DEVELOPING A NATO CULTURAL PROPERTY PROTECTION CAPABILITY

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Introduction

Cultural resources are key elements of individual and group identity.\(^1\) While National military forces among NATO Partner and Member nations already strive to prevent damage to cultural property during their operations, (especially successfully in the recent Operation Unified Protector in Libya\(^2\)) not all actors show the same restraint. Indeed, cultural resources have come to constitute a target set for belligerents. Often, within states undergoing stress, cultural resources are damaged, either as a result of looting for financial gain or destruction as part of an integrated campaign against the population. In light of these challenges, the question examined here is “Should NATO as an organization, in accordance with Smart Defence and the Comprehensive Approach, focus more directly on enhancing its cultural property protection capability, and if so, how?”

The first part of the answer is readily apparent—NATO should be concerned with Cultural Property Protection (CPP) not only because it is a legal obligation under international law, but because our NATO values demand it.\(^3\) The Washington Treaty establishing NATO says, “[the parties to this

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\(^1\) The Hague Convention on the Protection of Cultural Property in the Event of a Armed Conflict (1954) defines cultural property as “Movable or immovable property of great importance to the cultural heritage of every people” (Article 1). In this chapter I will use the broader term “Cultural Resources” which includes material and immaterial cultural property. Thus for the purposes of this paper cultural resources consist of images, paintings, sculptures, writings and, in more structured forms sacred places, archaeological sites, historic monuments, and architecture.


\(^3\) Cultural property protection although related to cultural awareness, is not identical with it. CPP refers to a broad set of practices that apply in all environments. Cultural awareness will enhance the capability of CPP practitioners in the field, but the capability for enhancing Cultural Awareness is conceptually separate from CPP—being culturally aware does not guarantee that one has the capability to engage in CPP, though it will of course be helpful in the CPP process. (See Kila for further discussion of this point.)
treaty] are determined to safeguard the freedom, common heritage and civilization of their peoples …" NATO still recognizes the need to both not damage during military operations and help others preserve the cultural property elements of their heritage.

NATO has stated its intention to protect cultural property in the NATO Standardization Agreement 7141 Joint NATO Doctrine for Environmental Protection during NATO led military activities and most NATO member Nations have ratified the Hague Convention on the Protection of Cultural Property in the Event of a Armed Conflict (1954). However, even in light of the binding commitments found in the Hague convention and STANAG 7141, Lessons Identified from recent operations (including in the Balkans, Afghanistan and Libya) indicate that NATO’s CPP capability remains suboptimal, and that CPP activities remain insufficient to fully achieve the Hague Convention aim. Actions to enhance NATO’s CPP capability are therefore required.

This chapter describes how NATO can, through developing its own small organic CPP expertise and linking to CPP expertise within Member and Partner Nations, quickly and at low cost improve CPP within NATO operations and add significant value to National CPP efforts. We begin with a discussion of the nature of cultural property and its relationship to the virtual domain. In the second part, we discuss how to enhance NATO’s CPP capability elements in light of the Comprehensive Approach version of the Doctrine, Organization, Training, Materiel, Leadership, Personnel, Facilities, Interoperability (DOTMLPFI) capability paradigm used by NATO’s Allied Command Transformation. This is followed by a discussion of the ways in which Cultural Property Protection can contribute to strategic communication efforts. In conclusion, we answer the “so what” question and explain the utility of the enhanced CPP capability from the perspective of NATO mission accomplishment.

Cultural Property Protection (CPP) and the Virtual Domain

Decision making is influenced not just by the natural environment, but by the artifacts, such as cultural property, we have created to further shape the environment. These include not only technological products, designed to enhance our control over and enable manipulation of matter to meet our various ends, but all products of design intended to help us understand and

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4 Not all NATO nations are signatories to the additional protocols.