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

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

Eleventh meeting
UNESCO Headquarters
8 – 9 December 2016

Item 4 of the provisional agenda: **Report of the Secretariat on its activities**

This document contains the Report of the Secretariat on its activities covering the period between the 10th Meeting of the Committee (10-11 December 2015) and 13 October 2016. An oral update will be presented during the Eleventh Meeting of the Committee.

The report covers, among others, actions of UNESCO concerning:

- Encouraging UNESCO Member States to become Party to the Second Protocol;
- Follow-up of the Decisions of the 10th Meeting of the Committee;
- The List of Cultural Property under Enhanced Protection;
- Awareness-raising and capacity-building activities on the protection of cultural property in the event of armed conflict;
- Financial and human resources of the Secretariat;
- Ongoing activities of the Secretariat.

Draft decision: paragraph 24.

This report of the Secretariat covers the period between the 10th Meeting of the Committee (UNESCO, 10 – 11 December 2015) and 13 October 2016. An oral update will be presented during the 11th Meeting of the Committee.

I. Encouraging UNESCO Member States to become Party to the Second Protocol

1. As of 13 October 2016, there are 127 States Parties to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, 104 of which are also States Parties to the First Protocol. 69 State Parties to the Convention are also bound by the 1999 Second Protocol.
2. Letters encouraging the UNESCO Member States to ratify the 1999 Second Protocol were sent on 1 April 2016 to three groups of Member States according to their status of ratification of the above-mentioned standard setting instrument. Individual letters were also addressed to the five permanent members of the United Nations Security Council.
3. In addition, the Secretariat intensified its coordination with UNESCO Field Offices and encouraged them to work closely with national authorities on the issues related to the ratification and implementation of the 1999 Second Protocol.

II. Follow-up of the Decisions of the 10th Meeting of the Committee

a. Decision 10.COM 9 on the preparation of a report on the situations where cultural property is at risk in the context of an armed conflict, including occupation

4. The Secretariat held a meeting on 27 January 2016 with the International Council of Museums (ICOM), which represented the International Committee of the Blue Shield (ICBS), in order to elaborate the Terms of Reference of the report to be prepared in accordance with Decision 10.COM 9 on the situations where cultural property is at risk in the context of armed conflict, including occupation. The cost estimate related to the preparation of the report amounts to 20,000 Euros and covers the following items: project coordination, research, expert consulting, drafting, and translation. On 14 June 2016, a contract which was subsequently amended on 31 August 2016 was concluded between UNESCO and ICOM for the preparation of the report.
5. On 29 April 2016, the Secretariat informed electronically the Members of the Committee about the costs resulting from the preparation of the report and, on 18 May 2016, a letter was dispatched to all States Parties to the 1999 Second Protocol encouraging them to provide a voluntarily contribution to the Fund for the Protection of Cultural Property in the Event of Armed Conflict to support the preparation of this report. Since no financial was received for this purpose by 30 September 2016, the necessary amount will be withdrawn from the Fund.
6. Delays were encountered in the elaboration and the submission of the report. Information is provided in working document C54/16/11.COM/8.

III. The List of Cultural Property under Enhanced Protection

7. Following States Parties submitted requests for granting of enhanced protection:
 - i. Bosnia and Herzegovina (“Mehmed Paša Sokolović Bridge in Višegrad” and “Architectural Ensemble of Blagaj”);
 - ii. Cambodia (Angkor);
 - iii. Georgia (Historical Monuments of Mtskheta);
 - iv. Mali (Tomb of Askia)
 - v. Nigeria (“Sukur Cultural Landscape” and “Rabih’s Fort National Monument”).
8. In accordance with paragraph 46 of the Guidelines for the Implementation of the 1999 Second Protocol, the Secretariat acknowledged the receipt of each request, checked their completeness and registered the requests. Additional information was requested by the Secretariat to complete the files. In addition, individual meetings were held with each

concerned State Party in order to provide more detailed explanation and technical information about the files submitted.

9. Following the evaluation by the Secretariat and its requests for additional information, the Secretariat considered the files submitted by Georgia and Mali complete and forwarded the review of completeness of both files to the Bureau. All six Bureau members agreed to this review and the Secretariat dispatched the files to the States Parties to the 1999 Second Protocol on 4 October 2016. Finally, since the Malian request is closely linked to a request for granting of international assistance in the amount of 40,000 USD, it is to be considered, along with the Georgian request, by the eleventh Meeting of the Committee.

IV. Awareness-raising and capacity-building activities on the protection of cultural property in the event of armed conflict

a. Preparation of a Military Manual on the Protection of Cultural Property in the Event of Armed Conflict for armed forces

10. The Secretariat established cooperation with the San Remo International Institute of Humanitarian Law (Italy) for the preparation of a Military Manual on the Protection of Cultural Property in the Event of Armed Conflict for armed forces which will be published by December 2016. The project is funded by the Government of Azerbaijan which generously contributed the sum of 30,000 EUR.

b. Preparation of Training Materials on the Protection of Cultural Property in the Event of Armed Conflict

11. The Secretariat collaborated with the University of Newcastle upon Tyne (United Kingdom) on the preparation of training materials for military personnel on the protection of cultural property in the event of armed conflict to be used during the implementation of three-day long workshops. The production of the training materials is expected to be completed by 31 December 2016 and will be made publicly available on the website of the 1954 Hague Convention and its two Protocols.

c. Reinforcing the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols

12. On 16 December 2015, Switzerland and UNESCO signed an agreement for the establishment of a fund-in-trust aiming at financing a two-year project on the reinforcement of the implementation of the Convention for a total of 80,000 CHF (approximately 81,300 USD), particularly to:
 - Strengthen capacities in the protection of cultural heritage within the framework of the United Nations peacekeeping operations;
 - Increase ratifications to the Convention and its two Protocols, in particular by States from Africa and Asia and the Pacific Region; and,
 - Encourage the adoption of national legislation integrating the provisions of Chapter IV of the 1999 Second Protocol by the Parties.
13. As regards the first objective, awareness raising materials will be prepared in 2017 building on the UNESCO's experience with the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and on the above-mentioned materials developed in cooperation with the University of Newcastle upon Tyne to demonstrate the need to provide training on cultural heritage to peacekeeping operations personnel.
14. With regard to the second objective, contacts with representatives of UNESCO Member States not party to the Convention and/or its First Protocol and/or its Second Protocol have been pursued to understand the reasons for the lack of new ratifications, and consequently to adopt a specific approach for each State. In collaboration with the UNESCO Office in Addis Ababa, the Secretariat will organize a regional workshop for Eastern-African countries to foster the ratification of the Convention and its two (1954 and 1999) Protocols in 2017.

15. As for the third objective, a manual aiming at explaining the steps to be followed in the implementation process will be prepared.

d. Publications

16. The Secretariat prepared the following awareness-raising materials which were recently published or will be made publicly available shortly:
 - Brochure on Enhanced Protection: the English version has been published. The French and Spanish versions will be published by the end of December 2016
 - Brochure on the Fund for the Protection of Cultural Property in the Event of Armed Conflict: the English version has been published. The French and Spanish versions will be published by the end of December 2016.
 - Information Kit on the Convention and its two (1954 and 1999) Protocols will be published by the end of December 2016

e. The website on Armed Conflict and Heritage

17. The overall design of the website of the Secretariat will be changed to make it more responsive and user-friendly. The new website is under preparation and will be ready in the beginning of 2017.

V. Financial and Human Resources of the Secretariat

18. While no funds have been mobilized to reinforce the activities of the Secretariat, the administrative procedures for the creation of a Special Account for enhancing the Human Resources of the Secretariat of the 1954 Hague Convention and its two Protocols are underway.
19. The Governments of Azerbaijan and Cyprus supported the Secretariat by contributing to the enhancement of its human resources.
20. A P1/2 Associate Programme Specialist post for the Secretariat is currently under recruitment.

VI. Ongoing Activities of the Secretariat

21. The Secretary of the Convention and the Chief of the Emergency Response and Preparedness Unit participated at a meeting between UNESCO and North Atlantic Treaty Organization (NATO), in April 2016 at the Supreme Headquarters Allied Powers Europe (SHAPE) in Belgium, to explore opportunities to strengthen cooperation in the field of cultural property protection. The main results of the meeting were the following:
 - The establishment of an agreement between UNESCO and NATO in the field of cultural heritage protection was proposed.
 - A meeting in June 2016 was convened between UNESCO and NATO, during the NATO Civil Military Interaction Key Leader Conference in Paris, where these discussions were further analysed by both parties.
22. The Secretariat participated at the meeting organized by the Inter-American Bar Association ("IABA") in June 2016 (Miami, USA) and provided a presentation to the IABA Military Committee on the main tenets of the Convention and its two (1954 and 1999) Protocols as well as on Secretariat's activities on the implementation of those instruments in the military field with a particular accent on the co-operation with the military.
23. The Secretariat also participated at the International Conference entitled "Preserving Humanity as an Imperative for Sustainable Development", which was organized by the Republic of Tatarstan of the Russian Federation (Kazan, 13-16 September 2016), to share relevant information on the implementation of UNESCO's standard-setting instruments related to culture.

24. The Committee may wish to adopt the following decision:

DRAFT DECISION 11.COM 4

The Committee,

1. Having considered document C54/16/11.COM/4/REV,
2. Takes note with appreciation of the Secretariat's report on its activities for the period December 2015 – October 2016;
3. Thanks Switzerland for supporting the reinforcement of the implementation of the 1954 Hague Convention for the Protection of Cultural property in the Event of Armed Conflict through extra-budgetary funds;
4. Also thanks Azerbaijan and Cyprus for contributing to the enhancement of the Human Resources of the Secretariat;
5. Encourages all Parties to the 1999 Second Protocol to provide contributions to reinforce the Secretariat of the Convention;
6. Takes note of the preliminary version of the report on the situations where cultural property is at risk in the context of an armed conflict, including occupation and requests the Secretariat to present the final version of the report and the action plan at the twelfth meeting of the Committee;
7. Also requests the Secretariat to submit to it, at its twelfth meeting, a report of the Secretariat on its activities.