



United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

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

Организация
Объединенных Наций по
вопросам образования,
науки и культуры

منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
科学及文化组织

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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)

ITEM 7 OF THE PROVISIONAL AGENDA:

**CONSIDERATION OF REQUESTS FOR
ENHANCED PROTECTION**

1. Following the Resolution of the Third Meeting of the Parties to the Second Protocol (UNESCO Headquarters, 23-24 November 2009), the Secretariat, by its letter of 23 December 2009, invited Parties to the Second Protocol to submit requests for enhanced protection of their respective cultural property by 30 April 2010.

2. As of the 30 April 2010 deadline, the Secretariat had received twelve requests:

- 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**: Choirokoitia, Painted Churches in the Troodos Region, 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) (World Heritage Site), **Italy** (Castel del Monte) (World Heritage Site), and **Lithuania** (Kernavé Archeological Site (Cultural Reserve of Kernavé)) (World Heritage Site).

3. These twelve requests were analyzed during two informal meetings of the Bureau (17 - 18 June and 2 - 3 September) in conformity with Chapter 3 of the Second Protocol to the 1954 Hague Convention and Chapter 3 of the Guidelines for the Implementation of the Second Protocol. The main points of discussion during the Bureau meetings may be summarized as follows:

- The need to provide information on national measures concerning the identification and safeguarding of cultural property proposed for enhanced protection; due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training program; and appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol (paragraph 39 of the Guidelines).
- Clarification of the nature of the authority issuing a non-military use declaration (paragraphs 42 and 59 of the Guidelines).
- Submission of UTM coordinates (paragraph 56 of the Guidelines).
- Precise identification of the boundaries of immoveable cultural property submitted for enhanced protection both by providing UTM coordinates and

marking these coordinates on a map attached to a request. Moreover, whether the buffer zone included in World Heritage Sites should be considered as the “immediate surroundings” of the cultural property (paragraph 55 of the Guidelines).

4. Following the in-depth consideration of the twelve submissions, the Bureau decided to recommend to the Committee:

- To grant enhanced protection to the three sites proposed by the Republic of Cyprus in accordance with Paragraph 68 of the Guidelines: Choirokoitia, Painted Churches in the Troodos Region, Paphos (Site I: Kato Paphos town; Site II: Kouklia village).
- To refer back to the submitting Party for additional information and/or documentation the following requests in accordance with Paragraph 71 of the Guidelines: **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); **Italy** (Castel del Monte) (World Heritage Site) and **Lithuania** (Kernavé Archeological Site (Cultural Reserve of Kernavé)) (World Heritage Site).
- To defer the request of the **Dominican Republic** (Colonial City of Santo Domingo) (World Heritage Site) for substantial revision and documentation in accordance with Paragraph 72 of the Guidelines.

5. To assist the Bureau in the evaluation of the requirement of Article 10(a) of the Second Protocol (“cultural heritage of the greatest importance for humanity”) for immovable and movable cultural properties that are not World Heritage Sites, ICOMOS, ICOM and ICA were invited to a round table discussion in the framework of the informal meeting of the Bureau in September. ICOMOS and ICOM submitted background papers on their initial analysis of this process, and ICA expressed interest in further discussing a methodology for such requests that include archives.

6. The information submitted and the proposed decisions are included in the attached Checklists for Completeness developed by the Secretariat for each of the 12 cultural properties. They summarize all of the information requested and received in line with Chapter 3 of the Second Protocol and the relevant corresponding paragraphs of the Guidelines; indicate whether there is information missing from the request; and include a draft decision in line with paragraph 47 of the Guidelines. Some information was too voluminous to include in the Checklists, and, in accordance with the same indications included therein, will be made available for reference during the fifth Meeting of the Committee.

**Enhanced Protection Request Form
Checklist for Completeness**

Atashgah Fire-worshippers temple

(Listed on the WHC Tentative List as Surakhany, Atashgyakh (Fire - worshippers, temple - museum at Surakhany)

Republic of Azerbaijan

Missing information (the below items should be further developed):

Article 10(a) of the Second Protocol:

- Paragraphs 32-35 of the Guidelines: additional information may be requested regarding facts needed to further develop the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a) (i.e. exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity).

Article 10(b) of the Second Protocol (Paragraph 39):

- Information regarding the preparation of inventories and the planning of emergency measures for the protection against fire or structural collapse.
- Additional information may be requested regarding due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.
- Information regarding the present state of conservation.

Article 10(b) of the Second Protocol (Paragraph 58): Additional information may be requested regarding facts needed to further develop the argument that the cultural property is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.

<p>1. Party</p>	<p>Submission prepared by:</p> <p>Institution: Ministry of Culture and Tourism E-mail: am_sabina@mail.az Name: Ministry of Culture and Tourism Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism, office 325 Telephone: +994 12 493 02 33</p>
<p>2. Date of Submission</p>	<p>29.04.10 (further information was submitted on 6 and 26 August 2010)</p>
<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p>Immovable cultural property: Defined boundaries</p> <p>Four photos of the exterior of the building and flame were included and are available for reference.</p> <p>Total protected area – 1368 square meters Northern width – 40⁰24’55,55’’N Eastern length – 50⁰00’30,97’’E</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p>and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>A 1:50 000 scaled map is available for reference.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>Apsheon Peninsula, Surakhani District, Baku, Republic of Azerbaijan.</p> <p>The property is located 18 km north-east of Baku City.</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>40⁰24’N 50⁰00’E</p> <p>UTM: 39T 415890 4474341 (provided on 26 August</p>

	2010)
Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.	<p>List of coordinates for boundaries of a wider property</p> <p>UTM: 39T 415890 4474341</p> <p>Northern width – 40⁰24'55,55''N Eastern length – 50⁰00'30,97''E</p>
In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”	<p>Location of moveable property storage facility</p> <p>N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p>State of Conservation; Appearance; History, Development</p> <p>The origins of fire worshipping on the site of the Atashgah temple site is thought to date back to the 2-3 centuries AD. In the 17th century a complex containing a caravanserai, chapels and other cells for different uses was built. In the 18th century the temple took on its current form of a central court yard containing the main fire altar, surrounded by a roughly triangular enclosure of buildings consisting of 26 cells, including guest cells, the caravanserai, domestic cells and chapels. The oldest inscription surviving on the temple buildings dates to 1713 and the most recent is from 1827. The main altar of the temple is square in plan with a central hearth. It is roofed and on the roof is a square dome and four ‘chimneys’ from which fire appears.</p> <p>The Atashgah temple has been mentioned in the works of many travellers, scientists and foreign state officials throughout its existence. It is the historic site mentioned most often in Azerbaijani literature.</p> <p>It is supposed that this place has been visited by all fire worshippers during the long time since the beginning of AD until Arabic expansion into Azerbaijan and its Islamisation. The next stream of pilgrimage began with the development of economical and cultural relations with India in the 15th century, when Indian fire worshippers traded in the Caspian area via the famous Grand Trunk Road.</p>

For centuries it has been playing a role as a main **interlink between peoples** from different geographical areas and different cultural spaces **worshipping fire**, believing in the main idea of Zoroastrianism – the struggle between Good and Evil, with Good being victorious, finding their common spiritual needs met here.

Information provided on 6 August 2010 following the Informal Meeting of the Bureau (17-18 June 2010):

According to the Order of the President number 365, all necessary documentations have been prepared for establishing a museum center in Atashgah. Other tasks, reflected in the mentioned order, are being executed, necessary documents have been prepared and submitted to the appropriate profiled organizations.

The Atashgah Fire Worshippers’ Temple is located in the centre of the Absheron Peninsula in the settlement of Surakhany, 18km north-east of Baku city. The Absheron Peninsula holds important deposits of oil and gas and Surakhany is a very early centre of oil extraction, not just in Azerbaijan but in the world. These oil and gas resources have resulted in fire phenomena in this area for millennia (as documented in ancient sources). The site of Atashgah Temple appears to have been used for fireworshipping since the 2-3 centuries A.D.

[Empty space for content]

This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.

Description

Please see above.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”

Guidelines, para. 32
 “While considering whether cultural property is of greatest importance for humanity, the Committee will evaluate, case by case, its **exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity** (emphasis added).”

Criterion of being of greatest importance for humanity under Article 10(a).

Atashgah – Fire Worshippers Temple has been included on the Tentative List of the Republic of Azerbaijan of the UNESCO World Heritage List because it is considered to meet criteria *i. it represents a masterpiece of human creative genius; and iii. it bears a unique or at least exceptional testimony to a cultural tradition or to a civilisation which is living or which has disappeared* for the assessment of outstanding universal value of the 1972 World Heritage Convention.

Guidelines, para. 33

“Cultural property of national, regional or universal value may have exceptional cultural significance. This significance may be deduced from the **following indicative criteria** (emphasis added):

- it is an exceptional cultural property **bearing testimony to one or more periods of the development of humankind** at the national, regional or global level (emphasis added);
- it represents a **masterpiece** of human creativity (emphasis added);
- it bears an **exceptional testimony to a cultural tradition or to a civilization** which is living or which has disappeared (emphasis added);
- it exhibits an **important interchange of human achievements**, over a span of time or within a cultural area of the world **on developments in arts and sciences** (emphasis added);
- it has a **central significance to the cultural identity of societies concerned** (emphasis added).”

Guidelines, para. 34

“Cultural property is considered to be unique if there is no other comparable cultural property that is of the same cultural significance. The **unique character may be deduced from a variety of indicative criteria including** (emphasis added):

- a. age;
- b. history;
- c. community;
- d. representativity;
- e. location;
- f. size and dimension;
- g. shape and design;
- h. purity and authenticity in style;

Note of the Secretariat (From Word Heritage Centre website):

Surakhany, Atashgyakh (Fire - worshippers, temple - museum at Surakhany) was submitted to the Tentative List on 30/09/1998.

- i. integrity;
- j. context;
- k. artistic craftsmanship;
- l. aesthetic value;
- m. scientific value.”

Guidelines, para. 35

“The criterion of irretrievable loss for humanity is met if the **damage or destruction of the cultural property in question would result in the impoverishment of the cultural diversity or cultural heritage of humankind** (emphasis added).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the **World Heritage List** satisfies the condition of greatest importance for humanity (emphasis added).”

Guidelines, para. 37

“In the case of documentary heritage, the Committee will consider the fact that the cultural property is inscribed on **UNESCO’s Memory of the World Register** (emphasis added).”

Implementation measures:

Guidelines, para. 39:

Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:

- the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol
- due consideration of the protection of the cultural property proposed for enhanced protection in

Information provided on 6 August 2010 following the Informal Meeting of the Bureau (17-18 June 2010):

Presidential Decree number 2564 (19 December 2007), and **Order of the President number 365** (1 July 2009) were provided in English following the Informal Meeting of the Bureau (17-18 June 2010).

Order of the President number 365 allocates financial and technical equipment.

Decision 132 of the Cabinet of Ministers on immovable historical and cultural monuments (2 August 2001) and the **Law on the Protection of Historical and Cultural Monuments** (10 April 1998) were also submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.

<p>military planning and military training programs; and,</p> <ul style="list-style-type: none"> • appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. 	<p>Submitted on 26 August 2010:</p> <p>Letter from the Ministry of Defense regarding planning and training measures, as well as the non-use of cultural property for military purposes or to shield military sites and a short description of proposed legislation (with no reference to criminal measures).</p> <p>These documents are available for reference.</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>The Atashgah temple is being protected by the Decree numbered 132, <i>List of state protected immoveable historic and cultural monuments on the territory of the Republic of Azerbaijan in accordance with their levels of importance</i>, of the Cabinet of Ministers of the Republic of Azerbaijan as of 2 August 2001.</p> <p>Decree number 132 means that the monument becomes subject to the Law on the Protection of Historical and Cultural Monuments (10 April 1998).</p> <p>In 1964 Decree number 3 of the Soviet of Ministers of the Azerbaijani Soviet Socialist Republic made The Atashgah temple an independent part of the Shirvanshah Palace Complex Preserve. However, Presidential Decree number 2564 (19 December 2007) created Atashgah temple State historic architectural preserve.</p>
<p>It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.</p>	<p>Detailed analysis</p> <p>The Law on the Protection of Historical and Cultural Monuments (10 April 1998) defines the inviolability, classification, levels of protection, registration and ownership of monuments and regulates archaeological research and research into architectural and other monuments. The law also governs the role of the National Academy of Sciences in the preservation, restoration and definition of levels of importance of monuments. Further provisions within the law relate to the protection of monuments during construction and engineering works within preserved areas and protection zones, to improvement and construction works aimed at monument protection, to their relocation, to their protection during armed conflict</p>

	<p>and to the protection of monuments discovered during construction works. It also outlines the duties and responsibilities of legal entities and juridical persons owning and utilizing monuments, the potential punishments for breaking the law and the power of international legal acts in the protection of monuments. Inclusion on the list of protected monuments and thus receiving protection from this law is the highest level of legal protection that immovable monument can receive in the Republic of Azerbaijan.</p> <p>The creation of the Atashgah temple State historic architectural preserve means that it receives the special protection as area of cultural significance.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts (Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Please see above for details. These documents are available for reference.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>Atashgah temple functions as a museum.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>

(emphasis added).	
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>Atashgah temple is used as a state historical architectural preserve and as a museum and there are no military installations or military units stationed within this protected area.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60.</p> <p>Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>Institution: Ministry of Culture and Tourism of the Republic of Azerbaijan, Cultural Heritage Department E-mail: mct@mct.gov.az Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism Telephone: +994 12 493 02 33</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p style="text-align: center;">Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p style="text-align: center;">Please see section 3.B.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p style="text-align: center;">Adequate domestic legal and administrative measures</p> <p style="text-align: center;">Please see sections 3.B. and 3.C.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p>	<p style="text-align: center;">Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p>

<p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Ms. Sevda Mammadaliyeva Deputy Minister of Culture and Tourism</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Atashgah Fire-worshippers temple (Azerbaijan)

1. **Thanking** Azerbaijan for submitting a request for enhanced protection for Atashgah Fire-worshippers temple;
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 32-35, 39, 58 and 59¹ of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Azerbaijan to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10 (a), (b) and (c) will be assessed.

¹ Note of the Secretariat: The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism; however, neither paragraph 59 nor any other part of the Guidelines provide for the nature of the competent authority to issue a non-military use declaration when submitting the requests for enhanced protection. As a consequence, the Committee may wish to consider this issue and take a decision as to the nature of the authority that may issue such a declaration.

**Enhanced Protection Request Form
Checklist for Completeness**

Walled City of Baku, including Shirvanshahs' Palace and Maiden Tower

World Heritage Site (2000)

Republic of Azerbaijan

Missing information (the below items should be further developed):

Article 10(b) of the Second Protocol (Paragraph 39):

- Information regarding the due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

Paragraph 56 of the Guidelines: the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system (latitude and longitude coordinates were provided for the central point and boundaries).

1. Party	Submission prepared by: Institution: Administration of the State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan E-mail: office@icherisheher.gov.az Name: Mr. Mikayil Jabbarov, Head of the Administration Fax: (+99412) 4926051 Address: AZ1000, Icherisheher, 65, Asaf Zeynally Street, Baku, Azerbaijan Phone: (+99412) 4926597
2. Date of Submission	05.05.10 (after contacting the Secretariat on 30 April 2010 regarding this request). Additional information was provided on 31 July and 26 August 2010.
3.A. Identification of the Cultural Property Guidelines, para. 55 “The boundaries of an immovable cultural	Immovable cultural property: Defined boundaries

<p>property and its immediate surroundings are clearly defined (emphasis added).</p>	<p>(Note of the Secretariat : Not UTM coordinates)</p> <p>x = 401281,02 y = 4469327,81 x = 401333,05 y = 4468995,55 x = 401082,73 y = 4468707,49 x = 400834,96 y = 4469044,44 x = 400978,90 y = 4469261,28</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p>and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>A map of the Historical-Architectural Reserve “Icherisheher” and its Buffer Zone, including the marking of the above coordinates is available for consultation.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>The Republic of Azerbaijan, Baku City. See also coordinates, above.</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>See coordinates, above.</p>
<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p>List of coordinates for boundaries of a wider property</p> <p>See coordinates, above.</p>
<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p>Location of moveable property storage facility</p> <p>N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57</p>	<p>State of Conservation; Appearance; History, Development</p>

“The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.

State of Conservation:

The Walled City of Baku (“Icherisheher” or Old City) is the best **preserved historical city of the region** and one of **few medieval cities of Azerbaijan with traces of heritage linking it to ancient times**, an expressive and safe urban planning structure of which has been preserved to the present. Built on a site that has been inhabited **since the Palaeolithic era**, Icherisheher represents a **unique architectural ensemble** included into the List of World Heritage Sites.

Icherisheher has **preserved much of its 12th century defensive walls**.

Nowadays, the historical center of Baku – Icherisheher - is under State protection.

Icherisheher (the Walled City of Baku), with the Shirvanshahs’ Palace and Maiden Tower, was inscribed on the World Heritage List in 2000 on the basis of the Criterion (IV).

After a joint mission of the World Heritage Centre and ICOMOS experts, the Walled City of Baku with the Shirvanshahs’ Palace and Maiden Tower was inscribed on the List of World Heritage in Danger in 2003 because this site sustained significant damage during the earthquake of November 2000 and increasingly affected by the pressure of urban development, the lack of conservation policies and capacities and dubious restoration efforts.

On 25 June 2009, during its 32nd session, **the World Heritage Committee welcomed the success of the authorities of Azerbaijan in preserving “the Walled City of Baku with the Shirvanshahs' Palace and Maiden Tower (Azerbaijan)”**, and decided to remove the property from UNESCO's List of World Heritage in Danger.

Appearance, history and development:

The Maiden Tower (Giz Galasy) situated in the south-east part of Icherisheher is the **unique monument of Azerbaijani architecture dating from VII–VI centuries BC**.

	<p>The ensemble of the Shirvanshahs’ Palace built in the XV century is one of the pearls of Azerbaijani architecture. The ensemble contains a residential building, “Divankhane”, the Shirvanshahs’ tomb, a palace mosque with a minaret, a bath-house, the mausoleum of court scientist Seyid Yahya Bakuvi, the later addition of the portal of the Eastern Gate and the mosque of Key-Gubad.</p> <p>Nine photos were also attached (Attachment 6) to the original Request.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p>Please see above.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”</p> <p>Guidelines, para. 36</p> <p>“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the World Heritage List satisfies the condition of greatest importance for humanity (emphasis added).”</p>	<p style="text-align: center;">Criterion of being of greatest importance for humanity under Article 10(a).</p> <p>Icherisheher (the Walled City of Baku), with the Shirvanshahs’ Palace and Maiden Tower, was inscribed on the World Heritage List in 2000 on the basis of the Criterion (iv):</p> <p>Criterion (iv): The Walled City of Baku represents an outstanding and rare example of an historic urban ensemble and architecture with influence from Zoroastrian, Sassanian, Arabic, Persian, Shirvani, Ottoman, and Russian cultures.</p> <p>A Statement of Outstanding Universal Value of the Walled City of Baku with the Shirvanshah’s Palace and Maiden Tower was included with the original Request and is available for reference.</p>
<p>Implementation measures:</p> <p>Guidelines, para. 39:</p> <p>Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national</p>	<p>Information provided on 31 July 2010 following the Informal Meeting of the Bureau (17-18 June 2010):</p> <p>In order to adopt a general policy, which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes is prepared Conservation Master Plan and Integrated Area Management Action Plan of the State Historical-Architectural Reserve “Icherisheher”.</p> <p>To develop scientific and technical studies and research is created Scientific-Cultural Centre of the State</p>

measures intended for:

- the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol
- due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

Historical-Architectural Reserve “Icherisheher”.

The Administration of the State Historical-Architectural Reserve “Icherisheher” has engaged the world leading company in the fields of strategic advising and consultancy – McKinsey & Company. The firm has completed the task and presented the ultimate document that integrated IAMAP and CMP into single document, including high-level strategy and Action Plan for implementation within mid-term.

In order to study scientific-technical achievements and advanced experiences related to the Reserve the Scientific and Technical Council under the State Historical-Architectural Reserve “Icherisheher” is being created.

Considering the vital importance of preservation of historical buildings, the first regulation which had been adopted by the Administration of the State Historical-Architectural Reserve “Icherisheher” was “Rules on enjoyment and protection of historical buildings” and “Agreement on protection of historical monuments”.

For development of the design guidelines local experts, including representatives of State Committee on Urban Planning and Architecture, and National Academy of Sciences have been involved.

In order to fulfill repairing-construction, sanitary-cleaning and planting of greenery and housing-communal services in the area of Icherisheher the Housing-Communal Service was created within the structure of the Administration.

All inventories have been prepared by this Service, including all necessary equipment and techniques.

At the moment within the territory of Icherisheher there are 39 fire hydrants, which cover the whole territory of Icherisheher and enable the proper safety. In the present time the Administration of the State Historical-Architectural Reserve “Icherisheher” holds renovation works, which are aimed to replace the obsolete service lines and to reduce the total level of deterioration of the communications within the Inner City.

In order to reduce the fire danger, many service lines, such as electricity supply system, telephone line were removed underground.

Most of the buildings, including historical-architectural sites, are equipped with the modern fire alarm systems; at the same time, in the cooperation with the Ministry of Emergency Situations the system of rapid reaction was created.

Information provided following the Informal Meeting of the Bureau 17-18 June 2010):

Letter from the Ministry of Defence of the Republic of Azerbaijan detailing military planning and training measures and proposed legislation providing further protection.

According to the Article 116.08. of the Criminal Code of the Republic of Azerbaijan there is a penalty for the directing attacks against specially protected historic, religious, educational, scientific, charitable or medical monuments, which are easily seen and distinguishable, against the places where sick and wounded are situated without any military necessity.

Article 116.08. of the Criminal Code of the Republic of Azerbaijan (non-official translation):

“When there is no military necessity do not attack the objects which do not have military importance and are clearly visible and possessing definite signs, including specially secured historical, religious objects, objects of education, art, science, charity objects, health care objects, and hospitals for diseased and injured.”

The penalty for this crime is following:

“Those, who break this rule, are sentenced to the imprisonment for the term between 7 and 15 years, or for the lifetime sentence.”

3.C. Protection of the Cultural Property

Guidelines, para. 58.

“The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.

A list of the legal and administrative measures

Icherisheher (the Walled City of Baku) with the Shirvanshahs’ Palace and Maiden Tower, including 513 monuments is protected by the **Decision of the Cabinet of Ministers of the Republic of Azerbaijan** (“The list of immovable historical and cultural monuments in territory of the State Historical-

Architectural Reserve “Icherisheher” protected by the state and their classification by importance value”) **dated 2001, numbered 132.**

In order to provide for the long-term protection, conservation and continuation of restoration of Icherisheher, as well as the intensification and increasing systemization of this work has established a state agency - **Administration of the State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan by the decree of the President of the Republic of Azerbaijan dated 10 February 2005** (Included as Attachment 1 to the original Request).

Administration combines the function of a local executive power (municipal authority) and central executive power agency.

All monuments are included on the register of the Administration of the State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan.

In **2009 Protection Buffer Zone of the State Historical-Architectural Reserve “Icherisheher”** has been identified and approved by the Decision of Cabinet of Ministers of the Republic of Azerbaijan.

It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.

Detailed analysis

Please see above.

Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”
....

“Article 10 Enhanced protection:

Cultural property may be placed under enhanced protection provided that it meets the following

Attached texts

(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)

The “Order of the President of the Republic of Azerbaijan on the Establishment of Administration of State Historical-Architectural Reserve ‘Icherisheher’ under Cabinet of Ministers of the Republic of Azerbaijan”, no. 629.

The Statement of Outstanding Universal Value of the Walled City of Baku, including Shirvanshahs' Palace and Maiden Tower.

<p>three conditions: ... b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p>Both documents were included with the original request and are available for reference.</p> <p>Other legislation was included in the World Heritage List Nomination file and is also available for reference.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>State Historical-Architectural Reserve “Icherisheher”.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration was signed by a representative of the Administration of the State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan (noting that the cultural property “is not used for any military purpose”).</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).” ... “Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The non-military use declaration was signed by a representative of the Administration of the State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan (noting that the cultural property “is not used for any military purpose”).</p>
<p>3.E. Information Regarding Responsible Authority</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>The Administration of State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan is given the legal status</p>

Guidelines, para. 60.

Detailed contact information of responsible authorities is provided in the request.

equal to the Ministry or the State Committee pursuant to the Presidential Decree establishing it, is fully staffed and functional, and has 5 entities within its structure that enable it to fulfill its mandate:

1. Scientific-Cultural Center
2. Scientific-Production Restoration Atelier
3. Museum of History of Icherisheher
4. Housing-Communal and Maintenance Service
5. State Historical-Architectural Reserve-Museum “Shirvanshahs’ Palace Complex”

The head of Administration and two of its Deputies are appointed by the President of Azerbaijan.

The main functions of the Administration are:

- to participate in the formation of the consolidated state policy related to the Reserve and ensure the implementation of this policy;
- to study the monuments located in the Reserve area from the scientific, historical and cultural aspects, to use them in the proper way and provide their conservation;
- to protect the capacity-planning structure of the monuments situated in the area of Reserve, provide the reconstruction and inviolability of historical-architectural monuments;
- to make the examination of the construction, reconstruction, building, repairing, regeneration works, to give the consent to them and supervise these processes;
- development the tourism infrastructure within the Reserve area;
- to fulfill the long-term strategy for the social-economic development of Icherisheher and for the creation of the tourism center of international level;

	<ul style="list-style-type: none"> - to implement the function of a local executive power and municipal authority; - to organize and develop activity of museums within the Reserve area.
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p style="text-align: center;">Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>Icherisheher (the Walled City of Baku), with the Shirvanshahs’ Palace and Maiden Tower, was inscribed on the World Heritage List in 2000 on the basis of the Criterion (iv).</p> <p>Please also see the Statement of Outstanding Universal Value of the Walled City of Baku with the Shirvanshah’s Palace and Maiden Tower.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p style="text-align: center;">Adequate domestic legal and administrative measures</p> <p>Please see above. The list of legislation, Order of the Republic of Azerbaijan, no. 629, and Statement of Outstanding Universal Value are also available for reference.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p style="text-align: center;">“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>The non-military use declaration was signed by a representative of the Administration of the State Historical-Architectural Reserve “Icherisheher” under the Cabinet of Ministers of the Republic of Azerbaijan (noting that the cultural property “is not used for any military purpose”).</p>

Signature by the Party's competent authority	Name and Title Mr. Mikayil Jabbarov Head of the Administration Administration of the State Historical-Architectural Reserve "Icherisheher" under the Cabinet of Ministers of the Republic of Azerbaijan
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The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Walled City of Baku, including Shirvanshahs' Palace and Maiden Tower (Azerbaijan)

1. **Thanking** Azerbaijan for submitting a request for enhanced protection for Walled City of Baku, including Shirvanshahs' Palace and Maiden Tower;
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 39, 56 and 59¹ of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Azerbaijan to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10(b) and (c) will be assessed.

¹ **Note of the Secretariat:** The non-military use declaration was signed by a representative of the Administration of the State Historical-Architectural Reserve "Icherisheher" under the Cabinet of Ministers of the Republic of Azerbaijan; however, neither paragraph 59 nor any other part of the Guidelines provide for the nature of the competent authority to issue a non-military use declaration when submitting the requests for enhanced protection. As a consequence, the Committee may wish to consider this issue and take a decision as to the nature of the authority that may issue such a declaration.

**Enhanced Protection Request Form
Checklist for Completeness**

Gobustan Rock Art Cultural Landscape

World Heritage Site (2007)

Republic of Azerbaijan

Missing information (the below items should be further developed):

Article 10(b) of the Second Protocol (Paragraph 39):

- Information regarding the due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.
- Information regarding the preparation of inventories; the planning of emergency measures for the protection against fire or structural collapse.

Paragraph 56 of the Guidelines: the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system (latitude and longitude coordinates were provided for the central point and boundaries).

Article 10(b) of the Second Protocol (Paragraph 58): Additional information may be requested regarding facts needed to further develop the argument that the cultural property is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.

1. Party	Submission prepared by: Institution: Ministry of Culture and Tourism E-mail: am_sabina@mail.az Name: Ministry of Culture and Tourism Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism, office 325 Telephone: +994 12 493 02 33
2. Date of Submission	29.04.10 (additional information was provided on 6 and 26 August 2010).

<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p>Immovable cultural property: Defined boundaries</p> <p>Jinghindagh mountain –Yazylytepe hill, Baku N40 12 00 E49 22 15 17.09 Ha</p> <p>Boyukdash mountain, Baku N40 7 30 E49 22 30 323.27 Ha</p> <p>Kichikdash mountain, Baku N40 3 45 E49 23 00 196.86 Ha</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p>and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>Maps are included into the World Heritage Nomination File and are available for reference.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>There are more than 100 000 exhibits, dated from the Upper Paleolith to the Middle Ages epoch kept in Gobustan reserve fund. Among them there are stone and bone tools of labour, bones of local animals, pottery, one golden ring of 16-th century.</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>Baku, Republic of Azerbaijan Garadagh District and Apsheron District Baku City Administrative Territory Property 537.2200 ha</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>Jinghindagh mountain –Yazylytepe hill, Baku N40 12 00 E49 22 15</p> <p>Boyukdash mountain, Baku N40 7 30 E49 22 30</p> <p>Kichikdash mountain, Baku</p>

	<p>N40 3 45 E49 23 00</p>
<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p>List of coordinates for boundaries of a wider property</p> <p>Jinghindagh mountain –Yazylytepe hill, Baku N40 12 00 E49 22 15 17.09 Ha</p> <p>Boyukdash mountain, Baku N40 7 30 E49 22 30 323.27 Ha</p> <p>Kichikdash mountain, Baku N40 3 45 E49 23 00 196.86 Ha</p> <p>Maps are included into the World Heritage Nomination File and are available for reference.</p> <p>Property : 537.2200 ha Buffer zone: 3096.3400 ha</p>
<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p>Location of moveable property storage facility</p> <p>After inscription to the World Heritage List the new administrative building is being erected on the territory of reserve.</p> <p>Its UTM coordinates will be sent after the building construction finished.</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p>State of Conservation; Appearance; History, Development</p> <p>Information on the present state of conservation:</p> <p>In 1966, to preserve the rich heritage of ancient culture along with natural remnants of the past, Gobustan was designated as a National Protected Heritage Site with an area of 4400 ha. The aim of the open-area museum is to preserve the Gobustan site, while keeping it open to the public.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p>Description</p>

As it was mentioned, Gobustan has been settled from ancient times (the Upper Paleolith) until the Middle Ages. All societies put their traces through the rock carvings, inscribing firstly the main activities of their all day life then just writing simple phrases in Arabic (which was the main language in the Middle Ages).

The main change that led to the modern look of the Gobustan preserve was strong volcanic and tectonic activity, which was a resulted from the vigorous earthquake and ecological disaster. As a result of this process, the arid light forest with pines and oaks disappeared and the landscape of the area became comparatively poor (but even now there are many endemic biological species). There were some cases of negative human interference with the exterior of the reserve registered, such as scratching new images on the rocks surfaces. All these cases have been prevented after 1995, and especially today, when the reserve is already a part of world humanity culture.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the **World Heritage List** satisfies the condition of greatest importance for humanity (emphasis added).”

Criterion of being of greatest importance for humanity under Article 10(a).

The Gobustan Rock Art Cultural Landscape was inscribed on the World Heritage List in 2007:

Gobustan has outstanding universal value for the quality and density of its rock art engravings, for the substantial evidence the collection of rock art images presents for hunting, fauna, flora and lifestyles in pre-historic times and for the cultural continuity between prehistoric and mediaeval times that the site reflects.

Criterion (iii): The rock engravings are an exceptional testimony to a way of life that has disappeared in the way they represent so graphically activities connected with hunting and fishing at a time when the climate and vegetation of the area were warmer and wetter than today.

Implementation measures:

Guidelines, para. 39:

Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of

Information provided on 6 August 2010 following the Informal Meeting of the Bureau (17-18 June 2010):

Presidential Decree number 172, and Order of the President 2213, were provided and are available for reference.

<p>peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:</p> <ul style="list-style-type: none"> • the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol • due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and, <ul style="list-style-type: none"> ○ appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. ○ 	<p>Decision 132 of the Cabinet of Ministers on immovable historical and cultural monuments (2 August 2001) and the Law on the Protection of Historical and Cultural Monuments (10 April 1998) were also submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.</p> <p>Submitted on 26 August 2010:</p> <p>Letter from the Ministry of Defense regarding planning and training measures, as well as the non-use of cultural property for military purposes or to shield military sites and a short description of proposed legislation (with no reference to criminal measures).</p> <p>These documents are available for reference.</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>The Gobustan Rock Art Cultural Landscape is being protected by the Decree numbered 132, <i>List of state protected immovable historic and cultural monuments on the territory of the Republic of Azerbaijan in accordance with their levels of importance</i>, of the Cabinet of Ministers of the Republic of Azerbaijan as of 2 August 2001. In accordance with this decree this site is of highest level of significance - world important monument.</p> <p>Decree number 132 means that the monument becomes subject to the Law on the Protection of Historical and Cultural Monuments (10 April 1998).</p> <p>Decree number 172 of the Cabinet of Ministers of the Republic of Azerbaijan awards National Status to the Gobustan Rock Art Cultural Landscape Preserve on 6 November 2007.</p> <p>Order number 2213 of the President of the Republic of Azerbaijan about preservation of historic and cultural values on the territory of the Gobustan Rock Art</p>

Cultural Landscape Preserve on 2 June 2007.

It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.

Detailed analysis

The Law on the Protection of Historical and Cultural Monuments (10 April 1998) defines the inviolability, classification, levels of protection, registration and ownership of monuments and regulates archaeological research and research into architectural and other monuments. The law also governs the role of the National Academy of Sciences in the preservation, restoration and definition of levels of importance of monuments. Further provisions within the law relate to the protection of monuments during construction and engineering works within preserved areas and protection zones, to improvement and construction works aimed at monument protection, to their relocation, to their protection during armed conflict and to the protection of monuments discovered during construction works. It also outlines the duties and responsibilities of legal entities and juridical persons owning and utilizing monuments, the potential punishments for breaking the law and the power of international legal acts in the protection of monuments. Inclusion on the list of protected monuments and thus receiving protection from this law is the highest level of legal protection that immovable monument can receive in the Republic of Azerbaijan.

The Gobustan Rock Art Cultural Landscape has the status of national preserve which means that it receives the highest possible level of protection that the Republic of Azerbaijan provides for areas of cultural significance.

Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”
....

“Article 10 Enhanced protection:

Cultural property may be placed under enhanced

Attached texts

(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)

Please see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above.

<p>protection provided that it meets the following three conditions:</p> <p>...</p> <p>b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>The Gobustan Rock Art Cultural Landscape is currently in use as an open air museum and research facilities.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The Gobustan Rock Art Cultural Landscape is used as an open air museum and there are no military installations or military units stationed within this protected area.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>Institution: Ministry of Culture and Tourism of the Republic of Azerbaijan, Cultural Heritage Department E-mail: mct@mct.gov.az Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism Telephone: +994 12 493 02 33</p>

<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p>Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>See 3.B., above.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures</p> <p>Please see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Sevda Mammadeliyeva</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Gobustan Rock Art Cultural Landscape (Azerbaijan)

1. **Thanking** Azerbaijan for submitting a request for enhanced protection for Gobustan Rock Art Cultural Landscape;
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 39, 56, 58 and 59¹ of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Azerbaijan to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10(b) and (c) will be assessed.

¹ Note of the Secretariat: The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism; however, neither paragraph 59 nor any other part of the Guidelines provide for the nature of the competent authority to issue a non-military use declaration when submitting the requests for enhanced protection. As a consequence, the Committee may wish to consider this issue and take a decision as to the nature of the authority that may issue such a declaration.

**Enhanced Protection Request Form
Checklist for Completeness**

Momina-khatun Turbasi (the Mausoleum of Momina-khatun)

(This property is not on the Tentative List maintained by the World Heritage Centre.)

Republic of Azerbaijan

Missing information (the below items should be further developed):

Article 10(a) of the Second Protocol:

- Paragraphs 32-35 of the Guidelines: additional information may be requested regarding facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a) (i.e. exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity).

Article 10(b) of the Second Protocol (Paragraphs 39):

- Information regarding the preparation of inventories and the planning of emergency measures for the protection against fire or structural collapse.
- Additional information may be requested regarding due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

Paragraph 55 of the Guidelines: Clarification of boundary information (the same coordinates provided for center point and for the boundary).

Article 10(b) of the Second Protocol (Paragraph 58): Additional information may be requested regarding facts needed to further develop the argument that the cultural property is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.

1. Party	Submission prepared by: Institution: Ministry of Culture and Tourism E-mail: am_sabina@mail.az Name: Ministry of Culture and Tourism Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism, office 325 Telephone: +994 12 493 02 33
2. Date of Submission	29.04.10 (additional information was provided on 6 and 26 August 2010)
3.A. Identification of the Cultural Property Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”	Immovable cultural property: Defined boundaries Nakhchivan, Nakhchivan Autonomous Republic of Azerbaijan. One photo of the exterior was included and is available for consultation.
Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).	and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000) A 1:50,000 scale map was provided and is available for consultation.
Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”	Movable cultural property: Detailed descriptions and sufficient images N/A
Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.”	Immovable cultural property: Geographical location of cultural property No information was provided.
At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.	(Min.) Coordinates of the central point of each cultural property 38S 535012 4340468
Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.	List of coordinates for boundaries of a wider property 38S 535012 4340468

<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p>Location of moveable property storage facility</p> <p>N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57</p> <p>“The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p>State of Conservation; Appearance; History, Development</p> <p>Mausoleum of Momina-khatun was built by architect Ajami in 1186, in Nakhchivan for Momine-khatun, the first wife of Muhammed Jahan Pahlavan–Azerbaijani atabek-eldegizid (one of the most prominent rulers of ancient Azerbaijan). Ajami was the founder of the Nakhchivan architectural school and this mausoleum significantly influenced architectural style of later monuments.</p> <p>Information submitted on 6 August 2010 in response to the request by the Informal Meeting of the Bureau (17-18 June 2010):</p> <p>The mausoleum is decahedral in plan and 25m in circumference and 34m tall. It is built of fired bricks on a stone base covered in red diorite. The monument is panelled in stone and richly decorated with intricate carved geometric patterns, some of which are highlighted with inlay in turquoise brick. A wide frieze containing a Kufi inscription runs along the top of the mausoleum. It is unique, not only in technique, but also in the brilliance of the turquoise inlay of the letters. The cornice above the frieze is decorated with a stalactite pattern. It has a decahedral hipped roof decorated with a geometric pattern in turquoise bricks.</p> <p>Internally, the mausoleum is divided into an upper and a lower chamber which are connected. The eastern wall holds a small opening which leads to the upper chamber. The main entrance to the lower chamber is fitted into an ogival niche with Kufi inscriptions above the door. These give the construction date, name and professional title of the architect. The interior of the mausoleum is very modest, with brick decorations framed with ribs. The upper chamber has four medallions containing inscriptions which have no yet been interpreted.</p> <p>Photographs and drawings from the end of the 19th and beginning of 20th century shows that the mausoleum was</p>

	<p>an integral part of a religious complex, including a mosque, but it is now the only surviving feature.</p> <p>The Mausoleum of Momina-khatun has suffered some earthquake damage but restoration work to rectify this was completed in 2004. This programme of works also included redirecting of a water channel, which threatened the stability of the monument, away from under the mausoleum.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p>The Mausoleum of Momina-khatun has the same sharp, interior and exterior, as the medieval architect gave it. It has been always a tomb and no human or natural intervention have influenced to its appearance and architecture.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”</p> <p>Guidelines, para. 32 “While considering whether cultural property is of greatest importance for humanity, the Committee will evaluate, case by case, its exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity (emphasis added).”</p> <p>Guidelines, para. 33 “Cultural property of national, regional or universal value may have exceptional cultural significance. This significance may be deduced from the following indicative criteria (emphasis added):</p> <ul style="list-style-type: none"> • it is an exceptional cultural property bearing testimony to one or more periods of the development of humankind at the national, regional or global level (emphasis added); • it represents a masterpiece of human creativity (emphasis added); 	<p style="text-align: center;">Criterion of being of greatest importance for humanity under Article 10(a).</p> <p>The Mausoleum of Momina-khatun has been included on the Tentative List of the Republic of Azerbaijan of the UNESCO World Heritage List because it is considered to meet criteria <i>i. it represents a masterpiece of human creative genius; and iv. to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;</i> for the assessment of outstanding universal value of the 1972 World Heritage Convention.</p>

- it bears an **exceptional testimony to a cultural tradition or to a civilization** which is living or which has disappeared (emphasis added);
- it exhibits an **important interchange of human achievements**, over a span of time or within a cultural area of the world **on developments in arts and sciences** (emphasis added);
- it has a **central significance to the cultural identity of societies concerned** (emphasis added).”

Guidelines, para. 34

“Cultural property is considered to be unique if there is no other comparable cultural property that is of the same cultural significance. The **unique character may be deduced from a variety of indicative criteria including** (emphasis added):

- a. age;
- b. history;
- c. community;
- d. representativity;
- e. location;
- f. size and dimension;
- g. shape and design;
- h. purity and authenticity in style;
- i. integrity;
- j. context;
- k. artistic craftsmanship;
- l. aesthetic value;
- m. scientific value.”

Guidelines, para. 35

“The criterion of irretrievable loss for humanity is met if the **damage or destruction of the cultural property in question would result in the impoverishment of the cultural diversity or cultural heritage of humankind** (emphasis added).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that

<p>immovable cultural property inscribed on the World Heritage List satisfies the condition of greatest importance for humanity (emphasis added).”</p> <p>Guidelines, para. 37 “In the case of documentary heritage, the Committee will consider the fact that the cultural property is inscribed on UNESCO’s Memory of the World Register (emphasis added).”</p>	
<p>Implementation measures:</p> <p>Guidelines, para. 39:</p> <p>Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:</p> <ul style="list-style-type: none"> • the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol • due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and, • appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. 	<p>Information submitted on 6 August 2010 in response to the request by the Informal Meeting of the Bureau (17-18 June 2010):</p> <p>Decision 132 of the Cabinet of Ministers on immovable historical and cultural monuments (2 August 2001) and the Law on the Protection of Historical and Cultural Monuments (10 April 1998) were also submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.</p> <p>A mention was forwarded on 26 August 2010 that this monument is registered as number 16 in Decision 132.</p> <p>Submitted on 26 August 2010: A letter from the Ministry of Defense regarding planning and training measures, as well as the non-use of cultural property for military purposes or to shield military sites and a short description of proposed legislation (with no reference to criminal measures).</p> <p>These documents are available for reference.</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate</p>	<p>A list of the legal and administrative measures</p> <p>The Mausoleum of Momina-khatun is protected by the Decree numbered 132, <i>List of state protected immovable historic and cultural monuments on the</i></p>

<p>protection and maintenance of the cultural property.</p>	<p><i>territory of the Republic of Azerbaijan in accordance with their levels of importance</i>, of the Cabinet of Ministers of the Republic of Azerbaijan as of 2 August 2001.</p> <p>Decree number 132 means that the monument becomes subject to the Law on the Protection of Historical and Cultural Monuments (10 April 1998).</p>
<p>It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.</p>	<p style="text-align: center;">Detailed analysis</p> <p>The Law on the Protection of Historical and Cultural Monuments (10 April 1998) defines the inviolability, classification, levels of protection, registration and ownership of monuments and regulates archaeological research and research into architectural and other monuments. The law also governs the role of the National Academy of Sciences in the preservation, restoration and definition of levels of importance of monuments. Further provisions within the law relate to the protection of monuments during construction and engineering works within preserved areas and protection zones, to improvement and construction works aimed at monument protection, to their relocation, to their protection during armed conflict and to the protection of monuments discovered during construction works. It also outlines the duties and responsibilities of legal entities and juridical persons owning and utilising monuments, the potential punishments for breaking the law and the power of international legal acts in the protection of monuments.</p> <p>Inclusion on the list of protected monuments, and thus receiving protection from this law, is the highest level of legal protection that an immovable monument can receive in the Republic of Azerbaijan.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>....</p> <p>“Article 10 Enhanced protection:</p>	<p style="text-align: center;">Attached texts</p> <p>(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Please see above re Paragraph 58.</p>

<p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>The Mausoleum of Momina-khatun is a funerary monument and has no other use. Monument is open for visitors.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p style="text-align: center;">(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>Institution: Ministry of Culture and Tourism of the Republic of Azerbaijan, Cultural Heritage Department E-mail: mct@mct.gov.az Fax: +994 12 493 65 38</p>

	<p>Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism Telephone: +994 12 493 02 33</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p style="text-align: center;">Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p style="text-align: center;">Please see section 3.B.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures</p> <p style="text-align: center;">Please see section 3.C and paragraph 39, above.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached (please see Annex I for a sample declaration).</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>Signature by the Party’s competent authority</p>	<p style="text-align: center;">Name and Title</p> <p style="text-align: center;">Ms. Sevda Mammadaliyeva Deputy Minister of Culture and Tourism</p>

**The Committee for the Protection of Cultural Property in the Event of Armed Conflict
(UNESCO Headquarters, 22-24 November, 2010)**

Momina-khatun Turbasi (the Mausoleum of Momina-khatun)

1. **Thanking** Azerbaijan for submitting a request for enhanced protection for Momina-khatun Turbasi (the Mausoleum of Momina-khatun);
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 32-35, 39, 55, 58 and 59¹ of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Azerbaijan to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10 (a), (b) and (c) will be assessed.

¹ Note of the Secretariat: The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism; however, neither paragraph 59 nor any other part of the Guidelines provide for the nature of the competent authority to issue a non-military use declaration when submitting the requests for enhanced protection. As a consequence, the Committee may wish to consider this issue and take a decision as to the nature of the authority that may issue such a declaration.

**Enhanced Protection Request Form
Checklist for Completeness**

Sheki Khan Sarayi (The Palace of the Sheki Khan)

(Listed on the WHC Tentative List as Sheki, the Khan's Palace (submitted in 2001))

Republic of Azerbaijan

Missing information (the below items should be further developed):

Article 10(a) of the Second Protocol:

- Paragraphs 32-35 of the Guidelines: additional information may be requested regarding facts needed to further develop the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a) (i.e. exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity).

Article 10(b) of the Second Protocol (Paragraphs 39):

- Information regarding the preparation of inventories and the planning of emergency measures for the protection against fire or structural collapse.
- Additional information may be requested regarding due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

Paragraph 55 of the Guidelines: Clarification of boundary information (the same UTM coordinates were provided for the central point and the boundary of the property).

Article 10(b) of the Second Protocol (Paragraph 58): Additional information may be requested regarding facts needed to further develop the argument that the cultural property is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.

- A copy in English of Decree No. 594 of the Soviet of Ministers of the Azerbaijani Soviet Socialist Republic of 24 February 1967, awarding preserve status on the Yukhari Bash Historic Architectural Preserve, which contains the Palace of the Sheki Khan.

1. Party	Submission prepared by: Institution: Ministry of Culture and Tourism E-mail: am_sabina@mail.az Name: Ministry of Culture and Tourism Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism, office 325 Telephone: +994 12 493 02 33
2. Date of Submission	29.04.10 (additional information was provided on 6 and 26 August 2010)
3.A. Identification of the Cultural Property Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”	Immovable cultural property: UTM coordinates: 41 12 15 C, 47 11 51 B
Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).	and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000) A 1:50,000 scale map was provided on 26 August 2010 and is available for consultation.
Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”	Movable cultural property: Detailed descriptions and sufficient images N/A
Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.”	Immovable cultural property: Sheki, Republic of Azerbaijan
At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.	(Min.) Coordinates of the central point of each cultural property UTM coordinates: 41 12 15 C, 47 11 51 B
Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.	List of coordinates for boundaries of a wider property “N/A” (Information provided by submitting Party.)
In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be	Location of moveable property storage facility “N/A”

stored.”	
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p style="text-align: center;">State of Conservation; Appearance; History, Development</p> <p>The building known as The Palace of the Sheki Khan at present was built by Muhammadhasan khan in 1789-1790 and was called Muhammadhasan khan’s court – house.</p> <p>The building has undergone a series of restoration and repair work, in 1848-51, 1884-87, 1995-96, 1929, 1958 and in 1966. The most recent restoration works took place in 2002-2004.</p> <p>The wall paintings of the palace, which date to the 18th century, have been repeatedly repaired and the names of the decorators and masters were carved in different places within the building. The inscriptions state that some of them worked at the palace at the end of the 19th century. However, the name of the first decorator is not mentioned.</p> <p>Inscriptions on the images on the ceiling of the second floor contain the name of the master Abbasgulu but it is not clear when he worked here. It was determined that the master that repaired and reconstructed some of the paintings of the salon on the second floor at the end of the 19th century was Gambar. The name Mirza Jafar, the master who repaired the pictures of the salon on the first floor, was carved at the head of the entrance door.</p> <p>Essential reconstruction works under the supervision of the architect H.G. Rzayev were carried out in 1955-1956 and the building was returned to its initial appearance at this time.</p> <p>The Palace underwent an extensive programme of restoration, to both the interior and exterior, in 2002-2004, with the help of the International Development Association and the World Bank. It was reopened to visitors in November 2004.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p>The Palace of the Sheki Khan is 31.7 m in length, 8.5 m in width and 10 m high. It is a 2-storey building with 6 rooms, four corridors, two mirrored balconies and 4 entrances.</p>

The Palace was built of rock, river stone and brick and its facade is decorated with multi-coloured relief and other ornamentation. The windows and doors are of particular interest because they are made in the unique *shabaka* technique. This technique fits small pieces of glass into a wooden latticework frame, without nails or glue. At the Palace of the Sheki Khan the pieces of glass used are multi-coloured and arranged into geometric patterns. Every square metre of *shabaka* consists of an average 5000 pieces of glass. The wall decorations, patterns of the *shabaka* work, and carvings, etc., were created by highly skilled professionals.

The interior of the building is finely decorated with geometric patterns, vegetable ornaments, images of birds and animals and, unusually for Muslim artists, battle and hunting scenes. The ceilings and the walls of the rooms are also decorated with different colourful patterns, frescoes, and wooden panels. The paintings of each room have strong symbolic meaning. For example, the first floor rooms are decorated with vegetable ornaments, flowers, fruits, trees, and birds that symbolize the fruitfulness and noble origin of the owner and demonstrate the prosperity and might of the Khan.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”

Guidelines, para. 32

“While considering whether cultural property is of greatest importance for humanity, the Committee will evaluate, case by case, its **exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity** (emphasis added).”

Guidelines, para. 33

“Cultural property of national, regional or universal value may have exceptional cultural significance. This significance may be deduced from the **following indicative criteria** (emphasis added):

Criterion of being of greatest importance for humanity under Article 10(a).

The Palace of the Sheki Khan has been included on the Tentative List of the Republic of Azerbaijan of the UNESCO World Heritage List because it is considered to meet criteria *i. it represents a masterpiece of human creative genius; iv. to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history; and v. to be an outstanding example of traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change* for the assessment of outstanding universal value of the 1972 World Heritage Convention.

Secretariat note (from the Word Heritage Centre website): Sheki, the Khan's Palace was submitted to the Tentative List on 24/10/2001.

- it is an exceptional cultural property **bearing testimony to one or more periods of the development of humankind** at the national, regional or global level (emphasis added);
- it represents a **masterpiece** of human creativity (emphasis added);
- it bears an **exceptional testimony to a cultural tradition or to a civilization** which is living or which has disappeared (emphasis added);
- it exhibits an **important interchange of human achievements**, over a span of time or within a cultural area of the world **on developments in arts and sciences** (emphasis added);
- it has a **central significance to the cultural identity of societies concerned** (emphasis added).”

Guidelines, para. 34

“Cultural property is considered to be unique if there is no other comparable cultural property that is of the same cultural significance. The **unique character may be deduced from a variety of indicative criteria including** (emphasis added):

- a. age;
- b. history;
- c. community;
- d. representativity;
- e. location;
- f. size and dimension;
- g. shape and design;
- h. purity and authenticity in style;
- i. integrity;
- j. context;
- k. artistic craftsmanship;
- l. aesthetic value;
- m. scientific value.”

Guidelines, para. 35

“The criterion of irretrievable loss for humanity

is met if the **damage or destruction of the cultural property in question would result in the impoverishment of the cultural diversity or cultural heritage of humankind** (emphasis added).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the **World Heritage List** satisfies the condition of greatest importance for humanity (emphasis added).”

Guidelines, para. 37

“In the case of documentary heritage, the Committee will consider the fact that the cultural property is inscribed on **UNESCO’s Memory of the World Register** (emphasis added).”

Implementation measures:

Guidelines, para. 39:

Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:

- the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol
- due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and

Information submitted on 6 August 2010 in response to the request by the Informal Meeting of the Bureau (17-18 June 2010):

Decision 132 of the Cabinet of Ministers on immovable historical and cultural monuments (2 August 2001) and the **Law on the Protection of Historical and Cultural Monuments** (10 April 1998) were submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.

Submitted on 26 August 2010:

A letter from the Ministry of Defense regarding planning and training measures, as well as the non-use of cultural property for military purposes or to shield military sites and a short description of proposed legislation (with no reference to criminal measures).

These documents are available for reference.

<p>in accordance with, Chapter 4 of the Second Protocol.</p>	
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>The Palace of the Sheki Khan is being protected by the Decree numbered 132, <i>List of state protected immovable historic and cultural monuments on the territory of the Republic of Azerbaijan in accordance with their levels of importance</i>, of the Cabinet of Ministers of the Republic of Azerbaijan as of 2 August 2001.</p> <p>Decree number 132 means that the monument becomes subject to the Law on the Protection of Historical and Cultural Monuments (10 April 1998).</p> <p>Decree number 594 of the Soviet of Ministers of the Azerbaijani SSR (24 February 1967) awarded preserve status on the Yukhari Bash Historic Architectural Preserve, which contains the Palace of the Sheki Khan.</p>
<p>It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.</p>	<p>Detailed analysis</p> <p>The Law on the Protection of Historical and Cultural Monuments (10 April 1998) defines the inviolability, classification, levels of protection, registration and ownership of monuments and regulates archaeological research and research into architectural and other monuments. The law also governs the role of the National Academy of Sciences in the preservation, restoration and definition of levels of importance of monuments. Further provisions within the law relate to the protection of monuments during construction and engineering works within preserved areas and protection zones, to improvement and construction works aimed at monument protection, to their relocation, to their protection during armed conflict and to the protection of monuments discovered during construction works. It also outlines the duties and responsibilities of legal entities and juridical persons owning and utilizing monuments, the potential punishments for breaking the law and the power of international legal acts in the protection of monuments.</p> <p>Inclusion on the list of protected monuments and thus receiving protection from this law is the highest level of legal protection that immovable monument can receive in the Republic of Azerbaijan.</p>

	<p>The Palace of the Sheki Khan is located within Yukhari Bash Historic Architectural Preserve which means that it receives the special protection as area of cultural significance.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>....</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts</p> <p>(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Information submitted on 6 August 2010 in response to the request by the Informal Meeting of the Bureau (17-18 June 2010):</p> <p>Decision 132 of the Cabinet of Ministers on immoveable historical and cultural monuments (2 August 2001) and the Law on the Protection of Historical and Cultural Monuments (10 April 1998) were submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.</p> <p>Submitted on 26 August 2010: A letter from the Ministry of Defense regarding planning and training measures, as well as the non-use of cultural property for military purposes or to shield military sites and a short description of proposed legislation (with no reference to criminal measures).</p> <p>These measures are available for consultation.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>The Palace of the Sheki Khan functions as a museum.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p>

<p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>The Palace of the Sheki Khan is used as a museum and there are no military installations or military units stationed within this protected area.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p>Contact information of responsible authorities</p> <p>Institution: Ministry of Culture and Tourism of the Republic of Azerbaijan, Cultural Heritage Department E-mail: mct@mct.gov.az Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism Telephone: +994 12 493 02 33</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p>Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>Please see 3.B., above.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures (Criterion as described under 3.C., above.)</p> <p>Please see 3.C., above.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>

<p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Ms. Sevda Mammadaliyeva Deputy Minister of Culture and Tourism</p>

**The Committee for the Protection of Cultural Property in the Event of Armed Conflict
(UNESCO Headquarters, 22-24 November, 2010)**

Sheki Khan Sarayi (The Palace of the Sheki Khan) (Azerbaijan)

1. **Thanking** Azerbaijan for submitting a request for enhanced protection for Sheki Khan Sarayi (The Palace of the Sheki Khan);
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 32-35, 39, 55, 58 and 59¹ of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Azerbaijan to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10 (a), (b) and (c) will be assessed.

¹ Note of the Secretariat: The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism; however, neither paragraph 59 nor any other part of the Guidelines provide for the nature of the competent authority to issue a non-military use declaration when submitting the requests for enhanced protection. As a consequence, the Committee may wish to consider this issue and take a decision as to the nature of the authority that may issue such a declaration.

**Enhanced Protection Request Form
Checklist for Completeness**

The Mausoleum of Yusuf ibn Kuseyir (Yusuf son of Kuseyir)

Azerbaijan

Missing information (the below items should be further developed):

Article 10(a) of the Second Protocol:

- Paragraphs 32-35 of the Guidelines: additional information may be requested regarding facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a) (i.e. exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity).

- The present state of conservation; its appearance, and development.

Article 10(b) of the Second Protocol (Paragraph 39):

- Information regarding the preparation of inventories and the planning of emergency measures for the protection against fire or structural collapse.

- Additional information may be requested regarding due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs

- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

Paragraph 55 of the Guidelines: Clarification of boundary information (the same coordinates were provided for the center point and boundary of the property).

Article 10(b) of the Second Protocol (Paragraph 58): Additional information may be requested regarding facts needed to further develop the argument that the cultural property is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.

<p>1. Party</p>	<p>Submission prepared by:</p> <p>Institution: Ministry of Culture and Tourism E-mail: am_sabina@mail.az Name: Ministry of Culture and Tourism Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism, office 325 Telephone: +994 12 493 02 33</p>
<p>2. Date of Submission</p>	<p>29.04.10 (additional information provided on 6 and 26 August 2010)</p>
<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p>Immovable cultural property: Defined boundaries</p> <p>Nakhchivan, Nakhchivan Autonomous Republic of Azerbaijan.</p> <p>One photo of the exterior and an architectural map of the structure (without any numerical indications) are included and are available for reference.</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p>and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>A 1:50,000 scale map was provided on 26 August 2010 and is available for consultation.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>The geographical location of the cultural property is the same for all cases and is equal to 39°12min7sec N 45°24 min 49 sec E. (provided on 26 August 2010).</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>UTM 4339261 535737 38S (provided on 31 August 2010)</p>

<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p>List of coordinates for boundaries of a wider property</p> <p>UTM 4339261 535737 38S (provided on 31 August 2010)</p>
<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p>Location of moveable property storage facility</p> <p>N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57</p> <p>“The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p>State of Conservation; Appearance; History, Development</p> <p>The Mausoleum of Yusuf ibn Kuseyir was built in 1162 by the architect Ajami. Yusuf ibn Kuseyir was the head of sheikhs (sheikh means leader, ruler) of that time in Nakhchivan. Ajami was the founder of the influential Nakhchivani architectural school.</p> <p>The Mausoleum underwent some restoration work in 1950s.</p> <p>Information provided on 6 August 2010 after the Informal Meeting of the Bureau (17-18 June 2010):</p> <p>The Mausoleum of Yusuf ibn Kuseyir is octagonal plan, with a tall octagonal hipped roof. It is built of fired brick and clad with stone. Each of the eight facets of the mausoleum drum is decorated with different geometric patterns. A terracotta frieze containing a Kufi inscription of verses of the Koran runs along the top of the monument. The entrance to the mausoleum is in the west and above it is an inscription naming its owner and the construction date. The name of the architect is inscribed to the left of the entrance. The interior of the monument is divided into a crypt and an upper chamber and is very simply decorated. The mausoleum underwent some restoration work in the 1950s.</p> <p>European researchers visited Nakhchivan many times during the last centuries and were admired by its antiquities. In 1672 French traveler Sharden, in 1821 English traveler Ker-Poter and in 1834 French traveler Dubua de Monper and others noted that they saw an ancient and rich city with beautiful ancient monuments. Among this magnificence of historical monuments only two</p>

architectural creations of outstanding Azerbaijani architect Adjami ibn Abu Bekr Nakhchivani, built in the last of 12-th century have reached us.

Due to the efforts of Nakhchivani rulers of the 12-th century, many majestic regal constructions were built there.

A new direction in the architectural style, later named by art historians the Nakhchivani architectural school, started developing in Nakhchivan. One of the brilliant representatives of this school was Ajemi Aby Bekr, who built a row of extraordinary outstanding constructions.

Talking about the mausoleum of Yusuf ibn Kuseyir, erected in 1162 and famous among the people with Gumbez Atababa name, it should be mentioned that it was built for some high-ranking official in the administration of Ildigezids dynasty and the inscription on the mausoleum is telling us about this. This brick building is entirely covered by ornaments.

Being a tomb and carrying always only this function, the mausoleum has reached us practically without any architectural changes and is functioning as a museum in a good condition.

This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.

Description

The Mausoleum of Yusuf ibn Kuseyir has the same sharp, interior and exterior, as the medieval architect gave it. It has been always a tomb and no human or natural intervention have influenced its appearance and architecture.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”

Criterion of being of greatest importance for humanity under Article 10(a).

Guidelines, para. 32

“While considering whether cultural property is of greatest importance for humanity, the Committee will evaluate, case by case, its **exceptional cultural significance, and/or its uniqueness, and/or if its destruction would**

The Mausoleum of Yusuf ibn Kuseyir has been included to the Tentative List of the Republic of Azerbaijan of the UNESCO World Heritage List because it is considered to meet criteria *i. it represents a masterpiece of human creative genius; and iv. to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;* for the assessment of outstanding universal value of the 1972 World Heritage Convention.

lead to irretrievable loss for humanity
(emphasis added).”

Guidelines, para. 33

“Cultural property of national, regional or universal value may have exceptional cultural significance. This significance may be deduced from the **following indicative criteria** (emphasis added):

- it is an exceptional cultural property **bearing testimony to one or more periods of the development of humankind** at the national, regional or global level (emphasis added);
- it represents a **masterpiece** of human creativity (emphasis added);
- it bears an **exceptional testimony to a cultural tradition or to a civilization** which is living or which has disappeared (emphasis added);
- it exhibits an **important interchange of human achievements**, over a span of time or within a cultural area of the world **on developments in arts and sciences** (emphasis added);
- it has a **central significance to the cultural identity of societies concerned** (emphasis added).”

Guidelines, para. 34

“Cultural property is considered to be unique if there is no other comparable cultural property that is of the same cultural significance. The **unique character may be deduced from a variety of indicative criteria including** (emphasis added):

- a. age;
- b. history;
- c. community;
- d. representativity;
- e. location;
- f. size and dimension;

This monument is one of two architectural masterpieces of prominent architect of medieval Azerbaijan, Ajemi ibn Abu Bekr, which have reached us since 12-th century. It is of a greatest importance for Azerbaijan and particularly for Nakhchivan, because it is a perfect architectural example of all traditions and unique techniques, used in Nakhchivani architectural school, which definitely has influenced to the architectural development of this area and become one of architectural pearls of Azerbaijan.

- g. shape and design;
- h. purity and authenticity in style;
- i. integrity;
- j. context;
- k. artistic craftsmanship;
- l. aesthetic value;
- m. scientific value.”

Guidelines, para. 35

“The criterion of irretrievable loss for humanity is met if the **damage or destruction of the cultural property in question would result in the impoverishment of the cultural diversity or cultural heritage of humankind** (emphasis added).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the **World Heritage List** satisfies the condition of greatest importance for humanity (emphasis added).”

Guidelines, para. 37

“In the case of documentary heritage, the Committee will consider the fact that the cultural property is inscribed on **UNESCO’s Memory of the World Register** (emphasis added).”

Implementation measures:

Guidelines, para. 39:

Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:

- the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol

Information provided on 6 August 2010 after the Informal Meeting of the Bureau (17-18 June 2010):

Decision 132 of the Cabinet of Ministers on immovable historical and cultural monuments (2 August 2001) and the **Law on the Protection of Historical and Cultural Monuments** (10 April 1998) were submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.

Provided on 26 August 2010:

A letter from the Ministry of Defense regarding planning and training measures, as well as the non-use of cultural property for military purposes or to shield

<ul style="list-style-type: none"> • due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and, • appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. 	<p>military sites and a short description of proposed legislation (with no reference to criminal measures).</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>The Mausoleum of Yusif ibn Kuseyir is being protected by the Decree numbered 132, <i>List of state protected immovable historic and cultural monuments on the territory of the Republic of Azerbaijan in accordance with their levels of importance</i>, of the Cabinet of Ministers of the Republic of Azerbaijan as of 2 August 2001.</p> <p>Decree number 132 means that the monument becomes subject to the Law on the Protection of Historical and Cultural Monuments (10 April 1998).</p> <p>Information provided on 6 August 2010 after the Informal Meeting of the Bureau (17-18 June 2010):</p> <p>Decision 132 of the Cabinet of Ministers on immovable historical and cultural monuments (2 August 2001) and the Law on the Protection of Historical and Cultural Monuments (10 April 1998) were submitted, but without a particular reference to this property. The unofficial translation of the Decision into English was provided, and the Law was provided in Russian and unofficially translated into English by the Secretariat.</p> <p>Received on 26 August 2010:</p> <p>Letter from the Ministry of Defense regarding planning and training measures, as well as partial information related to protection of the property and proposed legislation.</p> <p>These measures are available for reference.</p>

<p>It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.</p>	<p style="text-align: center;">Detailed analysis</p> <p>The Law on the Preservation of Historical and Cultural Monuments (10 April 1998) defines the inviolability, classification, levels of protection, registration and ownership of monuments and regulates archaeological research and research into architectural and other monuments. The law also governs the role of the National Academy of Sciences in the preservation, restoration and definition of levels of importance of monuments. Further provisions within the law relate to the protection of monuments during construction and engineering works within preserved areas and protection zones, to improvement and construction works aimed at monument protection, to their relocation, to their protection during armed conflict and to the protection of monuments discovered during construction works. It also outlines the duties and responsibilities of legal entities and juridical persons owning and utilising monuments, the potential punishments for breaking the law and the power of international legal acts in the protection of monuments.</p> <p>Inclusion on the list of protected monuments and thus receiving protection from this law is the highest level of legal protection that immovable monument can receive in the Republic of Azerbaijan.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>....</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts</p> <p>(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Please see above for details. The texts provided are available for reference.</p>

<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>The Mausoleum of Yusif ibn Kuseyir is a funerary monument and has no other use. Monument is open for visitors.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>Institution: Ministry of Culture and Tourism of the Republic of Azerbaijan, Cultural Heritage Department E-mail: mct@mct.gov.az Fax: +994 12 493 65 38 Address: AZ 1000, Baku – House of Government, Ministry of Culture and Tourism Telephone: +994 12 493 02 33</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p style="text-align: center;">Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p style="text-align: center;">Please see section 3.B.</p>

<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p style="text-align: center;">Adequate domestic legal and administrative measures</p> <p style="text-align: center;">Please see section 3.C.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Article 10(c) of the Second Protocol:</p> <p style="text-align: center;">A copy of the non-military use declaration certifying such situation is attached.</p> <p>The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism.</p>
<p>Signature by the Party’s competent authority</p>	<p style="text-align: center;">Name and Title</p> <p style="text-align: center;">Ms. Sevda Mammadaliyeva Deputy Minister of Culture and Tourism</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

The Mausoleum of Yusuf ibn Kuseyir (Yusuf son of Kuseyir)

1. **Thanking** Azerbaijan for submitting a request for enhanced protection for The Mausoleum of Yusuf ibn Kuseyir (Yusuf son of Kuseyir);
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 32-35, 39, 55, 58 and 59¹ of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Azerbaijan to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10 (a), (b) and (c) will be assessed.

¹ Note of the Secretariat: The non-military use declaration was signed by a representative of the Ministry of Culture and Tourism; however, neither paragraph 59 nor any other part of the Guidelines provide for the nature of the competent authority to issue a non-military use declaration when submitting the requests for enhanced protection. As a consequence, the Committee may wish to consider this issue and take a decision as to the nature of the authority that may issue such a declaration.

**Enhanced Protection Request Form
Checklist for Completeness**

The Secretariat submits that all requested information has been received and proposes to the Committee that the file is complete.

Choirokoitia¹

World Heritage Site (1998)

The Republic of Cyprus

1. Party	Submission prepared by: Institution: Department of Antiquities, Ministry of Communication and Works Name: Dr. Maria Hadjicosti, Director Department of Antiquities E-mail: antiquitiesdept@da.mcw.gov.cy Fax: +00357 22303148 Address: 1 Museum Street, 1516 Nicosia, Cyprus Telephone: +357 22865800/1
2. Date of Submission	10/5/2010 (after communicating with the Secretariat prior to 30 April 2010; further information was provided on 14 July and 26 August 2010.)
3.A. Identification of the Cultural Property Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”	Immovable cultural property: Defined boundaries Choirokoitia Village, District of Larnaka
Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).	and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000) Maps and Photos are available for reference.

¹ Originally spelt Khirokitia but changed to Choirokoitia in accordance with standardised principles submitted to the Fifth Conference of the United Nations for the Standardisation of the Geographic names (Montreal – Canada, August 1987) and as published in M. Christodoulou and K.Konstantinides *A Complete Gazetteer of Cyprus*, Vol. I. Nicosia 1987.

<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>Choirokoitia Village, District of Larnaka</p> <p>Movable cultural property: Geographical location of shelter or storage facility</p> <p>N/A</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>34° 47’ 9" N (Central Point, Latitude) 33°20’ 6" E (Central Point, Longitude)</p> <ul style="list-style-type: none"> Matches the coordinates of Choirokoitia in its WH Nomination Document. <p>Further UTM coordinates were provided on 26 August 2010 and are available for reference.</p>
<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p>List of coordinates for boundaries of a wider property</p> <p>Maps and Photos were provided and are available for reference.</p> <p>The boundaries of Choirokoitia also are defined in an Excel document that is available for reference.</p>
<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p>Location of moveable property storage facility</p> <p>N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural</p>	<p>State of Conservation; Appearance, History, and Development</p> <p>All information is described in detail in the request and is available for reference.</p>

<p>property, as well as its history and development.</p>	
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p>All information is described in detail in the request and is available for reference.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”</p> <p>Guidelines, para. 36 “It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the World Heritage List satisfies the condition of greatest importance for humanity (emphasis added).”</p>	<p style="text-align: center;">Criterion of being of greatest importance for humanity under Article 10(a).</p> <p>The World Heritage Committee inscribed Choïrokoitia on the World Heritage List in 1998 on the basis of criteria (ii), (iii) and (iv) as below:</p> <p>Criterion (ii): In the prehistoric period, Cyprus played a key role in the transmission of culture from the Near East to the European world.</p> <p>Criterion (iii): Choïrokoitia is an exceptionally well preserved archaeological site that has provided, and will continue to provide, scientific data of great importance relating to the spread of civilization from Asia to the Mediterranean world.</p> <p>Criterion (iv): Both the excavated remains and the untouched part of Choïrokoitia demonstrate clearly the origins of proto-urban settlement in the Mediterranean region and beyond.</p>
<p>Implementation measures:</p> <p>Guidelines, para. 39:</p> <p>Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:</p> <ul style="list-style-type: none"> • the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol 	<p>Information received on 14 July 2010 following the Informal Meeting of the Bureau (17-18 June 2010):</p> <p><u>General description of the inventory</u></p> <p>The Department of Antiquities’ inventories at present are to be found mostly in hard copy and consist of the following:</p> <p><u>Declared Ancient Monuments’ Catalogue</u></p> <p>This is a catalogue in electronic form where data such as the following are recorded:</p> <ul style="list-style-type: none"> • Location of the Ancient Monuments Information such as the location of an Ancient Monument, i.e. the administrative district and the

- due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

village/community/town, is recorded.

- **Declaration name**

The official name of the monument as it is stated in the Cyprus Government Gazette is recorded, which also provides a brief description of the monument itself.

- **Ownership status of the Ancient Monuments**

It is recorded as to whether a declared Ancient Monument belongs to the First or the Second Schedule, as per the Antiquities Law, i.e. whether it is the property of the Government or of private ownership.

Administrative files

Each monument has its own administrative file where information concerning its management, findings and research results, restoration works and all relevant correspondence is kept.

Map archive

The map archive consists of printed cadastral maps, where the exact location and extent of each monument is recorded, together with information concerning its declaration and its legal status, i.e. the declaration name, Cyprus Government Gazette number, declaration date and notice number, as well as its ownership status.

Drawings archive

In the drawings archive detailed plans and sections of each monument depicting its original/present state are kept. The archive consists of both manually drawn plans, as well as plans in electronic form, mostly in AutoCAD.

Photographic archive

The photographic archive has full photographic records concerning each monument, archived by date, beginning as early as 1932. In the photographic archive general and detailed photographs, as well as photographs of restoration or excavation works conducted, are kept. The archive consists of both negatives and digital photographs, while the full digitisation of the entire archive is under way.

Furthermore and as mentioned in the national report, the Department of Antiquities is in the process of digitising and integrating its various archives. A digitisation programme funded by the EEA is currently under way and is expected to finish within 2011.

The programme provides for the designing of a database where information concerning Ancient Monuments will be recorded. The data in brief consist of the declaration names, detailed descriptions of the monuments, their location, their manufacturing methods, their physical condition and present state, a description of their setting, associated persons/events, their protection and legal status, and their thorough documentation including bibliographical references, administrative files, photos and drawings.

A GIS system will be connected to the database and the Department of Lands and Surveys will provide the digital cadastral maps for the digitisation of the Ancient Monuments. A website will also be designed providing public access to the GIS application and the database. At present more than 400 monuments have been recorded.

Copy of texts concerning fire protection

The processes followed concerning fire protection measures for archaeological sites and monuments are conducted on a case by case basis, depending on the needs and nature of the sites. A number of on site visits have been conducted with the Fire Brigade, where appropriate measures to be taken have been pointed out and have been arranged on an oral basis, prior to submitting the complete implementation plans concerning fire safety. Therefore, for a substantial number of such cases no texts are available.

Further to this, **correspondence exchanged** Further to this, **correspondence exchanged between the Fire Brigade and the Department of Antiquities, which refers to some of the sites and measures concerned was included and is available** for reference.

- Letters in English were provided on 26 August 2010.

- Fire plans establishing fire protection were provided in English on 26 August 2010.

A letter from the Ministry of Defence explaining how the military integrates the proposed sites (i.e. World Heritage sites) into their planning and training programmes was provided on **26 August 2010**.

3.C. Protection of the Cultural Property

Guidelines, para. 58.

“The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.

A list of the legal and administrative measures

Provisions of the Antiquities Law were provided and are available for reference.

The national legislation requires written authorization from the competent authority, i.e. the Department of Antiquities, Ministry of Communications and Works, before any intervention may take place. Severe penalties are prescribed for breaches of the legislation.

The site is owned by the Government of Cyprus, having been acquired in accordance with the provisions of the Antiquities Law of 1935. Furthermore, the Law provides, under Section II article 11, for the establishment of the so-called “controlled areas” in the vicinity around the site. Such a controlled area has been declared for the site of Choirokoitia. Under these circumstances all development projects within, or in close proximity of the area are under strict government control. In addition, a buffer zone has been created with the expropriation of specific land plots adjacent to the site.

The site is protected under the provisions of the UNESCO World Heritage Convention.

In 2009, the Department of Antiquities notified the UNESCO World Heritage Centre that an application had been received for the construction of a petrol station within full view of the site of Choirokoitia. The proposed petrol station would be a replacement for an existing facility, which lies within the legally protected area. The relevant planning authority, Larnaka Town Planning Department, had refused permission for the development proposed originally, following the advice of the Department of Antiquities. Following a modified application for the proposed development, the Department of Antiquities requested that an ICOMOS mission be sent, as a matter of urgency, to Cyprus to examine the site and issues.

The mission after examination of the proposal, concluded that, before submitting a firm proposal, the applicant should resolve a number of issues as stated in the report. If these conditions are fulfilled to the satisfaction of the Department of Antiquities, the mission concluded that the outstanding universal value of the World Heritage Site would not be impaired.

The matter is now handled as per the recommendations of the mission, and written verification is awaited by the owner of the proposed development project, as to his compliance with the terms stated. The Department of Antiquities will not allow the development unless the ICOMOS recommendations are met.

It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.

Detailed analysis

Declared Ancient Monuments

The site is a Declared Monument of the First Schedule and it is therefore owned by the Government of Cyprus, having been acquired in accordance with the provisions of the Antiquities Law of 1935, Cap. 31.

The Department of Antiquities has since proceeded with the enlargement of the protected area of the site, by declaring an area adjacent as Ancient Monument of the Second Schedule, according to the provisions of section 6 of the Antiquities Law, in the Cyprus Government Gazette as follows:

- K.Δ.Π. 205/77, “The site and remains of the ancient settlement at the location “*Vouni*”, within private property”

Controlled area

The Antiquities Law provides, under Section II article 11, for the establishment of the so-called “Controlled Areas” within the vicinity around the sites. Under these circumstances all development projects within, or in close proximity of the areas are under strict governmental control. According to the provisions of the specific section of the Antiquities Law, the Director of the Department controls the height and architectural style of any building proposed for erection within the controlled area, in order to safeguard the historic, the archaeological character, the amenities and the

	<p>environment surrounding an Ancient Monument.</p> <p>Such a controlled area has been declared in the Cyprus Government Gazette for Choirokoitia.</p> <p>Other detailed information is included in the request and is available for reference.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts</p> <p style="text-align: center;">(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Provisions of the Antiquities Law are available for reference. Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above. The documents submitted are available for reference.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>“The site of Choirokoitia is open to the public, providing visitor facilities such as a visitor centre, including the ticket office and the area with the reconstruction of five habitation units, part of the defensive wall and the entrance to the Neolithic village.</p> <p>Scientific research also continues on site, with the continuation of the archaeological excavations under the direction of Dr. Alain Le Brun from the French Centre National de la Recherche Scientifique (C.N.R.S.) as is the study of the material.”</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request</p>	<p style="text-align: center;">Attached Declaration</p> <p>The non-military use declaration signed by a representative of the Ministry of Defence was attached</p>

<p>(emphasis added).</p>	<p>to the request.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The non-military use declaration signed by a representative of the Ministry of Defence was attached to the request.</p> <p>The cultural property is not and will not be used for military purposes, as declared by the Ministry of Defence of the Republic of Cyprus in the abovementioned declaration. The site of Chirokoitia is not included in the operational planning of the National Guard and therefore will not be used for military purposes.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60.</p> <p>Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>The responsible authority for the cultural property is the Department of Antiquities of the Ministry of Communications and Works, headed by its Director Dr. Maria Hadjicosti. Other contact information is included in the request.</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p style="text-align: center;">Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>Please see 3.B., above.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p style="text-align: center;">Adequate domestic legal and administrative measures (3.C.)</p> <p>Provisions of the Antiquities Law are available for reference. Provisions of the Antiquities Law are available for reference. Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above. The documents submitted are available for reference.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p>	<p style="text-align: center;">Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p>

<p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>The non-military use declaration signed by a representative of the Ministry of Defence was attached to the request.</p>
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Mr Michael Constantinides Permanent Secretary Ministry of Communication and Works</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Choirokoitia (Republic of Cyprus)

1. **Referring** to Articles 10 and 11 of the Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, as well as to parts III.A and III.B of the Guidelines for the Implementation of the Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;
2. **Thanking** the Republic of Cyprus for submitting a request for enhanced protection for Choirokoitia;
3. **Having considered** the request for Enhanced Protection for Choirokoitia;
4. **Having reached** the conclusion that Choirokoitia complies with all three conditions of Article 10 of the Second Protocol, and **Referring** to the summary of the relevant information contained in the attached Checklist for Completeness;
5. **Decides** at its Fifth Meeting to grant enhanced protection to Choirokoitia;
6. **Adopts** the following Statement of Inclusion of the said property on the List of Cultural Property under Enhanced Protection:

The site of Choirokoitia complies with the three conditions of Article 10 of the Second Protocol in the following ways:

- By virtue of its inscription on the World Heritage List on the basis of criteria (ii), (iii) and (iv), and in light of paragraph 36 of the Guidelines for the Implementation of the Second Protocol to the Hague Convention, Choirokoitia is deemed to comply with the condition of the highest importance for humanity;
- By being protected by the relevant provisions of the 1935 Cypriot Antiquities Law, and particularly in virtue of the provisions on the so-called “Controlled Areas” related to the close governmental supervision of all development projects either in or within close proximity to those areas; the exemption of the site of Choirokoitia from the operational planning of the National Guard; having a detailed inventory and adequate fire protection plans; and being included in military planning and training programmes, Choirokoitia complies with the condition of being protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring its highest level of protection; and
- By certification of the Ministry of Defence of the Republic of Cyprus that it is not and will not be used for military purposes or to shield military sites.

7. ***Informs*** hereby the Director-General of the granting of enhanced protection to Choirokoitia.

**Enhanced Protection Request Form
Checklist for Completeness**

The Secretariat submits that all requested information has been received and proposes to the Committee that the file is complete.

Painted Churches in the Troodos Region

World Heritage Site (1985; the tenth church was added in 2001)

The Republic of Cyprus

<p>1. Party</p>	<p>Submission prepared by:</p> <p>Institution: Department of Antiquities, Ministry of Communication and Works Name: Dr. Maria Hadjicosti, Director Department of Antiquities E-mail: antiquitiesdept@da.mcw.gov.cy Fax: +00357 22303148 Address: 1 Museum Street, 1516 Nicosia, Cyprus Telephone: +357 22865800/1</p>
<p>2. Date of Submission</p>	<p style="text-align: center;">10/5/2010 (after communicating with the Secretariat prior to 30 April 2010; further information was provided on 14 July and 26 August 2010.)</p>
<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p style="text-align: center;">Immovable cultural property: Defined boundaries</p> <p>Nicosia District, Limassol District, Troodos region.</p> <p>The site includes the following 10 churches:</p> <ol style="list-style-type: none"> 1. Ayios Nikolaos (St. Nicholas) tis Stegis, Kakopetria. 2. Ayios Ioannis (St. John) Lambadhistis Monastery, Kalopanayiotis. 3. Panayia (The Virgin) Phorviotissa (Asinou), Nikitari. 4. Panayia (The Virgin) tou Arakou, Lagoudhera. 5. Panayia (The Virgin), Moutoullas. 6. Archangelos Michael (Archangel Michael), Pedhoulas.

	<p>7. Timios Stavros (Holy Cross), Pelendria. 8. Panayia (The Virgin) Podhithou, Galata. 9. Stavros (Holy Cross) Ayiasmati, Platanistasa. 10. Church of Ayia Sotira (Transfiguration of the Savior), Palaichori</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p>and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000) Maps (in scales 1:5000 and 1:50000) and photos were included and are available for reference.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property Nicosia District, Limassol District, Troodos region <u>Cyprus, Nicosia District, Troodos region</u></p> <ol style="list-style-type: none"> 1. Church of Ayios Nikolaos tis Stegis, Kakopetria. (The church lies south of the village of Kakopetria in a wooden valley and on the banks of the Karkotis river) 2. Monastery of Ayios Ioannis Lambadhistis, Kalopanayiotis (The monastery lies in a wooden area on the outskirts of the village of Kalopanayiotis on the east side of the stream Setrachos) 3. Church of Panayia Phorviotissa (Asinou), Nikitari (The church lies south of the village of Nikitari in the pine covered foothills of the Troodos Mountain range) 4. Church of Panayia tou Arakos, Lagoudhera (The church lies north of the village of Lagoudhera in a wooden area at the foothills of the Troodos Mountain range) 5. Church of Panayia, Moutoullas (The church lies in a built area in the village of Moutoullas)

6. Church of Archangelos Michael, Pedhoulas
(The church lies in a built area in the village of Pedhoulas)

8. Church of Panayia Podhithou, Galata
(The church lies just outside the village of Galata, in a small fertile valley on the banks of the Karkotis river)

9. Church of Stavros Ayiasmati, Platanistasa
(The church lies in a remote fold of the hills to the north-west of the village of Platanistasa)

10. Church of Ayia Sotira (Transfiguration of the Savior), Palaichori
(The church lies in a built area in the eastern section of the village of Palaichori)

Cyprus, Limassol District, Troodos region

7. Church of Timios Stavros, Pelendria
(The church lies in a wooden area to the south outskirts of the village of Pelendri)

Movable cultural property:
Geographical location of shelter or storage facility

N/A

At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.

(Min.) Coordinates of the central point of each cultural property

- Church of Ayios Nikolaos tis Stegis, Kakopetria
N34 58 42 E32 53 23
- Monastery of Ayios Ioannis Lambadhistis, Kalopanayiotis
N34 59 36 E32 49 50
- Church of Panayia Phorviotissa (Asinou), Nikitari
N35 02 50 E32 58 25
- Church of Panayia tou Arakos, Lagouthera
N34 58 00 E33 00 27
- Church of Panayia, Moutoullas
N34 59 02 E32 49 28
- Church of Archangelos Michael, Pedhoulas
N34 58 07 E32 49 53
- Church of Timios Stavros, Pelendria
N34 53 39 E32 58 00
- Church of Panayia Podhithou, Galata
N35 00 17 E32 53 49
- Church of Stavros Ayiasmati, Platanistasa
N34 58 48 E33 02 50

	<ul style="list-style-type: none"> • Church of Ayia Sotira (Transfiguration of the Savior), Palaichori N34 55 12.8 E33 05 44.9 <p>UTM coordinates were provided on 26 August 2010 and are available for reference.</p>
Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.	<p style="text-align: center;">List of coordinates for boundaries of a wider property</p> <p>The coordinates indicating the course of the property boundary of each of the churches included in the site are found in an Excel document that is available for reference.</p>
In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”	<p style="text-align: center;">Location of moveable property storage facility</p> <p style="text-align: center;">N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p>State of Conservation; Appearance; History, and Development</p> <p>The ten churches in the Troodos Region are in a very good state of preservation. Most of the restoration and conservation work was completed before the inscription of the site in the WHL of UNESCO in 1985. Most of the conservation work was undertaken by the Department of Antiquities.</p> <p>In addition, from 1965 to 1966 a Dumbarton Oaks expedition undertook the cleaning and preservation of the wall-paintings of the church of Panayia Phorviotissa (Asinou) in Nikitari and between 1968 and 1973, with the assistance of the Department of Antiquities, the cleaning and conservation of the wall-paintings of Panayia tou Arakou in Lagoudhera. Since then the Department of Antiquities carries out each year conservation works to maintain the good state of the preservation of the buildings, their wall-paintings and wooden furniture as well as their surroundings areas.</p>
This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.	<p style="text-align: center;">Description</p> <p>This information was provided in the request and is available for reference.</p>
The information provides the facts needed to	Criterion of being of greatest importance for

<p>support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”</p> <p>Guidelines, para. 32</p> <p>“While considering whether cultural property is of greatest importance for humanity, the Committee will evaluate, case by case, its exceptional cultural significance, and/or its uniqueness, and/or if its destruction would lead to irretrievable loss for humanity (emphasis added).”</p> <p>...</p> <p>Guidelines, para. 36</p> <p>“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the World Heritage List satisfies the condition of greatest importance for humanity (emphasis added).”</p>	<p style="text-align: center;">humanity under Article 10(a).</p> <p>The site of the Painted Churches of the Troodos Region was inscribed in the World Heritage List in 1985 including nine of the ten churches. The site was extended in 2001 to include a tenth church as numbered above.</p> <p>The World Heritage Committee inscribed the site on the World Heritage List on the basis of criteria (ii), (iii) and (iv) as below:</p> <p>Criterion (ii): Although the existence of any direct influence cannot be confirmed, there existed, during the 12th century, very close relationships between painting in Cyprus and Western Christian art (stylistic relationships in the case of Nikitari paintings; iconographical relationships in the case of the paintings of Lagoudera). Thus, there do exist some answers to the very complex question of ties between the two Christianities. These answers take the form of Cypriot monuments which precede the constitution of the Frankish Lusignan Kingdom which was a fundamental link in the chain of East-West artistic exchanges.</p> <p>Criterion (iii): The paintings of the region of Troodos bear an outstanding testimony to the Byzantine civilization at the time of the Comnenes, thanks to the Nikitari and Lagoudera ensembles. It should be noted that the former, where the name Alexis Comnene is mentioned in a dedication, was probably executed by artists from Constantinople and the latter was painted at the very time of the fall of Isaac Comnene and the sale of Cyprus to Guy de Lusignan.</p> <p>Criterion (iv): The churches of the region of Troodos are a well conserved example of rural religious architecture during the Byzantine period. The refinement of their décor provides a contrast with their simplicity of structure. The latest post-Byzantine painters alone, with their “rustic” style, are at times in harmony with this vernacular architecture.</p>
<p>Implementation measures:</p> <p>Guidelines, para. 39:</p> <p>Such measures ensure that the cultural property is protected adequately against any kind of</p>	<p>Information received on 14 July 2010 following the Informal Meeting of the Bureau (17-18 June 2010):</p> <p><u>General description of the inventory</u></p>

negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:

- the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol
- due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

The Department of Antiquities' inventories at present are to be found mostly in hard copy and consist of the following:

Declared Ancient Monuments' Catalogue

This is a catalogue in electronic form where data such as the following are recorded:

- **Location of the Ancient Monuments**

Information such as the location of an Ancient Monument, i.e. the administrative district and the village/community/town, is recorded.

- **Declaration name**

The official name of the monument as it is stated in the Cyprus Government Gazette is recorded, which also provides a brief description of the monument itself.

- **Ownership status of the Ancient Monuments**

It is recorded as to whether a declared Ancient Monument belongs to the First or the Second Schedule, as per the Antiquities Law, i.e. whether it is the property of the Government or of private ownership.

Administrative files

Each monument has its own administrative file where information concerning its management, findings and research results, restoration works and all relevant correspondence is kept.

Map archive

The map archive consists of printed cadastral maps, where the exact location and extent of each monument is recorded, together with information concerning its declaration and its legal status, i.e. the declaration name, Cyprus Government Gazette number, declaration date and notice number, as well as its ownership status.

Drawings archive

In the drawings archive detailed plans and sections of each monument depicting its original/present state are kept. The archive consists of both manually drawn

plans, as well as plans in electronic form, mostly in AutoCAD.

Photographic archive

The photographic archive has full photographic records concerning each monument, archived by date, beginning as early as 1932. In the photographic archive general and detailed photographs, as well as photographs of restoration or excavation works conducted, are kept. The archive consists of both negatives and digital photographs, while the full digitisation of the entire archive is under way.

Furthermore and as mentioned in the national report, the Department of Antiquities is in the process of digitising and integrating its various archives. A digitisation programme funded by the EEA is currently under way and is expected to finish within 2011.

The programme provides for the designing of a database where information concerning Ancient Monuments will be recorded. The data in brief consist of the declaration names, detailed descriptions of the monuments, their location, their manufacturing methods, their physical condition and present state, a description of their setting, associated persons/events, their protection and legal status, and their thorough documentation including bibliographical references, administrative files, photos and drawings.

A GIS system will be connected to the database and the Department of Lands and Surveys will provide the digital cadastral maps for the digitisation of the Ancient Monuments. A website will also be designed providing public access to the GIS application and the database. At present more than 400 monuments have been recorded.

Copy of texts concerning fire protection

The processes followed concerning fire protection measures for archaeological sites and monuments are conducted on a case by case basis, depending on the needs and nature of the sites. A number of on site visits have been conducted with the Fire Brigade, where appropriate measures to be taken have been pointed out and have been arranged on an oral basis, prior to submitting the complete implementation plans

concerning fire safety. Therefore, for a substantial number of such cases no texts are available.

Further to this, **correspondence exchanged between the Fire Brigade and the Department of Antiquities, which refers to some of the sites and measures concerned was included and is available** for reference.

- Letters in English were provided on 26 August 2010.

- Fire plans and the relevant contract establishing fire protection were provided in English on 26 August 2010.

Copy of provisions concerning the “Painted Churches in the Troodos Region”

- The technical specifications of the systems applied to the Churches belonging to the site “Painted Churches in the Troodos Region” and the drawings depicting the systems were provided on 26 August 2010 and are available for reference.

A letter from the Ministry of Defence explaining how the military integrates the proposed sites (i.e. World Heritage sites) into their planning and training programmes was provided on 26 August 2010.

3.C. Protection of the Cultural Property

Guidelines, para. 58.

“The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.

A list of the legal and administrative measures

Provisions of the Antiquities Law were provided and are available for reference.

Under the provisions of the Antiquities Law of 1935, Capital 31, certain sites such as Choirokoitia and some areas of the WHL site Paphos, including the Tombs of the Kings, were declared as Ancient Monuments. The Antiquities Law of 1935 has since been revised and was provided in its most recent form. The Department of Antiquities since these first declarations under the Antiquities Law, Cap. 31, has proceeded with the enlargement of the protected areas by declaring private property as Ancient Monuments of the Second Schedule, proceeding with land acquisition and declaring Controlled Areas.

It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.

Detailed analysis

1. Site: Painted Churches in the Troodos Region

Declared Ancient Monuments

The ten churches included in this site have been declared Ancient Monuments of the Second Schedule in accordance with the provisions of the Antiquities Law of 1935, Cap. 31.

Controlled area

The Antiquities Law provides, under Section II article 11, for the establishment of the so-called “Controlled Areas” within the vicinity around the sites. Under these circumstances all development projects within, or in close proximity of the areas are under strict governmental control. According to the provisions of the specific section of the Antiquities Law, the Director of the Department controls the height and architectural style of any building proposed for erection within the controlled area, in order to safeguard the historic, the archaeological character, the amenities and the environment surrounding an Ancient Monument.

Such a controlled area for the site Painted Churches in the Troodos Region have been declared in the Cyprus Government Gazette. Only the Church of Panayia at Moutoullas, the Church of Timios Stavros at Pelendria and the Church of Ayia Sotira (Transfiguration of the Savior) at Palaichori have not a controlled area yet, however, the Department of Antiquities is proceeding with the establishment of such areas.

- Attached texts

The Antiquities Law were provided in English and are available for reference. The provisions pertinent to the protection of this site are to be found in Part II of the Antiquities Law.

Safeguarding measures:

Emergency measures for protection against fire and thieves are applied in the totality of the ten churches of the World Heritage site “*Painted Churches in the Troodos Region*”. The ten churches included in the site,

	<p>have been equipped in their totality with highly sensitive and technologically advanced fire detection, new electrical equipments, external fire protection and theft systems. Six of them (Panayia (The Virgin) tou Arakos, Lagoudhera, Panagia (The Virgin), Moutoullas, Archangelos Michael (Archangel Michael), Pedhoulas, Timios Stavros (Holy Cross) Ayiasmati, Platanistasa, Panagia (The Virgin) Podhithou, Galata, Ayia Sotira (Transfiguration of the Savior), Palaichori) have been equipped with an internal fire extinguishing system.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts</p> <p style="text-align: center;">(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Provisions of the Antiquities Law are available for reference. Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above. The documents submitted are available for reference.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>“The ten churches included to the site “Painted Churches in the Troodos Region” are open to the public but at the same time they are used for religious practices. Visitor facilities such as explanatory panels, parking places near the churches, sanitary facilities near the churches are provided. Local Museums are available at the Monastery of Agios Ioannis Lambadhistis at Kalopanayiotis and in the villages of Pedhoulas and Palaichori.”</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or</p>	<p style="text-align: center;">Attached Declaration</p>

<p>to shield military sites is attached to the request (emphasis added).</p>	<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites, provided by the Ministry of Defense, was included in the request.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p style="text-align: center;">(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites, provided by the Ministry of Defense, was included in the request.</p> <p>The cultural property is not and will not be used for military purposes, as declared by the Ministry of Defence of the Republic of Cyprus in the abovementioned declaration. The site of Painted Churches in the Troodos Region is not included in the operational planning of the National Guard and therefore will not be used for military purposes.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60.</p> <p>Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>The Department of Antiquities is responsible for all archaeological sites, ancient monuments, states museums and all archaeological activity in Cyprus. It concerns itself with the excavation of archaeological sites, the conservation and restoration of archaeological remains and ancient monuments of the First and of the Second Schedule, ranging chronologically from the Neolithic period to the 20th century (as defined by the Antiquities Law), the maintenance and expansion of archaeological museums and the creation of new ones, the promotion and use of ancient monuments and archaeological sites for educational purposes and for the development of cultural tourism.</p> <p>The responsible authority for the cultural property is the Department of Antiquities of the Ministry of Communications and Works, headed by its Director, Dr. Maria Hadjicosti.</p>

<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p>Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>Please see 3.B., above.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures (3.C.)</p> <p>Provisions of the Antiquities Law are available for reference. Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above. The documents submitted are available for reference.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites, provided by the Ministry of Defense, was included in the request.</p>
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Mr Michael Constantinides Permanent Secretary Ministry of Communication and Works</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Painted Churches in the Troodos Region (Republic of Cyprus)

1. ***Referring*** to Articles 10 and 11 of the Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, as well as to parts III.A and III.B of the Guidelines for the Implementation of the Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;
2. ***Thanking*** the Republic of Cyprus for submitting a request for enhanced protection for the Painted Churches in the Troodos Region;
3. ***Having considered*** the request for Enhanced Protection for the Painted Churches in the Troodos Region;
4. ***Having reached*** the conclusion that the Painted Churches in the Troodos Region complies with all three conditions of Article 10 of the Second Protocol, and ***Referring*** to the summary of the relevant information contained in the attached Checklist for Completeness;
5. ***Decides*** at its Fifth Meeting to grant enhanced protection to the Painted Churches in the Troodos Region;
6. ***Adopts*** the following Statement of Inclusion of the said property on the List of Cultural Property under Enhanced Protection:

The site of the Painted Churches in the Troodos Region complies with the three conditions of Article 10 of the Second Protocol in the following ways:

- By virtue of its inscription on the World Heritage List on the basis of criteria (ii), (iii) and (iv), and in light of paragraph 36 of the Guidelines for the Implementation of the Second Protocol to the Hague Convention, the Painted Churches in the Troodos Region is deemed to comply with the condition of the highest importance for humanity;
- By being protected by the relevant provisions of the 1935 Cypriot Antiquities Law, and particularly in virtue of the provisions on the so-called “Controlled Areas” related to the close governmental supervision of all development projects either in or within close proximity to those areas; the exemption of the Painted Churches in the Troodos Region from the operational planning of the National Guard; having a detailed inventory and adequate fire protection plans; and being included in military planning and training programmes, the Painted Churches in the Troodos Region complies with the condition of being protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring its highest level of protection; and
- By certification of the Ministry of Defence of the Republic of Cyprus that it is not and will not be used for military purposes or to shield military sites.

7. ***Informs*** hereby the Director-General of the granting of enhanced protection to the Painted Churches in the Troodos Region.

**Enhanced Protection Request Form
Checklist for Completeness**

The Secretariat submits that all requested information has been received and proposes to the Committee that the file is complete.

Paphos (Site I: Kato Paphos town; Site II: Kouklia village)

World Heritage Site (1980)

The Republic of Cyprus

<p>1. Party</p>	<p>Submission prepared by:</p> <p>Institution: Department of Antiquities, Ministry of Communication and Works Name: Dr. Maria Hadjicosti, Director Department of Antiquities E-mail: antiquitiesdept@da.mcw.gov.cy Fax: +00357 22303148 Address: 1 Museum Street, 1516 Nicosia, Cyprus Telephone: +357 22865800/1</p>
<p>2. Date of Submission</p>	<p style="text-align: center;">10/5/2010 (after communicating with the Secretariat prior to 30 April 2010; other information was submitted on 14 July and 26 August 2010)</p>
<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p style="text-align: center;">Immovable cultural property: Defined boundaries</p> <p>Site I: Kato Paphos Town, District of Paphos Site II: Kouklia Village, District of Paphos</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p style="text-align: center;">and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>Maps and photos were provided and are available for reference.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p style="text-align: center;">Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>

<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property Site I: : Kato Paphos Town, District of Paphos Site II: Kouklia Village, District of Paphos</p> <p>Movable cultural property: Geographical location of shelter or storage facility N/A</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>UTM coordinates were provided on 26 August 2010, and are available for reference.</p> <p>Site I:</p> <p>a) Ancient Nea Paphos : 34° 46’ 35" N (Central Point, Latitude) 32° 34’ 24" E (Central Point, Longitude)</p> <p>b) The necropolis “<i>Tombs of the Kings</i>” 34° 46’ 30" N (Central Point, Latitude) 32° 24’ 25" E (Central Point, Longitude)</p> <p><i>Kato Paphos town</i> is included in the Paphos World Heritage Site. <i>Kato Paphos town</i>, includes both the site and remains of Ancient Nea Paphos and the necropolis “<i>Tombs of the Kings</i>” further to the north, as indicated in the maps available for reference. Central coordinates of “<i>Ancient Nea Paphos and the necropolis of Tombs of the Kings</i>”, are indicated above.</p> <ul style="list-style-type: none"> • Coordinates match Kato Paphos necropolis (Tafon Vasileon), Kato Paphos, District of Paphos, Cyprus, included in the Paphos World Heritage Site: N34 46 30 E 32 24 25. <p>Site II: 34° 42’ 31" N (Central Point, Latitude) 32° 34’ 24" E (Central Point, Longitude)</p> <ul style="list-style-type: none"> • Coordinates match Aphrodite's Sanctuary at Kouklia village ("Palaepaphos" or Old Paphos) Kouklia village, Cyprus, included in the Paphos World Heritage Site: N34 42 31 E32 34 24.

<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p style="text-align: center;">List of coordinates for boundaries of a wider property</p> <p>The boundaries of Site I: Kato Paphos town and of Site II: Koukليا Village are available for reference.</p>
<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p style="text-align: center;">Location of moveable property storage facility</p> <p style="text-align: center;">N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “‘The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p style="text-align: center;">Site I and Site II:</p> <p>State of Conservation: Each year systematic conservation work is carried out by the Department of Antiquities, to facilitate the good state of preservation of the remains.</p> <p>Appearance, history, and development are discussed in detail in the request form and are available for reference.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p><u>Site I: Kato Paphos town</u></p> <p>Ancient Nea Paphos was founded towards the end of the 4th century B.C. by King Nikokles, as the Palaepaphos new harbour town which developed into one of the islands’ most important harbours and quickly became the main administrative centre of the area. Soon after the city was founded, Cyprus came under Ptolemaic rule for the whole of the Hellenistic period. In the 2nd century BC, during the Roman Imperial times, Nea Paphos became the capital of Cyprus. It was the cradle of Christianity on the island during the Early Christian and Byzantine periods (4th to 12th century AD). The town suffered severe damages after the earthquakes of 4th century AD and although it was rebuilt and many impressive buildings continued to be erected for the next centuries, this was the end of the glory of Nea Paphos, which ceased to be the capital of Cyprus. The town survived through the Medieval times to the present day.</p> <p>Excavations of Hellenistic remains show a wealthy city following mainstream artistic traditions. The early 3rd</p>

century B.C. mosaic of Scylla, the sea monster, is made of natural pebbles in what was then a relatively new decorative technique in the Greek world. Remains of this period include the theatre of Paphos, as well as two underground rock cut sanctuaries including one particularly impressive at the locality *Toumballos*. The site that mostly reflects the wealth and sophistication of the Hellenistic period is the one known as “Tombs of the Kings”. These are rock-cut and parallels can be found in the centre of Ptolemaic culture, Alexandria.

The city reached its peak during the Severan period (late 2nd – early 3rd century AD), from which date the most affluent and impressive residences excavated. The houses are richly decorated with mosaic floors, with the most famous being the House of Dionysos. Here many mythological representations can be seen such as Dionysos, the Rape of Ganymede, Apollo and Daphne and several others. The most important residence, iconographically speaking, is the house of Aion of around the mid 4th century. The mosaic floors here are of fine quality and iconographically provide for details until now unknown in ancient art. In general, the mosaic floors of this period constitute an illuminated album of ancient Greek mythology, with representations of Greek gods and heroes, as well as of activities of everyday life like vine-harvesting, wild animal hunting and rural seasonal activities.

During the 4th century AD Christianity was established on the island. Saint Paul and Barnabas visited Cyprus in 45 AD for preaching purposes and the first Roman official to convey to Christianity was L. Sergius Paulus, the Roman Proconsul of Cyprus, making Cyprus the first province with a Christian governor. After the edict of Milan, the first basilicas started appearing on the island. The basilica of Chrysopolitissa of Paphos was built on a vast scale, undergoing several rebuildings on a smaller scale down to the 7th century church of Agia Kyriake, standing today.

From the 4th to the 6th centuries, pagan and Christian Paphos developed side-by-side and Christian mosaics adopted elements from pagan mosaics. The decoration of the mosaic floors became almost entirely geometric with subjects such as fish, birds and small animals, while the human form was completely absent.

Site II: Kouklia Village

Palaepaphos (Old Paphos) is situated at the location of the modern village of Koukklia, close to the Diarizos river and near Petra tou Romiou, the legendary Birthplace of Aprodite. Tradition refers to Kinyras, the legendary Cypriot king, as the founder and the first High Priest of the sanctuary. According to another legend, Agapenor, the king of Tegea in Arcadia in Peloponnesos (Greece), was the founder of the city and the sanctuary.

The site was continuously inhabited from the Chalcolithic period until the present day, but its most important period is at the end of the Late Bronze Age, at the time of the settlement of the Mycenaean Greeks ca 1200 BC. According to the legend, Paphos was one of the city-kingdoms of Cyprus, which were established by heroes after the end of the Trojan War. The earliest evidence for the use of the Greek language in Cyprus also comes from Palaepaphos, where in a tomb of the 11th century BC, a bronze skewer was found, bearing the engraved Greek name “Opheltis”.

The sanctuary of Aphrodite established at the beginning of the 12th century BC, indicates a deeply-rooted tradition of a fertility cult. The cult survived the collapse of the Mycenaean world and the sanctuary continued to flourish during the Archaic and Classical times (7th - 4th century BC). After Nea Paphos was founded in the 4th century BC, Palaepaphos remained the cult centre of the area and continued in use until the end of the Roman period.

The Sanctuary did not follow the plan of a Greek temple. According to representations of the sanctuary on coins and amulets of the Roman period, it was an open shrine with a perivolos wall enclosing a tripartite cella that housed a conical baetyl in the centre, symbolising the power of the goddess. Incense burners were discovered in the side rooms and the actual baetyl was found at the side of the sanctuary.

The orthostats of the perivolos of the temenos of the original temple are amongst the most imposing structures in Cypriot architecture of the late Bronze Age that survived until the 4th century BC.

Parts of the defensive wall of Palaepaphos have also been uncovered including the northeast gate, which is

associated with the dramatic siege of Paphos by the Persians during the revolt of the Cypriots in 499 BC.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the **World Heritage List** satisfies the condition of greatest importance for humanity (emphasis added).”

Criterion of being of greatest importance for humanity under Article 10(a).

Paphos was listed as a World Heritage Site in 1980, assigning to the site the following qualities according to the general principles of the Convention:

The archaeological remains of both sites are of great antiquity and are closely and directly related to the cult and legend of Aphrodite, who under the influence of the Homeric poetry became the “ideal of beauty and love, inspiring writers, poets and artists throughout human history”, allowing the nominated properties to be considered as of outstanding universal value.

The World Heritage Committee inscribed the site on the World heritage List on the basis of criteria (iii) and (vi) as below:

Criterion (iii): The archaeological remains of both sites are of great antiquity. Some of these, such as the Temple of Aphrodite at Palaepaphos, date back to the 12th century B.C. The remains of the mosaics of Nea Paphos are extremely rare and rank amongst the best examples in the world. The architectural remains of villas, palaces, baths, theatres, basilicas, fortresses and rockhewn peristyle tombs demonstrate the exceptional archaeological and historical values of the ancient world, as they are one of the keys of our understanding of ancient architecture, ancient way of life and mind.

Criterion (vi): The universal religious and cultural importance of the cult of Aphrodite, local fertility deity of Palaepaphos, which developed into the world goddess of love and beauty, is an indisputable fact that contributes to the outstanding value of these properties.

Implementation measures:

Guidelines, para. 39:

Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and

Information received on 14 July 2010 following the Informal Meeting of the Bureau (17-18 June 2010):

General description of the inventory

The Department of Antiquities’ inventories at present are to be found mostly in hard copy and consist of the following:

administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:

- the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol
- due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.

Declared Ancient Monuments' Catalogue

This is a catalogue in electronic form where data such as the following are recorded:

- **Location of the Ancient Monuments**

Information such as the location of an Ancient Monument, i.e. the administrative district and the village/community/town, is recorded.

- **Declaration name**

The official name of the monument as it is stated in the Cyprus Government Gazette is recorded, which also provides a brief description of the monument itself.

- **Ownership status of the Ancient Monuments**

It is recorded as to whether a declared Ancient Monument belongs to the First or the Second Schedule, as per the Antiquities Law, i.e. whether it is the property of the Government or of private ownership.

Administrative files

Each monument has its own administrative file where information concerning its management, findings and research results, restoration works and all relevant correspondence is kept.

Map archive

The map archive consists of printed cadastral maps, where the exact location and extent of each monument is recorded, together with information concerning its declaration and its legal status, i.e. the declaration name, Cyprus Government Gazette number, declaration date and notice number, as well as its ownership status.

Drawings archive

In the drawings archive detailed plans and sections of each monument depicting its original/present state are kept. The archive consists of both manually drawn plans, as well as plans in electronic form, mostly in AutoCAD.

Photographic archive

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- Letters in English were provided on 26 August 2010.
- Fire plans establishing fire protection were provided in English on 26 August 2010.

A letter from the Ministry of Defence explaining how the military integrates the proposed sites (i.e. World Heritage sites) into their planning and training programmes was provided on 26 August 2010.

3.C. Protection of the Cultural Property

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“The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.

A list of the legal and administrative measures

Provisions of the Antiquities Law were provided and are available for reference.

The Antiquities Law applies to all sites declared as Ancient Monuments of the First or of the Second Schedule in the Republic of Cyprus, as per its provisions.

Under the provisions of the Antiquities Law of 1935, Capital 31, certain sites such as Choirokoitia and some areas of the WHL site Paphos, including the Tombs of the Kings, were declared as Ancient Monuments. The Antiquities Law of 1935 has since been revised and was included in the request in its most recent form. The Department of Antiquities since these first declarations under the Antiquities Law, Cap. 31, has proceeded with the enlargement of the protected areas by declaring private property as Ancient Monuments of the Second Schedule, proceeding with land acquisition and declaring Controlled Areas.

It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.

Detailed analysis

Site I: Kato Paphos town

Declared Ancient Monuments

The site and remains of the Ancient town of Nea Paphos, the site and remains of “*Saranta Kolones*”

castle, the “*Tombs of the Kings*” and the Early Christian basilica “*Limeniotissa*”, all included in Site I have been declared Ancient Monuments in accordance with the provisions of the Antiquities Law of 1935, Cap. 31.

The Department of Antiquities has since proceeded with the enlargement of the protected areas, with further declarations of Ancient Monuments mostly of the Second Schedule, according to the provisions of section 6 of the Antiquities Law, in the Cyprus Government Gazette as follows:

- K.Δ.Π. 658/66, “The site and remains of Nea Paphos, within private property”
- K.Δ.Π. 223/73, The site and remains of Nea Paphos, within private property”
- K.Δ.Π. 205/77, The site and remains of ancient town Nea Paphos, within private property”
- K.Δ.Π. 96/86, “The site and remains of Nea Paphos, within private property”

Controlled area

The Antiquities Law provides, under Section II article 11, for the establishment of the so-called “Controlled Areas” within the vicinity around the sites. Under these circumstances all development projects within, or in close proximity of the areas are under strict governmental control. According to the provisions of the specific section of the Antiquities Law, the Director of the Department controls the height and architectural style of any building proposed for erection within the controlled area, in order to safeguard the historic, the archaeological character, the amenities and the environment surrounding an Ancient Monument.

Such a controlled area for Kato Paphos town has been declared in the Cyprus Government Gazette.

Site II: Kouklia village

The site and remains of the temple of Venus, the site and remains of Old Paphos and the Church of Panagia Katholiki, have also been declared Ancient

Monuments in accordance with the provisions of the Antiquities Law of 1935, Cap. 31.

The Department of Antiquities has since proceeded with the enlargement of the protected areas, with further declarations of Ancient Monuments mostly of the Second Schedule, according to the provisions of section 6 of the Antiquities Law, in the Cyprus Government Gazette as follows:

- K.Δ.Π. 658/66, “The site and remains of Palaepaphos within private property”
- K.Δ.Π. 146/71, “The site and remains of Palaepaphos within private property”
- K.Δ.Π. 18/99, “The site and remains of ancient Palaepaphos”
- K.Δ.Π. 211/2006, “The site and remains of the ancient town Palaepaphos”

Controlled area

See above for “Controlled Areas” establishment. Such a controlled area for Kouklia village has been declared in the Cyprus Government Gazette.

Further information was included in the request and is available for reference.

Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”

....

“Article 10 Enhanced protection:

Cultural property may be placed under enhanced protection provided that it meets the following three conditions:

...

Attached texts

(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)

Provisions of the Antiquities Law are available for reference. Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above. The documents submitted are available for reference.

<p>b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>Both sites are open to the public and used as popular visitor attractions, as well as for scientific research:</p> <p>“A Master Plan for the Archaeological site Kato Paphos (Site I) was prepared by the German expert Klaus Klein of Starrfield Associates Landscape architecture, which commenced implementation in 1991. The first phase of this Master Plan was completed in 2000 and facilities such as a visitor centre, pedestrian walkways, resting shelters, observation points and guidebooks for the mosaics and the “Tombs of the Kings” are available. The second phase of this Master Plan, concerning the creation of shelters for the mosaic floors is in progress.</p> <p>A Master Plan for Palaepaphos (Site II) has also been prepared by the same expert and is under progressive implementation. Facilities here include a local museum, pedestrian walkways, resting shelters etc.</p> <p>Scientific research also continues on both sites, with the continuation of the archaeological excavations at Kato Paphos under the direction of Prf. W.A. Daszewski of the University of Warsaw, Poland; at Kato Paphos-<i>Toumbalos</i> under the direction of Prof. F. Giudice of the University of Catania, Italy; at the <i>Fabrika Hill</i> at Kato Paphos, under the direction of Dr. C. Balandier, of the University of Avignon, France; and at the theatre of Kato Paphos under the direction of Prof. J.R.Green, of the University of Sydney, Australia. At Kouklia excavations are conducted under the direction of Prof. F.G. Maier and Dr M.L.von Wartburg, of the University of Zurich and the German Archaeological Institute.</p> <p>Some of the historic buildings included in the WH site of Paphos, such as the Odeon, the Castle at the port of Kato Paphos and the Medieval Manor at Palaepaphos, have been restored and are used for cultural events and exhibitions. Main cultural events include the theatre festival taking place at the Odeon and the Aphrodite</p>

	International festival, which includes the performance of an opera at the castle of Paphos.”
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites, provided by the Ministry of Defense, was included in the request.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites, provided by the Ministry of Defense, was included in the request.</p> <p>The cultural property is not and will not be used for military purposes, as declared by the Ministry of Defence of the Republic of Cyprus in the abovementioned declaration. The site of Paphos is not included in the operational planning of the National Guard and therefore will not be used for military purposes.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>The responsible authority for the cultural property is the Department of Antiquities of the Ministry of Communications and Works, headed by its Director Dr. Maria Hadjicosti.</p> <p>The Department of Antiquities is responsible for all archaeological sites, ancient monuments, state museums and all archaeological activity in Cyprus. It concerns itself with the excavation of archaeological sites, the conservation and restoration of archaeological remains and ancient monuments of the First and of the Second Schedule, ranging chronologically from the Neolithic period to the 20th century-as defined by the Antiquities Law-, the maintenance and expansion of archaeological museums and the creation of new ones,</p>

	the promotion and use of ancient monuments and archaeological sites for educational purposes and for the development of cultural tourism.
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p>Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>Please see 3.B., above.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures (3.C.)</p> <p>Provisions of the Antiquities Law are available for reference. Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above. The documents submitted are available for reference.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites, provided by the Ministry of Defense, was included in the request.</p>
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Michael Constantinides Permanent Secretary Ministry of Communication and Works</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Paphos (Site I: Kato Paphos town; Site II: Kouklia village)

1. ***Referring*** to Articles 10 and 11 of the Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, as well as to parts III.A and III.B of the Guidelines for the Implementation of the Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;
2. ***Thanking*** the Republic of Cyprus for submitting a request for enhanced protection for the Paphos (Site I: Kato Paphos town; Site II: Kouklia village);
3. ***Having considered*** the request for Enhanced Protection for Paphos (Site I: Kato Paphos town; Site II: Kouklia village);
4. ***Having reached*** the conclusion that Paphos (Site I: Kato Paphos town; Site II: Kouklia village) complies with all three conditions of Article 10 of the Second Protocol, and ***Referring*** to the summary of the relevant information contained in the attached Checklist for Completeness;
5. ***Decides*** at its Fifth Meeting to grant enhanced protection to Paphos (Site I: Kato Paphos town; Site II: Kouklia village);
6. ***Adopts*** the following Statement of Inclusion of the said property on the List of Cultural Property under Enhanced Protection:

The site of Paphos (Site I: Kato Paphos town; Site II: Kouklia village) complies with the three conditions of Article 10 of the Second Protocol in the following ways:

- By virtue of its inscription on the World Heritage List on the basis of criteria (ii), (iii) and (vi), and in light of paragraph 36 of the Guidelines for the Implementation of the Second Protocol to the Hague Convention, Paphos (Site I: Kato Paphos town; Site II: Kouklia village) is deemed to comply with the condition of the highest importance for humanity;
- By being protected by the relevant provisions of the 1935 Cypriot Antiquities Law, and particularly in virtue of the provisions on the so-called “Controlled Areas” related to the close governmental supervision of all development projects either in or within close proximity to those areas; the exemption of Paphos (Site I: Kato Paphos town; Site II: Kouklia village) from the operational planning of the National Guard; having a detailed inventory and adequate fire protection plans; and being included in military planning and training programmes, Paphos (Site I: Kato Paphos town; Site II: Kouklia village) complies with the condition of being protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring its highest level of protection; and
- By certification of the Ministry of Defence of the Republic of Cyprus that it is not and will not be used for military purposes or to shield military sites.

7. ***Informs*** hereby the Director-General of the granting of enhanced protection to Paphos (Site I: Kato Paphos town; Site II: Kouklia village).

**Enhanced Protection Request Form
Checklist for Completeness**

Colonial City of Santo Domingo

World Heritage Site (1990)

Dominican Republic

Missing information (the below items should be further developed):

Paragraph 56 of the Guidelines: Provision of UTM coordinates.

Article 10(a) of the Second Protocol (Paragraph 57) :

- Relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.

Article 10(b) of the Second Protocol (Paragraphs 39, 58):

- Abstracts of national legislation regarding the use and protection of the property and penalizing the use of the cultural property or its immediate surroundings in support of military action: “the Cultural Legacy law # 318-68 (with its rule # 4195 -1969 / 09 / 20- upon Cultural Legacy); law # 492-69 (1969 / 09 / 27) that created the Cultural Legacy Office; the Cultural Legacy Office’s Regulator Plan 1988 / 2005; the Cities and Townships law # 176 – 07.”
- A detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.
- The identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol.
- Due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs.
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.
- **Article 10(c) of the Second Protocol (Paragraph 59):** Non-military use declaration.

1. Party

Submission prepared by:

Institution: Ministry of Culture

E-mail: patrimonium@hotmail.com

Name: Edda Grullon

	<p>Fax: 803 686 0972 Address: Hostos 154, Ciudad Colonial Santo Domingo, Rep. Dominicana Phone: 803 686 4034 / 803 686 8674</p>
2. Date of Submission	24.03.10 (no further information submitted)
<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p>Immovable cultural property: Defined boundaries</p> <p>Fourteen latitude and longitude elements were included, as well as three detailed maps were provided and are available for consultation.</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p>and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>Three maps were provided and are available for consultation.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>Fourteen latitude and longitude coordinates were included, as well as three detailed maps were provided and are available for consultation.</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>Fourteen latitude and longitude coordinates were included, as well as three detailed maps were provided and are available for consultation.</p>
<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p>List of coordinates for boundaries of a wider property</p> <p>Fourteen latitude and longitude coordinates were included, as well as three detailed maps were provided and are available for consultation.</p>

<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p>Location of moveable property storage facility</p> <p>N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57</p> <p>“The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p>State of Conservation; Appearance; History, Development</p> <p><u>Secretariat’s note per the World Heritage website:</u></p> <p>Emergency measures at the Palacio de Diego de Herrera in Santo Domingo, November 3, 1998.</p> <p>Study on Cultural Tourism in the Historic Centre of Santo Domingo, December 1, 2000.</p> <p>Assistance for the Training of Dominican Experts in the Application of the World Heritage Convention (conservation and Management), June 4, 2008.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p>Description</p> <p><u>Secretariat’s note per the World Heritage website:</u></p> <p>After Christopher Columbus's arrival on the island in 1492, Santo Domingo became the site of the first cathedral, hospital, customs house and university in the Americas. This colonial town, founded in 1498, was laid out on a grid pattern that became the model for almost all town planners in the New World.</p> <p><u>Information provided in the request:</u></p> <p>It corresponds to the important south-east section of Santo Domingo city. Enclosed into its old defense walls, it’s bordered to the east by the Ozama River and at the south by the Caribbean Sea. There are 95 hectares distributed into 116 blocks with 32 crisscross streets. Declared World Legacy by UNESCO in 1990 “for its influence in American architecture and city planning, for its historical value linked with the first events and facts of universal transcendence”.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”</p>	<p>Criterion of being of greatest importance for humanity under Article 10(a).</p>

<p>Guidelines, para. 36 “It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the World Heritage List satisfies the condition of greatest importance for humanity (emphasis added).”</p>	<p>The Colonial City of Santo Domingo has been inscribed on the World Heritage List since 1990 based on criteria (ii), (iv), and (vi).</p>
<p>Implementation measures:</p> <p>Guidelines, para. 39:</p> <p>Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:</p> <ul style="list-style-type: none"> • the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol • due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and, • appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. 	<p>No information was provided.</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>“Juridical and administratively project by laws and policies such as”: the Cultural Legacy law # 318-68 (with is rule # 4195 -1969 / 09 / 20- upon Cultural Legacy); law # 492-69 (1969 / 09 / 27) that created the Cultural Legacy Office; the Cultural Legacy Office’s Regulator Plan 1988 / 2005; the Cities and Townships</p>

	law # 176 – 07.
It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.	<p style="text-align: center;">Detailed analysis</p> <p>No information was provided.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts</p> <p>(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>No information was provided.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>High active urban sector for residential properties, commercial, institutional and cultural activities, with local and international developed tourism tours.</p>
The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).	<p style="text-align: center;">Attached Declaration</p> <p>No information was provided.</p>
The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).” ...	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p>

<p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>No information was provided.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p>Contact information of responsible authorities</p> <p>Ms. Edda Virginia Grullon Vargas Director, National Department of Historical Monuments Ministry of Culture Hostos 154, Ciudad Colonial Santo Domingo, Rep. Dominicana patrimonum@hotmail.com Fax: 809 686 0972 Telephone: 809 686 4034 / 809 685 8674</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p>Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>No information was provided.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures</p> <p>No additional information was provided.</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added).</p> <p>...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>No information was provided.</p>

<p>three conditions:</p> <p>...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	
<p>Signature by the Party’s competent authority</p>	<p>Name and Title</p> <p>Ms. Edda Virginia Grullon Vargas Director, National Department of Historical Monuments Ministry of Culture</p>

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Colonial City of Santo Domingo (Dominican Republic)

1. ***Thanking*** the Dominican Republic for submitting a request for enhanced protection for the Colonial City of Santo Domingo;
2. ***Taking*** into account the incompleteness of this request;
3. ***Decides*** to defer said request to the Dominican Republic for further in-depth assessment and substantial revision in order to allow its examination.

**Enhanced Protection Request Form
Checklist for Completeness**

<p>Castel del Monte</p> <p>World Heritage Site (1996)</p> <hr style="border: 0.5px solid black;"/> <p>Italy</p>

Missing information (the below items should be further developed):

Article 10(b) of the Second Protocol (Paragraphs 39, 58):

- Further information may be requested regarding the due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and,
- Copies in English of Article 8 (2) of Italian law of 16 April 2009, n. 45, and Ministerial decree in conformity with Law N° 1497/1939.

1. Party	<p>Submission prepared by:</p> <p>Institution: Ministry of Culture E-mail: segr.coordinationtoestudi.sg@beniculturali.it Name: arch. Roberto Cecchi (Secretary General) Fax: 390 667 232 547 Address: Via del Collegio Romano 27 00187 Roma Italia Phone: 390 667 232 546</p>
2. Date of Submission	30.04.10 (additional information submitted on 29 July, 31 August, and 1 September 2010)
<p>3.A. Identification of the Cultural Property</p> <p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined (emphasis added).”</p>	<p style="text-align: center;">Immovable cultural property: Defined boundaries</p> <p>Italy, Puglia Bari Andria. The castle is situated 29 km south of Barietta in the Commune of Andria on a rocky peak which dominates the surrounding countryside. Its plan is in the form of a regular octagon surrounding a courtyard and with an octagonal tower at each angle.</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated (emphasis added).</p>	<p style="text-align: center;">and/or Maps of the area (preferably in the dimension of 1:25,000 or 1:50,000)</p> <p>Maps are included on the World Heritage website</p>

	whc.unesco.org/en/list/398) and are available for reference.
Movable cultural property is identified by its detailed descriptions and sufficient images (emphasis added).”	Movable cultural property: Detailed descriptions and sufficient images N/A
Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.	Immovable cultural property: Geographical location of cultural property Italy, Puglia Bari Andria Maps are included on the World Heritage website.
At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.	(Min.) Coordinates of the central point of each cultural property Latitude 41 05’ 05”; Longitude E 16 16’ 50” Provided on 1 September 2010: ○ U.T.M.: 33T 606755m E 4548950m N ○ The immediate surroundings of Castel del Monte are part of the property submitted for enhanced protection, as provided in the article 12 of the ’99 Second Protocol (see also the declaration pursuant to art. 10 c. of the Protocol).
Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.	List of coordinates for boundaries of a wider property Latitude and longitude coordinates are included on the World Heritage website (whc.unesco.org/en/list/398) and are available for reference.
In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”	Location of moveable property storage facility N/A
3.B. Description of the Cultural Property Guidelines, para. 57 “The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural	State of Conservation; Appearance; History, Development World Heritage site values have been maintained. Castel de Monte has been the subject of various campaigns since 1878, after it came into State

<p>property, as well as its history and development.</p>	<p>ownership. Consolidation and stabilization work took place between 1879 and 1902. In 1928/32 a number of later dry stone walls were removed and the soil level round the perimeter was raised. Final consolidation work took place in 1962-65 and the last major campaign, in 1975-81, concerned repairs to the roofs, consolidation of the walls, waterproofing of the towers, and repair of the <i>cocciopesto</i> (crushed brick) surface of the courtyard.</p> <p>Currently there are no major conservation projects in hand, but there is a rigorous program of systematic maintenance. Thanks to its history subsequent to the end of Hohenstaufen rule, Castel del Monte has been subjected to almost no structural alteration. The interior has been degraded by the removal or decay of its marble and mosaic decoration, but there have been few later interventions.</p> <p>Conservation work since 1878 has been of a high order, consistent with Italian standards, and so the authenticity of the monument is high.</p>
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<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p>History</p> <p>Frederick II succeeded his father, the Hohenstaufen Holy Roman Emperor Henry VI, in 1197 at the age Of three. During his reign, which lasted until 1250, he brought order to his unruly kingdom of Sicily, which included much of southern Italy and introduced a period of intense cultural activity that has been described as the “Southern Renaissance.” He was a man of great culture, speaking and writing in several languages, with high attainments in mathematics, astronomy, and the natural sciences. He brought scholars and artists from the Arab lands, Greece, and elsewhere to his court, caused the works of Aristotle, Averroes, Ptolemy, and Galen to be translated into Latin, and founded the University of Naples. His many talents earned him the title of Stupor Mundi (Wonder of the World).</p> <p>He was also an able ruler, who bought social and economic stability to his people. However, his policy in Italy, unlike that in Germany, where he encouraged the feudal system, was that of an absolute monarch. For this reason, and also for defensive purposes, he built a number of strong castles in his lands of Apulia,</p>
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Calabria, and Sicily, the largest and most influential of which was Castel del Monte. It was finished in 1240 and became the permanent Seat of his court. With the death of Frederick in 1250 the Hohenstaufen hold over the kingdom was Weakened, and the Angevin dynasty ruled until the mid 15th century. Castel del Monte was no longer the seat of Power and its subsequent history is that of most castles from this period, serving as a defensive stronghold and then a barracks up to the 19th century, and slowly losing its resplendent decoration through pillage, vandalism, and neglect.

Description

The castle is sited 29 km south of Barletta in the Commune of Andria on a rocky peak which dominates the surrounding countryside. Its plan is in the form of a regular octagon surrounding a courtyard and with a tower, also Octagonal, at each angle.

The walls are built from huge dressed blocks of a brilliant quartz-bearing limestone. There is a cornice at mid-height which encircles the walls, separating the two internal storeys. Each of the storeys has eight chambers of equal size, corresponding with the eight sides of the structure. The trapezoidal rooms on the lower storey have prominently ribbed ogival vaulting, supported on embedded columns. Those on the upper storey correspond exactly with those below but are more elaborately ornamented, the vaulting being supported on caryatid capitals in the Burgundian or Champagne style which surmount triple columns in Greek marble; the apex of the Vaulting is decorated with a unique capital, also in Burgundian style. Each of the rooms has a marble bench at the base of the columns and a decorative marble cornice. of especial interest is the unique hydraulic installation for baths and toilet facilities, clearly oriental in origin.

Each of the facades is pierced by two windows, those on the lower level being single-arched openings (except on those sides with the front and rear entrances) and those on the upper level being twin ogival openings. The octagonal towers have only narrow arrow slits, arranged so as to command the best field of view. Internally they contain service rooms and staircases.

The main entrance, in coralline breccia, reproduces the form of a classical triumphal arch framing a pointed arch, described by one eminent scholar as

being “a sort of prelude to the Renaissance.” Elements such as these are blended with complete success throughout the building with features that owe their origins to the east, Such as the use of marble and mosaic, much of which have disappeared over centuries of neglect and vandalism.

Caste del Monte is of especial interest because of the absence of features that are common to the overwhelming majority of military monuments of this period (outer bailey, moat, stables, kitchen, storerooms, chapel), the mathematical and astronomical rigour of its plan and form, and the eclecticism of its cultural elements, deriving from antiquity, the Cistercian tradition of northern Europe, and the Ummayyad “desert castles” and fortified monasteries in the Near East and North Africa.

The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”

Guidelines, para. 36

“It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the **World Heritage List** satisfies the condition of greatest importance for humanity (emphasis added).”

Criterion of being of greatest importance for humanity under Article 10(a).

The Castel del Monte has been inscribed on the World Heritage List since 1996 on the basis of cultural criteria (i), (ii) and (iii), considering that the site is of outstanding universal value in its formal perfection and its harmonious blending of cultural elements from northern Europe, the Muslim world, and classical antiquity. Castel del Monte is a unique masterpiece of medieval military architecture, reflecting the humanism of its founder, Frederick II of Hohenstaufen.

Implementation measures:

Guidelines, para. 39:

Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:

- the identification and safeguarding of cultural

Information received on 31 August 2010 following the Informal Meeting of the Bureau (17-18 June 2010):

The military planning and military training programmes make it clear that the site of Castel del Monte is proposed for enhanced protection, and rule out performing any military activity in site of Castel del Monte.

The military authorities take into consideration the fact that this property and its immediate surroundings will not be used in support of military action by using other areas to support military actions.

In accordance with Article 15 (1) (b) of the '99 Second Protocol, **Article 8 (2) of Italian law of 16 April 2009,**

<p>property proposed for enhanced protection in accordance with Article 5 of the Second Protocol</p> <ul style="list-style-type: none"> • due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and, • appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. 	<p>n. 45, provides that any person using cultural property under enhanced protection or its immediate surroundings in support of military action, is punished by a term of imprisonment from two to seven years. The term of imprisonment is increased if the offence results in damage, deterioration or destruction of cultural property.</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>Legislative and Administrative Arrangements</p> <p>The monument was acquired by the Italian State and is protected under several state laws; Law n° 1089/1939 now Law n° 42/2004 concerning the artistic, archaeological, and cultural heritage of the Italian State; Decree of the Ministry of Cultural Heritage and Activities in 1978: declares the monument to be of great artistic and historical importance; Ministerial decree in conformity with Law N° 1497/1939 concerning the protection of natural heritage, year 1968: it protects a large area around the castle. Territorial Landscape Plan: manages the territorial transformation The monument is also protected by the decree of the Ministry of cultural n° 569/1992.</p> <p>The protection arrangements are considered sufficiently effective by the submitting Party.</p>
<p>It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.</p>	<p>Detailed analysis</p> <p>The monument is protected under state law and the management of the monument is in the hands of the Soprintendenza per i beni architettonici e paesaggistici per le province di Bari, Barletta-Andra-Trani e Foggia. This regional agency of the Ministry for cultural property is responsible for the maintenance and guardianship of the monument, wich is open to visitors. It also carries out appropriate conservation work.</p>

<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being adequately protected under Article 10(b).”</p> <p>“Article 10 Enhanced protection:</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... b. it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection.”</p>	<p style="text-align: center;">Attached texts</p> <p>(Meets the criterion of being adequately protected under Article 10(b); i.e., availability of the relevant national legal and administrative measures.)</p> <p>Law n° 42/2004 and Ministerial Decree n. 569/1992 were provided in English and are available for consultation.</p>
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59 “The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>Castel del Monte represents a monument in terms of the categories of properties set out in Article 1 of the 1972 World Heritage Convention, and is open to visitors.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request (emphasis added).</p>	<p style="text-align: center;">Attached Declaration</p> <p>A non-military use declaration signed by a representative of the Ministry of Defence was included with the submission form.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).” ... “Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ... c. it is not used for military purposes or to shield military sites and a declaration has been made by</p>	<p style="text-align: center;">Facts</p> <p>(Criterion detailed in Article 10(c); i.e., non-use for military purposes or to shield military sites.)</p> <p>A non-military use declaration signed by a representative of the Ministry of Defence was included with the submission form.</p>

<p>the Party which has control over the cultural property, confirming that it will not be so used.”</p>	
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p>Contact information of responsible authorities</p> <p>Soprintendenza per i beni architettonici e paesaggistici per le province di Bari, Barletta-Andra-Trani e Foggia. Direttore: Arch. Costanza PIERDOMINICI Tipologia del luogo: Soprintendenza Località: Bari Indirizzo: P.zza Federico II di Svevia, 4 Telefono: 080/5286200</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p>Greatest importance for humanity (Criterion as described under 3.B., above.)</p> <p>Castel del Monte is inscribed on the World Heritage List (please see 3.B., above).</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached (emphasis added).</p>	<p>Adequate domestic legal and administrative measures</p> <p>The cultural property meets the requirements of Article 10(b) of the Second Protocol and in particular is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection Domestic legal and administrative measures</p>
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached</u> (emphasis added). ...</p> <p>“Article 10. Enhanced protection</p> <p>Cultural property may be placed under enhanced protection provided that it meets the following three conditions: ...</p> <p>c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached.</p> <p>A non-military use declaration signed by a representative of the Ministry of Defence was included with the submission form.</p>

Signature by the Party's competent authority	Name and Title
	Arch. Roberto Cecchi Secretary General Ministry for Cultural Property and Cultural Activities

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Castel del Monte (Italy)

1. **Thanking** Italy for submitting a request for enhanced protection for Castel del Monte;
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 39 and 58 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Italy to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10(b) and (c) will be assessed.

**Enhanced Protection Request Form
Checklist for Completeness**

Kernavé Archeological Site (Cultural Reserve of Kernavé)

World Heritage Site (2004)

Republic of Lithuania

Missing information (the below items should be further developed):

Article 10(b) of the Second Protocol (Paragraphs 39 and 58 of the Guidelines):

- The identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol.
- Due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs.
- Appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol.
- Copies in English of the measures listed in Annex I (list of legislation).

Paragraph 56 of the Guidelines: Provision of UTM coordinates.

1. Party	Submission prepared by: Institution: Ministry of Culture of the Republic of Lithuania E-mail: i.grigaitiene@lrkm.lt ; m.zolynas@lrkm.lt Name: Ms. Irma Grigaitiene, Head of Department of Protected Areas and Cultural Heritage Fax: +370 5 262 31 20 Address: J.Basanavičiaus str. 5 LT-01118 Vilnius, Lithuania Telephone: +370 5 219 34 59; +370 5 219 34 60
2. Date of the Request	27.04.2010 (further information received on 18 August 2010)
3.A. Identification of the Cultural Property	Immovable cultural property: Defined boundaries

<p>Guidelines, para. 55 “The boundaries of an immovable cultural property and its immediate surroundings are clearly defined.</p>	<p>Longitude and latitude coordinates were provided in all four directions (corresponding with World Heritage Nomination File).</p>
<p>Maps are sufficiently detailed to determine precisely which area of land and/or building(s) are nominated.</p>	<p>and/or Maps of the area</p> <ul style="list-style-type: none"> • Map 1: Location of the Reserve on the map of Europe • Map 2: Location of site on the map of Lithuania • Map 3: The reserve buffer zone with the landed properties • Map 4: Territorial map of the Reserve <p>The Republic of Lithuania intends to request Enhanced Protection for the whole Reserve (Map 4).</p> <p>These maps are available for reference.</p>
<p>Movable cultural property is identified by its detailed descriptions and sufficient images.”</p>	<p>Movable cultural property: Detailed descriptions and sufficient images</p> <p>N/A</p>
<p>Guidelines, para. 56 “The location of the cultural property (including shelters or other storage for movable cultural property) should be indicated by reference to its geographical location.</p>	<p>Immovable cultural property: Geographical location of cultural property</p> <p>Longitude and latitude coordinates were provided in all four directions</p> <p>The Republic of Lithuania intends to request Enhanced Protection for the whole Reserve (Map 4).</p>
<p>At a minimum, the approximate central point of each cultural property should be indicated by a pair of coordinates in the Universal Transverse Mercator system.</p>	<p>(Min.) Coordinates of the central point of each cultural property</p> <p>Central point y = 6.082.918 x = 554.440</p>
<p>Boundaries of a wider property could be indicated by providing a list of coordinates indicating the course of the property boundary.</p>	<p>List of coordinates for boundaries of a wider property</p> <p>Northern point y = 6.083.836,5 x = 553.287,6 Southern point y = 6.081.873,1 x = 554.577,0 Western point y = 6.083.365,4 x = 552.669,3 Eastern point y = 6.083.404,8 x = 555.931,0</p> <p>The Republic of Lithuania intends to request Enhanced Protection for the whole Reserve (Map 4).</p>

<p>In case of movable cultural property this information refers to the location where this cultural property is stored or intended to be stored.”</p>	<p style="text-align: center;">Storage location of moveable property</p> <p style="text-align: center;">N/A</p>
<p>3.B. Description of the Cultural Property</p> <p>Guidelines, para. 57 “‘The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development.</p>	<p style="text-align: center;">State of Conservation; Appearance; History, Development</p> <p>All documentation is in World Heritage Nomination File and is available for reference.</p>
<p>This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone.</p>	<p style="text-align: center;">Description</p> <p>All documentation is available in World Heritage Nomination File and is available for reference.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10(a).”</p> <p>Guidelines, para. 36 “‘It is presumed that the Committee, subject to other relevant considerations, will consider that immovable cultural property inscribed on the World Heritage List satisfies the condition of greatest importance for humanity.”</p>	<p style="text-align: center;">Criterion of being of greatest importance for humanity under Article 10(a).</p> <p>Kernavé Archeological Site was inscribed on the World Heritage List in 2004 according to criteria (iii) and (iv):</p> <p>Criterion (iii): The archaeological site of Kernavé presents an exceptional testimony to the evolution of human settlements in the Baltic region in Europe over the period of some 10 millennia. The site has exceptional evidence of the contact of Pagan and Christian funeral traditions.</p> <p>Criterion (iv): The settlement patterns and the impressive hill-forts represent outstanding examples of the development of such types of structures and the history of their use in the pre-Christian era.</p>
<p>Implementation measures:</p> <p>Guidelines, para. 39:</p> <p>Such measures ensure that the cultural property is protected adequately against any kind of negligence, decay or destruction even in time of peace. In evaluating whether cultural property is protected by adequate domestic legal and</p>	<p>Copies in English were provided of the following laws on 18 August 2010 and are available for reference:</p> <p>Resolution No. 193 of the Government of the Republic of Lithuania on 7 February 2007 approving the List of Immoveable Cultural Heritage Objects of Outstanding Cultural Significance and Buildings and Premises designed to Safeguard and Exhibit Movable Cultural</p>

<p>administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection, the Committee considers, in particular, national measures intended for:</p> <ul style="list-style-type: none"> • the identification and safeguarding of cultural property proposed for enhanced protection in accordance with Article 5 of the Second Protocol • due consideration of the protection of the cultural property proposed for enhanced protection in military planning and military training programs; and, • appropriate criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the Second Protocol. 	<p>Property.</p> <p>Order No. 3-398 of the Minister of Transport on 6 December 2007 approving the List of Itineraries for Vehicles Transporting Hazardous Cargo by State Roads to bypass Objects included in the List of Immovable Cultural Heritage Objects of Outstanding Cultural Significance</p> <p>The Instructions for Protection and Evacuation of Movable Cultural Property kept in Museums, Libraries, Archives and Cult Buildings</p> <p>Instructions on Participation of the Armed Forces during Immovable Cultural Heritage Objects' Preservation Works in the Event of Armed Conflict or other Extreme Situations</p> <p>Order No. V-540 of the Minister of National Defence on 24 May 2007</p> <p>Article 1 of Resolution No. 845</p> <p>Resolution No. 845</p> <p>Order No. IV-500 of the Minister of Culture on 18 July 2007</p>
<p>3.C. Protection of the Cultural Property</p> <p>Guidelines, para. 58. “The Party includes a list of the legal and administrative measures regarding the adequate protection and maintenance of the cultural property.</p>	<p>A list of the legal and administrative measures</p> <p>Please see Annex I (links to websites with laws available in Lithuanian).</p>
<p>It provides a detailed analysis with regard to the practical implementation of the protection measures and the safeguarding of the highest level of protection.</p>	<p>Detailed analysis</p> <p>All available information has been provided.</p>
<p>Legislative, regulatory, and/or institutional texts, or an abstract of the texts, are attached to the request.</p> <p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being</p>	<p>Attached texts (meets the criterion of being adequately protected under Article 10(b)).</p> <p>All texts and information are included in the World Heritage Nomination File and are available for reference.</p>

adequately protected under Article 10(b).”	Please also see the information provided in response to paragraph 39 of the Guidelines as part of section 3.B., above.
<p>3.D. Use of the Cultural Property</p> <p>Guidelines, para. 59</p> <p>“The Party describes the use of the cultural property.</p>	<p style="text-align: center;">Use</p> <p>Please see Annex II.</p>
<p>The declaration confirming that the cultural property and its immediate surroundings are not and will not be used for military purposes or to shield military sites is attached to the request.</p>	<p style="text-align: center;">Attached Declaration</p> <p>A non-military use declaration signed by the Minister of National Defence was included with the original request.</p>
<p>The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion laid down in Article 10(c).”</p> <p>“Article 10 c. it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”</p>	<p style="text-align: center;">Facts (criterion laid down in Article 10(c))</p> <p>A non-military use declaration signed by the Minister of National Defence was included with the original request.</p>
<p>3.E. Information Regarding Responsible Authority</p> <p>Guidelines, para. 60. Detailed contact information of responsible authorities is provided in the request.</p>	<p style="text-align: center;">Contact information of responsible authorities</p> <p>Contact information was provided.</p>
<p>3.F. Justification for Enhanced Protection</p> <p>The cultural property:</p> <p>i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);</p>	<p style="text-align: center;">Greatest importance for humanity (3.B.)</p> <p>See 3.B, above.</p>
<p>ii) is protected by <u>adequate domestic legal and administrative measures</u> recognising its exceptional cultural and historic value and <u>ensuring the highest level of protection</u> (Article</p>	<p style="text-align: center;">Adequate domestic legal and administrative measures (3.C.)</p> <p>See 3.C., above.</p>

<p>10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached.</p>	
<p>iii) is not used for military purposes or to shield military sites. <u>A copy of the non-military use declaration certifying such situation is attached.</u></p> <p>(Article 10(c) of the Second Protocol: “it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.”).</p>	<p>Article 10(c) of the Second Protocol: A copy of the non-military use declaration certifying such situation is attached</p> <p>A non-military use declaration signed by the Minister of National Defence was included with the original request.</p>
<p>Signature by the Party’s competent authority</p>	<p>Name and Title Ms. Remigijus Vilkaitis Minister of Culture</p>

ANNEX I

3.C Laws and Regulations:

The List of immovable objects of great importance to the cultural heritage, adopted by resolution of the Government of the Republic of Lithuania

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=292439&p_query=&p_tr2=

Law on Protected Areas

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=300377

Law on Protection of Immovable Cultural Heritage

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=326112

Regulations of the state Kernavė cultural reserve

http://www.kernave.org/rez_nuostatai_en.htm

Regulation of the buffer zone of the state Kernavė cultural reserve

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=260931&p_query=&p_tr2=

Management plan of the state Kernavė cultural reserve

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=352623&p_query=&p_tr2=

Rules for visitors of the state Kernavė cultural reserve

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=254388&p_query=&p_tr2=

ANNEX II

3.D USE OF THE CULTURAL PROPERTY:

- to preserve, to administer, to maintain, to exhibit, to visit the territorial complex of cultural properties in Kernavė and uphold the complex authentic;
- to carry on constant scientific research of archaeological and historical properties in the territory of cultural reserve and within its buffer zone;
- to organize museum activities, namely: to collect, to record, to preserve, to conserve, to restore and exhibit museum's collections, which are based on material of permanent archaeological investigations
- to control economical activities of legal and physical bodies in according to documents on planning of territories and limitations stated in this document;
- to preserve the cultural landscape and restore violated elements of the landscape;
- to promote immovable and movable cultural properties, to create conditions for cognitive and cultural tourism.

The Committee for the Protection of Cultural Property in the Event of Armed Conflict

(UNESCO Headquarters, 22-24 November, 2010)

Kernavé Archeological Site (Cultural Reserve of Kernavé) (Lithuania)

1. **Thanking** Lithuania for submitting a request for enhanced protection for Kernavé Archeological Site (Cultural Reserve of Kernavé);
2. **Thanking** its Bureau for analysing this request based on the attached Checklist for Completeness;
3. **Referring** to the above Checklist detailing missing information, particularly with regard to paragraphs 39, 56 and 58 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
4. **Referring** to paragraph 71 of the Guidelines for the Implementation of the Second Protocol to the 1954 Hague Convention;
5. **Decides** to refer said request to Lithuania to submit additional information to the Secretariat for transmission of the complete request to it.
6. **Decides** that after receiving the requested information, the fulfillment of the conditions under Article 10(b) and (c) will be assessed.