

# Protection of Cultural Property in the Austrian Armed Forces

## Research and Instruction As a Way To Successful “risk management”

AUTHORS: Markus Swittalek, Hubert Speckner

Austrian National Defence Academy  
Institute for Human and Social Sciences  
Vienna, Austria

### Abstract

The Austrian Armed Forces is the only military force worldwide that introduced the figure of a “Liaison Officer for the Protection of Cultural Property” (LO/PCP), in accordance with the stipulation of the 1954 “Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict” and its two adjunct protocols.

The tasks of the “Liaison Officer/Protection of Cultural Property” (LO/PCP), in principle, comprise:

- Informing military headquarters and responsible offices about the general civilian situation and civil operational measures
- Defending military interests when dealing with civilian authorities and officials
- Providing information on the general military situation and military operational measures
- Advising civilian authorities and officials on military matters
- Transmitting civilian requests to military headquarters and responsible offices
- Assisting in elaborating the respective alert and operations and providing basic materials in the course of preparations for general and specific operations
- Providing defence-political information to civilian authorities and officials

In the Austrian Armed Forces, training Liaison Officers for the Protection of Cultural Property is important for successful risk management.

Three different groups of people are primarily concerned with PCP – in a manner of speaking, a “Three-Pillar-Model”:

The **First Pillar** is formed by members and personnel of IOs, GOs and NGOs, who deal with PCP: UNESCO, the responsible GOs such as the Austrian Federal Bureau of Monuments (BDA) and NGOs such as WATCH, Blue Shield. The main focus of this first pillar is the cultural property or cultural heritage of monuments.

The **Second Pillar** is formed by lawyers and legal advisers, working in the field of international humanitarian law (IHL). Their main focus is naturally compliancy with the IHL and especially the Law of Armed Conflict (LOAC).

The **Third Pillar** is formed by soldiers in the particular area of responsibility (AOR) or conflict theatre. The main focus of this third pillar must without any restrictions be compliancy of military orders. In actual conflicts these orders add a very high percentage to the handling of “Post War Scenarios” and, in this case, PCP is a very important component for handling the scenario: **Protection and Conservation of Cultural Property**

### Keywords:

The Austrian Armed Forces is the only military force worldwide that introduced the figure of a “Liaison Officer for the Protection of Cultural Property” (LO/PCP), in accordance with the stipulation of the 1954 “Hague Convention for the

Protection of Cultural Property in the Event of Armed Conflict" and its two adjunct protocols.

However, experience gained in various operations over the years as well as the fundamentally different threat scenario demonstrate that the issue of protecting of cultural property goes, as indeed it must, far beyond the basically clearly defined tasks of a "Liaison Officer for the Protection of Cultural Property", as provided by the Hague Convention and its protocols.

The Austrian Defence Act specifies four types of operations for the Austrian Armed Forces:

- (a) Military national defence;
- (b) Providing assistance to the police authorities at home;
- (c) Disaster relief operations, following catastrophes of extraordinary magnitude and
- (d) Deployment of units of the Austrian Armed Forces within an international context.

The tasks of a "Liaison Officer/Protection of Cultural Property" (LO/PCP), in principle, comprise:

- Informing military headquarters and responsible offices about the general civilian situation and civil operational measures
- Defending military interests when dealing with civilian authorities and officials
- Providing information on the general military situation and military operational measures
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Accordingly, research and instruction in the Austrian Armed Forces must follow these principles and therefore must comprise many aspects.

In numerous international symposiums and workshops organized by the Austrian Armed Forces over the past 25 years, a number of these aspects have been given scientific consideration and part of the results have already been implemented, while others still need to be put in effect.

Research concerning further aspects is being conducted under the auspices of the Austrian National Defence Academy/Vienna:

- The elaboration of basic materials required for the aforementioned types of operations in an effective manner (e.g. geo referencing)
- Tasking cadre personnel responsible for the protection of cultural property to support implementation by means of ordering personnel

**In the Austrian Armed Forces, training** of the "Liaison Officers for the Protection of Cultural Property" has, so far, **included:**

- Training and additional training of Liaison Officers for the Protection of Cultural Property in the Austrian Armed Forces at the Austrian National Defence Academy. The basic training course for LO/PCP covers one week and comprises the following subjects:
  - Legal training
  - Introduction to the current state of the "estimate of the situation" and of staff service in general
  - Specialised training of cultural property protection personnel, such as the introduction to the existing "basic materials" for the protection of cultural property, the applicable legal basis of cultural property protection ("basic directive") as well

as tactical training regarding all types of operations, in accordance with the Defence Act

- Tasks and operating methods for the institutions responsible for cultural property protection, on a national and a international level

- **Training already conducted:**

In several national and, especially, international symposiums or workshops, respectively contingencies with reference to sub paragraphs (a) and (d) of the Defence Act were dealt with intensively in theory and practice:

1997 – Situation “Göttweig” – cultural property protection in a defensive operation

1999 – Situation “Friesach” – cultural property protection in a delaying defensive operation

2001 – Situation “Montfort” – cultural property protection in an international operation, using the situation in the Kosovo as test case

2006 – Situation “Pallas Athena” – cultural property protection in a peace support operation, using the situation in Bosnia and Herzegovina as test case

2010 – Field exercise within the framework of a UNESCO workshop on the implementation of the Hague Convention and its two protocols, organized by the Austrian Armed Forces in Vienna. The exercise concentrated on the problems of protecting “movable cultural property” in archives and libraries.

2011 – NATO pilot course “Protection of Cultural Property” with a brief introduction on the actual research of the Austrian National Defence Academy to implement the protection of cultural property in the “Military Decision Making Process”.

- Basic introduction on the aspects of cultural property protection as part of additional officer training within the framework of staff officer training at the Austrian Military Academy
- Activities of cultural property protection officers during exercises and cadre training in their respective areas of responsibility

**In the future, instruction will be substantially extended to include:**

- A comprehensive introduction to all aspects of cultural property protection as part of the training of future military leaders at the Austrian Military Academy:
  - \* Intensive and practice oriented basic instructions concerning all aspects of the “Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict” and its two protocols dealing with military property protection, as part of the course on international law.
  - \* Intensive and practice oriented basic instructions concerning all aspects of the aforementioned civilian protection of historic buildings and monuments, within the framework of modules I and II on the “Execution of Legal Standards”, at the Austrian Military Academy.
  - \* Within the framework of basic legal training for the PSO module agreed upon by the European Ministers of Defence, held at the Austrian Military Academy since autumn 2010.
- Development of teaching materials for training all cadre personnel, initially with instructor assistance, as well as teacher training at education and training institutions of the Austrian Armed Forces
- Implementation of cultural property protection scenarios in all major exercises (particularly in the field of digitally simulated exercises).

**Intentions of the Protection of Cultural Property**

In the Austrian Armed Forces, we did a lot of “lessons identified” and “lessons learned” in the field of PCP:

- The first “keyword” was CIMIC (Civilian Military Cooperation). We’ve learned that PCP has to be implemented in the framework of CIMIC, especially during international operations but also in national

missions such as disaster relief operations. More than ten years later and after many experiences, we found out that it is a very difficult issue because of the extremely “wide field” of CIMIC.

- The second “keyword” was LIAISON. It needs intensive “working together” and cooperation between PCP personnel, legal personnel such as the Legal Advisers (LEGAD), Political Advisers (POLAD) and with IO, GO and NGO personnel working in the field of PCP.
- The third “keyword” was TRAINING. As mentioned above, one must TEACH, TRAIN and EDUCATE military personnel in the field of PCP. Each of these items if standing “alone” will not be enough. Soldiers must be taught about PCP, commanders at all ranks and levels must be trained and then we will have “educated” military personnel in the field of PCP.
- For now, the last “keyword” is a strictly military term: “MILITARY DECISION MAKING PROCESS”. That means that PCP must be implemented in this process from the beginning of a military operation – planning, decision making which leads to the “Operation Orders”, the military order and during the whole operation, especially during the deployment of military forces in the “Area of Responsibility”.

### **Risk management in the protection of movable cultural property**

First of all, the preparation of risk management in museums, archives, libraries is a matter for civilian authorities in charge. Military personnel deals with risk management in times of armed conflict, terrorism or disaster relief as we were able to study in Baghdad, Cairo and other conflict theatres. If risk management is not well prepared by civilian authorities before the outbreak of a conflict, often it will be too late for military forces to intervene.

Research on this matter has shown that many civil authorities have no idea what the military personnel is talking about in the “Military Decision Making Process”.

For example, one of the Austrian Armed Forces LO/PCP (who is in civilian life is the head of the staff department of the Austrian State Archives in Vienna) had to write his thesis for the Senior Military Duties (which is comparable to a general staff officer in the field of sciences and research) on risk management in archives or libraries. His excellent work demonstrated the fact that most of the responsible authorities in such institutions have not “assessed the situation”. In his thesis he describes the major cause of risk for the main compound of the Austrian State Archives to be water due to a river nearby and the fact that the building was constructed in a flooding zone. Therefore, the basement of the building, which sits more than 15 meters below the waterline, is waterproof due to the water risk. But the general contractor of this archive building installed more than 3,000 fire detectors, including an fire-prevention system but not one system against water flooding from inside or outside the building.

The expert military personnel will need to act as adviser in risk management in such cases and cooperate with the civilian authorities – “Liaison” – and bring in their expertise to handle such a threat.

### **The “Basic Situation” in the military protection of cultural property**

First of all, the term “Military Protection of Cultural Property” seems to be an anachronism. In the definition of the Hague Convention of 1954 PCP is a basic military issue because the “Law of Armed Conflict” (LOAC) occurs in times of armed conflict or – since the ratification of the second protocol of the Hague Convention – in times of “non international armed conflicts”. We – the expert staff of the Austrian National Defence Academy – want to point out the following situation with this additional term “military PCP”:

Three different groups of people are primarily concerned with PCP – in a manner of speaking, a “Three-Pillar-Model”:

The **First Pillar** is formed by members and personnel of IOs, GOs and NGOs, who deal with PCP: UNESCO, the responsible GOs like the Austrian Federal Bureau for Monuments (BDA) and NGOs like WATCH, Blue Shield .... The main focus of this first pillar is the Cultural Property or Cultural Heritage or Monument itself.

The **Second Pillar** is formed by lawyers and legal advisers, working in the field of international humanitarian law (IHL).

Their main focus is naturally compliancy with the IHL and especially the Law of Armed Conflict (LOAC).

The **Third Pillar** is formed by the military personnel in the particular area of responsibility (AOR) or conflict theatre. The main focus of this third pillar must without any restrictions be compliancy with military orders. In actual conflicts these orders add a very high percentage to the handling of “Post War Scenarios” and, in this case, PCP is a very important component for handling the scenario.

For the realisation of an operational and target oriented PCP, intensive liaison between these three pillars is absolutely necessary, especially since each of these pillars has its own concept, its own terminology and its own access to cultural property or cultural heritage.

Finally, the main focus must be compliancy of the assignment and a “Successful Risk Management” is the way to this assignment, although this approach is very different.

The successful agreement for this approach is the biggest challenge, but the intention stays the same: