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**Periodic reports on 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**

**National report from Norway on the Implementation of the 1954
Hague Convention and protocols**

I. Convention

General

Norway is party to the Convention and its first protocol. The Ministry of the Environment consider preparing a proposal for the Parliament of ratification of the second protocol. This document will be ready by the end of the year and will be sent to the Parliament for adoption early in 2010. This means that the main work on the civilian side has been on this document, while on the military side some really good achievements have been made, see below.

I. 1954 Hague Convention

Article 3 – Safeguarding of cultural property

The Norwegian safeguarding measures are built on 3 principles.

- **Responsibility** – the institution which has the responsibility in peacetime, shall also have the responsibility to plan and to act during national crises as well as in armed conflicts
- **Similarity** – the organisation in peacetime or wartime or during crises shall be

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- similar if possible
- **Closeness** – crises should be handled at the lowest possible level. The local community which will have most of cases, larger crises at regional level and wartime crises on state level.

Article 7 - Military measures

The military education-system is offering a 5 hours interactive course on international law concerning war including protection of cultural heritage for the soldiers and a 20 hours interactive course for officers. The courses are on one CD and are distributed to all personnel.

In addition a two-page leaflet in pocket size has been made for all soldiers to carry in their pockets. On one side it contains 10 basic rules from The Hague and Geneva conventions and on the other side a survey of international protection signs (including the sign for the protection of monuments – Hague 1954).

Chapter V – The distinctive emblem

The protected monuments of Norway are not marked with the sign of the Hague convention. The only signs put up are specific information signs on the more important cultural objects.

Article 25 – Dissemination of the Convention

See article 7.

Article 26 (1) – Official translations

We will send a Norwegian translation of the Convention, the First Protocol and the Regulations for its execution to the Secretariat as soon as possible.

Article 2 - Sanctions

The penal act is at present undergoing major amendments. The ratification of the second protocol requires also some changes in the penal act that will be done at the same time, see article 15 of the second protocol.

1954 (First) Protocol

In the Culture Heritage Act some paragraphs, §§ 23a-23f have been devoted to this item. They were made in connection with ratification of the UNIDROIT convention.

Resolution II of the 1954 Hague Conference

The resolution recommends establishing a national advisory committee. No such committee has yet been appointed, but this question will be considered related to the implementation of the Second Protocol.

II. National reports on the implementation of the 1999 Second Protocol to the 1954 Hague Convention

Article 5 – Safeguarding of cultural property

See comments under article 3 of the Convention

Chapter 3 - Enhanced protection

Norway will nominate cultural properties for enhanced protection as part of the implementation process of the Convention and Protocols. We will consider nominating core areas of the World Heritage Sites complying with the criteria in article 10 after an individual assessment.

Article 15 - Serious violation of the Protocol

In article 15, section 1, five categories of offences is listed up. Below is listed up the corresponding paragraphs in Norwegian Penal Law:

Second protocol	New penal act	Remarks
Section 1a.	§ 106.f	
1b	New § 152b	Not yet sanctioned by the Parliament
1c	§ 104b	
1d	§ 106 f	
1e	§ 104a	

Offences of the five categories are considered to be war crimes and will be punished as such. When the new § 152b is sanctioned by the Parliament presumably during 2009, all offences in art 15 have been covered.

Article 16 – Jurisdiction

See Art 15.

Article 21 - Measures regarding other violations

In the Norwegian Cultural Heritage Act there are some paragraphs concerning the violation of cultural heritage with penalties.

We are party to the UNIDROIT Convention on the return of stolen property and the 1970 Convention on illicit traffic.

The Cultural Heritage Act has been amended to comply with these conventions.

Article 30 - Dissemination

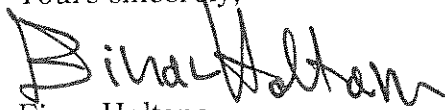
Among the military and civilian authorities on Cultural Heritage the Convention is well known. See Article 7 on the Convention.

Article 37 - Translation and reports

The second protocol has been translated into two of the official national languages of Norway. These translations are not official until ratifications have been done. At that point we will send a copy to the Secretariat.

Finally we would like to inform you that the Ministry is preparing a report with national guidelines on how to implement the Convention and the protocols.

Yours sincerely,



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Director General



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