

Blue Shield International CPP Exercise Content Workshop

13-14 June 2019

Summative notes

The aim of the workshop was to share perspectives on the content of CPP civil-military exercise content, working out of collective training experience during recent military command post and field training exercises, civilian equivalents, and real-world operational experience. Blue Shield set out an agenda that emphasised the importance of working pragmatically out of the 1954 Hague Convention, beginning with state party peacetime responsibilities to establish proactive protection measures to be invoked in the event of armed conflict, and to rehearse them on civil-military exercises in a holistic framework to include state party ministries of culture, their armed forces, and the heritage sector (clunky definition thought it is).

Blue Shield described how it had worked with NATO's Joint Warfare Centre in 2018, applying the Convention to the design and delivery of military command post exercises, and had identified lessons:

- Proactive protection of movable and immovable cultural heritage before, during and immediately after armed conflict is a major cultural heritage protection touch point for operational commanders, working in support of state party [host nation] agencies, and should be factored repeatedly into command post exercises.
- Exercise frameworks should replicate the political-military-heritage coordination structures fundamental to the delivery of effective cultural heritage protection; civil-military command, control and coordination arrangements are vital factors that must be exercised.
- Effective cultural heritage protection exercise play is conditional on dynamic cultural heritage intelligence production that extends beyond intelligence requirements relating to the targeting function, the no-strike list, and state party cultural heritage inventories (all necessary components of exercise content).
- A cultural property protection Estimate template should be developed and used during collective training in order to inform the wider operational planning process, towards LOAC compliant courses of action.

Blue Shield proposed that there are three strands to CPP activity:

- Proactive protection – the core concern of the 1954 Convention
- Post-event first aid (to include disaster relief)
- Countering looting and illicit trafficking – also a concern of the 1954 Convention

Each of which suggest a range of stated and implied civil-military tasks, depending on the operational context. Each demands different, if complementary, approaches and skill sets. All of them are discussed below.

The workshop was structured around a loose framework defining generic types of military engagement across the spectrum of conflict: near-peer (and peer +) armed conflict; counter insurgency and counter terrorism; peacekeeping and monitoring; and disaster relief. All three strands of CPP are relevant in every case. While military concepts, such as counter insurgency, may not be legally defined, from Blue Shield's perspective this does not constitute a challenge because state party ministries of defence and their armed forces work to politically sanctioned doctrinal norms, themselves inflected by the Law of Armed Conflict (LOAC). Given that the 1954 Convention is nested within LOAC, addressing CPP within operational contexts shaped by doctrinal norms should provide legal as well as intellectual coherence.

The 1954 Convention is a rich, ambitious instrument. In addition to establishing a legal framework, it nominates the strategic tasks High Contracting Parties (HCPs) are expected to undertake in peacetime in order to establish, proactively, a state party safeguarding regime for use in the event of armed conflict; notably the generation of inventories in three given categories and the production of plans. However the Convention attempts much more than that, bridging the transition to armed conflict itself in order to set out tactics, techniques and procedures for implementing core civil-military tasks towards the implementation of those plans. The Regulations for the Execution of the Convention, for example, deal comprehensively with: command, control and coordination; the dynamic use of improvised refuges and registers; the transport of cultural property; and use of distinctive emblems. The Guidelines for Implementation of the 1999 Second Protocol develop this approach.

Anna Kaiser presented her work at Donau University and her presentation is included, as is that by Tricia Fogarty from the US Air Force Culture and Language Center. Mark Dunkley later presented on non-state actors and the 1954 Convention, and Paul Shewry, on behalf of NATO's Headquarters, Allied Rapid Reaction Corps, gave an overview of the civil-military coordination branch of the headquarters.

Day 1: exercise content in near-peer and peer + armed conflict.

Reflecting the ambition of the Convention to reach down into battlespace dynamics (tactics, techniques and procedures) the workshop considered CPP exercise content in relation to the deep – close – rear doctrinal paradigm: *close* extending out to the maximum range of weapon systems in direct contact with an adversary (some 30km); *deep* extending out beyond the *close* to the maximum range of long range weapons (potentially 100+ km); and *rear* being the rear area in which force generation and logistics operations are conducted (also potentially 100+ km).

Deep. The discussion focussed on the crucial importance of cultural property intelligence. We discussed how the absence of HCP databases in the Enhanced, Special and General categories, produced and maintained in peacetime, as required by the 1954 Convention,

compromises the proactive protection agenda: you can't plan and execute military operations in a way that minimises cultural property destruction and damage if you don't even know what's out there; what it comprises; looks like; is called; its geographical extent; etc. LOAC in general and the Convention in particular demand that combatants take steps (pro)actively to understand what is at stake in order to be able to apply in good faith the principles of necessity; proportionality; distinction; limitation; and humanity. Unfortunately, the widespread reluctance of states parties to table cultural property inventories makes this imperative immeasurably more difficult to achieve.

We discussed how elements of the heritage community frequently rise to the challenge and take steps to fill the void when a crisis breaks out, at least partially, from their own professional resources. While laudable, this is less than an ideal solution and brings its own challenges, not least its last minute, ad hoc, nature. Further, ascribing cultural value on behalf of third party peoples potentially exposes the compilers, and the armed forces they attempt to support, to accusations of hegemonic cultural bias.

Working to common data standards, and with agreed data assurance protocols, are problems frequently encountered during collaborative initiatives. We discussed how the quality of military intelligence in general, and targeting intelligence in particular, is predicated on access to assured data, collated and integrated into an accessible database. This presents a massive information age intelligence challenge, compounded by the absence of state party cultural property databases. We discussed the need for cultural property GIS overlays to provide cultural property situation awareness during planning and mission execution.

We explored the (western) military targeting process at some length. It was pointed out that well-conducted deliberate targeting activity, fundamental to *deep* strike operations, offered a useful model for CPP good practice. Firstly, the 'target systems analysis' process offers a methodology for deconstructing how a site, entity, or capability, functions, thereby facilitating an assessment of vulnerability and of the risks attending possible courses of action. Target systems analysis offers a model for understanding cultural sites as well as of centres containing monuments (as defined in the 1954 Convention), thereby facilitating proactive protection initiatives, and also minimising the damage caused to such sites and centres, should they be taken into military use by an adversary combatant party and subsequently be subject to a deliberate attack.

It was pointed out that Targeting Board decision making constituted a critical event during which knowledge could be brought to the table by CPP experts and so inform context-specific decisions. Finally, the production of cultural property intelligence, including target systems analysis, and the conduct of targeting boards were activities that established an audit trail, facilitating any subsequent inquiry into CPP-related events and the decision making that catalysed them.

CPP needs to be folded into this demanding and highly specialist field, to include CPP specialist input during collective training events.

Close. While the conversation around the *deep* emphasised the highly structured, meticulously planned nature of deep attack operations predicated on excellent intelligence, the subsequent discussion about *close* operations reflected a general understanding of the more fluid, highly contingent, nature of the ‘contact battle’.

We discussed the delegated nature of decision making, noting the imperative to apply LOAC in all circumstances. Even when an adversary flouted the 1954 Convention and occupied cultural property, causing it to lose its legal protection in circumstances that necessitated the use of lethal force, the principles of proportionality, distinction and limitation were no less applicable. We noted the extreme difficulty – and indeed danger – attending such events, and reflected on the desirability of ‘disciplined restraint’.

A very useful conversation then developed about ‘training for discipline’: the need for context-specific CPP continuation training at the outset of operations, preparing all ranks for what they might encounter, and how they should react, in the very specific circumstances of their mission. Training for discipline might embrace:

- Recognising the need to avoid cultural property whenever possible, including an understanding of what ‘adequate distance’ (as defined in the 1954 Convention) might entail.
- The need to modify normative behaviour when necessarily occupying cultural property (such as prohibitions on digging and the parking of vehicles over a given axle weight, for example).
- Reporting the presence of cultural property.
- Respecting out of bounds restrictions, and complying with preventative traffic management tactics (such as speed restrictions and rerouting).
- Respecting the prohibition on looting and trophy taking.

We then addressed the wider environmental threats to cultural property posed by external actors in the area of operations. We heard that Civil-Military Coordination (CIMIC) doctrine already addresses the very particular challenges attending circumstances in which local governance has collapsed, creating a security vacuum in which looting and opportunistic theft was symptomatic, extending to targeted theft and organised trafficking in cultural property. We discussed how important it was to plan in order to mitigate the heightened risks posed by looting, crime and structural damage during security vacuums, noting that, wherever possible, the host nation (owner) of cultural property should always lead.

We discussed the utility of a risk mitigation triage model that reflected the proactive imperatives of the Convention itself as well as the need to work out of a thorough estimate of threats, vulnerabilities and risks:

- Remove
- Protect in situ
- Deter

We talked about the implied need to conduct cultural property first aid reconnaissance activity to assess sites whenever, and as soon as, possible, noting that attempting to do this in proximity to combat operations necessitated a complementary risk management exercise

regarding the protection of those involved. (The only Allied ‘Monuments Man’ to be killed in action during the Second World War was hit by mortar fire in Cleve while recovering an object from a structurally compromised church within sight of enemy observers.) All of which poses civil-military challenges that need to be exercised, especially in operational planning contexts.

Rear. We discussed how deep surveillance, reconnaissance and precision attack weapons were a facet of contemporary warfare that rendered the rear area a dangerous and uncertain space. Any part of the rear area too might feature the same challenges attending circumstances in which law and order has collapsed. Additionally, however, in favourable circumstances in which ‘our’ forces are advancing, the conduct of operations in the rear might at some foreseeable point permit cultural property **first aid**. We talked about how important it is to ensure the host nation takes the lead whenever circumstances allow, and therefore that the CIMIC goal of enabling the return to civilian governance as quickly as possible by capacity building – should embrace CPP too.

We heard how the anticipated consumption of combat supplies – notably ammunition and fuel, but also food and water – was today so great that a deployed Corps (nominally, say, 50,000 troops) requires a logistics maintenance area the size of a medium sized British town. Given modern population densities in Europe and some adversaries’ capability to conduct *deep* operations, survivability is dependent on dispersing logistics units in the urban sprawl. This poses unprecedented challenges for siting in relation to cultural property. The 1954 Convention establishes the concept of ‘adequate distance’ between cultural property and operational military entities. Written in the aftermath of the Second World War, well before the advent of precision attack capabilities, the Conventions references to targets including industrial centres, and to the wide area impact of ‘carpet’ bombing, are manifestly anachronistic. The concept of adequate distance is nevertheless valid. Quite what ‘adequate’ comprises (noting LOAC’s ‘proportionality’ and ‘distinction’ imperatives) is operational scenario dependent and is manifestly an issue to be assessed and worked into rules of engagement during exercises. Military legal advisors have a singular role to play in shaping this environment alongside military planners and host nation representatives. Everyone involved in planning for CPP, not least military operational planners concerned with rear area operations, needs to understand how ‘adequate distance’ is factored into planning. This implied task has never been exercised. It needs to be.

We discussed CPP in the context of maritime and cross-beach operations, noting that CPP below the high water mark also needs to be exercised.

Day 2: exercise content in counter insurgency and counter terrorism; peacekeeping and monitoring; and disaster relief

Counter insurgency (CI) and counter terrorism (CT).

We began by noting how operational dynamics in CI are entirely different from those discussed the previous day. In typical CI campaigns military operations comprise just one strand of the overall effort. The deployed force is usually dispersed throughout the area of operations. Principal tasks may comprise separating the insurgent from the population by dominating the terrain, denying the insurgent access to supplies, defeating the insurgent wherever they present a target, and contributing to wider initiatives to win 'hearts and minds', from remote rural communities to capital city. What has been termed 'war among the people' is a struggle to build consensus and to remove violence from politics. Campaigns may include lines of operation to tackle corruption and organised crime. The 'host nation' remains sovereign by default.

We discussed how state party cultural property inventories demanded by the 1954 Convention, while valid, may not be of great operational significance: local perceptions of value and importance (among the people) resonate more strongly. Furthermore, the indigenous insurgent actor is culturally very well placed to turn a deep understanding of what local people esteem to operational effect: cultural property can be as a weapon.

We discussed how UNESCO's current emphasis on the 1972 World Heritage Convention was not helpful in the context of CI. The high cost of nomination and accession, and the values underpinning the World Heritage Site management regime, distanced the discourse on CPP from the socio-political concerns outlined above. War among the people placed a premium on the 'understand' function, not least the production of highly nuanced cultural property intelligence. We noted that this requires close collaboration with local heritage professionals and extensive dialogue with local people in environments in which failure to protect can have strategic consequences extending to major loss of life and an increase in insurgent support. Several people commented that methodologies did exist for estimating local value, including ICOMOS' 'spirit of place' initiatives, and the UK National Trust's address to associative value in the 'special', 'unique' and 'cherished' categories.

We noted that non-state insurgent actors in general were less likely to conform to LOAC and the 1954 Convention; attacking cultural property protected by instruments of the established rules-based international order being regarded as politically, morally, and rhetorically a valid course of action. Looting, rioting and low-level violence attending general unrest also posed heightened threats to cultural property in societies destabilised by insurgency, as did unchallenged systemic corruption in general and organised crime in particular.

We discussed how exercise scenarios should incorporate the above threat regime to enable the consequent estimation of vulnerability and risk, thereby factoring CPP planning challenges into exercises. These challenges include:

- Force posture and training. Is the implied task physically to guard cultural property more urgent, or necessary, in CI?

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- In what circumstances might armed forces be deployed to provide wider in situ protection? What are the implied tasks? What equipment and training are required?
 - Rules of engagement. Does the cultural property protection task necessitate specific RoE, given that the majority of threat actors are likely to be unarmed civilians – whatever their intent?
 - How to build the host nation capacity to handle such tasks independently.
 - How to build CPP into the anti-corruption programme. Corruption poses particular challenges because it may implicate those who are, to some extent or other, allied with us. Sometimes it is difficult to talk about ‘sides’ in resource-poor environments where individuals habitually manoeuvre for every perceived social or economic advantage, or when individuals regard the beliefs and values of their community – or conversely of an entire region – more highly than the state’s bureaucratic authority.
 - How to deliver support to initiatives to suppress illicit trafficking, especially across borders, to include cultural property. We briefly discussed the role military Intelligence, Surveillance and Reconnaissance (ISR) assets might play in enhancing illicit trafficking intelligence, in support of a host nation’s security services, given adequate attention during campaign planning, noting that ISR operations on host nation territory require formal agreement extending to RoE.
 - The potential for cultural property to be implicated in strategies that include systemic cultural cleaning.

ICRC pointed out that it has extensive experience reaching out to factions in challenging, complex environments. There is room for greater collaboration in the NGO community; Blue Shield has begun to work with Transparency International on NATO exercises, for example, and aspired to do something similar with ICRC.

Turning to CT: we noted that popular heritage sites have become attractive terrorist targets because they present large concentrations of people, especially in locations experiencing ‘over tourism’. The damage caused to the fabric of such sites by the wide variety of improvised explosive devices was not to be underestimated, and required specialist attention from the outset of first aid initiatives.

Peacekeeping and monitoring.

We reflected on KFOR’s experience in Kosovo since 1999, where the mission ‘to build a secure environment in which all citizens, irrespective of their ethnic origins, can live in peace’, included not only ‘the protection of patrimonial sites’, but also border security concerns, including the interdiction of cross-border smuggling activity. The KFOR mission offered an example of an effective stabilisation operation in which CPP was fully integrated. CPP was also a prominent component of the United Nations Multidimensional Integrated Stabilization Mission in Mali, where for a time RoE had included authority to use lethal force to protect cultural property. We noted that peacekeeping exercises should include operational planning against a mandate physically to guard cultural property, including in high-threat contexts with acute risk management challenges, provoking RoE, training, and equipment challenges.

We noted that UN peacekeeping CIMIC staff currently don't get training in any of the three CPP pillars. We discussed training needs that, in the light of the previous workshops discussions, appear generic to all operational activity:

- Understand IHL as it applies to CPP, extending through to RoE considerations.
- Recognising the circumstances in which the mission of the peacekeeping force involves acting in the context of armed conflict in a manner that aligns the peacekeeping force with the interests of a belligerent party – in which case LOAC will apply to peacekeeping forces assigned to such tasks.
- Conduct a continuous estimate of threats, vulnerabilities and risk in order to set priorities and assign tasks to peacekeeping entities.
- Contribute to command, control and coordination activity.
- Recognise the need to train specialists, and engineers in particular, to work in circumstances in which local CPP experts are absent, emphasising the importance of employing reversible measures wherever possible.
- Promote capacity building. Where peacekeeping operations occur in the context of stabilisation, facilitate the return and empowerment of heritage professionals.

Peacekeeping typically necessitates long, slow-burn operations featuring multiple troop rotations. This posed continuity challenges, not least for monitoring tasks, where the training challenge includes detecting and recognising change, and accurate reporting.

All of which suggests multiple training objectives for peacekeeping CPP training.

Disaster relief.

The conversation about disaster relief hinged on a discussion about whether armed forces should be regarded as a suitable, appropriate, or even necessary first response capability. State party armed forces typically are capable of rapid response employing their organic strategic (aircraft) and tactical (helicopters) lift. They bring:

- Unity of command (coherent/ balanced/ agile response)
- Communications assets capable of operating independently of terrestrial civilian infrastructure
- A work force capable of imposing the rule of law
- Specialist units, not least engineering and logistics, optimised for work in challenging environments

Peacekeeping doctrine nevertheless asserts that, while armed forces should be integrated into civil disaster planning, they should be the capability of last resort, on the grounds that they are fundamentally not primary crisis responders. Further, contemporary crisis typically attract an overwhelming global response, making for a very demanding coordination challenge, and placing undue stress on the shared enabling infrastructure.

We considered the temporal aspect of crisis response, noting that pre-crisis contingency **planning** provided a platform for the initial crisis response '**understand**' (problem and mission analysis) phase, a crucial precursor to the **rescue** phase, which itself sequenced into

the **recovery** phase (the equivalent of post-conflict stabilisation, discussed above). We noted that CPP must be integrated into pre-crisis contingency planning from the outset.

We observed that the conditions characterising vacuums in state party governance during crisis events posed the same risks as we discussed in the context of armed conflict, demanding a rapid response. We heard how the Austrian armed forces are fully integrated into national crisis planning: that CPP is always a factor, a legal framework exists, as do inventories and deployable CPP liaison officers. Decision making is devolved to the local level and enabled by thorough training, all of which facilitated rapid response and the conduct of high tempo operations when required, not least in relation to flood events in the Danube valley.

The new UK CPP Unit also aspires to respond rapidly to disaster relief operations. Recent UK experience during the hurricane season in the Caribbean saw ship-based British troops deploy immediately to provide a security framework as a precursor to the rescue phase. Understanding the CPP challenge proved difficult in the absence of pre-existing inventories, CPP specialist staff, and established local/regional contacts. The CPP unit will trained to conduct cultural property **first aid** reconnaissance activity during *close* and *rear* near-peer conflict operations. These skills closely match those required for rapid CPP response to disaster relief operations in the early recovery phase.

The Netherlands also plans to achieve early military CPP response in the Caribbean. We heard how civil/military planning includes the prepositioning of an ISO shipping container of CPP first aid stores at Curaçao as a component of its response plan.

We discussed ICCROM's strong contribution to CPP first aid theory and its application. ICCROM runs its own courses and is available to deliver tailored packages to clients. Blue Shield acknowledged the primacy of ICCOM in the CPP first aid field, relative to its own complementary focus on proactive protection for CPP in the event of armed conflict. Both required long-term strategic as well as operational planning and, as the UK CPP Unit's aspirations demonstrate, there is synergy to be achieved by working in collaboration, not least in the delivery of training. ICCOM's publications provide a very strong framework for the design and delivery of military specialist CPP training, to include CPP reconnaissance, first aid triage, and cooperation/ coordination with host nation authorities, as well as NGOs.