



CLT-07/CONF/213/3

Paris, 2 May 2008

Original: English

**UNITED NATIONS EDUCATIONAL,  
SCIENTIFIC AND CULTURAL ORGANIZATION**

**SEVENTH MEETING OF THE HIGH CONTRACTING PARTIES TO THE  
CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY  
IN THE EVENT OF ARMED CONFLICT (THE HAGUE, 1954)  
(UNESCO, 20 December 2007)**

**FINAL REPORT**

**I. Opening of the Meeting**

1. The seventh meeting of the High Contracting Parties to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict ("the 1954 Hague Convention") took place at UNESCO Headquarters on Thursday morning, 20 December 2007. The representatives of the following 47 High Contracting Parties (out of a total number of 118) took part in the meeting: Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bulgaria, Burkina Faso, Canada, Croatia, Cuba, Cyprus, the Czech Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, Greece, Guatemala, the Holy See, Hungary, Italy, Iran (Islamic Republic of), Japan, Kuwait, the Libyan Arab Jamahiriya, Lithuania, Luxembourg, Mali, Mexico, Monaco, Netherlands, Nigeria, Norway, Panama, Peru, Poland, Portugal, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Switzerland, Turkey and Ukraine. The following were also represented as observers: four States not party to the 1954 Hague Convention (Algeria, Djibouti, the United Kingdom and the United States of America); two intergovernmental organizations (ICRC and ISESCO), and four non-governmental organizations (ICA, ICBS, ICOM and ICOMOS). A copy of the list of participants is available upon request from the Secretariat.
2. The meeting was opened by Ms Françoise Rivière, UNESCO's Assistant Director-General for Culture. In her opening statement, she underscored the two main objectives of the meeting – an update on the activities regarding the implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols and an exchange of views on national implementation of those agreements. She went on to stress the importance of adopting awareness-raising measures focusing on the general public and the target groups (i.e. the military and professional communities), the elaboration and adoption of specific military regulations and guidelines and of appropriate penal sanctions, the creation of specific national civilian and military units for the protection of

cultural property and the establishment of national advisory committees for the implementation of the 1954 Hague Convention. Ms Rivière concluded her statement by referring to the work of the members of the Bureau of the Committee for the Protection of Cultural Property in the Event of Armed Conflict, other Committee members and observers related to the development of the Draft Guidelines for the Implementation of the Second Protocol.

## **II. Election of the Chairperson**

3. Mr Thomas Desch (Austria) was elected Chairperson by consensus.

## **III. Adoption of the agenda**

4. The provisional agenda was adopted as proposed in document CLT-01/CONF/213/1.

## **IV. Election of four Vice-Chairpersons and the Rapporteur**

5. Four Vice-Chairpersons (Burkina Faso, Estonia, Japan and the Libyan Arab Jamahiriya) were elected. Ms Beatriz Hernández-Narváez (Mexico) was elected Rapporteur.

## **V. Update on the implementation at the national level of the 1954 Hague Convention and its two (1954 and 1999) Protocols and update on the status of the Second Protocol to the Convention**

6. The Secretariat informed that there were now 118 States party to the 1954 Hague Convention, 97 of which were also party to the 1954 (First) Protocol. Forty-eight States are party to the 1999 Second Protocol. It has been informed that some States which are not yet party to the Hague Convention and/or its two (1954 and 1999) Protocols have undertaken internal consultations with a view to becoming party to those agreements. The Secretariat then recalled the recommendations of the sixth meeting of the High Contracting Parties to the 1954 Hague Convention (UNESCO, 26 October 2005) and, in particular, those inviting the Director-General to submit to the United Nations and the NATO a proposal aimed at ensuring compliance with the 1954 Hague Convention and its two (1954 and 1999) Protocols by armed forces engaged in peace-keeping operations under the respective mandate of these Organizations. The Secretariat informed the meeting of the contacts established and pointed out that work was in progress. Finally, the Secretariat reported to the meeting on awareness-raising and promotional activities such as the update of the Information Kit on the 1954 Hague Convention and its two (1954 and 1999) Protocols, the preparation of a new website on the protection of cultural property in the event of armed conflict and different publications and meetings.

## **VI. Exchange of national experiences and debate**

7. Following the Secretariat's introduction, the Chairperson opened the floor for exchange of national experiences and debate in which participated representatives of 19 High Contracting Parties, 2 States not party to the 1954 Hague Convention as well as one non-governmental organization.
8. The main points of the discussion may be summarized as follows:

### **(i) Joining the 1954 Hague Convention and its two (1954 and 1999) Protocols**

Japan informed the meeting of its ratification of the 1954 Hague Convention and its 1954 (First) Protocol and accession to the 1999 Second Protocol. Norway announced that it envisaged becoming party to the 1999 Second Protocol in 2009. The United Kingdom informed the meeting of the forthcoming Bill<sup>1</sup> to be presented to Parliament by the Minister of State for Culture, Media and Sport enabling the United Kingdom to ratify the 1954 Hague Convention and accede to its two (1954 and 1999) Protocols. The United States of America stated that it was looking forward to becoming a party to the 1954 Hague Convention. Finally, one State referred to legal obstacles standing in the way of the ratification of the Second Protocol.

### **(ii) Implementation of the 1954 Hague Convention and its Second Protocol in the civilian sphere**

A number of participants underscored the need to adopt peacetime safeguarding measures such as the compilation and a regular update of national inventories of cultural property or allocation of budget for the safeguarding of cultural property. They also stressed the importance of elaborating and adopting the relevant national legislation on various aspects of the implementation of the 1954 Hague Convention and its Second Protocol, such as breaches of these instruments.

### **(iii) Implementation of the 1954 Hague Convention and its Second Protocol in the military sphere**

Several delegations referred to their experience concerning the dissemination of the provisions of the 1954 Hague Convention within the military and, in particular, among the personnel who would be participating in peace-keeping operations. The need to raise awareness of the distinctive emblem of the 1954 Hague Convention for the military was stressed as well. Finally, the delegate of Burkina Faso underscored the need for international assistance to be provided by developed countries in order to train African military personnel in the implementation of the 1954 Hague Convention.

### **(iv) Other issues related to the implementation of the 1954 Hague Convention**

---

<sup>1</sup> Note of the Secretariat: The Draft Cultural Property (Armed Conflicts) Bill was published on 7 January 2008 and laid before Parliament for pre-legislative scrutiny.

El Salvador referred to a positive experience of a project sponsored by UNESCO and ICRC related to the implementation of safeguarding measures, the use of the distinctive emblem of the 1954 Hague Convention to mark immovable cultural property and the dissemination of information related to this Convention.

A number of delegations expressed the need to obtain information on the implementation of the 1954 Hague Convention in recent armed conflicts. They also expressed their concern regarding the damage caused to cultural property since the last (sixth) meeting of the High Contracting Parties.

**(v) Human and other resources necessary for the implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols**

A number of participants underscored the need to provide sufficient human and other resources to ensure the effective implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols and, in particular, with respect of the intergovernmental mechanism set up by the Second Protocol. The High Contracting Parties were encouraged to make voluntary contributions to UNESCO to this end.

**VII. Adoption of recommendation**

9. The Chairperson opened discussion on draft recommendation aimed at capturing the debate and its outcomes. Following a substantial discussion, the meeting adopted by consensus a recommendation. A copy of the recommendation is attached in Annex I.

**VIII. Other business**

10. The Chairperson concluded the meeting by thanking all participants and the Secretariat for their useful contributions.

**IX. Closure of the meeting**

11. The Chairperson declared the meeting closed.

## ANNEX I

**MEETING OF THE HIGH CONTRACTING PARTIES  
TO THE 1954 HAGUE CONVENTION FOR THE PROTECTION  
OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT**

**(UNESCO, 20 December 2007, 9.30 a. m. – 1 p. m., Room XI)**

**ADOPTED RECOMMENDATION**

The High Contracting Parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague, 1954):

*Recalling* the Resolution adopted at the sixth meeting (26 October 2005) of the High Contracting Parties to the Hague Convention.

*Recalling* the approved program and budget of 2008-2009 [Document 34 C/5] by which the General Conference encouraged the effective implementation of the 1954 Hague Convention and its two Protocols, notably by providing increased support to the intergovernmental mechanism.

*Regretting* the damage inflicted upon cultural property in various parts of the world including that caused by the non-observance, in certain cases, of the Convention by High Contracting Parties in armed conflicts in which this has occurred.

**1. ENCOURAGE** States not yet party to the Convention and/or its two Protocols to promptly join them and to adopt and effectively implement relevant national legislation.

**2. RECOMMEND** to the Director-General to provide sufficient human and financial resources in order to ensure the assistance by the Secretariat of UNESCO in the implementation of the Convention and its First Protocol.

**3. ENCOURAGE** the High Contracting Parties to make voluntary contributions to enhance the implementation of the Convention and its First Protocol.

**4. INVITE** the Director-General to continue to work with the United Nations and NATO on a proposal aiming at ensuring compliance with the 1954 Hague Convention and its two Protocols by armed forces engaged in peace-keeping operations under the respective mandate of these Organizations.

**5. INVITE** the Director-General to convene, in accordance with Article 27 of the Hague Convention, an eighth meeting of the High Contracting Parties to the Hague Convention in 2009.