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منظمة الأمم المتحدة  
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**5 SP**

**CLT-13/5.SP/CONF.202/INF.4**  
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**SECOND PROTOCOL TO THE HAGUE CONVENTION OF 1954  
FOR THE PROTECTION OF CULTURAL PROPERTY  
IN THE EVENT OF ARMED CONFLICT**

**FIFTH MEETING OF THE PARTIES**

**UNESCO Headquarters, Paris**  
**16 (p.m.)-17 December 2013**

**Item 9 of the provisional agenda:**

**Report on the implementation of the strategy for encouraging ratifications  
of the Second Protocol to the 1954 Hague Convention for the Protection of  
Cultural Property in the Event of Armed Conflict**

1. The Fourth Meeting of the Parties to the Second Protocol (UNESCO Headquarters, 12 December 2011) took note of the of the Secretariat's document concerning the "Strategy for encouraging ratification of the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict" (CLT-11/CONF.210/INF.1)<sup>1</sup> and invited "the Director-General to promote ratification of the Second Protocol by High Contracting Parties, in particular with a view to a more balanced geographical representation",<sup>2</sup> and thus "to report on the implementation of this Strategy at the fifth Meeting of the Parties".
2. The Meeting of the Parties also encouraged the High Contracting Parties to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict (the "Hague Convention") who were not party to the Second Protocol to become party to it. In that regard, the Meeting of the Parties invited "all Parties to reiterate these encouragements during bilateral contacts, where appropriate".<sup>3</sup>
3. In terms of the grouping of Member States for the purpose of elections to the Executive Board, the 66 States Parties to the Second Protocol are distributed as follows: 12 of the 27 States in Group I (44.5% of Group I); 19 of the 25 States in Group II (76% of Group II); 17 of the 33 States in Group III (51.5% of Group III); 4 of the 44 States in Group IV (only 9% of Group IV); 6 of the 47 States in Group V(a) (only 12,8% of Group V(a)); and 8 of the 19 States in Group V(b) (42% of Group V(b)).
4. The annex to this document contains a table comparing the ratification status of the Second Protocol, the 1954 Convention and its 1954 First Protocol, arranged according to the grouping of Member States for the purpose of elections to the Executive Board of UNESCO.
5. The table in the annex underscores the disparities in terms of the geographical representation of the States that have become party to these instruments, especially to the Second Protocol. While a large number of States from Groups I, II, III and, to a lesser extent, V(b), have ratified these three instruments, the vast majority of States in Groups IV and V(a) have not. According to the data shown in the table, Asia and the Pacific, and Africa, are significantly under-represented in terms of ratification.
6. However, while the geographical distribution of the States Parties to the Second Protocol remains inadequate, as document CLT-11/CONF.210/INF.1 already indicated, it must be acknowledged that, since the previous Meeting of the Parties, six States (Benin, Cambodia, Mali, New Zealand, Palestine and Poland) have, or will shortly,<sup>4</sup> become party to the Second Protocol. In this regard, it must be highlighted that five of these States – Benin, Cambodia, Mali, New Zealand and Palestine – belong to groups of Member States with a ratification rate of less than 50%.
7. In light of this observation, on 2 May 2013 the Director-General addressed a letter to all of the Permanent Delegates and Observers to UNESCO, in which she encouraged those countries that were not yet party to the Hague Convention and its two Protocols to take the

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<sup>1</sup> <http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/meetings-and-conferences/> (consulted on 23 October 2013).

<sup>2</sup> Resolution of the Fourth Meeting of the Parties to the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, Paris, 12 December 2011, available at <http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/meetings-and-conferences/> (consulted on 23 October 2013).

<sup>3</sup> *Ibid.*

<sup>4</sup> Cambodia and New Zealand deposited their instruments of ratification and accession on 17 September 2013 and 23 October 2013, respectively. Pursuant to its Article 43.2, the Second Protocol will enter into force for these countries, by law, on 17 December 2013 and 17 January 2014, respectively. From these dates, Cambodia and New Zealand will accede to the status of States Parties to the Second Protocol.

necessary actions in order to ratify those important legal instruments and take them into account in their national legislation.

8. With the aim of promoting the ratification of the Second Protocol, the Chairperson of the Committee for the Protection of Cultural Property in the Event of Armed Conflict, and the Secretariat, increased the number of bilateral contacts with the High Contracting Parties that were not yet party to the Second Protocol. Through these contacts, the Chairperson and the Secretariat effectively promoted the Second Protocol and explained its key features, as well as the practical matters resulting from its ratification. In the same vein, the Chairperson and the Secretariat always promote ratification of the Second Protocol at the different training seminars and symposia in which they participate.
9. The Chairperson and the Secretariat also met representatives of the International Committee of the Red Cross (ICRC), with a view to the latter encouraging the ratification of the Second Protocol through their activities.
10. With the aim of achieving a more balanced geographical representation of States Parties to the Second Protocol, and striving to raise its profile, the Secretariat will continue to focus on Member States in under-represented groups in terms of ratification. More specifically, the Secretariat will encourage the Parties to the Second Protocol to take the opportunity, where appropriate, to promote ratification of the Second Protocol in their bilateral relationships. Such an approach could, in particular, be envisaged through regional and subregional international intergovernmental organizations. Moreover, it should also be noted that, within the context of promoting the ratification of the Second Protocol, there is potential for National Commissions, and the national advisory committees created pursuant to Resolution II (adopted by the 1954 Diplomatic Conference at The Hague), to implement international humanitarian law. In this connection, it would be desirable to take advantage of the potential of the academic and university community, as well as that of civil society, in order to raise the profile of the Second Protocol and promote its ratification.

**Annex<sup>5</sup>**

<b>Group I<sup>6</sup></b>			
<b>Member States</b>	<b>1954 Convention</b>	<b>1954 Protocol</b>	<b>Second Protocol</b>
Andorra	-	-	-
Austria	25/03/1964	25/03/1964	01/03/2002
Belgium	16/09/1960	16/09/1960	13/10/2010
Canada	11/12/1988	29/11/2005	29/11/2005
Cyprus	09/09/1964	09/09/1964	16/05/2001
Denmark	26/03/2003	26/03/2003	-
Finland	16/09/1994	16/09/1994	27/08/2004
France	07/06/1957	07/06/1957	-
Germany	11/08/1967	11/08/1967	25/11/2009
Greece	09/02/1981	09/02/1981	20/04/2005
Iceland	-	-	-
Ireland	-	-	-
Israel	03/10/1957	01/04/1958	-
Italy	09/05/1958	09/05/1958	10/07/2009
Luxembourg	29/09/1961	29/09/1961	30/06/2005
Malta	-	-	-
Monaco	10/12/1957	10/12/1957	-
Netherlands	14/10/1958	14/10/1958	30/01/2007
Norway	19/09/1961	19/09/1961	-
Portugal	04/08/2000	18/02/2005	-
San Marino	09/02/1956	09/02/1956	-
Spain	07/07/1960	26/06/1992	06/07/2001
Sweden	22/01/1985	22/01/1985	-
Switzerland	15/05/1962	15/05/1962	09/07/2004
Turkey	15/12/1965	15/12/1965	-
United Kingdom of Great Britain and Northern Ireland	-	-	-
United States of America	13/03/2009	-	-
<b>Total 27</b>	<b>22</b>	<b>21</b>	<b>12</b>

<sup>5</sup> The dates in this table correspond to the dates on which the States deposited their instrument of ratification, acceptance, approval or notification of succession. The Second Protocol entered into force on 9 March 2004, pursuant to Article 43.1. Thereafter, pursuant to Article 43.2, the Second Protocol shall enter into force, for each Party three months after the deposit of its instrument of ratification, acceptance, approval or accession; except in cases of notification of succession where the entry into force occurs on the date on which the successor State assumes responsibility for conducting the international relations of the territory of the predecessor State.

<sup>6</sup> The Holy See and Liechtenstein are not voting members of UNESCO, and therefore they have not been included in the list, although both States have acceded to the 1954 Hague Convention and its First Protocol (1954).

<b>Group II</b>			
<b>Member States</b>	<b>1954 Convention</b>	<b>1954 Protocol</b>	<b>Second Protocol</b>
Albania	20/12/1960	20/12/1960	-
Armenia	05/09/1993	05/09/1993	18/05/2006
Azerbaijan	20/09/1993	20/09/1993	17/04/2001
Belarus	07/05/1957	07/05/1957	13/12/2000
Bosnia and Herzegovina	12/07/1993	12/07/1993	22/05/2009
Bulgaria	07/08/1956	09/10/1958	14/06/2000
Croatia	06/07/1992	06/07/1992	08/02/2006
Czech Republic	26/03/1993	26/03/1993	08/06/2007
Estonia	04/04/1995	17/01/2005	17/01/2005
Georgia	04/11/1992	04/11/1992	13/09/2010
Hungary	17/05/1956	16/08/1956	26/10/2005
Latvia	19/12/2003	19/12/2003	-
Lithuania	27/07/1998	27/07/1998	13/03/2002
Montenegro	26/04/2007	26/04/2007	26/04/2007
Poland	06/08/1956	06/08/1956	03/01/2012
Republic of Moldova	09/12/1999	09/12/1999	-
Romania	21/03/1958	21/03/1958	07/08/2006
Russian Federation	04/01/1957	04/01/1957	-
Serbia	11/09/2001	11/09/2001	02/09/2002
Slovakia	31/03/1993	31/03/1993	11/02/2004
Slovenia	05/11/1992	05/11/1992	13/04/2004
Tajikistan	28/08/1992	28/08/1992	21/02/2006
the former Yugoslav Republic of Macedonia	30/04/1997	30/04/1997	19/04/2002
Ukraine	06/02/1957	06/02/1957	-
Uzbekistan	21/02/1996	-	-
<b>Total 25</b>	<b>25</b>	<b>24</b>	<b>19</b>

<b>Group III</b>			
<b>Member States</b>	<b>1954 Convention</b>	<b>1954 Protocol</b>	<b>Second Protocol</b>
Antigua and Barbuda	-	-	-
Argentina	22/03/1989	10/05/2007	07/01/2002
Bahamas	-	-	-
Barbados	09/04/2002	02/10/2008	02/10/2008
Belize	-	-	-
Bolivia (Plurinational State of)	17/11/2004	-	-
Brazil	12/09/1958	12/09/1958	23/09/2005
Chile	11/09/2008	11/09/2008	11/09/2008
Colombia	18/06/1998	18/06/1998	24/11/2010
Costa Rica	03/06/1998	03/06/1998	09/12/2003
Cuba	26/11/1957	26/11/1957	-
Dominica	-	-	-
Dominican Republic	05/01/1960	21/03/2002	03/03/2009
Ecuador	02/10/1956	08/02/1961	02/08/2004
El Salvador	19/07/2001	27/03/2002	27/03/2002
Grenada	-	-	-
Guatemala	02/10/1985	19/05/1994	04/02/2005
Guyana	-	-	-
Haiti	-	-	-
Honduras	25/10/2002	25/10/2002	26/01/2003
Jamaica	-	-	-
Mexico	07/05/1956	07/05/1956	07/10/2003
Nicaragua	25/11/1959	25/11/1959	01/06/2001
Panama	17/07/1962	08/03/2001	08/03/2001
Paraguay	09/11/2004	09/11/2004	09/11/2004
Peru	21/07/1989	21/07/1989	24/05/2005
Saint Lucia	-	-	-
Saint Kitts and Nevis	-	-	-
Saint Vincent and the Grenadines	-	-	-
Suriname	-	-	-
Trinidad and Tobago	-	-	-
Uruguay	24/09/1999	24/09/1999	03/01/2007
Venezuela (Bolivarian Republic of)	09/05/2005	-	-
<b>Total 33</b>	<b>20</b>	<b>18</b>	<b>17</b>

<b>Group IV</b>			
<b>Member States</b>	<b>1954 Convention</b>	<b>1954 Protocol</b>	<b>Second Protocol</b>
Afghanistan	-	-	-
Australia	19/09/1984	-	-
Bangladesh	23/06/2006	23/06/2006	
Bhutan	-	-	-
Brunei Darussalam	-	-	
Cambodia	04/04/1962	04/04/1962	17/09/2013 <sup>7</sup>
China	05/01/2000	05/01/2000	-
Cook Islands	-	-	-
Democratic People's Republic of Korea	-	-	-
Fiji	-	-	-
India	16/06/1958	16/06/1958	-
Indonesia	10/01/1967	26/07/1967	-
Iran, Islamic Republic of	22/06/1959	22/06/1959	24/05/2005
Japan	10/09/2007	10/09/2007	10/09/2007
Kazakhstan	14/03/1997	14/03/1997	-
Kiribati	-	-	-
Kyrgyzstan	03/07/1995	-	-
Lao People's Democratic Republic	-	-	-
Malaysia	12/12/1960	12/12/1960	-
Maldives	-	-	-
Marshall Islands	-	-	-
Micronesia, (Federated States of)	-	-	-
Mongolia	04/11/1964	-	-
Myanmar	10/02/1956	10/02/1956	-
Nauru	-	-	-
Nepal	-	-	-
New Zealand	24/07/2008	17/10/2013 <sup>8</sup>	23/10/2013 <sup>9</sup>
Niue	-	-	-
Pakistan	27/03/1959	27/03/1959	-
Palau	-	-	-
Papua New Guinea	-	-	-
Philippines	-	-	-
Republic of Korea	-	-	-
Samoa	-	-	-
Singapore	-	-	-

<sup>7</sup> Pursuant to Article 43.2 of the Second Protocol, Cambodia will become party to the Second Protocol on 17 December 2013.

<sup>8</sup> Pursuant to Article III 10 (b) of the Protocol, New Zealand will become party to the First Protocol on 17 January 2014.

<sup>9</sup> Pursuant to Article 43.2 of the Second Protocol, New Zealand will become party to the Second Protocol on 23 January 2013.

Solomon Islands	-	-	-
Sri Lanka	11/05/2004	-	-
Thailand	02/05/1958	02/05/1958	-
Timor-Leste	-	-	-
Tonga	-	-	-
Turkmenistan	-	-	-
Tuvalu	-	-	-
Vanuatu	-	-	-
Viet Nam	-	-	-
<b>Total 44</b>	<b>17</b>	<b>13</b>	<b>4</b>

<b>Group V(a)</b>			
<b>Member States</b>	<b>1954 Convention</b>	<b>1954 Protocol</b>	<b>Second Protocol</b>
Angola	07/02/2012	-	-
Benin	17/04/2012	17/04/2012	17/04/2012
Botswana	03/01/2002	-	-
Burkina Faso	18/12/1969	04/02/1987	-
Burundi	-	-	-
Cameroon	12/10/1961	12/10/1961	-
Cape Verde	-	-	-
Central African Republic	-	-	-
Chad	17/06/2008	-	-
Comoros	-	-	-
Congo	-	-	-
Côte d'Ivoire	24/01/1980	-	-
Democratic Republic of the Congo	18/04/1961	18/04/1961	-
Djibouti	-	-	-
Equatorial Guinea	19/11/2003	-	19/11/2003
Eritrea	06/08/2004	-	-
Ethiopia	-	-	-
Gabon	04/12/1961	04/12/1961	29/08/2003
Gambia	-	-	-
Ghana	25/07/1960	25/07/1960	-
Guinea	20/09/1960	11/12/1961	-
Guinea-Bissau	-	-	-
Kenya	-	-	-
Lesotho	-	-	-
Liberia	-	-	-
Madagascar	03/11/1961	03/11/1961	-
Malawi	-	-	-
Mali	18/05/1961	18/05/1961	15/11/2012
Mauritius	22/09/2006	-	-
Mozambique	-	-	-
Namibia	-	-	-



Niger	06/12/1976	06/12/1976	16/06/2006
Nigeria	05/06/1961	05/06/1961	21/10/2005
Rwanda	28/12/2000	-	-
Sao Tome and Principe	-	-	-
Senegal	17/06/1987	17/06/1987	-
Seychelles	08/10/2003	-	-
Sierra Leone	-	-	-
Somalia	-	-	-
South Africa	18/12/2003	-	-
South Sudan	-	-	-
Swaziland	-	-	-
Togo	-	-	-
Uganda	-	-	-
United Republic of Tanzania	23/09/1971	-	-
Zambia	-	-	-
Zimbabwe	09/06/1998	-	-
<b>Total 47</b>	<b>24</b>	<b>12</b>	<b>6</b>

<b>Group V(b)</b>			
<b>Member States</b>	<b>1954 Convention</b>	<b>1954 Protocol</b>	<b>Second Protocol</b>
Algeria	-	-	-
Bahrain	26/08/2008	26/08/2008	26/08/2008
Egypt	17/08/1955	17/08/1955	03/08/2005
Iraq	21/12/1967	21/12/1967	-
Jordan	02/10/1957	02/10/1957	05/05/2009
Kuwait	06/06/1969	17/02/1970	-
Lebanon	01/06/1960	01/06/1960	-
Libya	19/11/1957	19/11/1957	20/07/2001
Mauritania	-	-	-
Morocco	30/08/1968	30/08/1968	-
Oman	26/10/1977	-	16/05/2011
Palestine	22/03/2012	22/03/2012	22/03/2012
Qatar	31/07/1973	-	04/09/2000
Saudi Arabia	20/01/1971	06/11/2007	06/11/2007
Sudan	23/07/1970	-	-
Syrian Arab Republic	06/03/1958	06/03/1958	-
Tunisia	28/01/1981	28/01/1981	-
United Arab Emirates	-	-	-
Yemen	06/02/1970	06/02/1970	-
<b>Total 19</b>	<b>16</b>	<b>13</b>	<b>8</b>
<b>TOTAL 195</b>	<b>124</b>	<b>101</b>	<b>66</b>