

Military cultural property protection in the German Armed Forces

A proposal to strengthen capabilities and develop structural capacities

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“The High Contracting Parties undertake to plan or establish in peace-time, within their armed forces, services or specialist personnel whose purpose will be to secure respect for cultural property and to cooperate with the civilian authorities responsible for safeguarding it. “

Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954
(Hague Convention) Article 7(2)



Introduction

Cultural properties are testimonies to human creativity and history. They include works of art, historical sites and archives that represent the cultural heritage of a society. In conflict situations, this heritage is often at risk and can be damaged or destroyed. Military cultural property protection deals with the preservation of this heritage.

Cultural Property Protection (CPP) is an area of civil-military cooperation (CIMIC) within the armed forces that deals with the protection and preservation of cultural property in war and crisis zones. This includes measures to identify, document, secure and, if necessary, evacuate cultural property. The aim is to prevent irreversible damage to the cultural identity and historical memory of the affected regions.

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Where do we stand today?

The protection of cultural property during armed conflicts has recently gained unprecedented attention due to the persistent conflicts in the international security framework. For example, entire museums, libraries, and archives were destroyed in Ukraine and churches in Nagorno-Karabakh were damaged as cultural heritage sites. The Taliban in Afghanistan blew up the Buddha statues in Bamiyan in 2001 and the destruction in Syria and Iraq by the troops of the so-called Islamic State are likely to be remembered by the German public. Other ongoing conflicts often lead to the unintentional or, in some cases, wilful destruction or looting of cultural property.

The potential geopolitical power shift in Europe underscores the importance of safeguarding our cultural heritage, drawing significant public and political scrutiny. Moreover, this has prompted the enlargement of the NATO alliance and bolstered the German armed forces within domestic policy and society. In Ukraine as well as in most conflict areas, cultural property is secured by the armed forces



alongside civilian institutions and, if necessary, evacuated to protect them from enemy action, making the CPP part of self-defence as part of a national security strategy. This development can also be seen among our alliance partners and Partnership for Peace members.



Long before recent changes in European security policy, NATO had already initiated processes to make the protection of cultural property more of an independent task of the military security and the guarantee alliance (NATO SPS Programme 2017). In addition to corresponding policy documents, including cooperation with cultural heritage institutions (UNESCO 2016), an independent directive (NATO 2019) has also been created for this purpose. There are even further plans to hive off CPP from the existing structure in a separate NATO policy (NATO 2023). The centres for civil-military cooperation run with German participation (MN CIMIC Cmd NIENBURG; CIMIC Center of Excellence DEN HAAG (CCOE)) have also focused on the topic and are constantly developing it further, with CCOE Den Haag standing out (CCOE 2015 and CCOE 2020). In 2023, the annual NATO exercise Joint Cooperation took place in Nienburg with a special focus on the protection of cultural property, which was primarily on initiative of the Dutch armed forces, who have wider military ability in this area.

According to the *Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict* of 1954 (HC54), its first protocol of 1954 and its second protocol of 1999, the German armed forces are also obliged under international law to plan or establish in peace-time services or special personnel (HC54 Art. 7 Military Measures). The Federal Republic of Germany has already ratified the HC54 with the 1967 Act on the *Convention for the Protection of Cultural Property in the Event of Armed Conflict* of 14 May 1954, which also defined clear responsibilities. Currently, these requirements are covered in the Federal Ministry of Defence (MoD), primarily in legal advice, but not with personnel from the specialist areas that preserve cultural property (archaeologists, archivists, restorers, museologists, etc.), which is also reflected in the Joint Service Regulation A-2141/1 15/2 *Law of Armed Conflicts - Manual*.



In addition to the rather defensive anchoring of the Hague Convention in legal advice, there are only two other points in the current armed forces where cultural property protection plays a role. One is the Intercultural operation advice (IEB) at the German Armed Forces Operational Command (OpFüKdoBw) and the other is in the CIMIC area of responsibility in Nienburg, Ulm and Berlin. The IEB is primarily designed to recommend the operational command abroad in the area of intercultural competences. In the area of CIMIC, CPP in Germany is currently recognised as a partial task in the reach back area.

An international comparison of military cultural property protection

Compared to Germany, the alliance partners solve the challenges in different but more targeted ways, which aim to create active awareness among the troops. In addition, they are creating more extensive military structures that take care of cultural property protection issues following international law and ensure liaison with civilian structures:

The Austrian Armed Forces have their own liaison officers for cultural property protection and have their own guidelines for dealing with the issue of cultural property protection (Bundesheer 2009). The Austrian Armed Forces have also been examining the establishment of their own competence centre for the protection of cultural property since 2021 (Bundesheer 2021). In Switzerland, the structures are similar and awareness within the troops is also explicitly raised through other information material (Swiss Armed Forces 1994 and Swiss Armed Forces 2003). The French Army assigns the tasks of cultural heritage protection to its own independent department within the General Staff (*Délégation au Patrimoine de l'Armée de Terre / DELPAT*) and has its own military manual and personnel for this (CDEF 2015). With its *Comando Carabinieri Tutela Patrimonio Culturale* under the command of a brigadier general, the Republic of Italy even has its own particularly comprehensively structured unit for the protection of cultural property (Rush and Millington 2015).





Most recently, independent cultural property protection units have been established in the armed forces of the United Kingdom of Great Britain and Northern Ireland (UK 2017 and UK CPPU) and the United States of America (USA 2007, Blumenthal and Mashberg 2019 and Ruehrwein 2023) and are currently being set up. This was preceded by a notable change in awareness and the new requirements resulting from the adoption of the *Second Protocol to the Hague Convention* in 1999, which indirectly defined the specialised tasks of the personnel to be deployed. Furthermore, this awareness has also been promoted by acts of the military whereby cultural property has been unintentionally destroyed or stolen, leading to widespread public criticism (e.g. the looting of the National Museum in Iraq and the destruction of archaeological sites such as Babylon during the invasion of US Army troops in 2003. Rothfield 2008 and 2009 and EUP 2023).

The fact that such efforts usually only lead to the emergence of necessary structures in the context of humanitarian disasters has recently been proven in Lebanon. Since 2023, following the devastating explosion in the port of Beirut in 2020, the Lebanese army has also been actively. Lebanese army has been actively involved in the reconstruction and protection of the endangered cultural heritage there and has founded its own *Army Mission for Cultural Protection with foreign aid* (Brockschmidt 2024).

All the actors in the protection of military cultural property are networked across nations and work together with various civilian actors on further development in this area, from which they draw their specialist personnel pool as part of training and further education programmes. They are all characterised by the fact that they do not limit themselves to the minimum military component required by international law. They also dedicate themselves to extended areas of activity in international law that are not exclusively directed at the military, such as monitoring compliance with the UNESCO convention on means of Prohibition and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (De Magistris 2023). Further principle regulations for this commitment can also be found in *Article 4(3) and Article 5 of the 1954 Hague Convention*.

Based on this experience and in dialogue with cultural property protection units of other nations, it can be concluded that the Federal Republic of Germany is currently largely unable to cooperate and therefore unable to act in this area:

For example, there is a lack of specialised personnel who can identify distinct cultural property in different cultural areas and advise the military command to a sufficient extent or at least have the cultural property-related expertise to be able to cooperate with civilian experts in that field. These are necessary to be able to fulfil the requirements and regulations of the *Hague Convention* and the other existing framework documents from the Alliance area in the first place. This applies to both past and active military deployment abroad, as well as in the context of alliance and national defence. Here, there are various cultural properties whose identification, especially in national defence, cannot be handed over to other armed forces with any existing cultural property protection units, but must be implemented by the German armed forces in coordination with the civilian structures. This task must be firmly anchored in the territorial structures of civil-military cooperation and closely interlinked with civil defence.

In addition, there are insufficient structures in the army that know how to handle cultural property and are able to assess their different conservation requirements. This would have a negative impact on the troops at the latest in the event of a necessary evacuation in the event of conflict or tension. This also applies to a deployment in the context of possible administrative assistance during a natural disaster, where again close coordination with the civilian requesting structures is required. In return, however, the German Armed Forces could benefit enormously from this with comparatively little expenditure in terms of resources and personnel. After all, the protection of cultural property is an issue for society, which the armed forces must also address, as it is recognised by international law. Here they can show how they can work together with the civil society on a focal point of identity protection and stand together in an emergency. Furthermore, this leads to the integration of the armed forces into the protection of cultural property, or as a separate specialised discipline CPP, to stronger integration with the civilian population and to a strengthening of the Bundeswehr within society. The soldiers deployed in this way can also act as multipliers in business and science and enable the well-founded promotion of the armed forces' personnel readiness.



What can be done?

The proposal provides for fair processes to be initiated at the strategic, operational, tactical, logistical, personnel and intelligence levels to strengthen the competence of the German armed forces in this area of activity, which is anchored in international law, and to make them capable of cooperating and acting with other armed forces. This can be achieved in numerous ways in the following areas assigned to the military. The aim is to develop a holistic framework concept, which can range from simple handouts and pocket maps to more extensive additions to operational structures:

legal advisor	Creation of own information material in cooperation with CIMIC with the involvement of CPP SMEs with easily explained legal and operational principles with regard to the protection of cultural property.
CIMIC	Increased integration of the topic into education and training in coordination with civilian actors in order to also train regular CIMIC personnel in this area, especially the liaison and country commands on the ground.
CPP SMEs	Military integration of specialised personnel from the field of cultural property preservation institutions and from relevant research areas, modelled on other nations - if necessary, creation of a separate cultural property protection unit.
military police	Creating awareness in the work and prosecution of offences in the area of the destruction and transfer of cultural property.
German contribution to the multinational targeting process	Provision of framework parameters for dealing with cultural assets and integration of data from and about cultural assets into maps in the context of national and alliance defense.
Units	Creation of an overarching structure (see below) that coordinates activities, monitors skills and capacities and ensures willingness to cooperate.
Cooperation partners	Establishment and exchange of an information network for national cultural heritage protection, where the Bundeswehr should act as an equal cooperation partner (including with DGKS, BSD, UNESCO-Commission, VdA, ICOMOS, DBV, ICOM, DMB, DAI, BBK, BKM)

Following structure is conceivable as a general framework: Establishment and appointment of cultural property protection officers (KGSOOffz) as a controlling element in personnel decisions by the Federal Office of Personnel Management of the Bundeswehr (BAPersBw), the implementation of CPP SMEs at the strategic and operational level, for example in the area of CJ9/G9 OpFükdoBw; MN JHQ and at corps equivalents with redundancies in the area of state commands, district and regional liaison commands in order to enable a technical and local contact person and to ensure consistent management and support. The level of funding for the intended service positions should not be less than the minimum level of NATO OF-1 (second- or first lieutenant). In the future, the minimum level OF-3 (major) or OF-4 (lieutenant colonel) would be necessary if a cultural property protection unit were to be set up separately.



In technical terms, it is necessary to examine in cooperation with the BAPersBw whether the overall qualification of CIMIC with the additional qualification of KGSOOffz could form a separate training and deployment series (AVR) to be able to form and integrate technical expertise in the long term. A separation from the AVR Operational Officer is desirable in this case due to the technical depth.

A time and cost-efficient training program must be developed, especially with the above-mentioned technical civilian counterparts and the CCOE in coordination with the BAPersBw. In particular, the training of full-time and part-time CCPOF must be designed in a targeted manner on the technical and communicative level in accordance with the *KommKoop Nienburg*. The general training and further education effort is identical to the national training for CIMIC officer / CIMIC staff officer and therefore serves as an additional qualification (see *CIMIC Analyst* at the CCOE), which must be considered by the BAPersBw.

The recently established *Institute for Cultural Studies at the University of the Bundeswehr in Munich* could serve as an additional first training location for military specialists in responsibility of the German Ministry of Defence. As part of their training in cultural studies, the soldiers already acquire extensive basic knowledge in raising awareness of the problem of protecting cultural property in the context of armed conflicts. However, the necessary technical and thematic focus and the previously mentioned further training opportunities for protecting cultural property in the subsequent assignments of the young officers are still lacking.

Cultural Property Protection Subject Matter Experts (CPP SMEs) should be recruited from the ranks of cultural property protection training courses following the example of other nations under the coordination of the CPP unit mentioned above and integrated into the armed forces - see CPPU UK and US. For this purpose, training paths and courses should be developed together with national institutions and other cooperation partners (US equivalent *Smithsonian Institution*).

For further development, a corresponding working group must be set up in the MoD's area of activity together with the civilian cooperation partners to structure the further procedure and develop concrete recommendations for action. This must be supplemented by an audit commission that monitors the processes and coordinates with national developments at international level. The focus of the proposal is, among other things, on relieving the troops in operational planning and implementation of CPP in their actions while still ensuring that as many cultural properties as possible can be identified, secured and, if necessary, evacuated professionally during an conflict.



Despite the low personnel and cost expenditure compared to the current structural and personnel changes as part of the security policy realignment of the German armed forces (“Zeitenwende”), the increase in importance and popularity for the armed forces that can be gained from implementing this concept should not be underestimated. It is not for nothing that this has led to an increased implementation of military cultural property protection among our alliance partners and structures. We must not and should not refuse to do this or even stand back, but rather take an active role.

The implementation of the above-mentioned proposals and the establishment of the necessary coordination and evaluation structures would inevitably lead to a strengthening of the ability to cooperate with many civil and military players in the protection of cultural property at (inter)national level and with our allies. This would make it possible to meet the demands placed on us under international law. In fact, we currently only meet the requirements of the Hague Convention in a rudimentary manner (*Art. 7.1 - Service Regulation A-2141/1 International Humanitarian Law in Armed Conflicts*).

“ Cultural property is an irreplaceable identity-stabilizing resource, the loss of which deprives a society of the necessary fixed points that it needs.

Alexander Gatzsche

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Furthermore, the protection of our own cultural heritage as part of national defence through the preparation and military integration of specialist expertise in cooperation with national offices and authorized bodies would lead to better integration of the armed forces into politics and society with a focus on civil-military cooperation. There is potential here to draw attention to the important work of the armed forces in a positive sense and to promote the ties of integration into civil society in the spirit of the model of the citizen in uniform. In addition to protecting national cultural property in Germany, the establishment of structures required by international law in cultural property protection would also enable us to better fulfil our security policy tasks as an army and a nation abroad.

Also from an economic and touristic perspective, cultural properties are one or often the only source of livelihood for many people in existing conflict areas. Protecting them therefore prevents migration movements and must therefore also be in line with our mission. The proactive protection of important cultural property for local societies, whether material or immaterial, also has a positive effect on the implementation of operations by gaining the goodwill of local society. It can also be assumed that illegal trade, along with drugs and weapons, is used to finance terrorist activities (UN 2015). Implementing identification, seizure and repatriation structures during a military operation would therefore also dry up these financial funding channels. At the very least, it would make sense to create appropriate contact points that take care of cultural properties found by soldiers during operations and cooperate with local civilian structures to ensure orderly security and transfer.

In general, it should be noted that there is a need, both under international law and morally, to consider this concept. This will help to strengthen the armed forces' perception on many levels and improve their capabilities in this area, because the protection of cultural property concerns us all.

- or, to paraphrase Irina Bokowa, 2009-2017 Director-General of UNESCO:

Protecting culture is a security issue!

(Bokowa 2012)



Glossary:

DGKS - German Society for the Protection of Cultural Property
BSD - German National Committee Blue Shield
UNESCO - Commission German UNESCO Commission
VdA - Association of German Archivists
DBV - German Library Association
ICOMOS - German National Committee of the International Council on Monuments and Sites
ICOM - German National Committee of the International Council of Museums
DMB - German Museums Association
DAI - German Archaeological Institute
BBK - Federal Office for Civil Protection and Disaster Assistance
BKM - Federal Commissioner for Culture and the Media

Original sources:

1. Bokowa 2012 Irina Bokowa, Culture Under Fire, in New York Times, Ausgabe vom 06. April 2012.
2. Brockschmidt 2024 Rolf Brockschmidt, Nach Explosion im Hafen von Beirut: Archäologen unterstützen historischen Wiederaufbau, in Tagesspiegel vom 12.02.2024, Berlin, 2024. Digital abrufbar unter:
<https://www.tagesspiegel.de/wissen/nach-explosion-im-hafen-von-beirut-archaologen-unterstutzen-4.11171041.html> (Stand 10.03.2024)
3. <https://www.tagesspiegel.de/wissen/nach-explosion-im-hafen-von-beirut-archaologen-unterstutzen-4.11171041.html> (Stand 10.03.2024)
4. Bundesheer 2009 Österreichisches Bundesheer, Richtlinie für den militärischen Kulturgüterschutz und zur militärischen Bewahrung von Kulturellem Erbe GZ 593321/2-S IV/2009, Wien, 2009.
6. Bundesheer 2021 Bundesministerium der Landesverteidigung, Bundesheer prüft Kompetenzzentrum für Kulturgüterschutz, Artikel vom 01. Juli 2021, Wien, 2021, Digital abrufbar unter <https://www.bmlv.gv.at/cms/artikel.php?ID=10924> (Stand 17.02.2023)
7. Bundeswehr 2023 Bundeswehr, Territoriale Verteidigung - Operationsplan Deutschland: Wie verteidigen wir unser Land?
8. Digital abrufbarunter: <https://www.bundeswehr.de/de/organisation/weitere-bmvg-dienststellen/territoriales-fuehrungskommando-der-bundeswehr/aktuelles/operationsplan-deutschland-5703688> (Stand 17.02.2023)
9. CCOE 2015 CCOE Den Hague, Cultural Property Protection Makes Sense, A Way to Improve Your Mission, Den Hague 2015.
10. CCOE 2020 CCOE Den Hague, Cultural Property Protection (CPP), A CCOE Fact Sheet, Den Hague, 2020. Abzurufen unter <https://www.cimicco.org/resources/fact-sheets/fact-sheet-cpp-2020.pdf>
11. CDEF 2015 Centre de Doctrine d'Emploi des Forces CDEF, Handbook on The Protection of Cultural Property in the Event of Armed Conflict, PFT. 5.3.2, EMP 50.655, Paris, 2015.
12. Blumenthal und Mashberg 2019 Ralph Blumenthal und Tom Mashberg, The Army Is Looking for a Few Good Art Experts, in New York Times, Ausgabe vom 30. Oktober 2019
13. De Magistris 2023 Giuseppe de Magistris, The role of NATO Stability Policing in Cultural Property Protection, in The Magazine of the NATO Rapid Deployable Corps – Italy, Ausgabe 35, Sommer 2023, S. 28-29.
14. EUP 2023 Europäisches Parlament, Policy Department for Structural and Cohesion Policies, Directorate-General for Internal Policies, Protecting cultural heritage from armed conflicts in Ukraine and beyond, PE733.120, Brüssel 2023.
15. NATO 2017 NATO, NATO and cultural Property, Embracing New Challenges in the Era of Identity Wars, Report of the NATO Science for Peace and Security Project: Best Practices for Cultural Property Protection in NATO-led Military Operations, Copenhagen, 2017.
16. NATO 2019 NATO, Bi-SCD 086-005 implementing Cultural Property Protection in NATO Operations and Missions,
17. SH/PD/J9/CL/SG/19-001345/1, 01. April 2019.
18. NATO 2023 NATO, NATO hosts conference on Cultural Property Protection, 09. Februar 2023, Digital abrufbar unter https://www.nato.int/cps/en/natohq/news_211795.htm (Stand 17.02.2023)
19. Rothfield 2008 Rothfield, Lawrence (ed.), Antiquities under Siege, Lanham 2008.
20. Rothfield 2009 Rothfield, Lawrence, The Rape of Mesopotamia, Chicago 2009.
21. Ruehrwein 2023 Blake Ruehrwein, CPP Training and the MET Museum, in The Shield, The Premier Newsletter of the
22. 38G Community, USACAPOC(A) 38G, Military Governance Specialists, 2 Ausgabe, November 2023.
23. Rush und Millington 2015 Laurie Rush und Luisa Benedettini Millington, The Carabinieri Command for the Protection of Cultural Property: Saving the World's Heritage, Newcastle, 2015.
24. Schweizer Armee 1994 Reglement 51.007.04 d - Rechtliche Grundlagen für das Verhalten im Einsatz - vom 02.04.2019
25. erlassen gestützt auf Ziffer 21, Absatz 1, des Dienstreglements der Armee (DRA) vom 22.06.1994.
26. Schweizer Armee 2003 Reglement 51.007.05 d - Die zehn Grundregeln des Kulturgüterschutzes - vom 21.03.2013 erlassen gestützt auf Artikel 10 der Organisationsverordnung für das Eidgenössische Departement für Verteidigung, Bevölkerungsschutz und Sport (OV-VBS) vom 07.03.2003.
27. UK CPPU Concept of Employment (CONEMP) for the Cultural Property Protection Unit (CPPU) – 1* Level Draft, D Info/XX Cap, British Army Document.
28. UK 2017 Cultural Property (Armed Conflicts) Act 2017.
29. UNESCO 2016 Roger O'Keefe, Camille Péron, Tofiq Musayev und Gianluca Ferrari, Protection of Cultural Property, Military Manual, Italien, 2016.
30. USA 2007 Headquarters, Department of the Army, Graphic Training Aid (GTA) 41-01-002, Civil Affairs Arts, Monuments, and Archives Guide, 2007.
31. VN 2015 Resolution der Vereinten Nationen 2199, angenommen durch den Sicherheitsrat am 12. Februar 2015, Cultural Heritage, Ziff. 16, New York, 2015.

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