



United Nations  
Educational, Scientific and  
Cultural Organization

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pour l'éducation,  
la science et la culture

Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

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

**COMMITTEE FOR THE PROTECTION OF  
CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT**

**FIFTH MEETING  
(UNESCO HEADQUARTERS, 22-24 NOVEMBER 2010, ROOM XII)**

**ITEM 4 OF THE PROVISIONAL AGENDA:  
REPORT OF THE BUREAU TO THE COMMITTEE**

## **I. General introduction**

1. Pursuant to the recommendation of the fourth meeting of the Committee for the Protection of Cultural Property in the Event of Armed Conflict (UNESCO Headquarters, 27 - 29 May 2009), the Bureau was invited to prepare the Committee's fifth ordinary meeting. At that time, the Bureau was composed as follows: Chairperson (Mr Karim Peltonen, Finland), Rapporteur (Ms Photini Panayi, Cyprus), and four Vice-Chairpersons (El Salvador, Japan, the Libyan Arab Jamahiriya and the Netherlands).
2. The composition of the Bureau was modified following the election of six members of the Committee at the Third Meeting of the Parties (UNESCO Headquarters, 23 - 24 November 2009): both El Salvador and the Libyan Arab Jamahiriya, Vice-Chairpersons of the Committee, ceased to be Members. As a consequence, the Bureau was composed of the Chairperson (Mr Karim Peltonen, Finland), the Rapporteur (Ms Photini Panayi, Cyprus) and two Vice-Chairpersons (Japan and the Netherlands). However, the Bureau was still able to perform its functions with the four remaining members.

## **II. Main activities of the Bureau**

3. Since the fourth meeting of the Committee, the Bureau has held two informal meetings: on 17 and 18 June 2010, and 2 and 3 September 2010. Their main results are summarized below:

### **A. Consideration of national reports on the implementation of the Second Protocol**

4. The Bureau considered the Secretariat's document on this matter (CLT/10/CONF/204/3). It contains a summary of eighteen national reports submitted by the Parties on the implementation of the Second Protocol, the Hague Convention and its 1954 (First) Protocol. It then thanked the Secretariat for its work and expressed its concern that only 18 reports were provided.

### **B. Implementation of the Guidelines for the Implementation of the Second Protocol**

5. The Bureau identified a number of practical issues to consider when using the Guidelines for the Implementation of the Second Protocol, and they mainly involve the evaluation of requests for the granting of enhanced protection: the specification of the transmitter and of timeframe for the submission of such requests, identification of the co-ordinates for the cultural property concerned, and the nature of the national authority that should issue of the non-military use declaration. It therefore proposed a number of modifications to the Guidelines, which are contained, together with the explanatory report, in the Secretariat's document on this issue (CLT-10/CONF/204/5). Finally, the Bureau pointed out that the Rules of Procedure of the Committee may need to be readjusted, particularly in order to specify the role of the Bureau. However, it did not propose any concrete actions.

### C. Consideration of requests for enhanced protection

6. Following the Secretariat's invitation to submit cultural property for the granting of enhanced protection, it received twelve requests as follows:
  - Six from **Azerbaijan**: 1) Atashgah Fire-worshippers Temple; 2) Gobustan Rock Art Cultural Landscape (World Heritage site); 3) Sheki Khan Sarayi (The Palace of the Sheki Khan); 4) Momina-khatun Turbasi (The Mausoleum of Momina-khatun) and 5) The Mausoleum of Yusuf ibn Kuseyir (Yusuf son of Kuseyir), and 6) The Walled City of Baku, including the Shirvanshahs' Palace and Maiden Tower (World Heritage site).
  - Three from the **Republic of Cyprus**: Choroikoitia, Painted Churches in the Troodos Region, and Paphos (Site I: Kato Paphos town; Site II: Kouklia village) (all World Heritage sites).
  - One each from the **Dominican Republic** (Colonial City of Santo Domingo), **Italy** (Castel del Monte), and **Lithuania** (Kernavé Archeological Site (Cultural Reserve of Kernavé) (all World Heritage sites).
7. Requests for enhanced protection, including additional information requested by the Secretariat, were considered by the Bureau during its two informal meetings in June and September. During its deliberations, the Bureau came to the conclusion that not all the requests fully met the criteria set by the Guidelines for the Implementation of the Second Protocol, particularly with regard to the national implementation measures detailed in paragraph 39. It also discussed the nature of the competent authority issuing a non-military use declaration in accordance with Article 10(c). Taking into account this issue, and other imperfections in the current Guidelines, and the importance of this first round of evaluating requests for Enhanced Protection, the Bureau deemed it necessary to submit all the requests to the fifth meeting of the Committee for consideration.
8. Details on the consideration of requests for the granting of enhanced protection, as well as the relevant draft decisions, are contained in the Secretariat's document on this topic (CLT-10/CONF/204/2).

### D. Possible synergies between the Second Protocol and other UNESCO instruments and programmes

9. The Bureau analyzed the Secretariat's document on this subject (CLT-10/CONF/204/4), which focuses on synergies between the List of Cultural Property under Enhanced Protection under the Second Protocol and:
  - the World Heritage List and the List of World Heritage in Danger, both of which are established by the 1972 World Heritage Convention;
  - the Representative List of Intangible Cultural Heritage of Humanity and the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, both of which are

established by the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage;

- the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; and,
- the Memory of the World Programme.

10. The Bureau also discussed technical and international assistance, the Funds established by various international instruments, and potential collaboration on the dissemination of UNESCO standard-setting instruments.

#### **E. Consideration of our proposal concerning a database**

11. The Bureau considered document CLT-10/CONF/204/6 and reiterated the importance of having a database on matters related to the national implementation of the Second Protocol. It tasked the Secretariat with preparing an information analysis of such a database to be presented to the sixth Committee meeting.

#### **F. Contacts between the Bureau and Mr Bandarin, Assistant Director-General for Culture**

12. The Bureau invited Mr Bandarin to both informal meetings, and sent him a letter dated 11 August 2010 with regard to the following issues:

- the role of enhanced protection as a specific category role of protection for those cultural properties complying with the three conditions of Article 10 of the Second Protocol;
- the evaluation of requests for the granting of enhanced protection by the Bureau and the establishment of a predictable assessment practice;
- resources, both human and financial, of the secretariat of the Committee;
- development of synergies within the Secretariat for the benefit of the protection of cultural property in the event of armed conflict;
- development of a strategy for the Committee with a particular emphasis on global priorities related to enhanced protection; and,
- organization in 2011 of a meeting of experts representing IGOs and NGOs that have similar objectives to those of the Second Protocol with a view to contributing to the development of such a strategy.

13. Mr Bandarin stressed in his reply of 1 September 2010 the distinctive status of the Enhanced Protection List, the need to ensure synergy between protective measures adopted for cultural properties included on this list and the World Heritage List; the importance of having predictable practices in the evaluation of requests for the granting of enhanced protection, and the reinforcement of the Secretariat's resources. He also indicated that he would consider convening the above-mentioned expert meeting in 2011.

### **G. Results of the roundtable with representatives of ICA, ICOM and ICOMOS (UNESCO Headquarters)**

Based on the need to develop a method to evaluate the criterion under Article 10(a) of the Second Protocol (“cultural heritage of the greatest importance for humanity”) for immovable and movable cultural properties that are neither World Heritage sites nor on the list of the Memory of the World, ICOMOS, ICOM and ICA were invited by the Chairperson to participate in a roundtable discussion concerning their involvement in the evaluation of requests for the granting of enhanced protection, as well as other issues related to enhanced protection. ICOMOS and ICOM submitted background papers on their initial analysis of this process, and ICA expressed interest in further discussing a methodology for requests for enhanced protection related to archives.

The Bureau also underscored the importance of developing further co-operation between the Committee and the relevant non-governmental organizations, emphasizing that while the missions and purposes of these organizations should be respected, any mutual endeavour must correspond to relevant institutional practices.

### **I. Draft Decision**

The Committee

1. *Referring* to the recommendation of its fourth meeting (UNESCO Headquarters, 27 – 29 May 2009) which, among other things, invited “the Bureau to prepare the 5<sup>th</sup> ordinary Meeting of the Committee”;
2. *Thanking* the Bureau and the Secretariat for preparing document CLT-10/CONF/204/7;
3. *Considering* this document;
4. *Takes note* thereof.