



United Nations  
Educational, Scientific and  
Cultural Organization



The Hague Convention for the Protection of Cultural Property  
in the Event of Armed Conflict - 1954

**2013-2016**  
**Report on the national implementation**  
**of the 1954 Hague Convention and its two (1954 and 1999) Protocols**

**Area :** [Drop down list]

**Member state :** \_\_\_\_\_

**Submission prepared by:**

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## **I. The 1954 Hague Convention**

### **1. Article 3 –Safeguarding of cultural property**

This Article provides for the obligation of the High Contracting Parties to adopt relevant peacetime safeguarding measures against the foreseeable effects of an armed conflict.

Have you undertaken such measures?

YES:  NO:

If yes, please provide more specific information.

- (i) *Provision of traditional security guards for palaces, shrines and sacred grooves.*
- (ii) *Legislative mechanism for protection of cultural properties.*
- (iii) *Use of Modern security forces ( Police&SSS) to secure the premises of Museums,other important Monuments and sites.*
- (iv) *Adoption of community awareness and policing*

## 2. Article 7 –Military Measures (in peace time)

This Article provides for the obligations of the High Contracting Parties to introduce into their military regulations or instructions provisions that may ensure observance of the Convention, as well as to plan or establish within their armed forces services or specialists whose purpose will be to secure respect for cultural property.

(i) Have you introduced such **provisions into your military regulations** and instructions?

YES:  NO:  Not that I am aware of

If yes, please provide more specific information.

(ii) **Have you created such services** or appointed specialists in your country?

YES:  NO:

If yes, please provide more specific information.

## 3. Chapter V – The distinctive emblem

Do you mark cultural property with the distinctive emblem of the Convention?

YES:  NO:

If yes, please provide more specific information.

If not, please state the reasons you have not done so.

## 4. Article 25 –Dissemination of the Convention

Knowledge of the laws of armed conflict is of capital importance for the civilian and military personnel required to apply them. Have you disseminated the provisions of the Convention within armed forces as well as among target groups and the general public? (The word “dissemination” is to be understood in a broad sense: information, training, education, exercises, etc.)

YES:  NO:  Not that I am aware of as the authority in charge of this convention.

If yes, please provide more specific information.

If not, please state the reasons you have not done so.

## 5. Article 26 (1) – Official translations

The Secretariat has received many official translations of the Convention and of the Regulations for its execution. For reference, please visit:

- [Linguistic versions of the Hague Convention and its Protocol of 1954](#)

Are your country's official translations of the Convention and the Regulations for its execution included in these lists?

YES:  NO:

If yes, could you please provide the Secretariat with an electronic copy of the translation(s), if you have not already done so?

## 6. Article 28 – Sanctions

This Article provides for the obligations of the High Contracting Parties to take, within the framework of their ordinary criminal jurisdiction, all necessary steps to prosecute and impose penal or disciplinary sanctions upon those persons, of whatever nationality, who commit or order to be committed a breach of the Convention.

Have you introduced this provision into your penal code?

YES:  NO:

If yes, please provide more specific information.

If yes, we would be grateful if you could kindly provide the Secretariat with a copy of the relevant provision(s) in English or French.

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## II. Resolution II of the 1954 Conference

(i) Have you established a **national advisory committee** in accordance with the wish expressed by the Conference in Resolution II?

YES:  NO:

If yes, please provide more specific information.

(i) Is such a committee a part of the **national commission on the implementation of international humanitarian law (NCIHL)**?

YES:  NO:

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### III. 1954 (First) Protocol

*[to be filled in only by the High Contracting Parties party to the 1954 Protocol]*

The Protocol provides for the obligation of the High Contracting Parties to prevent the exportation of cultural property from a territory occupied by it and requires the return of such property to the territory of the State from which it was removed.

(i) Have you **complied with these provisions**?

YES:  NO:

If yes, please provide more specific information.

(ii) In particular, have you **implemented its provisions** in your national legislation?

YES:  NO:

If yes, please provide more specific information.

(iii) Have you have **taken into custody** cultural property imported into your territory from an occupied territory?

YES:  NO:

If yes, please provide more specific information, including what steps you have taken to return this property at the close of a conflict.

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### IV. The 1999 Second Protocol

*[to be filled in only by the High Contracting Parties party to the 1999 Protocol]*

#### 1. General provisions

(i) **Article 5 – Safeguarding of cultural property**

Article 5 of the Second Protocol complements Article 3 of the Hague Convention by providing concrete examples of peacetime preparatory measures, such as the preparations of inventories of cultural property or the designation of competent authorities responsible for the safeguarding of cultural property.

Have you undertaken these preparatory measures?

YES:  NO:

If yes, please provide more specific information.

(ii) **Article 9 – Protection of cultural property in occupied territory**

Article 9 of the Second Protocol complements the provisions in Article 5 of the Hague Convention by imposing a number of prohibitive measures on the occupying power. If applicable, please describe the implementation of such measures.

Have you implemented these prohibitive measures?

YES:  NO:

If yes, please provide more specific information, describing the implementation of such measures.

**2. Enhanced protection**(Chapter 3)

The Second Protocol establishes an enhanced protection regime for cultural property, provided that the property is cultural heritage of the greatest importance for humanity, is properly protected by administrative and legal measures, and is not and will not be used for a military purpose or to shield military sites.

(i) Do you intend to **request the granting** of enhanced protection for a cultural property?

YES:  NO:

Name of the cultural property: S

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(ii) Do **cultural property under enhanced protection and the protection afforded to it by your state** still meet the conditions for granting enhanced protection under Articles 10(a), 10(b), 10(c) of the Second Protocol and the relevant paragraphs of the Guidelines?

YES:  NO:

If yes, please provide more specific information.

(iii) Have you set up a **specific monitoring mechanism** of cultural property under enhanced protection? For example, have you set up a periodic control?

YES:  NO:

If yes, please provide more specific information.

(iv) Do you intend to **use the distinctive emblem** to mark cultural property under enhanced protection?

YES:  After a committee is inaugurated for this purpose, an inventory will be created NO:

If yes, please provide more specific information, stating the reasons for this intention.

(v) Do you intend to inscribe cultural property on the **tentative list** for the granting of enhanced protection?

YES:  NO:  Not yet

Name of the cultural property:

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### **3. Articles 15 et 21 –Serious violations of this Protocol and measures regarding other violations, respectively**

Article 15 obligates Parties to establish certain acts listed under its first paragraph as criminal offences under domestic law and to make them punishable by appropriate penalties.

Article 21 obligates Parties to adopt relevant legislative, administrative or disciplinary measures to suppress any intentional use of cultural property, illicit export, or other removal or transfer of ownership of cultural property from occupied territory, in violation of the Hague Convention or the Second Protocol.

Have you penalized each of these offences and adopted the above-mentioned measures?

YES:  NO:

If yes, please provide more specific information.

If not, please state the reasons you have not done so.

### **4. Article 16 –Jurisdiction**

Have you taken the necessary measures to establish jurisdiction over offenses mentioned in Article 15?

YES:  NO:

If yes, please provide more specific information.

### **5. Articles 29 (The Fund for the Protection of Cultural Property in the Event of Armed Conflict), 32 (International assistance) and 33 (Assistance of UNESCO)**

(i) **Article 29** : Are you currently receiving international assistance from the Fund?

YES:  NO:

If yes, please describe the project for which funds were received.

(ii) **Article 32 and 33** : Are you currently providing or planning to provide international or technical assistance on a bilateral or multilateral level?

YES:  NO:

If yes, please provide more details.

If not, please state the reasons you have not done so.

## 6. Article 30 – Dissemination

Article 30 calls for, among other things, the strengthening of the appreciation and the respect for cultural property, the dissemination of the Protocol and the establishment of military instructions, training and communication facilities.

Did you take any measures concerning the above-mentioned obligations?

YES:  NO:

If yes, please provide more details.

## 7. The Fund for the Protection of Cultural Property in the Event of Armed Conflict

(i) Have you **contributed to the Fund**?

YES:  NO:  Not that I am aware

If yes, please provide more details.

(ii) If not, would you consider the **possibility of contributing** to the Fund in the future?

YES:  NO:

## 8. National focal point

According to Article 103 of the Guidelines for the Implementation of the Second Protocol *“Unless the Parties agree otherwise, the focal point are the Parties’ Permanent Delegations to the UNESCO”*.

If applicable, you are invited to provide the Secretariat with the name and address of a national focal point which will also be the recipient of all official documents and all correspondence related to the implementation of the Second Protocol.

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**V. Other issues related to the implementation of the Hague Convention and its two Protocols.**

The Secretariat would appreciate it if you could provide us with a copy of the following documents in English and/or French:

- the relevant **administrative civilian and military regulations**;

PDF-document

Web Page

- **national laws** on the protection of cultural property as well as penal provisions not covered by Article 28 of the Hague Convention and Articles 15, 16, 21 of the Second Protocol; and, case-law on the protection of cultural property related to the implementation of the Hague Convention and its two Protocols.

PDF-document

Web Page

**VI. Official Translations of the Second Protocol to the 1954 Hague Convention**

The Secretariat has received many official translations of the Second Protocol. For reference, please visit:

- [Linguistic versions of the 2<sup>nd</sup> Protocol](#)

Are your country's official translations of Second Protocol included in these lists?

YES:  NO:

If yes, could you please provide the Secretariat with an electronic copy of the translation, if you have not already done so?

Signature \_\_\_\_\_