



United Nations
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Organización
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Организация
Объединенных Наций по
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науки и культуры

منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
科学及文化组织

7 COM Decisions

Paris, 31 January 2013

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SEVENTH MEETING OF THE COMMITTEE FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT

Paris, UNESCO Headquarters, Room XI, 20-21 December 2012

ADOPTED DECISIONS

Decision 7.COM 1

(Decision adopted by the Committee on an *ad hoc* basis)

(Request of Mali for financial assistance related to emergency measures from the Fund for the Protection of Cultural Property in the Event of Armed Conflict)

The Committee,

1. Having considered the request for financial assistance from Mali related to emergency measures,
2. Expressing its grave concern over the situation in Mali and its profound impact on Malian cultural heritage,
3. Recalling Article 29.1 (b) of the Second Protocol, the Guidelines for the Implementation of the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict as well as the guidelines concerning the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict,
4. Approves the request for financial assistance from Mali related to emergency measures for activities that are in conformity with Article 29.1 (b) of the Second Protocol, in the amount of US\$ 40,500 from the Fund for the Protection of Cultural Property in the Event of Armed Conflict;
5. Invites Mali to inform the Secretariat as to the use of the financial assistance and the implementation of the project before its next Bureau meeting;
6. Invites the Secretariat to prepare for its next Bureau meeting as well as for its eighth Meeting a report on the use of the financial assistance approved and the implementation of the project, with a view to ensuring its appropriate monitoring and evaluation;
7. Requests the Director-General:
 - (a) to take all appropriate steps to reinforce the cooperation with Mali under the Programme and Budget for 2012-2013 (36 C/5) approved by the General Conference at its 36th session, and by mobilizing extrabudgetary resources;
 - (b) to urge the Member States of UNESCO, governmental and non-governmental organizations as well as international and private institutions to provide emergency assistance in UNESCO's fields of competence.

Decision 7.COM 2 (Improvement of the Enhanced Protection Request Form)

The Committee,

1. Recalling its recommendation at its sixth meeting which, among other things, requested ‘the Secretariat to approach those Parties which applied for the granting of enhanced protection asking them to share their experiences’ regarding the Enhanced Protection Request Form,
2. Recalling also the decision of the Bureau adopted at its meeting held in June 2012 to extend such consultation to all Parties to the Second Protocol,
3. Having considered document CLT-12/7.COM/CONF.201/2 concerning the improvement of the “Enhanced Protection Request Form”,
4. Thanking the concerned Parties for providing the Secretariat with the proposed modifications thereof,
5. Thanking the Secretariat for its work,
6. Approves the modified version of the form as contained in Annex 1.

Annex 1

ENHANCED PROTECTION REQUEST FORM

1. PARTY:

2. DATE OF SUBMISSION:

Submission prepared by:

Institution:

E-mail:

Name:

Fax:

Address:

Telephone:

3. REQUIREMENTS CONSIDERED BY THE COMMITTEE:¹

3. A IDENTIFICATION OF THE CULTURAL PROPERTY (please include photos and maps):

Name of the Cultural Property :
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State, Province or Region Located or Stored:
UTM coordinates of the approximate central point and a list of UTM coordinates indicating the course of the property boundary, if applicable:
Area of the cultural property (ha):

3. B DESCRIPTION OF THE CULTURAL PROPERTY:

3. C PROTECTION OF THE CULTURAL PROPERTY:

3. D USE OF THE CULTURAL PROPERTY:

¹ More detailed information is contained in paragraphs 54 - 62 of the Guidelines.

3. E INFORMATION REGARDING RESPONSIBLE AUTHORITY/IES:

(such as the authority/ies responsible for the measures referred to in Articles 5, 10(b), and 10(c) of the Second Protocol)

3.F JUSTIFICATION FOR ENHANCED PROTECTION:

Applicants are requested to justify that the following criteria are fully met:

The cultural property:

- i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol);
- ii) is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached.
- iii) is not used for military purposes or to shield military sites. A copy of the non-military use declaration certifying such situation is attached (Article 10(c) of the Second Protocol).

The Party/ies is/are also invited to provide information concerning relevant measures adopted under other UNESCO standard-setting instruments and Programmes, if applicable.

Signature by the Party's competent authority:

Full name

Title

Date

MODEL

Non-military use declaration

On behalf of [the Party which has control over the cultural property], I hereby declare that, in conformity with Article 10 of the Second Protocol, [the cultural property for which enhanced protection was requested] will not be used for military purposes or to shield military sites.

[Signature of the representative authorized by the Party which has control over the cultural property as competent for this matter]

Name:

Function:

Date:

Decision 7.COM 3 (Synergies between the Second Protocol and the World Heritage Convention)

The Committee,

1. Recalling the decision of its fifth meeting regarding document CLT-10/CONF/204/4 and the recent request of its Bureau with regard to the development of synergies between the Second Protocol and the World Heritage Convention,
2. Takes note of document CLT-12/7.COM/CONF.201/3 concerning synergies between the Second Protocol and the World Heritage Convention;
3. Requests the Secretariat to ensure that synergies foreseen in document CLT-12/7.COM/CONF.201/3 apply at all levels when assisting Parties with the identification, submission of proposals for enhanced protection, inclusion of cultural property on the List, and protection and safeguarding measures of cultural property both under the 1999 Second Protocol and the World Heritage Convention;
4. Thanks the Secretariat for its work;
5. Welcomes the efforts of the Secretariat to elaborate the cooperation between secretariats of different standard-setting instruments.

Decision 7.COM 6 (Synergies between the Second Protocol and the World Heritage Convention)

The Committee,

1. Recalling its decision adopted during its fifth meeting concerning synergies between the 1999 Second Protocol and the other relevant UNESCO instruments and programmes,
2. Having examined the document CLT-12/7.COM/CONF.201/6, and thanking Belgium for having prepared it,
3. Welcomes the reinforcement of synergies that this proposal could establish between the 1999 Second Protocol and the 1972 World Heritage Convention ;
4. Calls on States Parties to the 1999 Second Protocol to apply for the granting of Enhanced Protection for their cultural properties that are already inscribed on the World Heritage List;
5. Invites the Director-General to:
 - raise the awareness of the World Heritage Committee regarding possible synergies between the 1972 World Heritage Convention and the 1954 Hague Convention and particularly its 1999 Second Protocol;
 - propose to the World Heritage Committee to consider the concrete proposal detailed above on the modification of the format for the nomination of properties for inscription on the World Heritage List as well as to take into consideration the synergies in the framework of the Periodic Reports;
6. Requests the Secretariat to present a progress report based on the work accomplished to its eighth meeting.

Decision 7.COM 4 (Fundraising strategy for the Fund for the Protection of Cultural Property in the Event of Armed Conflict)

The Committee,

1. Recalling Article 29 of the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict,
2. Recalling the guidelines concerning the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict,
3. Recalling Decision 6.COM 7 of its sixth meeting, “[R]equest[ing] the Secretariat to prepare for its seventh meeting in 2012 a comprehensive fundraising strategy to increase the resources of the Fund”,
4. Recalling the general partnership strategy of UNESCO in 190 EXB/Decision 21,
5. Having considered document CLT-12/7.COM/CONF.201/4, Fundraising Strategy for the Fund for the Protection of Cultural Property in the Event of Armed Conflict,
6. Thanking the Secretariat for its work,
7. Requests the Secretariat to start implementing the resource mobilization strategy to increase the resources of the Fund for the Protection of Cultural Property in the Event of Armed Conflict;
8. Requests the Secretariat to report to its eighth meeting on the status of the implementation of the resource mobilization strategy;
9. Requests the Secretariat to present an update to its ninth meeting on the Fundraising Strategy for the Fund for the Protection of Cultural Property in the Event of Armed Conflict.

Decision 7.COM 5 (Report of El Salvador on the use of the financial Assistance granted from the Fund for the Protection of Cultural Property in the Event of Armed Conflict)

The Committee,

1. Having examined document CLT-12/7.COM/CONF.201/5 together with its annex,
2. Recalling Decision 6.COM 6 approving the request for financial assistance from El Salvador in the amount of US\$ 23,500 from the Fund for the Protection of Cultural Property in the Event of Armed Conflict,
3. Further recalling that the same decision invited El Salvador to prepare a report on the use of the financial assistance approved herein for its seventh meeting, with a view to ensuring its appropriate monitoring and evaluation,
4. Takes note with satisfaction of the report submitted by El Salvador;
5. Commends El Salvador for its commitment to meet its obligations regarding the financial assistance granted;
6. Invites El Salvador to continue its efforts in raising awareness of the importance of protecting cultural property and in strengthening its engagement in the protection of its cultural property in general;
7. Further invites El Salvador to prepare a final report on the use of the financial assistance for its eighth meeting, with a view to ensuring its appropriate monitoring and evaluation.

Decision 7.COM 7 (Protection of cultural property in occupied territory)

The Committee,

1. Referring to Articles 4, 5, 18, 21, 22 and 23 of the 1954 Hague Convention,
2. Referring to Articles 9, 33, 34, 35 and 36 of the 1999 Second Protocol,
3. Recalling paragraph 102 of the Guidelines for the Implementation of the 1999 Second Protocol which, *inter alia*, provides that Parties which are occupying powers provide information in their periodic reports on the implementation of the provisions of the Second Protocol concerning the protection of the cultural property in occupied territory,
4. Recalling paragraph 134 of the Guidelines for the Implementation of the 1999 Second Protocol concerning technical assistance of UNESCO in organizing the protection of cultural property, which may include the dispatch of technical missions to undertake operational projects, if so requested,
5. Emphasizing the importance of safeguarding and preserving the cultural property in occupied territories,
6. Taking note of document CLT-12/7.COM/CONF.201/7, "Protection of Cultural Property in Occupied Territories", submitted by the Republic of Azerbaijan,
7. Requests the Secretariat to prepare a document based on discussions of its seventh meeting giving specific emphasis to the implementation of the relevant provisions and mechanisms of the 1954 Hague Convention and the 1999 Second Protocol concerning the protection of cultural property in occupied territory and to present it at its eighth meeting in 2013.