

National report on measures taken for the implementation of the provisions of the 1954 Hague Convention for the protection of cultural property in the event of armed conflict

I. General remarks

The protection of cultural property in Romania is ensured through an extensive and complex normative system (**Annex I**).

The Romanian National Strategy on Implementation of International Humanitarian Law, approved by Decision no. 298 from 17 December 2007 of the Prime Minister (**Annex II**), provides, *inter alia*, the adoption of measures such as:

- the elaboration of and the adoption of certain normative act of applying the provisions of international treaties regarding the cultural property protection;
- the adoption of measures for protection of the cultural property through identification, marking and adequate protection, in compliance with international humanitarian law provisions;
- the training of the qualified personnel to ensure the application (...) of the treaties concerning the cultural property;
- the determination of the involvement which local factors have in administering the measures regarding cultural property protection;
- the elaboration of and the adoption of an inventory project regarding the cultural property, in order to have it labeled with a proper protection symbol.

According to the legislation in force, the main institutions responsible for the protection of cultural property in the event of armed conflict are the Ministry of Culture and National Cultural Heritage, the Ministry of Administration and Interior and the Ministry of National Defence.

II. Special measures of implementation of the 1954 Hague Convention

1.) Romania has adopted a number of **preparatory measures** in order to protect cultural property in the event of armed conflict.

Moreover, one of the specific objectives of the Romanian National Strategy on Implementation of International Humanitarian Law is the adoption of measures in order to protect cultural property in the event of armed conflict.

Thus, regarding the **preparation of inventories**, the Romanian relevant legislation provides the following:

- the obligation of public institutions owning movable cultural objects belonging to the movable national cultural heritage to inventory these goods both analytically, by the standard datasheet and synoptically, by the data bank (*art. 13 paragraph (1) – Law 182/2000*)
- the obligation of museums, public collections, memorial houses, cultural centers and other institutions in this field to ensure the analytical evidence of cultural property through the Registry for analytical recording of cultural property (*Order no. 2035/2000*)

- the obligation of museums and public collections to keep the evidence of museum heritage through the digital Registry for analytical evidence of cultural property (*art. 10 – Law 311/2003*)
- the obligation to initiate the classification procedure of the cultural property which triggers the classification of cultural property of exceptional or special value and its inscription into the Thesaurus Inventory of the movable cultural national heritage, which is accessible also to the public through the database administered by CIMEC <http://clasate.cimec.ro>
- the obligation to inventory digitally the national archaeological heritage through the National Archaeological Repository (*art. 17 - Government Ordinance 43/2000*)

In the field of **planning of emergency measures for protection against fire or structural collapse**, the Romanian relevant legislation provides the following:

- the obligation of museums and of other public institutions owning cultural objects important for the movable national cultural heritage to elaborate, with the approval of the competent bodies for emergency situations, evacuation plans for emergency situations. The museums subordinated to the Ministry of Culture and National Cultural Heritage have elaborated such plans necessary for the evacuation in emergency situations;
- the obligation of the owners of museums and public collections to ensure the prevention, location and extinction of fire and to take measures in order to prevent and diminish the damages which could be caused to the museum heritage, in case of natural disaster or armed conflict (*art. 11, paragraph (1), letter j -Law 311/2003*)

Therewith, in order to establish a **coordinated procedure for the evacuation in the event of armed conflict**, the Government Decision no.1222/2005 establishes the procedure for carrying out and organizing the evacuation, including of the cultural and of the national heritage property, in case of an imminent armed conflict. For the same purpose, the Methodology for organizing, carrying out the activities of evacuation of persons, property, documents and materials containing classified information in the event of armed conflict was elaborated.

According to art. 12 of the Methodology, the main measures in order to ensure the evacuation actions during military actions are established through the plans elaborated during peacetime and the management and coordination at central level are organized by the National Center for Management and Coordination of Evacuation in the event of armed conflict, led by a State Secretary from the Ministry of Administration and Interior, under the coordination of the Ministry of Administration and Interior, which includes representatives of the competent institutions.

According to art. 9, paragraph (1), letter a of the Methodology, one of the important functions of the Center consists in implementing the provisions of the Centralized Plan for evacuation of population and important material property in the event of armed conflict.

With regard to the **competent authorities responsible for the safeguarding of cultural property**, the Ministry of Culture and National Cultural Heritage, the Ministry of Administration and Interior and the Ministry of National Defence must ensure, through a program of coordinated actions, the protection and integrity of the classified movable cultural property, which are in specialized and unspecialized institutions, as well as in private collections, against the risks deriving from natural disasters, public riots or armed conflict (*art. 104 – Law 182/2000*)

Therewith, the Ministry of Culture and National Cultural Heritage is responsible for adopting the measures for special protection of historical monuments in the event of armed conflict

Equally, the Ministry of Culture and National Cultural Heritage, in cooperation with the Ministry of National Defence, the Ministry of Administration and Interior and other authorities of public administration with attributions in the field, establishes the special measures for protecting the museums in the event of armed conflict, public riots or natural catastrophe. (*art. 32, letter j - Law 311/2003*).

Regarding the archaeological national heritage, the Ministry of Culture and National Cultural Heritage is the specialized authority of central public administration which is responsible for elaborating the strategies and specific regulations with a view to protecting the archaeological national heritage and supervises their implementation (*art. 3, paragraph 2 - Government Ordinance 43/2000*).

2.) Regarding **the military measures**, within the Ministry of National Defence, specific regulations and manuals, which provide for the obligation of military and civil personnel to respect the international humanitarian law norms, including the rules related to the protection of cultural property, were elaborated.

Besides the theoretical instruction in the field of international humanitarian law, the army personnel applies the knowledge in this field during the trainings, practical exercises, simulation exercises and especially during the missions abroad, regardless of the mission's character.

For military personnel participating to missions abroad, the knowledge and observance of these rules is ensured, in Romania, through the attendance of a specific course within the training program for the mission, and in the operation field, through receiving specific rules containing explicit norms concerning the regime of cultural property

The specialized structure within the Ministry of National Defence - the Center of International Humanitarian Law – offers qualified support for actions of dissemination of international humanitarian law.

At the same time, the commanders, supported by the counselors from the armed forces, appropriately instructed, have the obligation to supervise the respect of cultural property and to cooperate with the civil authorities responsible to protect these objects.

Officers responsible for the protection of historical monuments are nominated within the Territorial Inspectorates for Emergency Situations. They have specific attributions to this purpose and their instruction is carried out at both central (through training sessions organized by experts from the General Inspectorate for Emergency Situations) and local level. A concrete example would be the organization in November 2008, at Sibiu, of a training session, one of the presented subjects being "*Considerations regarding the application of legal instruments of international humanitarian law –1954 Hague Convention on protection of cultural property in the event of armed conflict*".

3.) With regard to the **distinctive emblem**, Romania has partially implemented the relevant provisions of the Convention, in the case of some objectives of major importance. The activity in this matter will continue.

4.) Regarding **the measures adopted in order to disseminate the Convention**, one of the specific objectives of the Romanian National Strategy on Implementation of International Humanitarian Law is the dissemination of the international humanitarian law norms within the armed forces and the other structures with responsibilities in this field, as well as within the civil society.

This objective is fulfilled through:

- The integration of the international humanitarian law norms within the military doctrine, the training programs, the educational programs
- The issuance of certain dispositions or orders for the armed forces in general reflecting specifically the way in which the Romanian State complies with the international humanitarian law

Within the armed forces, the knowledge of international humanitarian law norms is ensured through the training programs including specific themes to this end.

The Center of International Humanitarian Law, situated in Ploiești city, is a *structure specialized in the training of the Romanian Armed Force in the International Humanitarian Law field*, by disseminating specific information, including the provisions stipulated in the international treaties into the domestic norms, as well as publishing and disseminating specific papers.

In order to fulfill its functions, the Center of International Humanitarian Law cooperates with the structures that have responsibilities in the field of the implementation of international humanitarian law from the General Staff, Services, instructors of the military educational institutions, legal advisors and the officers who coordinate the activity of dissemination of the International Humanitarian Law within the military units.

Within the civil society, the dissemination of international humanitarian law is carried out through the inclusion of the specific courses within the academic curriculum, depending on the level of the educational institutions, as well as through the activity of certain NGO's: the Romanian Association of International Law, the Romanian Humanitarian Law Association, the Romanian Association for International Law and International Relations, the Romanian Society for Protection of Cultural Property.

The Romanian Humanitarian Law Association is accredited by the Ministry of Education, Research, Youth and Sport to organize a postgraduate course on international humanitarian law and human rights.

Likewise, the texts of the Convention and of the Protocols were published in different documents which were disseminated in all social environments.

The "*Nicolae Titulescu*" University (Bucharest) has organized, in partnership with the United Nations Center for Refugees - Romanian Representation, Romanian Red Cross Society, National Committee on International Humanitarian Law and the Center of International Humanitarian Law the second edition of the interuniversity contest of humanitarian and refugee law "*Nicolae Titulescu*".

The curriculum of the educational institutions belonging to the Ministry of Administration and Interior contains relevant themes. One example would be "*International Humanitarian Law*"- "*Protection of Cultural property during armed conflict*", which is studied within the Police Academy "*Alexandru Ioan Cuza*" from Bucharest.

In the framework of the special instruction of the personnel belonging to the Romanian Gendarmerie a special subject was introduced, which is entitled "*Implementation of the rules of the 1954 Hague Convention for the protection of cultural property in the event of armed conflict and of the 2 additional Protocols*".

Within the special instruction of the Ministry of Administration and Interior's personnel, events dedicated to the presentation of subjects concerning international humanitarian law take place, focusing on the training of personnel tasked with managing the issue of historical monuments.

Last but not least, within the UNESCO National Commission the UNESCO Information Center provides access to the relevant texts in Romanian language to experts and to the public.

5.) **Romania has already communicated to UNESCO Secretariat the Romanian official translation of the 1954 Hague Convention for protection of cultural property in the event of armed conflict.**

6.) Romania has adopted **various criminal law provisions in the field of protection of cultural property (Annex III)**

7.) The Government Decision no. 420/2006 from March 29th, 2006 (**Annex IV**) has established the National Committee on International Humanitarian Law, which is a consultative structure of the Government, without legal capacity.

The functions of the National Committee on International Humanitarian Law are the following:

a.) Examines and proposes the necessary measures at national level, with a view to implementing, observing and preventing the violation of humanitarian law norms provided by the international legal instruments to which Romania is party to;

b.) Supervises and analyses the transposition into internal legislation of the international humanitarian law norms;

c.) Issues advisory opinions on normative drafts in the field of humanitarian law and recommends the ratification of the international legal instruments in the field of humanitarian law;

d.) Elaborates the National Strategy on Implementation of International Humanitarian Law, which is submitted for the approval of the Prime minister;

e.) Elaborates annual reports with respect to the implementation measures which are carried out by the institutions represented in the National Committee for International Humanitarian Law, as well as regarding the activities carried out as consultative body of the Government

f.) Promotes the dissemination of humanitarian law through the national educational system and the one specific to the represented institutions, organizes scientific sessions, training and specialized courses in humanitarian law

g.) Cooperates with national committees from other states and international institutions in this field.

The National Committee on international humanitarian law is constituted by one representative of Ministry of Foreign Affairs, Ministry of National Defence, Ministry of Justice, Ministry of Administration and Interior, Ministry of Education, Youth and Sport, Ministry of Health. According to the National Strategy on Implementation of International Humanitarian Law, the Government Decision no. 420/2006 on the establishment and functioning of the National Committee on International Humanitarian Law shall be modified through the inclusion within the NCIHL of the representatives of the Ministry of Culture and National Heritage.

Taking into consideration the attributions of the National Committee on International Humanitarian Law, as well as its future composition, **we maintain that Romania observes in its spirit, the recommendation formulated by the 1954 Hague Conference.**

March 2010

National report on measures taken for the implementation of the provisions of the second Protocol to the 1954 Hague Convention for the protection of cultural property in the event of armed conflict

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2.) The competent authorities are currently analyzing the possibility to request the granting of enhanced protection for a number of cultural objects.

3.) Romania has adopted various criminal law provisions in the field of protection of cultural property (Annex III)

4.) Regarding the measures adopted in order to disseminate the Convention, one of the specific objectives of the Romanian National Strategy on Implementation of International Humanitarian Law is the dissemination of the international humanitarian law norms within the armed forces and the other structures with responsibilities in this field, as well as within the civil society.

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Last but not least, within the UNESCO National Commission the UNESCO Information Center provides access to the relevant texts in Romanian language to experts and to the public.

5.) Romania has already communicated to UNESCO Secretariat the Romanian official translation of the Second Protocol to the 1954 Hague Convention for the protection of cultural property in the event of armed conflict.

Annex I

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Internal legislation

- The Romanian National Strategy on Implementation of International Humanitarian Law, approved by Decision no. 298 from 17 December 2007;
- Law no. 182/2000 regarding the protection of the movable national cultural heritage;
- Law no. 422/2001 on the protection of the historical monuments;
- Law no. 311/2003 on museums and public collections;
- Law no. 481/2004 on civil protection;
- Law no. 307/2006 on protection against fire;
- Government Ordinance no. 43/2000 on the protection of the archaeological heritage and declaring certain archaeological sites as national interest areas;
- Government Ordinance no. 47/2000 on establishing certain protection measures for the historical monuments included in the World Heritage List, approved by Law no. 564/2001;
- Government Decision no. 493/2004 for the approval of the Methodology on the monitoring of the historical monuments included in the World Heritage List and of the Methodology for the elaboration and framework-content of the Plans for the protection and administration of historical monuments included in the World Heritage List;
- Government Decision no.1222/2005 on principles of evacuation in the event of armed conflict;
- Order no. 2035/2000 of the Minister of Culture and Religious Affairs on the approval of the Methodological Norms on the registration, administration and inventory of the cultural objects owned by museums, public collections, memorial houses, cultural centres and other institutions in the field;
- Order no. 2237/2004 of the Minister of Culture and Religious Affairs for the approval of the Methodological norms on marking the historical monuments;
- Order no. 1184/2006 of the Minister of the Administration and Interior for the approval of the Norms on the organization and ensurance of the evacuation in emergency situations;

- Order no. 1352/2006 of the Minister of Administration and Interior for the approval of the Methodological norms of organization and ensurance of the evacuation of persons, property, documents and materials which contain classified information, in the event of an armed conflict.

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**ROMANIAN NATIONAL STRATEGY ON IMPLEMENTATION OF
INTERNATIONAL HUMANITARIAN LAW**

BUCHAREST - 2007

Preamble

Purpose:

The Romanian National Strategy on implementation of international humanitarian law has as purpose the assurance of awareness and compliance with the obligations that Romania must fulfil through the ratification of international treaties in the field of IHL, as well as through the dissemination of IHL norms within the civil society.

Legal basis

The National Committee on International Humanitarian Law elaborates the national strategy according to the provisions of the decision of the Government of Romania adopted on 29 March 2006, published in the Official Gazette on 13 April 2006, and it is approved by the Romanian Prime-Minister.

Definition of international humanitarian law

International humanitarian law is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. The international humanitarian law protects those persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. International humanitarian law is also known as the law of war or the law of armed conflicts.

The International humanitarian law represents a part of international law and it is applicable to armed conflicts, being particularly regulated by the 1949 Geneva Conventions, supplemented by the two additional Protocols thereto, in relation to the protection of the victims of armed conflicts and to which a great number of conventions are added, which establish specific segments of international humanitarian law, as well as customary rules and related principles.

Traditions and experience

The current Romanian National Strategy on implementation of international humanitarian law valorize the humanitarian traditions of the Romanian people, generally speaking, and specially speaking of the armed forces, as well as the experience gathered by the structures with responsibilities in this field, especially as a consequence of the participation to various international missions.

PART I

**ROMANIAN NATIONAL STRATEGY ON IMPLEMENTATION OF
INTERNATIONAL HUMANITARIAN LAW**

STRATEGY OBJECTIVES: A. General Objectives; B. Specific Objectives

A. General objectives

- I The pursuit of the international evolutions that appear on the international scale in relation to the international humanitarian law conventions, in order to ratify, in terms of case, the conventions to which Romania is not yet Party to.
- II The introduction of the international humanitarian law norms into national legislation.
- III The dissemination and the knowledge of the international humanitarian law norms.
- IV The implementation of international humanitarian law norms.
- V The active participation in international reunions in the field of international humanitarian law and the elaboration of new legal instruments, when applicable.
- VI. The monitoring of the fulfillment of the engagements undergone by Romania and the signalling in due time to the authorities the situations of breach of international humanitarian law norms, as well as the nominalization of the appropriate remedies, based on the proposals made by the ministries concerned.
- VII. The international cooperation in the field of international humanitarian law.

B. Specific objectives

- I. The dissemination of the international humanitarian law norms within the armed forces and the other structures with responsibilities in this field, as well as within the civil society.
- II. The realization of an effective communication and of an optimum information flow.
- III. The relation of the Romanian National Committee on international humanitarian law with the national authorities.
- IV. The adoption of measures regarding the protection of the cultural property in the event of an armed conflict.
- V. The granting of an adequate protection to the civilians, women, children and disadvantaged persons in the event of an armed conflict.
- VI. Adequate resources for the accomplishment of the objectives settled by the strategy.
- VII Future actions in the field of promoting international humanitarian law

PART II

PRESENTATION. METHODS OF ACHIVEMENT

A. GENERAL OBJECTIVES

I. The pursuit of the international evolutions that appear on the international scale in relation to the international humanitarian law conventions, in order to ratify, in terms of case, the conventions to which Romania is not yet Party to.

Pursuant to an analysis of the international humanitarian law international instruments, the conclusion is that there is the necessity, on the national level, that the efforts for the following should be intensified:

1. The implementation of the 5th Protocol's provisions, November 23rd 2003, on Explosive Remnants of War, at the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed by Romania on 8th April, 1982, New York.

a) Measures that could be taken by the national competent authorities in order to apply Protocol V provisions.:

- The identification of locations with potential risk and the establishment of certain secure areas by restricting the access of the civilian population to such high risk areas.

- the initiation of certain educational programs within the educational system (secondary schools, universities) in order to decrease the number of potential victims; therefore a network of contacts with the mass media representatives shall be created, as well as with the publishing houses representatives (the use of daily papers that have captured the attention of Romanian leaders and decision makers).

- The Cooperation with ICRC (especially with the ICRC Regional Delegation for Central and Eastern Europe for providing assistance) and with the Red Cross National Society.

Note: States that become Parties to the Protocol V of the 1980 Convention must provide adequate assistance by marking and removing the explosive remnants of war in order to provide assistance for the care and rehabilitation and social and economic reintegration of victims of explosive remnants of war

2. To impulse the ratification process of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the adoption of an additional distinctive emblem (Protocol III), and to adopt the adequate legislation for the prevention and repression of the incorrect use of the protective emblems (GI, article 53-54; GII, article 43-45).

3. The adequate implementation of the International Humanitarian Law international instruments, specially the 1949 Geneva Conventions (GI, article 48; G.II, article 49; G.III, article 128; G.IV, article 145) and the provisions of the Additional Protocol I

(AP I, article 84); the adequate implementation of the provisions of the Protocol IV to the 1980 Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects, Geneva, 10 October 1980.

4. The adoption of the national legislation for regulating the sanctioning of serious violations of the international humanitarian law provisions (G.I, article 49 – article 50; G.II, article 50, article 51; G.III, article 129, article 130; G.IV, article 146, article 147; AP I, articles 85-91).

5. The initiation of certain projects of normative acts concerning the issue of the international humanitarian law, by advice from experts.

II The introduction of the international humanitarian law norms into national legislation.

III The dissemination and the knowledge of the international humanitarian law norms.

IV The implementation of international humanitarian law norms

1. Measures taken in times of peace

- The acknowledgement and authorization of the Red Cross, Red Crescent and Red Cristal National Societies, and of the Voluntary Aid Societies (G.I, article 26).
- The placement of the medical establishments and units should, as far as possible, be made in such a manner that attacks against military objectives cannot imperil their safety. (GI, article 19).
- The marking of the medical establishments, units, means of transportation and personnel with the distinctive emblems of the Red Cross, Red Crescent or Red Cristal (GI, articles 38-44; GII, article 41-45; G IV, article 18).
- The optional marking with luminous, radio and electronic signals of the medical establishments, units and transports/means of transportation (API, Annex no I, 5-8).
- In the study, development, acquisition or adoption of new weapons, means or method of warfare, it will be taken into account whether these are totally forbidden or just in certain circumstances stipulated in international law (API, article 36).
- The placement, if possible, of the military objectives will not be made within or near densely populated areas (AP I, article 58).
- The organization of civil defence only for humanitarian tasks intended to protect the civilian population against the dangers, and to help it to recover after the immediate effects, of hostilities or disasters and also to ensure the necessary conditions for its survival (GIV, article 63; API, article 61-67).

- The establishment of an National Information Bureau for war prisoners and civilians (GIII, article 122-124; G IV, article 136-141) and the organization of the services for finding missing persons (AP I, article 33, article 78).
- Measures for the notification of hospital ships (GII, article 22).
- Measures for the protection of cultural property (H CP, article 3).
- The training of legal advisers in order to advise military commanders on the respect of the international humanitarian law provisions (API, article 82).
- The identification, marking and adequate protection, in compliance with international humanitarian law norms, of the protected persons, property and places.

2. Organizational measures in the event of an armed conflict

- Special agreements containing other provisions (G I, article 6; G II, article 6; G III, article 6; G IV, article 7).
- The indication of the Protective Powers (G I, article 8; G II, article 8, 10; G III, article 8, article 10; G IV, article 9, 11; P I, article 5).
- The facilitation and supporting of the ICRC activities (G I, article 9; G II, article 9; G III, article 9; G IV, article 10; AP I, article 81).
- The establishment of the procedures of supervising and sanctioning offences (G I, article 52; G II, article 53; G III, article 132; G IV, article 149; AP I, article 90)- supporting the activity of the International Fact-Finding Commission, constituted on the basis of art.90 of the Additional Protocol I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977.
- The supporting of the good offices for settling the disputes (GI, article 11; G II, article 11; G III, article 11; G IV, article 12).
- The establishment of medical zones and localities for wounded and sick persons (GI, article 23, Annex I).
- The establishment of hospitals, safety zones and localities for civilian population (G IV, article 14; Annex I).
- Measures for protecting prisoners of war and the adoption of procedures, so that a competent court establishes the status of the captured persons (prisoners of war) G III, article 5 second paragraph; AP I, article 45 second paragraph.
- The granting of fundamental guarantees to the protected persons in the event of an armed conflict.

3. Educational measures and measures of dissemination of the international humanitarian law norms

- The translation of the conventions and Protocols from the field of international humanitarian law and the insurance of the correspondence between international IHL treaties and the stipulations of the current national legislation.
- The implementation of the IHL knowledge to a wider area (from armed forces to civilian population) G I, article 47; G.II, article 48; GIII, article 127; G.IV, article 144; API, article. 83; AP II, article 19; AP III, article 7.
- The training of the qualified personnel to ensure the application of the Geneva Conventions, Additional Protocols and of the treaties concerning the protection of cultural property (AP I, article 6).
- The training of the military personnel in the international humanitarian law area (AP I, article 82).

4. The insurance of the effectiveness of the activity carried out by the National Committee on implementation of international humanitarian law

a) The analysis of the impact of the National Committee's activity, as well as of the instruments, techniques intended for supporting, consolidating or diversifying the activities of the National Committee.

b) The measuring of the impact of the National Committee's activity by taking into account the following actions taken by the national authorities:

- The identification of the national measures for implementation of the international humanitarian law norms and adoption or implementation of these measures;

- The valorization by the national authorities of the information, reports, recommendations or other informative documents elaborated by the National Committee.

-The evaluation of the information flow between the national authorities and the National Committee on International Humanitarian Law (the adoption or the refusal for adoption by the competent national authorities of the legislative instrument projects, proposals or recommendations made by the National Committee).

5. Useful instruments facilitating the activity of the National Committee on international humanitarian law

a) The identification of measures which can be taken at national level

The performance of a study of the compatibility between the existing stipulations in the international conventions in the IHL field, and the stipulations of national law.

Measures:

- The use of the analysis model provided by the ICRC Advisory Service, in order to perform the compatibility study.

- The inclusion in the compatibility study, of the existing national mechanisms for the application of the international humanitarian law, as well as of a description of the existing relationship between the national law and the international humanitarian law.
- The performance of the compatibility study by experts.
- The publication of the compatibility study.
- **The establishment of an action plan**
 - The establishment of certain concrete objectives.**
 - The defining for each objective of a general strategy, by appointing the persons who will ensure the fulfilment of each objective.

Categories of objectives:

- ✓ The participation to international events in international humanitarian law area.
- ✓ The adoption of national measures for the application of international humanitarian law norms.
- ✓ The monitoring at the national and international level of the new developments in the international humanitarian law area.
- ✓ Internal activities, which the Committee can undertake for consolidating its effectiveness.
- **The preparation of a work sheet depending on the chosen theme**

b) Used mechanisms for achieving the exchange of information with reference to the national measures of applying the international humanitarian law.

- The preparation of reports regarding the measures taken by States for the implementation of the international humanitarian law norms.
- The communication in due time of any information regarding the application of international humanitarian law norms.
- The convening of meetings with all members of the Committee and the granting of responsibilities for the development of certain activities to certain members of the Committee.

V. The active participation in the international reunions in the international humanitarian law area and the elaboration of certain new instruments, where applicable.

VI. The monitoring of the fulfillment of the engagements undergone by Romania and the signalling in due time to the authorities the situations of breach of international humanitarian law norms, as well as the nominalization of the appropriate remedies, based on the proposals made by the ministries concerned.

- The monitoring of the application of the recommendations and conclusions of the National Committee.

VII. The international cooperation and the cooperation with other international humanitarian law national committees.

1. The Cooperation of the National Committee on International Humanitarian Law with ICRC.

a) The realization of the cooperation between ICRC and the National Committee on International Humanitarian Law by consultation mechanisms, agreements and labour contacts.

Means of cooperation:

- The establishment of the cooperation objective between National Committee on International Humanitarian Law and ICRC (the consolidation of the Committee's capacity to act in specific areas).
- The demanding of support, consultancy and expertise from International Committee of the Red Cross
- The encouragement of obtaining an effective informational flow between the National Committee on International Humanitarian Law and ICRC.

b) The cooperation with International Committee of the Red Cross and with the ICRC Regional Delegation for Central and Eastern Europe.

c) The organization and participation to international and regional meetings of committees / authorities of the same type.

2. The cooperation with other National Committees on international humanitarian law

- The organization of meetings, seminars, where the exchange of information regarding the accumulated experience could be made.
- The organization of visits by experts from similar committees existing in other countries.
- The consolidation of the direct relationships between similar national committees from other countries.
- The maintenance of the relationships with international organizations and other bodies.
- The involvement in the process of information exchange regarding the implementation of humanitarian international law.
- The informing of the National Committee on International Humanitarian Law regarding the activity, experiences and results of other similar committees located in close geographical areas, which have a similar juridical system as the one in Romania.

B. SPECIFIC OBJECTIVES

I. The dissemination of the international humanitarian law norms within the armed forces and to the other structures with responsibilities in the area, as well as to the civil society

1. The dissemination of the international humanitarian law norms within the armed forces

a) Measures:

- The integration of the international humanitarian law norms within the military doctrine, the training programs, the educational programs.
- The giving of certain dispositions or orders for the armed forces in general (including gendarmerie troops), actually reflecting the way in which the Romanian State complies with the international humanitarian law.

NOTE: Such an objective is grounded on the obligation established by the specific conventions in the field, constituting the task of the Member States, to give dispositions and orders applicable to the armed forces and ensuring the compliance with the international humanitarian law (article 1 of the Hague Convention (II); article 1 of the Hague Convention (IV); article 7 (1) of the Convention regarding the protection of cultural goods; article 80 (2) of the First Additional Protocol; article 14 (3) of the Second Protocol of the Convention regarding conventional weapons).

- The training of the members of armed forces in order to be aware of international humanitarian law and of its application.
 - The elaboration and drafting of certain manuals, as well as the establishment of certain forms of verification, even periodically, regarding the level of training and knowledge, as well as of the habits of applying the international humanitarian law.
- **The training of the armed forces members taking part in international missions** in an extended sense (including the peacekeeping operations), both during such operations, and prior to such operations, for the application of the international humanitarian law.
 - The broadcasting of certain materials specific to the international humanitarian law area, by certain of civil authorities, military and police authorities, military commanders, qualified personnel.
 - The issuance of certain recommendations for schools and universities, for the Red Cross staff.
- **The carrying out of the steps to connect and make effective the attendance to governmental or non-governmental bodies and institutions, acting in the domain of elaborating, knowing and promoting the international humanitarian law.**
 - The participation to reunions, manifestations and training and refresher courses, upon international forums.

- The presentations of adequate solutions, scientifically proven, upon international forums.
- The participation of armed forces personnel in the common internal and international training drills.
- The organization of scientific communication sessions with international humanitarian law subjects, in cooperation with: International Committee of the Red Cross (ICRC), San Remo International Humanitarian Law Institute, Military Center of International Humanitarian Law from Ploiesti, Romanian Humanitarian Law Association (ARDU), Romanian Red Cross Society and Ombudsman's Institution.
- In cooperation with the Ministry of Foreign Affairs, the supporting of the realization of certain partnerships between the Romanian superior education institutions and the foreign ones, depending on the case.

2. The dissemination of International humanitarian Law norms to the civil society

a) General methods of establishing the connection with mass media and civil society representatives

- The informing of the public regarding the activities of the National Committee, the basic International Humanitarian Law norms, by organizing debates, press conferences, photo exhibitions, training courses for journalists (war correspondents), by using the mass media.
- The preparation by the Committee, of a project regarding a list of legislative measures and regulations for the international humanitarian law issues that need special attention.
- The attracting of all concerned institutions/ ministries to join the process of disseminating the international humanitarian law norms.
- Teaching the basic international law norms both in secondary schools (promoting the introduction of the main international humanitarian law norms in the school curriculum, organizing after school events and national competitions) and in universities (especially in law faculties, international relations and journalism faculties).
- Training teachers by experts, through the realization of certain experience exchange operations within universities, or similar faculties abroad.
- Organizing, by universities, of specialised international humanitarian law courses.

b) Special methods of establishing the connection with mass media and civil society representatives

- The introduction of an international humanitarian law module in the school curriculum of civil education subject matters, at the level of secondary schools.

- The introduction of an optional subject matter - International humanitarian law - in secondary schools of vocational profile: theological, military, pedagogical.
- The elaboration of an International Law Guide for everybody, containing fundamental elements of the International humanitarian law practice and of an essential gathering of customs contextually applied by citizens who, in one way or another, in various capacities or circumstances, come under the incidence of International humanitarian law.
- The organization of national and international contests on International humanitarian law themes, for the secondary school students.
- The realization of partnerships between secondary schools, under certain international programs with International humanitarian law themes.
- The organization of training courses for teaching staff (mainly for Social Humanistic Sciences teachers, class teachers and principals of school units) in the International humanitarian Law area.
- The generalization of introducing within the academic curriculum (depending on the faculty's decision, having elective, optional and obligatory character, such as within the military/medical, theological educational institutions) of the International humanitarian law subject matter (this subject matter is currently taught in law faculties, for degree courses, for post graduate and master degree).
- The support of the insurance of the mobility of the teaching staff / students, by participating in Erasmus scholarships and not only, by participating in internal or international conferences (such as the tradition at the Law Faculty within the University of Bucharest, and of the Law Faculty within the "Nicolae Titulescu" University of Bucharest) or experience exchange operations, involving issues specific to International humanitarian law.
- The supporting of superior education institutions for constituting /endowing certain of International humanitarian law centres, with internal and international participation, like is already the case within the Law Faculty from the "Nicolae Titulescu" University of Bucharest.
- The co-opting of teachers (international law specialists) to a group of experts (to be founded) with reference to assistance occasioned by the initiation of normative documents related to this field.

II. The realization of an effective communication and of an optimum flow of information

- Taking actions for establishing / ensuring a network of contacts;
- Creating the own web site of the International Humanitarian Law National Committee;
- Distributing a personal daily newspaper.

- Using a logo, as a personal symbol.
- Drafting and broadcasting a private publication.
- Organizing certain yearly conferences or seminars either by the Committee itself, or in partnership with other national bodies; the participation in important events organized in the country and which are connected to the International humanitarian law area.

III. The relation of the National Committee on International Humanitarian Law with the national authorities

The cooperation with the Romanian Government:

- a) The regular supply of information to the authorities regarding the activities carried out by the National Committee on International Humanitarian Law.
- b) The urging of the Romanian Government to comply with the undertaken international obligations and with the supplying of adequate information to the international organizations.
- c) The involvement of the National Committee on International Humanitarian Law upon the drafting of reports or documents by commenting upon the report project / document, as well as during the national activities for acquiring information with reference to the application of the International humanitarian law norms.

IV. The adoption of measures regarding the protection of cultural property in the event of an armed conflict

- The identification of and the realization of an inventory project regarding the cultural property, in order to have it labelled with a proper protection symbol.
- The determination of the involvement local factors have in administering the measures regarding cultural property protection.
- The elaboration of and the adoption of certain normative acts of applying the provisions of international treaty regarding the cultural property protection.

V. The granting of adequate protection to civilians, women, children and disadvantaged people in the event of an armed conflict

1. Juridical protection of women and children in the event of an armed conflict

The Third Geneva Convention, the Forth Geneva Convention and the First and Second Additional Protocol provide special protection for children; the countries have the obligation to apply the International humanitarian law norms regarding the children protection, obligations which result from the 1949 Geneva Conventions and their 1977 Additional Protocols: Article 47, 48, 127 and 144 of the First, Second and Third Geneva Convention, as well as from article 6 from the 2000 Optional Protocol to the 1989 Convention on children protection.

2. Civil protection service

a) The granting of the distinctive symbol protection for civilian protection (the First Protocol to the 1949 Geneva Conventions); the distinctive symbol is represented by a blue triangle on an orange background (article 66, Annex 1, Chapter V from the First Protocol)- according to article 66, paragraph 8, the States which are Parties to the 1949 Geneva Conventions have the obligation to properly use this distinctive symbol.

b) The protection of refugees and of displaced persons.

VI. Adequate resources for the accomplishment of the objectives settled by strategy

1. Institutions that participate to the National Committee and human resources

a) The training of certain experts in relation to international humanitarian law issues, who will represent all institutions with competence in the international humanitarian law area.

b) The representation within the National Committee on International Humanitarian Law, of all ministries interested in the international humanitarian law area.

c) The co-opting within International Humanitarian Law National Committee of the Ministry of Culture and the amendment, in this way, of the Government Decision no. 420 from March 29th 2006.

- The insurance of the Committee continuity in each ministry which has designated representatives.

d) Professionalism

The National Committee's members must have the knowledge and information about the international humanitarian law field, as it is necessary for the development of the Committee's activities.

e) The appointment of the persons in charge with the activity carried out inside the National Committee will be made based on their competence, motivation.

f) The insurance of flexibility in organizing the Committee's activity, the competence, motivation and flexibility being key elements which could have a decisive influence on the effectiveness of the Committee's activity.

g) The organizing of certain actions with the participation of the International Committee of the Red Cross (ICRC) representatives and of other specialists in the international humanitarian law field.

h) The valorisation of the role that the Secretariat of the National Committee on International Humanitarian Law plays.

VII. Future actions in the domain of promoting the international humanitarian law

1. The inclusion within the National Committee on International Humanitarian Law of the representatives of the Ministry of Culture.

2. The analysis of the relationship between the international humanitarian law and the application of international sanctions in case of the violation of the international humanitarian law norms.

3. The amendment of Government Decision no. 420/2006 will focus on the inclusion within the National Committee on International Humanitarian Law of the Ministry of Culture and Religious Affairs and the incorporation of the Ministry of Home Affairs and Administrative Reform together with the Ministry of Foreign Affairs, the Ministry of Defence, and the Ministry of Justice, among the ministries which ensure the chairing, by rotation, of the National Committee on International Humanitarian Law.

4. Supplementing the strategy

- The supplementing of the Romanian national strategy on implementation of the international humanitarian law to the extent that certain new elements and situations occur, and that make such supplementing necessary.

5. The pursuit of the main trends within the European Union in the international humanitarian law field.

a) The insurance of the compliance with the fundamental procedural guarantees granted to the detainees as a result of an armed conflict or of any other situations of violence specified by the international juridical writs in the international humanitarian law area.

- The compliance by the member states, including Romania, with the provisions of article 13 from the Third Geneva Convention regarding the protection of war prisoners by public curiosity.

b) The promoting of the internationalization of standards regarding weapon export.

- The application of the European Union Code regulating weapon export.

- The supporting of efforts on the international scale in the view to elaborate a treaty within the United Nations Organization, regulating the weapon trade.

c) The analyzing and sustaining of the European Union proposals regarding the conclusion of an obligatory juridical writ which treats issues of humanitarian nature, especially issues regarding cluster munitions, by the end of 2008, in relation to the stipulations of the 1980 Convention regarding conventional weapons.

d) The examination by the European Union Member States including by Romania, of the possibility to participate in regional pilot projects for the dissemination of the International Committee of the Red Cross (ICRC) guidelines regarding the internal facilities and the regulation of help in case an international disaster occurs, and of the initial recovery assistance.

Part III

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MAIN INTERNATIONAL HUMANITARIAN LAW INSTRUMENTS

1. Convention (IV) respecting the Laws and Customs of War
2. Annex to the fourth 1907 Hague Convention: Regulation concerning the Laws and Customs of War
3. Convention relative to the Opening of Hostilities, The Hague, 18 October 1907
4. Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare. Geneva, 17 June 1925.
5. Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949.
6. Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. Geneva, 12 August 1949.
7. Convention (III) relative to the Treatment of Prisoners of War. Geneva, 12 August 1949
8. Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.
9. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977.
10. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977.
11. Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954
12. Regulation on implementation of 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict
13. Protocol for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954.
14. Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict The Hague, 26 March 1999
15. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. Opened for Signature at London, Moscow and Washington. 10 April 1972.

16. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects. Geneva, 10 October 1980.
17. Protocol on Non-Detectable Fragments (Protocol I). Geneva, 10 October 1980
18. Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II). Geneva, 10 October 1980.
19. Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III). Geneva, 10 October 1980.
20. Protocol on Blinding Laser Weapons (Protocol IV to the 1980 Convention), 13 October 1995
21. Protocol on Explosive Remnants of War (Protocol V to the 1980 Convention), 28 November 2003
22. Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, Paris 13 January 1993
23. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 18 September 1997
24. Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, 25 May 1993.
25. Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994,
26. Rome Statute of the International Criminal Court, 17 July 1998

Annex III

National report on measures taken for the implementation of the provisions of the 1954 Hague Convention for the protection of cultural property in the event of armed conflict

Relevant criminal legislation in the field of protection of cultural property

I. CRIMINAL MATTERS

CRIMINAL CODE

Art. 209. – (1) *The theft committed under the following circumstances: (...) shall be punished with imprisonment between 3 and 15 years.*

(2) *The same punishment shall be applied for theft related to:*

a) *a good belonging to the cultural patrimony;*

Art. 280¹. – (1) *Estrangement, hiding or any other deed that leads to loss of a good from the national cultural patrimony or from the national archives fund, good that, according to the law, is part of that patrimony or fund, shall be punished by 2-7 years jail.*

(2) *If the loss of the good from the above mentioned patrimony or fund was committed by a deed that is itself an offence, the punishment is the one stipulated by the law for the offence committed, whose maximum shall be increased by 3 years.*

(3) *The deed stipulated in paragraph 1 shall not be punished, and for the deeds stipulated in paragraph 2 the punishment shall not be increased, if before the decision is declared final, the perpetrator removes the consequences of the offence, returning the good to the patrimony or fund involved.*

Art. 360. - (1) *Any form of destruction, unless dictated by military necessity, of monuments or constructions of artistic, historic or archaeological value, of museums, big libraries, archives of historic or scientific value, works of art, manuscripts, valuable books, scientific collections or important book collections, archives, or reproductions of the above mentioned things and, in general, of any cultural values of the peoples, shall be punished by 5-20 years jail and interdiction of certain rights.*

(2) *The same punishment is enforced for robbing or appropriation in any way of one of the cultural values listed in the present chapter, on the territories under military occupation.*

Law no. 182/ 2000 regarding the protection of the movable national heritage

Art. 85 - (1) *Degrading, causing the impossibility to use or destruction of a classified movable cultural object, or prevention from taking conservation or saving measures*

for such an object, as well as removing the measures taken, shall be considered offence and punished with imprisonment between 2 and 7 years

(2) Any attempt shall also be punished

Art. 86 - *Degrading, causing the impossibility to use or destruction, by negligence, of a classified movable cultural object shall be considered offence and shall be punished with imprisonment between one month and one year or with fine between 1500 and 7500 RON.*

Law no. 311/2003 on museums and public collections

Art. 36 - *(1) Deliberate destruction, degrading or causing the impossibility to use of the movable goods of the museum and public collection patrimony, classified or unclassified as national cultural heritage, as well as deliberate destruction, degrading or causing the impossibility to use of historical monuments are considered to be offences and shall be punished in conformity with the legal provisions in force.*

Law no. 422/2001 on the Protection of Historical Monuments

Art. 54 *(1) Unauthorized destruction, partial or total loss, expropriation without the endorsement of the Ministry of Culture and Religious Affairs, damaging, as well as profanation of the historical monuments are considered to be offences and shall be punished according to the present law*

(2) In all cases mentioned at paragraph (1), the perpetrator is compelled to recover the damaged object and reconstitute the monument or the damaged parts of the monument, in accordance with the endorsements stated in the present law.

II. JURISDICTIONAL MATTERS

Regarding jurisdiction, we mention art. 3 and the following articles form the Criminal Code

Art. 3. - *Criminal law applies to offences committed on the Romanian territory.*

Art. 4. - *Criminal law applies to offences committed outside Romania, if the perpetrator is a Romanian citizen or if, possessing no citizenship, the perpetrator has residence in Romania.*

Art. 5. – *(1) Criminal law applies to offences committed outside Romania, which act against the Romanian state security or against a Romanian citizen's life, or which seriously damaged physical integrity or health of a Romanian citizen and which are committed by a foreign citizen or by a person without citizenship and who is not residing in Romania.*

(2) The initiation of a criminal pursuit for the offences provided in the previous paragraph must be preliminarily authorized by the general prosecutor.

Art. 6. – (1) *Criminal law also applies to other offences than those provided in art. 5, paragraph 1, namely to offences committed outside Romania by a foreign citizen or by a person without citizenship and who is not residing in Romania, if:*

a) the respective action is considered a offence as well by the criminal law of the country where the action was committed;

b) the perpetrator is in the country.

(2) For offences against the Romanian state interests or against a Romanian citizen, the offender can be tried also in case his extradition has been obtained.

(3) The provisions in the preceding paragraphs do not apply if, in accordance with the law of the country where the offender committed the offence, there is any cause preventing initiation of penal pursuit or continuation of the criminal trial or penalty enforcement, or when the penalty was executed or considered as having been executed. When the penalty was not executed at all or only part of it was executed, the next procedure will be in accordance with legal provisions on compliance with foreign sentences.

Art. 7. - *The provisions of art. 5 and 6 will be applied only if there is no different disposition imposed by an international convention.*

These provisions are completed by **Law no. 302/2004 on judicial cooperation in criminal matters.**

ANNEX IV

National report on measures taken for the implementation of the provisions of the 1954 Hague Convention for the protection of cultural property in the event of armed conflict

Government Decision no. 420/2006 from March 29th, 2006) on the establishment and functioning the National Committee on International Humanitarian Law

Art. 1 - In order to fulfil Romania's obligations deriving from international treaties in the field of humanitarian law, the National Committee on International Humanitarian Law is established, hereinafter referred to as NCIHL, as advisory body of the Government, without legal capacity.

Art. 2 - NCIHL is organised according to the provisions of the present decision and functions according to its interior regulation.

Art. 3 - (1) NCIHL is constituted by one representative of the Ministry of Foreign Affairs, Ministry of National Defence, Ministry of Justice, Ministry of Administration and Interior, Ministry of Education and Research and Ministry of Health. These representatives are appointed, at expert level, by the head of the respective institutions.

(2) At the NCIHL's activities may be invited, as observers, at proposal of its president, Parliament members, representatives of the Ombudsman, of the International Committee of the Red Cross, of the National Society of Red Cross, of Romanian Institute for Human Rights, of the Romanian Association of Humanitarian Law and of other governmental and non governmental organizations, appointed by the head of the respective institutions, as well as experts in the field of humanitarian law appointed by the president of NCIHL.

Art. 4 – NCIHL has the following main functions:

a.) Examines and proposes the necessary measures at national level, with a view to implementing, observing and preventing the violation of humanitarian law norms provided by the international legal instruments to which Romania is a party;

b.) Supervises and analyses the transposition into internal legislation of the international humanitarian law norms;

c.) Issues advisory opinions on normative drafts in the field of humanitarian law and recommends the ratification of the international legal instruments in the field of humanitarian law;

d.) Elaborates the National Strategy on Implementation of International Humanitarian Law, which is submitted for the approval of the Prime minister;

e.) Elaborates annual reports with respect to the implementation measures which are carried out by the institutions represented in the National Committee for International Humanitarian Law, as well as regarding the activities carried out as consultative body of the Government

f.) Promotes the dissemination of humanitarian law through the national educational system and the one specific to the represented institutions, organizes scientific sessions, training and specialized courses in humanitarian law

g.) Cooperates with national committees from other states and international institutions in this field.

Art. 5 - (1) The management of NCIHL is ensured by a president

(2) The chairmanship of NCIHL is ensured, by rotation, by the Ministry of Foreign Affairs, Ministry of National Defence, Ministry of Justice, at state secretary level. The representatives of these ministries, appointed according to art. 3 (1), will continue to belong to NCIHL during the period the presidency of NCIHL is exercised by the institution which they represent.

(3) The mandate of the president is one year period

Art. 6 - The main functions of the president are the following;

- a.) representation of NCIHL;
- b.) coordination of NCIHL's activities;
- c.) approval of establishing working groups on issues of interest;
- d.) coordination of financial activity of NCIHL

Art. 7 - Within the NCIHL functions a Permanent Secretariat, provided by the Ministry of National Defence. The expenses necessary to the functioning of the Permanent Secretariat will be ensured from the budget of the Ministry of National Defence, while the expenses necessary for NCIHL members will be supported by the appointing institutions.

Art. 8 – The main functions of the Permanent Secretariat are the following:

- a) ensures the administration of current activities;
- b) prepares the NCIHL sessions;
- c) informs the NCIHL's president on urgent matters.

Art. 9 – The management of the Permanent Secretariat is ensured by a representative of the Ministry of National Defence, which will fulfil the following attributions:

- a) ensures the coordination of NCIHL in the absence of the president;
- b) convenes NCIHL's meetings in ordinary and extraordinary sessions;
- c) coordinates the activities of the Permanent Secretariat.

Art. 10 - (1) NCIHL shall meet 4 times a year in ordinary sessions and, every time it is deemed necessary, in extraordinary sessions, at the request of at least 1/3 of the Committee's members. The request is submitted to the Permanent Secretariat.

(2) NCIHL carries out its activity in the presence of at least half plus one of its members.

(3) The decisions are adopted by simple majority of the present members.

Art. 11 - NCIHL shall elaborate its interior regulation 90 days after the entry into force of the present decision, which will be approved by common order of the management of the ministries represented within the NCIHL.