

# The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and the notion of military necessity

The review of the 1954 Convention and the adoption of the Second Protocol thereto (26 March 1999)

by  
**JAN HLADÍK**

ONE of the most widely discussed and controversial issues during the review of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (of 14 May 1954 – hereafter “the Convention”)<sup>1</sup> was the meaning of the notion of “military necessity”.<sup>2</sup> The Convention refers to the concept twice; first, with regard to cultural property enjoying general protection it uses the term “imperative military necessity” (Arti-

---

JAN HLADÍK is Assistant Programme Specialist at the International Standards Section of the Division of Cultural Heritage, UNESCO, Paris. The views expressed in this article are those of the author and do not necessarily reflect the views of UNESCO.

<sup>1</sup> 249 UNTS 240.  
Text available from UNESCO and on Internet ([www.unesco.org/general/eng/legal/convent.html](http://www.unesco.org/general/eng/legal/convent.html)).

<sup>2</sup> On the review process in general, see Jan Hladík, “The Review Process of the 1954 Hague

Convention for the Protection of Cultural Property in the Event of Armed Conflict and its impact on international humanitarian law”, *Yearbook of International Humanitarian Law*, Vol. 1, T.M.C. Asser Press, 1998, pp. 313-322.

cle 4, paragraph 2), and, second, with respect to cultural property under special protection, it speaks of “unavoidable military necessity” (Article 11, paragraph 2).

The reference to “imperative military necessity” in Article 4, para. 2 of the Convention enables the States party to use cultural property and its immediate surroundings or appliances for military purposes and to conduct hostilities against such property “where military necessity imperatively requires such a waiver”. In view of these not very strict conditions, the scope for invoking the waiver is quite large. UNESCO has no information, however, about the practice of States.

The notion of “unavoidable military necessity” in Article 11, para. 2 has stricter conditions for its application to cultural property placed under special protection. In particular, immunity may be withdrawn “only in exceptional cases of unavoidable military necessity” and “only for such time as that necessity continues”; it is further provided that such necessity can only be established at a higher command level. At the moment, six cultural sites are granted special protection under the 1954 Convention. They are all registered in the International Register of Cultural Property under Special Protection (Article 8, para. 6 of the Convention).

The inclusion of the notion of military necessity in the Convention was the result of fierce negotiations at the Diplomatic Conference that drew up the 1954 Convention. As many questions discussed in 1954 surfaced again during the review procedure, the main points made during those debates must be briefly examined.

### The results of the 1954 Diplomatic Conference

The Secretariat’s draft for the Conference, circulated in 1953, contained two references to “imperative military necessity”<sup>3</sup> and one ref-

<sup>3</sup> Article 4 - UNESCO Draft — *Obligations in respect of cultural property situated within the territory of another Contracting Party*

1. Each High Contracting Party undertakes to respect cultural property situated within the territory of another High Contracting Party, except in cases of imperative military necessity.

2. In particular, each Party undertakes not to use movable cultural property for purposes which might expose it to destruction or damage. It further undertakes not to remove or requisi-

tion movable cultural property or the material for its protection and to take the necessary measures to prevent or put a stop to any form of theft and any act of damage or destruction not justified by imperative military necessity.

*Records of the Conference convened by the United Nations Educational, Scientific and Cultural Organization held at The Hague from 21 April to 14 May 1954*, published by the Government of the Netherlands, The Hague, 1961, p. 374.

erence to “unavoidable military necessity”.<sup>4</sup> The Secretariat’s commentary on draft Article 4 (“imperative military necessity”) stated that “[t]he obligation to respect cultural property is liable to conflict with the requirements of military operations. It is, however, often possible to find a compromise between military necessities and the task of protecting cultural property”.<sup>5</sup> It went on to say that “[i]n order that there should be no abuse of so-called military necessities, it has been provided in paragraph 1 of *Article 4* of the Convention, that the obligation to respect cultural property situated within the territory of another Contracting Party shall lapse only in cases of ‘imperative’ military necessity”.<sup>6</sup>

When commenting on the possibility of withdrawing special protection (“unavoidable military necessity”), the Secretariat pointed out that “[i]t should here be emphasized that, in using the term ‘unavoidable’ in connection with special protection, it was intended to give it a connotation even stronger than that implied by the expression ‘imperative military necessity’ used in Article 4, paragraphs 1 and 2, in connexion with the general provisions governing the protection of cultural property and the Contracting Parties’ obligation to respect such property. This distinction should therefore be understood as reflecting the greater degree of protection provided for in Chapter II. Moreover, it was considered desirable to avoid a situation in which any officer or holder of rank whatever might, on the field of operations, constitute himself the judge of the ‘unavoidable’ character of a given military necessity, and decide as to it without due thought. It has therefore been specified that it should be the Staff of a large formation, i. e., at least a Divisional Staff, which should take the responsibility for so serious a decision”.<sup>7</sup>

Two opposite tendencies arose during the Conference discussions. Some States wished to exclude this option from the Convention, claiming that it would diminish the scope of protection and open the door

<sup>4</sup> Article 11 - UNESCO Draft — *Withdrawal of immunity*

4. Subject to paragraph 1 of the present article, immunity shall be withdrawn from cultural property under special protection only in cases of unavoidable military necessity, and only for such time as that necessity continues. Such necessity can be established only by the staff of the large formation in charge of the operation

concerned. Whenever circumstances permit, the opposing Party shall be notified, a reasonable time in advance, of the decision to withdraw immunity. *Ibid.*, p. 381.

<sup>5</sup> *Ibid.*, p. 309.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, p. 310

to abuses; others insisted on its inclusion, giving various reasons such as recognition of the concept of military necessity by Article 50 of the First Geneva Convention<sup>8</sup> or the fact that “to close the door to those things which were militarily unavoidable in the face of a mission assigned by competent governmental authorities, might have a disastrous effect upon the basic aims of the Convention”.<sup>9</sup>

The biggest practical problem, however, is that the Convention does not define the notion of military necessity. It is therefore up to each State party to interpret the concept in a concrete case. To give an example, Croatia stated in its latest report on the implementation of the Convention that “as for Article 4, paragraph 2, of the Convention, cases should be mentioned where relentless enemy attacks necessitated some deviations from the Convention. An example of it is the defence of Vukovar, which, besieged for many months, had to organize defence against incessant air and artillery attacks intended to take the town”.<sup>10</sup>

It is obvious that in the event of armed hostilities the interpretation of such a provision may vary and may even lead to abuse. For this reason, the question came up again in the course of the review of the Convention, which began in the early 1990s, mainly as a reaction to the destruction of cultural heritage during the conflict in the former Yugoslavia.

### **The review of the 1954 Convention**

The Netherlands, one of the most active countries in the review procedure of the Convention, submitted to the 140th session of UNESCO’s Executive Board an explanatory note which, among other things, questioned the adequacy of the exceptions regarding “military necessity” in the sense of Article 4, para. 2 and their conformity with the present state of international humanitarian law.<sup>11</sup>

As a result of the interest of a number of Member States in the review of the Convention, the Director-General of UNESCO

<sup>8</sup> Cuba, *ibid.*, p. 151

<sup>9</sup> United States of America, *ibid.*, p. 141.

<sup>10</sup> Information on the implementation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (*The Hague, 1954*), 1995 Reports, UNESCO doc. CLT-95/WS/13, Paris, December 1995, p. 23.

<sup>11</sup> *Review of the application of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague, 1954)*, UNESCO doc. 140 EX/26, Paris, 11 September 1992, p. 6.

decided to commission a study on the possible improvement of the Convention. The study was undertaken by a UNESCO consultant, Professor Patrick Boylan, Vice-President of the International Council of Museums. Published in 1993, the study examines the implementation of the Convention since 1954 and makes a number of recommendations for its improvement in order to enhance its relevance for the present day.<sup>12</sup> Chapter 4, entitled "The 1954 Convention's concepts of protection, safeguarding and respect for Cultural Property", discusses the evolution of the concept of military necessity and recommends strongly "that in any revision of the 1954 Convention or in any new Additional Protocol to it, High Contracting Parties should renounce the provisions of Article 3(2)<sup>13</sup> allowing the waiving of the provisions of the Convention in the case of military necessity. Indeed, this should be seen as one of the highest priorities of the review process".<sup>14</sup>

In February 1994 a group of experts, invited in their personal capacities, put together the so-called Lauswolt document containing draft provisions aimed at improving the Convention. The Lauswolt document did not, however, deal with the problems raised by the notion of military necessity.

The second meeting of the High Contracting Parties to the 1954 Convention (Paris, 13 November 1995) invited all the States to submit to the Secretariat written comments on the substantive proposals for improving the Convention. Several replies commented on the military necessity issue. Some wished to remove completely the exception of military necessity (Croatia, the Czech Republic and Slovenia), others proposed modifications (Belgium, and an alternative proposal from the Czech Republic), still others suggested reconsidering the issue (Kuwait and Poland).<sup>15</sup>

The March 1997 meeting of governmental experts on the review of the Convention resulted in a redrafting of the Lauswolt document. The issue of military necessity was again barely mentioned in the

<sup>12</sup> P. J. Boylan, *Review of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague Convention of 1954)*, UNESCO doc. CLT-93/WS/12, Paris, 1993.

<sup>13</sup> In fact, the author of the report means "Article 4, para. 2". J.H.

<sup>14</sup> *Op. cit.* (note 12), p. 57.

<sup>15</sup> *Summary of comments received from States Parties to the Hague Convention and from the International Council on Archives*, UNESCO doc. CLT-96/CONF.603/INF.4, Paris, December 1996, pp. 2-4.

revised text. It was, however, pointed out that “certain military legal advisers favoured including such a phrase in the new instrument because, according to their views, such a concept has been a part of international customary and treaty law of armed conflicts and the exclusion of this concept would not be accepted by their military. Those observers pointed out that there were close links between the ‘military necessity’ and the corresponding obligation not to use cultural property for military purposes”.<sup>16</sup> In particular, the Israeli observer suggested that the following provision be inserted in the new draft: “The provisions of this instrument shall not prejudice or derogate from accepted customary principles of the Laws of War, including, *inter alia*, the principles of proportionality, distinction and military necessity”.<sup>17</sup>

During the third meeting of the States party to the Convention (Paris, 13 November 1997), representatives of several countries (e.g. Argentina, Austria, France and Israel) defended the value of this notion, asserting that it expressed one of the basic rules of international humanitarian law. They agreed, however, to define it more precisely and narrowly.

Finally, during the May 1998 (Vienna) meeting of governmental experts on the revision of the Convention the majority of participants speaking on this point favoured retaining the notion in the proposed new instrument. However, in accordance with the views expressed, its definition should include elements which would indicate the circumstances in which this exception to the obligation to protect cultural property may be invoked.

### **New definitions of “military necessity”**

Following the May 1998 meeting, the Secretariat of UNESCO prepared a definition of the notion of “military necessity” for both situations mentioned in the 1954 Convention.<sup>18</sup> The definitions have the following characteristics.

<sup>16</sup> Meeting of governmental experts on the review of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict 1954, UNESCO doc. CLT-96/CONF.603/5, Paris, 30 April 1997, p. 2.

<sup>17</sup> Draft provisions for the revision of the 1954 Hague Convention and commentary from the UNESCO Secretariat, UNESCO doc. CLT-97/CONF.208/2, Paris, October 1997, p. 3.

<sup>18</sup> See text in Annex 1.

**a) Military necessity in respect of cultural property under *general protection***

1. Measures undertaken by a military commander to obtain, as quickly as possible, the complete surrender of the enemy must be lawful and in conformity with the generally recognized principles of international humanitarian law, both of treaty and customary nature, such as the distinction between combatants and non-combatants, proportionality and the prohibition of reprisals against protected categories of persons and objects.
2. Those actions must be limited as to the time, purpose and object of military operations.
3. No other feasible alternative was available at the moment of the operation.
4. The assessment of the situation by a commander was made from all sources reasonably available to him/her at the moment of the operation.
5. Imperative military necessity may be established only by the officer commanding a force the equivalent to a battalion unless the circumstances of the military engagement do not allow this.
6. If possible, a warning shall be communicated to the opposing party a reasonable time in advance.

**b) Military necessity in respect of cultural property under *special protection***

In addition to the six conditions listed under a), the following two conditions must also be respected.

1. Unavoidable military necessity may be established only by the officer commanding a force equivalent to a division.
2. A warning shall be communicated to the opposing party in a reasonable time in advance.

The definition of “imperative military necessity” (applicable to cultural property under general protection) differs from that of “unavoidable military necessity” (in cases of special protection) in two respects: the rank of the military officer who may invoke the exception (battalion commander or division commander, respectively) and the obligation to give a warning prior to a military operation (recommended or obligatory, respectively) .

The new definitions were drawn up on the basis of the text and of the commentaries on the 1949 Geneva Conventions, their Additional Protocols of 1977 and other instruments of international

humanitarian law. They were based on comments made at various stages of the review process by a number of delegations (e.g. Argentina, Austria, France, Germany, Israel and the Netherlands) and the ICRC.

### **Preparation of drafts for the Hague Diplomatic Conference of March 1999**

The Preliminary Draft Second Protocol to the 1954 Hague Convention prepared by the Netherlands in cooperation with the UNESCO Secretariat, made use of the Secretariat's definition of "military necessity".<sup>19</sup> The Netherlands draft is stricter because it provided for obligatory warning in both cases and vested the responsibility for attacking cultural property under special protection in the national command level.

Following the submission of the Preliminary Draft for consideration to the States party to the 1954 Convention, States not party to that Convention and the international organizations concerned, the Secretariat received a number of substantial comments on the definition of "military necessity" applicable both to generally and to specially protected cultural property. Those comments were taken into account when the Secretariat prepared the Final Draft Second Protocol to the Convention for the Diplomatic Conference.<sup>20</sup>

The Final Draft contained a more precise definition than the Preliminary Draft of "military necessity" applicable to generally protected cultural property because it incorporated the clause of proportionality (Article 6 f). However, prior warning is no longer obligatory. As to the definition of "military necessity" applicable to cultural property under enhanced protection (a new category of protection combining the aspects of special protection under the Convention with criteria for the inclusion in the World Heritage List under the Convention concerning the Protection of the World Cultural and Natural Heritage, 1972), the new definition vests the responsibility to attack cultural property having lost

<sup>19</sup> *Preliminary Draft Second Protocol to the 1954 Hague Convention*, HC/1999/1, October 1998, distributed by the Netherlands in preparation for the Diplomatic Conference to be held in the Netherlands in March 1999. See texts in Annexes 2 and 3.

<sup>20</sup> *Draft Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict*, HC71999/1/rev.1, February 1999, distributed by the Netherlands. See Annexes 4 and 5.

enhanced protection in the highest level of government (Article 15 a) and incorporates the clause of proportionality (Article 15 f).

### **Discussions on this issue at the Hague Diplomatic Conference and its outcome**

As during the 1954 Intergovernmental Conference, the notion of military necessity was one of the most hotly debated issues during the recent Diplomatic Conference which resulted in the adoption of the Second Protocol to the 1954 Convention (The Hague, 15-26 March 1999). Two opposing tendencies appeared, both during the plenary debates and in the working group on this matter: the attempt of military participants (both lawyers and operational staff) to broaden the scope of the definition of military necessity, and the attempt of cultural heritage protection experts to narrow the scope of this definition so as to limit potential abuses and loose interpretation.

The final text includes two provisions dealing with this issue: Article 6 (Respect for cultural property) related to generally protected cultural property, and Article 13 (Loss of enhanced protection) regarding cultural property under enhanced protection.<sup>21</sup>

How do these two provisions help develop the definition of “military necessity”? In the author’s opinion, Article 6 includes two new elements: first, the waiver of imperative military necessity in the case of transformation of cultural property into a military objective (Article 6 a (i)), and second, such waiver in case of use of cultural property for purposes likely to expose it to destruction or damage (Article 6 b) when such use is necessary for obtaining military advantage. The first provision concerns the attacker, while the second provision addresses the needs of the defending side. In addition, Article 6 a (i), which is based on Article 52, para. 2 of Additional Protocol I of 1977 to the Geneva Conventions, thus makes an important link between the new instrument and the definition of military objective under the 1977 Protocol.

Article 13, which *de facto* develops the definition of “unavoidable military necessity” under Article 11, para. 2 of the Convention, brings in the two new elements: the decision to attack that must be ordered at

<sup>21</sup> See texts in Annexes 6 and 7.

the highest operational level of command, and the obligation to give advance warning.

Before concluding this note on the meaning of “military necessity” in the 1954 Convention, it should be recalled that the notion appears in a number of other treaties on different aspects of the law of armed conflicts, such as the four 1949 Geneva Conventions (e.g. Art. 8, 34 and 50 of the First Convention; Art. 126 of the Third Geneva Convention; Art. 49, 55, 108 and 143 of the Fourth Convention) and Additional Protocol I of 1977 (Art. 54, para 5, 62, 67 and 71).

Let us conclude with the words of an acknowledged expert of the law of war: today, “military necessity is widely regarded as something that must be overcome or ignored if international humanitarian law is to develop, and its original role as a limit on military action has been forgotten. As a result, the principle has not been applied in new situations where it could serve as a significant legal restraint until more specific treaty rules or customs are established”.<sup>22</sup>



## Annex 1

<sup>22</sup> B. M. Carnahan, “Lincoln, Lieber and the laws of war: The origins and limits of the principle of military necessity”, *American Journal of*

*International Law*, Vol. 92, No. 2, April 1998, p. 231.

Article XX — *Military necessity – general definition*

1. For the purpose of this instrument, military necessity represents an urgent situation obliging a military commander to take measures indispensable for forcing as quickly as possible the complete surrender of the enemy by means:

- (a) indispensable for obtaining the military objectives which are lawful in accordance with the generally recognized principles of international humanitarian law, both of treaty and customary nature, such as the distinction between combatants and non-combatants, proportionality and the prohibition of reprisals against protected categories of persons and objects, and
- (b) which are limited as to the time, purpose and object of military operations.

2. The application of the concept of military necessity shall be judged on the base of two conditions:

- (a) no other feasible alternative was available at the moment of the conduct of hostilities, and
- (b) the assessment of the situation by a commander was made from all sources reasonably available to him/her at the moment of the conduct of hostilities.

Article XX — *Military necessity in respect of cultural property under general protection*

1. For the purpose of the present instrument, imperative military necessity as referred to in Article 4, paragraph 2 of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict means a situation referred to in Article ...

2. Imperative military necessity may be established only by the officer commanding a force the equivalent of a battalion unless the circumstances of a military engagement do not allow it and, if possible, a warning shall be communicated to the opposing Party in a reasonable time in advance.

Article XX — *Military necessity in respect of cultural property under special protection*

1. For the purpose of the present instrument, unavoidable military necessity as referred to in Article 11, paragraph 2 of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict means a situation referred to in Article ...

2. Unavoidable military necessity may be established only by the officer commanding a force the equivalent of a division and a warning shall be communicated to the opposing Party in a reasonable time in advance.

Annex 2

[Article 3 — *Respect for cultural property*

6. The obligations in para. 1 and 2 may only be waived in the case of imperative military necessity under the following conditions:

- a. only that degree of force may be applied that is not otherwise prohibited by the law of armed conflict and that is required for partial or complete submission of the enemy with a minimum expenditure of time, life and physical resources;
- b. warning is given to the opposing forces;
- c. a minimum time to redress the situation is given to the opposing forces;
- d. the decision to attack is taken on battalion level;
- e. no alternative means are reasonably available;
- f. means and methods are limited to those which are strictly necessary to counter the threat posed.]

### Annex 3

#### Article 8 — *Immunity of cultural property under special protection*

3. In using force against cultural property under special protection in one of the exceptional cases mentioned in para. 2 the attacking forces shall only attack the property concerned if no alternative means are reasonably available and under the following conditions:

- a. warning is given to the opposing forces;
- b. a minimum time to redress the situation is given to the opposing forces;
- c. the decision to attack is taken on national command level;
- d. means and methods are limited to those which are strictly necessary to counter the threat posed.

### Annex 4

#### Article 6 — *Conditions for military operations*

An attack against cultural property which has lost its general protection according to Article 5 may only be undertaken on the following conditions:

- a. the attack is ordered by an officer commanding a force equivalent to a battalion;
- b. where circumstances permit, a minimum time is given to the opposing forces to redress the situation;
- c. where circumstances permit an effective prior warning shall be communicated to the opposing forces;
- d. no other feasible alternative is available;
- e. the means and methods chosen are limited to those which are strictly neces-

sary to counter the threat posed; and  
 f. the damage caused is not excessive in relation to the concrete and direct military advantage anticipated from the attack.

#### **Annex 5**

##### Article 15 — *Conditions for military operations*

An attack against cultural property which has lost its enhanced special protection according to Article 14 may only be undertaken on the following conditions:

- a. the attack is ordered by the highest level of government;
- b. a minimum time is given to the opposing forces to redress the situation;
- c. an effective prior warning is communicated to the opposing forces;
- d. no other feasible alternative is available;
- e. the means and methods chosen are limited to those which are strictly necessary to counter the threat posed; and
- f. the damage caused is not excessive in relation to the concrete and direct military advantage anticipated.

#### **Annex 6**

##### Article 6 — *Respect for cultural property*

With the goal of ensuring respect for cultural property in accordance with Article 4 of the Convention:

- (a) a waiver on the basis of imperative military necessity pursuant to Article 4, paragraph 2, of the Convention may only be invoked to direct an act of hostility against cultural property when and for as long as:
  - (i) that cultural property has, by its function, been made into a military objective; and
  - (ii) there is no feasible alternative available to obtain a similar military advantage to that offered by directing an act of hostility against that objective;
- (b) a waiver on the basis of imperative military necessity pursuant to Article 4 paragraph 2 of the Convention may only be invoked to use cultural property for purposes which are likely to expose it to destruction or damage when and for as long as no choice is possible between such use of the cultural property and another feasible method for obtaining a similar military advantage;
- (c) the decision to invoke imperative military necessity shall only be taken by an officer commanding a force the equivalent of a battalion in size or larger, or a force smaller in size where circumstances do not permit otherwise;

(d) in case of an attack based on a decision taken in accordance with sub-paragraph (a), an effective advance warning shall be given whenever circumstances permit.

## **Annex 7**

### *Article 13 — Loss of enhanced protection*

1. Cultural property under enhanced protection shall only lose such protection:

- (a) if such protection is suspended or cancelled in accordance with Article 14; or
- (b) if, and for as long as, the property has, by its use, become a military objective.

2. In the circumstances of sub-paragraph 1(b), such property may only be the object of attack if:

- (a) the attack is the only feasible means of terminating the use of the property referred to in sub-paragraph 1(b);
- (b) all feasible precautions are taken in the choice of means and methods of attack, with a view to terminating such use and avoiding, or in any event minimising, damage to the cultural property;
- (c) unless circumstances do not permit, due to requirements of immediate self-defence:
  - (i) the attack is ordered at the highest operational level of command;
  - (ii) effective advance warning is issued to the opposing forces requiring the termination of the use referred to in sub-paragraph 1(b); and
  - (iii) reasonable time is given to the opposing forces to redress the situation.

## Résumé

### **La Convention de La Haye de 1954 pour la protection des biens culturels en cas de conflit armé et la notion de nécessité militaire. Réexamen de la Convention de 1954 et adoption de son Deuxième Protocole additionnel (26 mars 1999)**

par JAN HLADÍK

*La Convention de La Haye 1954 permet une dérogation à l'obligation de respecter un bien culturel si une nécessité militaire l'exige. Si l'objet est sous protection spéciale, les conditions permettant une dérogation sont plus strictes. La notion de « nécessité militaire » et la signification à y donner ont toujours suscité la controverse des experts en la matière. Dans son article, l'auteur retrace l'histoire de cette disposition, à partir des premiers projets jusqu'à l'adoption de la Convention de 1954. Il examine ensuite différentes propositions qui tentent de définir la notion de « nécessité militaire » d'une manière plus précise. Le Deuxième Protocole additionnel à la Convention de 1954, adopté le 26 mars 1999 par une conférence diplomatique à La Haye, inclut de nouveaux textes qui représentent un pas en avant dans la protection des biens culturels en cas de conflit armé.*