr. Laurie Rush is an Anthropologist and Archaeologist who has served as a US Army civilian for over twenty years managing Cultural Resources at Fort Drum, NY and serving as Native American Affairs Liaison for the 10th Mountain Division and Fort Drum.

Dr. Rush was military liaison for return of the Mesopotami-  
an City of Ur to the Iraqi People in 2009, represented US  
Central Command at Environmental Shuras in Kabul in  
2010 and analyzed cultural property protection lessons  
learned from the Iraq and Afghan conflicts for the US Cen-

tral Command Environmental Program. On behalf of CENTCOM she participated in key leader engagements across the Middle East including Jordanian partnership programs, Eagle Resolve and Bright Star exercises. Dr. Rush just completed co-directing an international panel developing cultural property protection policy and doctrine for NATO.

As editor of "Archaeology, Cultural Property, and the Military," co-author of "The Carabinieri TPC; Saving the World's Heritage," and author of numerous articles and book chapters, Dr. Rush is internationally recognized as a specialist concerning the importance of military education and operations planning for cultural property protection in crisis areas. Recently she has also been recognized by the media as a modern "Monuments Woman," is featured in the new book, "Lives in Ruins" and is a Board Member of the US Committee of the Blue Shield.



Hannes SCHRAMM, CPT

is an officer in the Austrian Armed Forces and a student at the post-graduate Master's Programme in Cultural Property Protection at Danube University Krems, Austria. He has experience in international missions as a liaison officer to international and national security organisations and was part of several European Union Battle Groups. Additional to his profession, he completed the liaison officers' course for cultural property protection at the Austrian Defence Academy. In his master's thesis, Mag. (FH) Schramm focuses on the training of civil experts with an affiliation to matters of cultural heritage protection for cooperating with and implementation into emergency response organisations during disaster relief or other operations.

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