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**SECOND PROTOCOL TO THE HAGUE CONVENTION OF 1954
FOR THE PROTECTION OF CULTURAL PROPERTY
IN THE EVENT OF ARMED CONFLICT**

SIXTH MEETING OF THE PARTIES

**UNESCO Headquarters, Paris
8 (p.m.) and 9 December 2015**

**Item 9 of the Provisional Agenda:
Creation of a Special Account for Enhancing the Human Resources of the
Secretariat of the 1954 Hague Convention and its two Protocols**

This document prepared pursuant to Decision 9.COM 9 of the Committee for the Protection of Cultural Property in the Event of Armed Conflict contains the proposal to establish a Special Account to raise extrabudgetary resources in order to enhance Secretariat's human resources. It provides draft Financial Regulation of the Special Account.

Draft Decision: paragraph 12

1. Article 23.3 (e) of the Second Protocol provides that it is for the Meeting of the State Parties to discuss any problem related to the application of the Second Protocol, and to make recommendations, as appropriate. This function also includes the discussion of the financial constraints of the Secretariat of UNESCO which prepares the Committee's documentation and the agenda for its meetings and has the responsibility for the implementation of its decisions.
2. The Committee for the Protection of Cultural Property in the Event of Armed Conflict at its ninth Meeting (UNESCO Headquarters, 18-19 December 2014) considered the lack of human and financial resources an obstacle to the implementation of activities by the Secretariat. It welcomed the establishment of a Special Account specifically earmarked for the enhancement of the human resources of the Secretariat and requested by its Decision 9.COM 9 the Secretariat to prepare a working document proposing the establishment of a new Special Account to enhance its human resources in anticipation of the sixth Meeting of Parties to take place in 2015.
3. The growing number of ratifications of the 1954 Hague Convention and its two Protocols, and increased amount of nominations to the International Register of Cultural Property under Special Protection and the List of Cultural Property under Enhanced Protection imply the need for additional human resources. Moreover, in addition to the implementation of the respective decisions of the Governing Bodies of the 1954 Hague Convention and its Second Protocol, the Secretariat is very closely involved in actions for the protection of cultural property in the conflict and post-conflict situations. All these tasks require additional human resources which due to financial constraints cannot be financed from the regular programme budget.
4. The Secretariat of the 1954 Hague Convention and its two Protocols currently comprises 2 Professional posts (one regular programme P-5 who is also Chief of the Cultural Heritage Protection Treaties Section, and one extrabudgetary P1/2 post) as well as one regular programme General Service post (G-4). In addition, a Junior Professional Officer (P-1) seconded from the Republic of Azerbaijan is working in the Secretariat until 15 June 2016. Finally, the Secretariat obtained a secondment from Cyprus for one year as of 9 September 2015.
5. In the current staffing situation the Secretariat is not able to meet the full expectations of the States Parties to the 1954 Convention and its two Protocols. It has already suspended organizing some awareness-raising and capacity building activities which has tremendous negative impact on effective implementation of the Convention and its two Protocols. The limitation of number of inscriptions on the List of Cultural Property under Enhanced Protection List is one of the measures to be taken if the staffing situation is not going to improve.
6. Taking into account the responsibilities stipulated under the 1954 Hague Convention and its two Protocols, the Secretariat estimates a number of additional posts needed at two Professional posts (P1 - P2) and one General Service post (G-3). The costs of these three posts, based on the standard staff costs for posts at Headquarters' total approximately 300,000 USD per year. With these new posts the Secretariat will be able to resume organizing awareness-raising and capacity-building activities, to provide more in-depth technical assistance, to implement more efficiently the decisions and recommendations of the statutory bodies.
7. The proposal of the creation of a Special Account is one of the measures proposed to address the decreasing regular budget and increasing workload of the Secretariat as also found in the Audit of the Working Methods of Cultural Conventions (IOS/AUD/2013/06) undertaken by Internal Oversight Service (IOS). Considering the IOS recommendation to the Convention secretariats to formulate proposals to the Governing Bodies of UNESCO and/or of the Convention(s) in order to supplement the current funding structure with General Trust funds formed out of contributions from the State Parties on compulsory or voluntary basis to cover the ordinary expenditures of the secretariats, including staffing, administrative costs,

preparation and translation of documents, the Secretariat presented document CLT-14/9.COM/CONF.203/9 (Annex I) on the creation of a Special Account for human resources of the Secretariat at Ninth Meeting of the Committee.

8. It must be noted that the practice of the creation of specific accounts for the purpose of enhancing human resources of the secretariat has already been used in the framework of 1972 World Heritage Convention and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.¹
9. The creation of a Special Account would allow States Parties and other perspective donors to make voluntary financial contributions specifically for the purposes of enhancing human capacities of the Secretariat, in any amount, rather than the minimum that would be required to establish a post for a fixed term under specific Trust Funds. Recruitment and appointment to posts to be financed from the Special Account would be done on a competitive basis, in conformity with UNESCO's Staff Regulations and Staff Rules and its Human Resources Manual. The Committee and the Meeting of the Parties will be informed of the status and the use of the Special Account.
10. As stated in paragraph 14 of the document CLT-14/9.COM/CONF.203/9, if the Meeting of the Parties decides in favour of a new Special Account, it must take note of the Financial Regulations of this new Special Account, which shall be drawn up by the Director-General to govern its management.² In accordance with articles 6.5 and 6.6, the establishment of this new Special Account together with its Financial Regulations shall be reported to the Executive Board, which may make appropriate recommendations to the Director-General.
11. The draft Financial Regulations are in conformity with the model text for the Financial Regulations of Special Accounts adopted by the Executive Board at its 161st session (see Annex I). A Special Account has the advantage of combining several contributions from different donors to finance human resources. In addition, any unused balance at the end of the financial period is carried over to the following one. The establishment of a Special Account does not prevent donors from also financing projects under funds-in-trust.
12. The Meeting of the Parties may wish to adopt the following decision:

DRAFT DECISION 6.SP 4

The Meeting of the Parties,

1. Having examined document CLT-15/6.SP/CONF.202/4/REV,
2. Recalling Decision 9.COM 9 of the Committee, welcomes the preparation of this document,
3. Also recalling the recommendation 1(a) made by IOS for the Audit of the Working Methods of Cultural Conventions (IOS/AUD/2013/06),
4. Acknowledging the urgent need to enhance the human resources of the Secretariat,
5. Recommends to the Director-General of UNESCO to establish "The Special Account for Human Resources of the Secretariat of the 1954 Hague Convention and its two Protocols" in accordance with Article 6.5 of the Financial Regulations of UNESCO and taking into consideration the resolutions on Special Accounts as adopted by the General Conference at its 38th session, and amend as necessary the Financial Regulations presented in Annex1 of document CLT-15/6.SP/CONF.202/4/REV;
6. Further requests the Director-General of UNESCO to present at the Seventh Meeting of the Parties, the final version, as presented at the Executive Board of UNESCO, of

¹ Resolution 19 GA 8. Available at: <http://whc.unesco.org/archive/2013/whc13-19ga-12-en.pdf> (accessed 12 February 2015); and Doc. ITH/10/3.GA/CONF.201/Resolutions, Resolution 3.GA 9 (item 8). Available at: <http://www.unesco.org/culture/ich/index.php?lg=en&pg=00283> (accessed 12 February 2015).

² See the document: <http://unesdoc.unesco.org/images/0023/002312/231241E.pdf>

the Financial Regulations of “The Special Account for Human resources of the Secretariat of the 1954 Hague Convention and its two Protocols”;

7. Strongly invites the State Parties and potential donors to make voluntary financial contributions to strengthen the Secretariat’s work.

Annex 1

FINANCIAL REGULATIONS OF THE SPECIAL ACCOUNT FOR ENHANCING HUMAN RESOURCES OF THE SECRETARIAT OF THE 1954 HAGUE CONVENTION AND ITS TWO PROTOCOLS (1954 AND 1999)

Article 1 – Creation of a Special Account

1.1 In accordance with Article 6, paragraph 5, of the Financial Regulations of UNESCO, there is hereby created a Special Account for Enhancing Human Resources of the Secretariat of the 1954 Hague Convention and its two Protocols (1954 and 1999), hereafter referred to as the Special Account.

1.2 The following regulations shall govern the operation of the Special Account.

Article 2 – Financial period

The financial period shall correspond to that of UNESCO.

Article 3 – Purpose

In accordance with Decision 6.SP 4 of the 6th Meeting of Parties to the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of the Cultural Property in the Event of Armed Conflict (hereinafter referred to as “**the Convention**”), the purpose of the Special Account is to enhance the human resources of the Secretariat of the 1954 Hague Convention and its two Protocols.

Article 4 – Income

The income of the Special Account shall consist of:

- (a) voluntary contributions from State Parties of the Convention, other States, international agencies and organizations, as well as other entities;
- (c) such subventions, endowments, gifts and bequests as are allocated to it for purposes consistent with the object of the Special Account;
- (d) miscellaneous income, including any interest earned on the investments referred to in

Article 7 below.

Article 5 – Expenditure

The Special Account shall be debited with the expenditure relating to its purpose as described in Article 3 above, including administrative expenses specifically relating to it and programme support costs applicable to Special Accounts.

Article 6 – Accounts

- 6.1 The Chief Financial Officer shall maintain such accounting records as are necessary.
- 6.2 Any unused balance at the end of a financial period shall be carried forward to the following financial period.
- 6.3 The accounts of the Special Account shall be presented for audit to the External Auditor of UNESCO, together with the other accounts of the Organization.
- 6.4 Contributions in kind shall be recorded outside the Special Account.

Article 7 – Investments

- 7.1 The Director-General may make short-term investments of sums standing to the credit of the Special Account.
- 7.2 Interest earned on these investments shall be credited to the Special Account.

Article 8 – Closure of the Special Account

The Director-General shall decide upon the closure of the Special Account at such time as she/he deems that its operation is no longer necessary and inform the Executive Board accordingly.

Article 9 – General provision

Unless otherwise provided in these Regulations, the Special Account shall be administered in accordance with the Financial Regulations of UNESCO.