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Educational, Scientific and  
Cultural Organization



Convention for the Protection of  
Cultural Property in the Event  
of Armed Conflict

Four-year cycle 2013-2016

Argentina

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National report on the implementation of the Hague Convention of 1954  
and its two Protocols (1954 and 1999)

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## I. Hague Convention of 1954

### 1. Article 3 - Safeguarding of cultural property

This article sets out the obligation for High Contracting Parties to adopt in time of peace the appropriate safeguarding measures against the foreseeable effects of an armed conflict.

*Have you adopted such measures?*

Yes. The Argentine Republic ratified the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols, adopted in Argentina by Law No. 23613 of 20 December 1988; its First Protocol (The Hague 1954), adopted by Law No. 26155 of 10 May 2007, and its Second Protocol (The Hague 1999), adopted by Law No. 25478 of 24 October 2001.

Within the framework of this Convention, the Argentine Republic undertook to prepare, during peace times, the necessary conditions for the protection of its cultural property from the consequences of a possible armed conflict, by adopting the measures deemed appropriate.

These measures include the training of civil and military personnel in this field, as well as the broad dissemination of the issue among citizens, in order to provide effective and long-term protection. With respect to military training, the inclusion of this issue into the various guides and supporting documents of the Joint Doctrine is promoted, as well as training in Military Institutes and specific training in certain training centres, such as the Joint Training Centre for Peace Operations.

To this end, coordinated and inter-ministerial work was consolidated through the creation of a Work Group in charge of developing a plan for the implementation of compliance with the international obligations assumed by the Argentine Government within the framework of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. The group was created by Resolution No. 754 issued by the Argentine Ministry of Defence on 11 July 2012.

The Work Group includes experts from the following institutions:

- Ministry of Defence;
- Ministry of Foreign Affairs and Worship;
- Ministry of Culture;
- Ministry of Education and Sports;
- National Commission for Cooperation with UNESCO of Argentina;
- National Commission for Monuments and Historical Sites and Property.

Below is included a list of some of the activities carried out by the Work Group in charge of developing the plan for the implementation of compliance with the international obligations assumed by the Argentine Government, within the framework of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (2013-2016 period).

#### **2013**

- Several meetings were held to coordinate the development of proposals, analyses, assessment, selection and prioritization of the national cultural property to be marked.
- The selection of the cultural property to be marked will be made with the acceptance of the members of the Work Group, after these items are declared National Historical Monuments by internal legislation (Law passed by the National Congress or Executive Order). This is meant to ensure that the items are correctly protected according to the applicable legislation of the Argentine Republic.

- Therefore, the items to be marked will be selected from the list of national items already declared National Historical Monuments, with the accompanying opinion of the National Commission of Monuments and Historical Sites and Items.
- This requirement is in line with that of the Second Protocol to the 1954 Hague Convention, which establishes that laws must be in force to sanction those who damage the cultural property marked with the shield of the Convention.
- Similarly, as already informed to UNESCO through the report of March 2015, the existence of the Work Group meets the requirement of creating a work committee to implement the rules arising from the legislation related to the Protection of Cultural Property in the Event of Armed Conflict, as established by the Second Additional Protocol to the 1954 Hague Convention.

## 2014

- **Marking and awareness ceremony** for the Protection of Cultural Property in the Event of Armed Conflict in the premises of the **National Historical Museum**, in the Autonomous City of Buenos Aires. This activity took place on 8 May 2014, within the framework of the celebrations for the 60th Anniversary of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. On this occasion, a Blue Shield was awarded to the National Historical Museum, which was created in 1889 and declared National Historical Monument through Executive Order No. 437/97.

The National Historical Museum displays and protects the original elements used by General San Martín during the Crossing of the Andes, paintings by Cándido López, whose work is a valuable testimony to the Paraguayan War (1865-1870), and works by European artists León Palliere, César Bacle and Emeric Vidal, whose lithographs depict different aspects of the customs and uses of the River Plate area in the 19th century. Historical musical instruments are also worth mentioning, including pianos and fortepianos that belonged to the Escalada families, María Sánchez de Thompson and Eduardo Mansilla. In other words, the Blue Shield awarded to this Museum prioritizes and protects the history and culture of Argentina.

Moreover, an Awareness seminar was organized and two expert panels were held to discuss with the public the obligations arising from the Convention for the Protection of Cultural Property in the Event of Armed Conflict. Both national and foreign experts participated in this seminar, including a renowned expert of the Culture Programme for the Southern Cone of UNESCO.

- The seminar was open to the public and more than a hundred members of the Armed Forces participated, many of them related to the education and training of military personnel in the field of Human Rights and Humanitarian International Law.
- **Dissemination and awareness activities:** On 15 and 16 October 2014, the Puerto Belgrano Naval Base in Coronel Rosales, Province of Buenos Aires, held an awareness conference to address the protection required for the protection of cultural property during armed conflicts.
- **Marking ceremony:** The activity included the marking of cultural property. First, a blue shield was placed on **Historical Battery No. 4** of Puerto Belgrano Naval Base, as part of the historical reconstruction promoted by the Argentine Navy. This historical battery, which is no longer used by the military, is part of a complex of batteries armed with Krupp-built-24 cm guns for the protection of the Military Port, which was subsequently named Puerto Belgrano Naval Base, located at the entrance of the sea inlet of Bahía Blanca, over a hill known as Nameless Hill. The battery was declared National Historical Monument through Executive Order No. 10525/61.
- In addition, a blue shield was also given to the hundred-year-old Recalada Lighthouse. The lighthouse started operating in 1906 and is located in Monte Hermoso, Province of Buenos Aires. This is the only lighthouse in the region with an open structure, ranking first in South America. It is 67 m high and its triple flash light has a reach of 28 nautical miles,

helping sailors navigate. The Recalada lighthouse is part of the "Centenary Lighthouse System," declared National Historical Monument by Law No. 26650 of 20 October 2010, which comprises the Naval Hydrography Service of the Ministry of Defence.

- As part of the awareness and dissemination process of the Blue Shield and the Protection of Cultural Property in Armed Conflicts, it was ordered that brochures and postcards of cultural items marked with the Blue shield to date be distributed.
- Identification and awareness activities: On 26 November 2014, in the presence of high authorities of the Ministries of Defence and Foreign Affairs, the National Naval Museum, located in the District of Tigre, Province of Buenos Aires, was marked with a blue shield. The National Naval Museum, founded in 1892, was declared National Historical Monument by Executive Order No. 2187/79.

#### 2015:

- Identification and awareness activities: During January 2015, some of the lighthouses of the Centenary Lighthouse System were marked with a Blue Shield and declared National Historical Monuments through Law No. 26650 of

20 October 2010: Lighthouses San Antonio, Punta Mogotes and Punta Médanos, located along the Argentine Atlantic coast.

- The San Antonio lighthouse was inaugurated in January 1892 in the coastal city of San Clemente del Tuyú, Province of Buenos Aires. This lighthouse remains active and is managed by the Ministry of Defence. Its functioning is vital for the sailors of the area.
- The Punta Mogotes lighthouse, which is property of the Ministry of Defence, is located in the city of Mar del Plata, Province of Buenos Aires, and it has been operating since its inauguration in 1891.
- The Punta Médanos lighthouse was inaugurated in 1893 and it is located in Punta Médanos, on the Atlantic coast of the Province of Buenos Aires. In order to promote Blue Shields among citizens, A4-sized cardboard "miniature lighthouse" models were created to supplement marking activities with entertaining activities aimed at including the civil population, particularly children, who were especially interested in the issue.
- Identification and awareness activities: On 20 May 2015, the Cabildo de Salta building was marked. It should be noted that this is the best preserved Cabildo in the Argentine Republic and, since its construction was ordered on the same day the city of Salta was founded, it is the oldest building in the city. The placement of a Blue Shield on this building, which was declared National Historical Monument by Law No. 12345, also implies continuing with the measures for the federal recognition of the architectural and cultural heritage of Argentina. A special room was set up inside the Cabildo to disseminate and expand information on Blue Shields and the protection of cultural property.
- In addition, together with the Government of the City of Salta, the Work Group elected the Casona de Castañares Estate to be marked with the Convention shield, given its importance to the history of the Independence of Argentina. This estate accommodated General Manuel Belgrano and also General Martín Miguel de
- Güemes. It was declared National Historical Monument by Executive Order No. 95687/41.
- selected to be marked with the Blue shield, which represents the 1954 Hague Convention. This school was created by Executive Order of 13 June 1870, during Domingo Faustino Sarmiento's administration. It was established in the building that held the House of Government and House of Representatives of the Argentine Confederation during the 1854-1861 period. The *Escuela Normal No. 1* was declared National Historical Monument in 2009 by Law No. 26500, continuing with the measures for the federal recognition of the architectural and cultural heritage of Argentina.

- Also in Paraná, Province of Entre Ríos, the 3 de Febrero Municipal Theatre, inaugurated on 8 August 1852, was marked. This was the first theatre of its kind in the city of Paraná, built to commemorate the Battle of Caseros. After Paraná was made capital of the Argentine Confederation in 1854, the theatre, which was built following eclectic standards, reached its peak of importance, hosting artistic events including drama, comedy and lyrical performances, as well as the presentation of prominent personalities of the national and international scene. Executive Order No. 390/2008 declared the 3 de Febrero Theatre of the City of Paraná to be a National Historical Monument.

**Identification and awareness activities:** On 7 November 2015, the **ARA Corbeta Uruguay** Museum Vessel, which is the oldest vessel of the Argentine Navy, was marked. It was officially incorporated into the force in September 1874 and its feats became part of Argentine history. The ARA Uruguay vessel served as a school vessel for the Argentine Navy between 1877 and 1880, and in 1903 it was in charge of the heroic rescue of the entire crew of Swedish vessel "Antarctic." The ARA Corbeta Uruguay vessel was declared National Historical Monument in 1967 by Executive Order No. 3968/67.

#### 2016:

- **Identification and awareness activities:** On 18 May 2016 and for the anniversary of the inauguration of the **ESMA Remembrance Museum and Memory Site**, currently managed by the Ministry of Justice and Human Rights of Argentina and built inside the former Buenos Aires Navy Mechanics School (*Escuela de Mecánica de la Armada*), a former clandestine detention, torture and extermination centre located in the Autonomous City of Buenos Aires, a ceremony for the marking of the site and to raise awareness was held in the presence of the highest authorities of the Ministries of Foreign Affairs and Worship, Culture (National Committee for Monuments, Historical Sites and Property), Education and Sports (Argentine Committee for Cooperation with UNESCO), and representatives of the Ministry of Justice and Human Rights, jointly with Human Rights organizations of the civil society, particularly the Mothers and Grandmothers of Plaza de Mayo.
- On 31 August, a Marking and Awareness Ceremony for the **ARA "Presidente Sarmiento"** Frigate Museum, located in the Autonomous City of Buenos Aires, a historical museum of the Argentine Navy, was held.
- On 22 September, the Villa Ocampo House, located in the Province of Buenos Aires, was declared National Historical Museum and the only Museum in the world in which national high authorities and UNESCO regional representatives are present
- On 15 December, the **Curutchet house** designed by **Le Corbusier** in the City of La Plata, Province of Buenos Aires, was awarded a WORLD HERITAGE plaque and marked with a Blue Shield. An awareness ceremony was also held.
- **Identification and awareness activities:** On 20 June 2015, in the city of Paraná, Province of Entre Ríos, the *Escuela Normal No. 1 José María Torres* school was

**Focus on dissemination:** The dissemination of marking activities has been given a greater boost since 2016. It is worth noting that support was given by the Argentine Federal System of Public Media and Contents, as well as by Radio y Televisión Argentina S.E.

## 2. Article 7 - Military measures

This article sets out the obligations of High Contracting Parties to introduce into their military regulations or instructions such provisions as may ensure observance of the Convention. As well as the preparation or establishment, within their armed forces, of services or specialist personnel whose purpose will be to secure respect for cultural property and to co-operate with the civilian authorities responsible for safeguarding it. These obligations must be implemented in time of peace.



Have you introduced into your **military regulations or instructions** such provisions as may ensure observance of the Convention?

If this information is available in a previously submitted report, you may refer to it.

Yes. The Argentine Republic has been promoting training and entertainment processes for the effective implementation of human rights and international humanitarian law in connection with the protection of cultural property and distinctive signals. The following list includes some of the actions carried out:

- Inclusion of this issue into different **academic** contexts of the Armed Forces and **university outreach courses** of National Defence Institutes.
- Inclusion of panels to raise awareness about the protection of cultural property during armed conflicts in the 6 (SIX) "**Regional Sessions for the Safeguard of Cultural Property**," held by the Office for Cultural Management and Promotion of the Ministry of Defence during 2014 and 2015. The sessions were held at the federal level, using the most important military bases of the country, including the following: City of Salta, City of Paraná, City of Concepción del Uruguay, Bahía Blanca-Puerto Belgrano, Autonomous City of Buenos Aires.
- Awareness and dissemination of the issue of the Protection of Cultural Property in the Event of Armed Conflict, during the **Annual Sessions of the Network of Libraries of the Armed Forces** and its members (46 military libraries). These Annual Sessions took place in the City of Misiones (2014) and in the City of Salta (2015).
- During 2015, the specific issue of the protection of cultural property was included in the courses prior to the deployment of military forces and Peace Missions, in the Argentine Centre for **Joint Training in Peace Operations** (CAECOPAZ).
- Development since 2016 of a specific workshop on the protection of cultural property in armed conflicts as part of the DICA Course of the National Aeronautic and space Institute of the Ministry of Defence.

Commencement of the translation into Spanish of the UNESCO Manual for military training in cultural heritage protection.

Have you established within your armed forces, services whose purpose will be to secure respect for cultural property?

No.

### 3. Use of the distinctive emblem to indicate cultural property (Chapter V)

The Hague Convention of 1954 created a distinctive emblem for the exclusive marking of cultural property with the aim of ensuring its recognition, particularly in the event of armed conflict. The marking of cultural property constitutes one of the preparatory measures that may be taken in time of peace.

Have you **indicated cultural property** through the use of the distinctive emblem of the Convention?

Yes. List of Cultural Property marked with the Blue Shield in Argentina as of 2016:

1. **Le Corbusier's Curutchet House**, City Of La Plata, Province Of Buenos Aires
2. **Villa Ocampo Unesco Observatory**, Province Of Buenos Aires
3. **Ara Presidente Sarmiento Museum Frigate** - Autonomous City Of Buenos Aires.
4. **Esma Memory Site** (Former Clandestine Detention, Torture And Extermination Centre), Autonomous City Of Buenos Aires.
5. **San Antonio Centenary Lighthouse**, Province Of Buenos Aires
6. **Punta Mogotes Centenary Lighthouse**, Province Of Buenos Aires
7. **Punta Médanos Centenary Lighthouse**, Province Of Buenos Aires
8. **Cabildo Of The City Of Salta**, City Of Salta, Province Of Salta
9. **Casona De Castañares Estate**, City Of Salta, Province Of Salta
10. **Escuela Normal No. 1 "José María Torres" School**, City Of Paraná, Province Of Entre Ríos.
11. **Municipal Theatre "3 De Febrero,"** City Of Paraná, Province Of Entre Ríos.
12. **Ara Corbeta Uruguay Museum** - Autonomous City Of Buenos Aires.
13. **National Naval Museum**, District Of Tigre, Province Of Buenos Aires.
14. **Recalada Centenary Lighthouse**, City Of Bahía Blanca, Province Of Buenos Aires.
15. **Historical Battery No. 4** - Puerto Belgrano - Province Of Buenos Aires.
16. **National Historical Museum** – Autonomous City Of Buenos Aires.
17. **Building Of The Former Munich Brewery** - Autonomous City Of Buenos Aires.
18. **Carlos Gardel's House Museum** - Autonomous City Of Buenos Aires.
19. **José Hernández Popular Art Museum** - Autonomous City Of Buenos Aires.
20. **Isaac Fernández Blanco Museum Of Hispanic-American Art** - Autonomous City Of Buenos Aires.
21. **Eduardo Sívori Museum Of Plastic Arts** - Autonomous City Of Buenos Aires.
22. **Monumental Tower** - Autonomous City Of Buenos Aires.
23. **Museum Of The City Of Buenos Aires** - Autonomous City Of Buenos Aires.
24. **Enrique Larreta Spanish Art Museum** - Autonomous City Of Buenos Aires.
25. **Cornelio Saavedra Historical Museum** – Autonomous City Of Buenos Aires.

#### 4. Article 25 – Dissemination of the Convention

The regulations relating to the protection of cultural property in time of war must be incorporated into programmes for military, and where possible, civil training. The aim is to ensure that the principles of the Convention are made known to the whole population, and especially the armed forces and personnel engaged in the protection of cultural property.

*Have you **disseminated the provisions of the Convention** within the armed forces as well as among target groups and the general public?*



Yes. Argentina has promoted processes for the dissemination of human rights and international humanitarian law among public officers, officers and non-commissioned officers of the Armed Forces and the public at large, in connection with the protection of cultural property and distinctive signs.

The following list includes some of the actions and activities carried out:

- Inclusion of panels to raise awareness about the protection of cultural property during armed conflicts in the 6 (SIX) "Regional Sessions for the Safeguard of Cultural Property," held by the Office for Cultural Management and Promotion of the Ministry of Defence in different places around the country during 2014 and 2015.
- Publication of the book "Protection of Cultural Property in Armed Conflicts - Blue Shields in Argentina." Publication of a 20x20 cm, 98-page book in Spanish on the achievements accomplished at the national level from 2005 to 2017 with respect to the use of the Blue Shield of the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols in Argentina. The book includes a complete list of all the marked property and pictures of all awareness activities conducted. The general goals of this publication on the marking of Cultural Property in Argentina are to communicate and inform society about the international protection provided by the Blue Shield to national cultural property already marked at the national level. It will also contribute to the regional and national promotion of rules on the protection of cultural property in the event of armed conflict, natural disasters and/or internal disturbances, as well as to the effective inclusion of this issue at the level of education and specific training of the personnel of the Ministry of Defence and the Armed Forces.
- During 2015, the specific issue of the protection of cultural property was included in the courses before the deployment of military forces and Peace Missions in the Argentine Centre for Joint Training in Peace Operations (CAECOPAZ).
- Development since 2016 of a specific workshop on the protection of cultural property in the event of armed conflicts as part of the DICA Course of the National Aeronautic and space Institute of the Ministry of Defence.
- Commencement of the translation into Spanish of the UNESCO Manual for the training of military troops in the protection of cultural heritage, and distribution among the 52 Argentine Military Training Institutes, as well as the delivery of digital copies in Spanish through the Latin American Association of Peace Mission Training Centres (ALCOPAZ) of the Region.

Blue Shields are produced and donated by state-owned manufacturer *Fabricaciones Militares*, which operates under the Argentine Ministry of Defence. Since 2016, signals are produced together with an informative monolith that identifies the protected property, in order to inform society about the Convention on the Protection of Cultural Property both in Spanish and in

English. Information boards are designed by the National Directorate for Human Rights and International Humanitarian Law and produced with metallic material by the Argentine Industrial and Naval Complex (CINAR), which uses its own supplies. Both shields and monoliths are produced by companies that are under the control of the Ministry of Defence and work in close coordination in order to protect Cultural Property in the Event of Armed Conflict.

The dissemination of marking activities has been given greater relevance since 2016, with the special support of the Federal System of Media and Public Content of Argentina and Radio y Televisión Argentina S.E. Special importance was attached to the identification with the Blue Shield of the former clandestine detention, torture and extermination centre of the Remembrance Museum and Site of ESMA, the Villa Ocampo observatory and the Curutchet house in the City of La Plata.

*Within this framework, what **awareness-raising activities** have you organized, and what awareness-raising activities do you plan to organize in the future? Please indicate the target groups for each activity.*

By the end of 2016, together with the Audiovisual Hub, which reports to the Federal System of Media and Public Content, the Ministry of Defence and UNESCO supported the airing of a TV programme, *Motivados por la Historia (Motivated by History)*, within the framework of the celebration of the Bicentenary of the Crossing of the Andes by General Jose de San Martín. The Andes route was declared National Cultural Itinerary and marked with a Blue Shield. Joint work has resulted in the production of eight episodes for the Argentine Public Television, which revolve around a special story about the placing of a Blue Shield in the highest point of the Crossing of the Andes in February 2017.

In addition, an agreement was entered into with GOOGLE, which created the "street view" of the Crossing of the Andes and placement of the shields. It is expected that children and adolescent will profit from this, particularly when studying history at national schools  
<https://www.youtube.com/watch?v=HtCBKtq6t4>

Use of new technologies to disseminate and protect the Cultural Property marked with Blue Shields at the national level:

**Several digital platforms will be used:**

**National Geographic Institute of Argentina (reporting to the Ministry of Defence):** use of the IDERA platform with the geo-referenced location of the places already marked with a Blue Shield.

**QR System "Quick Response code" applied to the Shields:** use of a module to store information inside a dot matrix or a bi-dimensional barcode and on the web platform of the Ministry of Defence, in order to store the information to be used in the "quick response codes" with the geo-referenced location and specific information of the protected cultural property in the places already marked with a Blue Shield..

**Argentine Cultural Information System:** This system reports to the Ministry of Culture of Argentina. Use of the SINCA platform with the georeferenced and cultural information of the locations already marked with a Blue Shield.

**Air and space marking system:** At the end of 2016, the Ministry of Science and Technological Innovation of Argentina started to consider including applied technology to blue shields.

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

The Secretariat has received a certain number of official translations of the Convention and of the Regulations for its execution. For reference, please consult:

Language versions of the Hague Convention and its 1954 Protocol

*Does your country have its national translation(s) there?*

No.

## 6. Article 28 – Sanctions

This article sets out the obligations of 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 established as criminal offences under your domestic law conduct contrary to the obligations set out by the Convention?

Yes. All Cultural Property marked by the Work Group for the implementation of the commitments assumed by the Argentine Government in order to effectively implement the Convention for the Protection of Cultural Property in the Event of Armed Conflict is protected under national legislation, since items are selected from the cultural property previously declared to be "National Historical Monuments" at the national level by the National Committee of Monuments and Historical Sites and Property, which reports to the Argentine Ministry of Culture. This means that they are already protected by applicable legal provisions, which specify and establish national penalties for offences against or damage to cultural property.

## II. Resolution II of the Conference of 1954

Have you established a **National Advisory Committee** in accordance with the hope expressed by the Conference in its Resolution II?

Yes. The Work Group for the implementation of the commitments assumed by the Argentine Government for the effective implementation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict was created in 2012. It is a sub-committee that is part of the National Committee For The Implementation Of International Humanitarian Law.

## III. 1954 First Protocol

*[To be completed by the High Contracting Parties to the 1954 Protocol only]*

The main objective of the 1954 Protocol is the protection of cultural property in occupied territory. As such, it organizes, among others, a system of:

- ✓ taking into custody;
- ✓ return of illegally exported cultural property; and
- ✓ finally indemnity to the holders in good faith.

Have you adopted **measures to implement** the 1954 First Protocol? In particular, have you adopted national legislation providing for the custody of cultural property imported either directly or indirectly from any occupied territory?

No.

Have you **taken into custody** cultural property imported into your territory from an occupied territory?

No.

## IV. 1999 Second Protocol

*[To be completed by the High Contracting Parties to the 1999 Protocol only]*

The 1999 Second Protocol complements the Hague Convention of 1954 in many aspects. If this information has already been presented within the framework of the questions regarding the Hague Convention of 1954, you may refer to it directly.

### 1. General provisions (Chapter 2)

#### 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 adopted such measures?*

Yes.

#### 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. Paragraph 102 of the Guidelines for the Implementation of the Second Protocol requests Parties that are an Occupying Power to provide information in their national reports on the way in which the provisions regarding the protection of cultural property in occupied territory are observed.

*Do you ensure compliance with the provisions regarding the **protection of cultural heritage under military occupation**?*

No answer.

### 2. Enhanced protection (Chapter 3)

The Second Protocol establishes an enhanced protection regime. Enhanced protection is granted by the Committee for the Protection of Cultural Property in the Event of Armed Conflict (composed of 12 Parties). Paragraph 102 of the Guidelines for the Implementation of the Second Protocol requests that Parties express their intention to request the inscription of cultural property on the List of Cultural Property under Enhanced Protection.

*Do you **intend to request** the granting of enhanced protection for cultural property in the next four years or, where applicable, do you have a **national tentative list** within the framework of Article 11 (1) of the Second Protocol?*

No. The Inter-Ministerial Work Group is still internally assessing the possibility of granting reinforced protection to cultural property in the event of armed conflict. No consensus has been reached in this respect.

#### MONITORING OF CULTURAL PROPERTY UNDER ENHANCED PROTECTION

*[If certain cultural property(ies) in your State benefit from enhanced protection, please also complete this section of the questionnaire].*

The benefit of enhanced protection implies continued compliance with the conditions set out in Article 10 of the Second Protocol.

*Is there a **specific mechanism in place to monitor cultural property under enhanced protection**? As an example, are the measures adopted to ensure the highest level of protection periodically reviewed so as to ensure they are fully effective in all circumstances?*

No.

Pursuant to paragraph 102 of the Guidelines, the Parties must inform on the use of the distinctive emblem for cultural property under enhanced protection.

*Have you used the new **distinctive emblem adopted by the 2015 Meeting of Parties to mark** cultural property under enhanced protection?*

No.

Pursuant to paragraph 65 of the Guidelines for the Implementation of the 1999 Second Protocol, the Parties must notify the Committee of any change affecting the cultural property concerned to meet the criteria set out in Article 10 of the Second Protocol.

Does the Committee need to be **notified of a change** regarding cultural property in your territory benefiting from enhanced protection?

No.

### 3. Criminal responsibility and jurisdiction (Chapter 4)

#### Article 15 – Serious violations of the Second Protocol

Article 15 requires the Parties to establish as criminal offences under its domestic law a series of behaviours constituting serious violations of the Second Protocol, by punishing them by appropriate penalties.

What measures have been taken to ensure the **implementation of this obligation**?

In this connection, it is worth noting that Article 184(5) of the Criminal Code of the Argentine Republic establishes that the crime of damage against property is aggravated when the damage is inflicted against "archives, records, libraries, museums, bridges, roads, promenades or any other property of public use; or against graves, memorial sites, monuments, statues, paintings or

other artistic objects placed in public buildings or places; or against public information, documents, programmes or information systems."

Article 186(3) of the Criminal Code, in turn, imposes a longer sentence for the crime of arson or other damage against public safety when the crime jeopardizes the integrity of "a public archive, library, museum, arsenal, shipyard, powder factory, military explosive factory or artillery depot."

It should be noted that Article 746 of the Military Justice Code imposed a "major penalty of imprisonment" on anyone who "destroys temples, convents, libraries, museums, archives or any other significant works of art when military operations do not require so." The Military Justice Code, however, was repealed in 2008.

Without prejudice to the foregoing, neither the Criminal Code nor the Military Justice Code independently grant compulsory universal jurisdiction to prosecute this type of crime.

Information published in *Derecho Internacional Humanitario y temas de áreas vinculadas* (International Humanitarian Law and related issues), Lecciones y Ensayos No. 78, Gabriel Pablo Valladares (Records Clerk), Lexis Nexis Abeledo Perrot, Buenos Aires, 2003, pp. 165 to 184. CICR ref. T2003.49/0003. "Argentina and the system for the protection of cultural property in the event of armed conflict: a special challenge."

#### Article 16 – Jurisdiction

Article 16 requires the Parties to establish the jurisdiction of their courts over serious violations of the 1999 Second Protocol.

What measures have been taken to **confer jurisdiction on your courts** over serious violations of the Second Protocol?

Argentina is yet to adopt specific measures to recognize the jurisdiction of its courts over serious violations of the Second Protocol. However, Argentine Law No. 26200 has the main goal of implementing the provisions of the Rome Statute.

It should be noted that the penalty system set forth in the Rome Statute and in the abovementioned Law only apply to crimes and offences over which the International Criminal Court has jurisdiction.

#### Article 21 – Measures regarding other violations

The Second Protocol also requires the Parties to adopt legislative, administrative or disciplinary measures to prevent the occurrence of behaviours that adversely affect the integrity of cultural heritage.

Have you adopted such measures?

Not specifically. However, at the level of the Argentine legal system, Law No. 26200 has the main goal of implementing the provisions of the Rome Statute."

It should be noted that the penalty system set forth in the Rome Statute and in the abovementioned Law only apply to crimes and offences over which the International Criminal Court has jurisdiction.



#### 4. Dissemination of information and international assistance

##### Article 30 – Dissemination

Article 30 complements Articles 7 and 25 of the Hague Convention of 1954. In this regard, it requests the Parties to, among other things, strengthen appreciation and respect for cultural property by their entire population, ensure the dissemination of the Protocol, and incorporate guidelines and instructions on the protection of cultural property in their military regulations.

*Have you **disseminated the provisions of the 1999 Second Protocol** within the armed forces as well as among target groups and the general public?*

Yes. Material for the dissemination of the provision of the 1999 Second Protocol has been designed and distributed.

In addition, a publication on the Protection of Cultural Property with Blue Shields has been published.

Specific training was also provided:

**Ministry of Defence:**

<http://www.mindef.gov.ar/plantillaNoticia.php?notId=465>

<http://www.mega975.com.ar/noticias/12552-arranca-la-jornada-cultural-de-patrimonio-regional-1> <http://artec.unc.edu.ar/investigacion/cienciaytecnologia/novedades-informacion-cyt/2014/jornadaspatrimonio.pdf>

<http://www.ign.gob.ar/content/participaci%C3%B3n-en-la-iii-jornada-regional-de-patrimonio-cultural-del-ministerio-de-defensa>

<http://www.lahoradesalta.com.ar/2015/05/04/4o-jornada-regional-de-patrimonio-cultural-gestion-interdisciplinaria-para-la-valoracion-interpretacion-y-comunicacion-de-bienes-culturales/>

[http://www.apfdigital.com.ar/despachos.asp?cod\\_des=254830&ID\\_Seccion=12&fecemi=30/06/2015](http://www.apfdigital.com.ar/despachos.asp?cod_des=254830&ID_Seccion=12&fecemi=30/06/2015)

**Argentine Navy:** <http://gacetamarinera.com.ar/se-realizo-la-iii-jornada-de-actualizacion-en-derecho-internacional-humanitario/>

**Argentine Air Force:**

<http://noticias.iaa.edu.ar/spip.php?article1352>

<http://www.noticiasenvuelo.faa.mil.ar/articulos.asp?idn=13>

*Training courses for the personnel of Armed Forces and Civil Museums.*

*Within this framework, what **awareness-raising activities** have you organized, and what awareness-raising activities do you plan to organize in the future? Please indicate the target groups for each activity*

The Argentine Republic also has the intention of continuing its work on the dissemination and awareness of Cultural Property in Armed Conflicts.

Videos were filmed to illustrate the problem in Palmira, Syria, and the destruction of Cultural Property.

<http://www.telam.com.ar/notas/201604/145193-argentina-siria-palmira-campana-patrimonio-de-la-humanidad.html>

Watch the links below to learn about the TV programme made by the Argentine Public Television based on the inter-ministerial Blue Shield work, with the specific aim of marking the paths used by General San Martín during the Crossing of the Andes, in order to commemorate its 200 Years. <https://www.youtube.com/watch?v=leQOSL9aGmg>  
<https://www.youtube.com/watch?v=v2xi4VV6BtE>

[https://www.youtube.com/watch?v=O9IO\\_t0a1wA&t=710s](https://www.youtube.com/watch?v=O9IO_t0a1wA&t=710s)

<https://www.youtube.com/watch?v=OrIKvAvNUvI&t=437s>

<https://www.youtube.com/watch?v=7333BYwtlCM>

<https://www.youtube.com/watch?v=FUfhH6ChgIM>

<https://www.youtube.com/watch?v=Wi9UP4cYpnc>

<https://www.youtube.com/watch?v=SNidZERep1o>

[https://www.youtube.com/watch?v=w\\_IRpsfJ7hM](https://www.youtube.com/watch?v=w_IRpsfJ7hM)

#### **On site marking**

<https://www.youtube.com/watch?v=3-6NOq8759M>

#### **What are blue shields?**

[https://www.youtube.com/watch?v=UoXsA\\_5wNqI](https://www.youtube.com/watch?v=UoXsA_5wNqI)

<http://www.tvpublica.com.ar/articulo/83633/>

#### **Documentary series: *Motivados por la historia* (Motivated by history)**

<https://www.youtube.com/watch?v=HtCBKtq6t4>

[http://www.prensario.net/19680-Argentina-Television-Publica-estreno-emMotivados- \\_por-la-Historiaem.note.aspx](http://www.prensario.net/19680-Argentina-Television-Publica-estreno-emMotivados- _por-la-Historiaem.note.aspx)

#### **Peruvian press**

<http://aptcperu.org/argentina-se-estrena-el-nuevo-docu-reality-motivados-por-la- historia/>

Articles 32 – International assistance

Pursuant to paragraph 102 of the Guidelines for the Implementation of the Second Protocol, the Parties are invited to present their activities at bi- or multilateral level, within the framework of technical assistance in order to share their experiences or best practices.

Have you shared, particularly via the Secretariat of UNESCO, your **experiences in the implementation and best practices**?

Yes. At each of the meetings held within the Committee for the Implementation of the Convention for the Protection of Cultural Property, we have highlighted and highly appreciated the efforts of UNESCO.

Moreover, the Argentine Republic has the intention of sharing experiences and good practices in the field, as has been done at the different Meetings of the International Committee of the Red Cross (Genève in December 2016 and San José de Costa Rica in May 2017).

The book on Blue Shields in Argentina has been distributed at the regional level, and several national committees have been trained on our internal procedures for the development of a blue shield marking policy in Argentina.

## 5. Official translation of the 1999 Second Protocol to the Hague Convention of 1954

Pursuant to Article 37 of the Second Protocol, the Parties shall translate this standard-setting instrument into their official languages and shall communicate these official translations to the Director-General. To date, the Secretariat has received a certain number of official translations of the Second Protocol. For reference, please consult:

### Language versions of the 1999 Second Protocol

*Does your country have its national translation(s) there?*

No. The Argentine Republic is working in order to make progress in this area.

## V. Miscellaneous questions regarding the Hague Convention of 1954 and its two Protocols

### 1. National focal point

According to paragraph 103 of the Guidelines for the Implementation of the Second Protocol: *"Unless a Party requests otherwise, the presumed focal point would be its Permanent Delegation to UNESCO"*. If you do not wish to consider the Permanent Delegation as the focal point, please provide the Secretariat with the name and address of a national focal point that will receive all official documents and correspondence relating to the implementation of the Second Protocol.

Institution: -	Email:
Name:	Tel.:
Address:	Fax:

## 2. National practice regarding the implementation of the Hague Convention and its Two Protocols

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

- the relevant **administrative civil and military regulations**:

PDF Document  Website 

- the **national laws** on the protection of cultural property, as well as the criminal provisions made within the framework of the implementation of Article 28 of the Hague Convention and Articles 15, 16 and 21 of the Second Protocol, and any case-law on the protection of cultural property in the event of armed conflict.

PDF Document  Website 

- Documents regarding **awareness-raising activities** (seminar schedule, brochures, etc.), as well as **any other relevant documents** (legislative, legal, or administrative) within the framework of the implementation of the Hague Convention of 1954 and its 1999 Second Protocol.

PDF Document  Website 

3. The Fund for the Protection of Cultural Property in the Event of Armed Conflict (Article 29 of the Second Protocol)

Have you **contributed to the Fund**?

No.

If no, do you plan to contribute to the Fund in the Future?

No answer.

## VI. Self-assessment forms

In order to reflect the status of implementation of the Hague Convention of 1954 and its 1999 Second Protocol in key areas within the summary document of national reports, please complete the two tables below.

### 1. Assessment of the level of implementation

*[Please use the following assessment scale]*

- 1: not implemented;
- 2: partially implemented, the process has come to a standstill;
- 3: partially implemented, the process is ongoing; and,
- 4: fully implemented.

Implementation of the safeguarding obligation through the adoption of preparatory measures	3
Training of military personnel on the regulations relating to the protection of cultural heritage	3
Use of the distinctive emblem to mark cultural property	4
Implementation of the dissemination obligation, through the establishment of awareness-raising activities for target audiences	4
Adoption of relevant criminal legislation	2
<i>For Parties with cultural property under enhanced protection only.</i> Establishment of a system to monitor cultural property under enhanced protection at national level	

### 2. Assessment of difficulties encountered

*[Please use the following assessment scale]*

- 1: difficulties have been encountered, but there are no plans to request technical assistance from the Secretariat of UNESCO;
- 2: difficulties have been encountered, however there are plans to request technical assistance from the Secretariat of UNESCO;
- 3: difficulties had been encountered, but thanks to the technical assistance of the Secretariat they have been resolved;
- 4: difficulties had initially been encountered, but they turned into challenges that we have overcome; and,
- 5: No difficulties have been encountered.

Implementation of the safeguarding obligation through the adoption of preparatory measures	2
Training of military personnel on the regulations relating to the protection of cultural heritage	4
Use of the distinctive emblem to mark cultural property	4
Implementation of the dissemination obligation, through the establishment of awareness-raising activities for target audiences	4
Adoption of relevant criminal legislation	2
<i>For Parties with cultural property under enhanced protection only.</i> Establishment of a system to monitor cultural property under enhanced protection at national level	



## VII. Granting of enhanced protection – Opinion Survey

Pursuant to Chapter 3 of the 1999 Second Protocol, enhanced protection is granted by the Committee for the Protection of Cultural Property in the Event of Armed Conflict if three conditions are cumulatively met:

- ✓ The cultural property is of the greatest importance for humanity;
- ✓ The cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection; and,
- ✓ The cultural property is not used for military purposes or to shield military sites, and the Party which has control over it has made a declaration that it will not be used for such purposes.

As these conditions are set out within the framework of an international treaty, their full understanding cannot be separated from state practice, which is of fundamental importance with regard to the International Law of treaties. As such, this national report is an opportunity for the national authorities of the Parties to express their views on the conditions under which enhanced protection is granted.

*For each of the conditions set out in Article 10 of the Second Protocol, please answer the following questions, taking into account the relevant paragraphs of the Guidelines for the Implementation of the Second Protocol.*

- Article 10, paragraph (a) – "Greatest importance for humanity"

No answer.

- Article 10, paragraph (b) – "Highest level of protection"

No answer.

- Article 10, paragraph (c) – "Non-use for military purposes"

Please indicate the national authorities to be consulted with a view to taking the decision not to use the cultural property submitted for the granting of enhanced protection for military purposes or to shield military sites.

No answer.

## **Annex 1: Informe de Gestión**

### **INFORME DE GESTIÓN**

**GRUPO DE TRABAJO ENCARGADO DE DESARROLLAR EL PLAN DE IMPLEMENTACIÓN DE CUMPLIMIENTO DE LAS OBLIGACIONES INTERNACIONALES ASUMIDAS POR EL ESTADO ARGENTINO, EN EL MARCO DE LA CONVENCIÓN PARA LA PROTECCIÓN DE LOS BIENES CULTURALES EN CASO DE CONFLICTO ARMADO**

**- Resolución del Ministerio de Defensa N° 754 del 11 de julio de 2012 -**

**- 2014 -**

- I. Introducción**
- II. Actividades realizadas por el Grupo de Trabajo - 2014**
- III. Conclusiones**

#### **Anexo I**

**INVENTARIO BIENES CULTURALES SEÑALIZADOS CON EL ESCUDO AZUL**

## INFORME DE GESTIÓN

- 2014 -

Se presenta a continuación el Informe de Gestión del Grupo de Trabajo encargado de desarrollar el plan de implementación de cumplimiento de las obligaciones internacionales asumidas por el Estado argentino, en el marco de la Convención para la Protección de los Bienes Culturales en caso de Conflicto Armado (Grupo de Trabajo) al año 2014.

### I. Introducción

Por medio de la Resolución del Ministerio de Defensa N° 754 del 11 de julio de 2012 se crea el Grupo de Trabajo encargado de desarrollar el plan de implementación de cumplimiento de las obligaciones internacionales asumidas por el Estado argentino en el marco de la Convención para la Protección de los Bienes Culturales en caso de Conflicto Armado, La Haya, 1954, (aprobado por Ley N° 23.613, el 20 de diciembre de 1988), su Primer Protocolo Adicional, La Haya, 1954 (aprobado por Ley N° 26.155 el 10 de mayo de 2007) y Segundo Protocolo Adicional, La Haya, 1999 (aprobado por Ley 25.478, 24 de octubre de 2001).

Las reuniones periódicas del Grupo de Trabajo comenzaron en marzo de 2014, desarrollándose en su totalidad en las oficinas de quién ejerce la Coordinación, la DIRECCIÓN NACIONAL DE DERECHOS HUMANOS Y DERECHO INTERNACIONAL HUMANITARIO del MINISTERIO DE DEFENSA.

Integran el Grupo de Trabajo expertos representantes del Ministerio de Defensa -por la Dirección Nacional de Derechos Humanos y Derecho Internacional Humanitario, por la Dirección de Análisis y Evaluación Institucional y por la Auditoría General de las Fuerzas Armadas-, del Ministerio de Relaciones Exteriores y Culto - por la Dirección General de Consejería Legal- y del Ministerio del Interior, del Ministerio de Cultura - por la Dirección Nacional de Política Cultural y Cooperación Internacional y por la Coordinadora General de la Dirección Nacional de Patrimonio y Museos-. Asimismo, participan en calidad de miembros invitados, expertos del Ministerio de Educación - Comisión Nacional Argentina de Cooperación con la UNESCO-.

Las primeras reuniones del año definieron la agenda de trabajo y los modos de ejecución de los proyectos diseñados. Las siguientes reuniones sirvieron como una puesta al día de las labores desarrolladas por el Grupo de Trabajo.

De este modo, se detallará a continuación cada uno de los trabajos efectuados en el año 2014.

## II. Actividades realizadas por el Grupo de Trabajo - 2014

### 1. Evento “SEÑALIZACIÓN Y SENSIBILIZACIÓN PARA LA PROTECCIÓN DE LOS BIENES CULTURALES EN CASO DE CONFLICTO ARMADO”, Museo Histórico Nacional, Ciudad Autónoma de Buenos Aires, Argentina, 8 de mayo 2014.

El 8 de mayo de 2014, en el marco del 60º Aniversario de la Convención de La Haya para la Protección de Bienes Culturales en caso de Conflicto Armado, el Grupo de Trabajo llevó a cabo la *Señalización y Sensibilización Para La Protección De Los Bienes Culturales En Caso De Conflicto Armado*, en las instalaciones del Museo Histórico Nacional, ubicado en la Ciudad Autónoma de Buenos Aires.<sup>1</sup>

La selección de la fecha fue consensuada por representar el Día Mundial de la Cruz Roja y Media Luna Roja y, además, prestar cercanía con el 10 de mayo, fecha en que se conmemoran 7 años de la ratificación argentina del Protocolo para la aplicación de la Convención de la Haya para la Protección de Bienes Culturales en caso de Conflicto Armado.

En dicha oportunidad, se colocó el Escudo Azul en el Museo Histórico Nacional, creado 1889 y declarado Monumento Histórico Nacional por el Decreto Presidencial 437/97, implicando el reconocimiento y protección especial que requieren los bienes que allí se encuentran.

En este sentido, por ejemplo, se encuentran dentro del mencionado Museo Histórico Nacional los elementos originales que utilizó el General San Martín en el cruce de los Andes, las pinturas de Cándido López, cuya obra constituye un valioso testimonio de la Guerra del Paraguay (1865-1870); y los trabajos de los artistas europeos León Palliere, César Bacle y Emeric Vidal quienes, a través de sus litografías, abordaron diversos aspectos de los usos y costumbres del Río de la Plata en el siglo XIX. Dignos de mención son los instrumentos musicales históricos como los pianos y los forte pianos de la familia Escalada, de María Sánchez de Thompson y de Eduarda Mansilla.

En otras palabras, la colocación del emblema azul en el mencionado Museo significó la jerarquización y la defensa de la historia y cultura argentina, simultáneamente con el compromiso de las Fuerzas Armadas y el sector de la Defensa para con el conjunto de la sociedad.

Análogamente, se desarrolló en la misma oportunidad, durante la jornada de la mañana, un módulo de Sensibilización, mediante el desarrollo de dos paneles integrados por expertos que dialogaron con el público sobre las obligaciones que surgen en relación a la Convención para la Protección de Bienes Culturales en Caso de Conflicto Armado.

Participaron en el mismo distintos expertos nacionales y extranjeros. Así, se contó con la exposición del invitado especial Sr. Frédéric VACHERON Especialista del Programa de Cultura para el Cono Sur de la UNESCO, un representante del Ministerio de Defensa, proveniente de las Fuerzas Armadas y especialista en temas de Derecho Internacional Humanitario; un representante de la Secretaría de Cultura de la Presidencia de la Nación y un representante del Ministerio de Relaciones Exteriores y Culto.

De este modo, la actividad fue abierta al público, habiendo asistido más de cien miembros de las Fuerzas Armadas –quienes recibieron una certificación de su

<sup>1</sup> Publicaciones periodísticas sobre la actividad, disponibles en <http://www.unesco.org/new/es/culture/themes/armed-conflict-and-heritage/montevideo/> [Último acceso, 15 de abril de 2015]

participación. Entre ello, se encontraban directivos vinculados con la educación e instrucción del personal militar en materia de Derechos Humanos y Derecho Internacional Humanitario.

## **2. III JORNADA DE PATRIMONIO CULTURAL DEL MINISTERIO DE DEFENSA. Base Naval Puerto Belgrano, Provincia de Buenos Aires, Argentina, 15 y 16 de octubre de 2014.**

El 15 y 16 de octubre de 2014 en la Base Naval Puerto Belgrano, Coronel Rosales, provincia de Buenos Aires, se llevó a cabo la *III Jornada Regional de Patrimonio Cultural del Ministerio de Defensa*, denominada: “Gestión para la Salvaguarda de los Bienes Culturales: herramientas y recursos”.

En la misma, se aportaron herramientas y recursos de aplicación en el ámbito de la gestión cultural con miras a la valoración y difusión del acervo cultural, histórico y artístico, se sensibilizó sobre la protección de bienes culturales ante situaciones de conflictos armados, se produjo asimismo un intercambio de saberes mediante experiencias e investigaciones interdisciplinarias; se brindaron instancias de capacitación específica al personal de las Fuerzas Armadas y del Ministerio de Defensa destinado a ámbitos culturales.

El módulo de sensibilización sobre la protección requerida de bienes culturales ante conflictos armados estuvo a cargo de un alto funcionario de la Fuerza Aérea, formador en Derecho Internacional Humanitario y Derechos Humanos.

Asimismo, acompañaron en la actividad representantes de la Dirección de Consejería Legal del Ministerio de Relaciones Exteriores y Culto.

Luego, se concretaron actos mediante los cuales se señalaron con el escudo azul dos bienes culturales.

Por una parte, se colocó el escudo azul en la Batería N° 4 de la Base Naval de Puerto Belgrano, en el marco de una reconstrucción histórica propiciada por la Armada Argentina.<sup>2</sup> La mencionada batería se corresponde con un complejo de baterías de cañones Krupp de 24 cms, para la protección del Puerto Militar - que luego se llamaría Base Naval de Puerto Belgrano - emplazado en la entrada de la ría de la Bahía Blanca, en un promontorio llamado Punta Sin Nombre. Su construcción comenzó en 1898, con dificultades, ya que su emplazamiento estaba lejos de todo nudo logístico, en medio de médanos y sin un solo árbol que diera un poco de sombra a los trabajadores, que vivían en carpas. Esta zona se llama actualmente "Baterías" por el complejo allí emplazado y fue declarado Monumento Histórico Nacional por Decreto Presidencial 10525/61.

Por otra parte, se señaló mediante el escudo azul al Faro Recalada. El mismo inició sus servicios en 1906 y está ubicado en la localidad de Monte Hermoso, costa sur de la provincia de Buenos Aires. Dada su forma de estructura abierta es único en la región y ocupa el primer lugar en Sudamérica.

Asimismo, es el Faro más alto del Estado de Argentina, con 67 metros de altura, y su iluminación, mediante tres destellos, tiene un alcance de 28 millas náuticas, siendo de muchísima utilidad para los navegantes. Análogamente, el mencionado Faro integra el “Sistema de Faros Centenario”, declarado Monumento Histórico Nacional por la Ley 26.650 del 20 de octubre de 2010, perteneciente al Servicio de Hidrografía Naval del Ministerio de Defensa.

<sup>2</sup> Publicaciones periodísticas sobre la actividad <http://www.gacetamarinera.com.ar/nota.asp?idNota=7243&idSec=7> [Último acceso, 15 de abril de 2015] y <http://www.hidro.gov.ar/Noticias/RENoticias.asp?idnot=446> [Último acceso, 15 de abril de 2015]

Es dable destacar que los bienes culturales señalizados en ésta oportunidad corresponden a bienes culturales pertenecientes a las Fuerzas Armadas argentinas, bajo gestión del Ministerio de Defensa.

Finalmente, para la III Jornada Regional de Patrimonio Cultural, se dispuso desde el Ministerio de Defensa la distribución de folletería y postales de los bienes culturales señalizados, como parte del proceso de sensibilización y difusión.

### **3. MUSEO NAVAL DE LA NACIÓN. Acto por restauración de talleres y señalización con el Escudo Azul, localidad de Tigre, Provincia de Buenos Aires, 26 de noviembre de 2014.**

El 26 de noviembre de 2014 se efectuó el acto de señalización mediante el escudo azul del Museo Naval de la Nación, ubicado en la localidad de Tigre, Provincia de Buenos Aires, Argentina.

El Museo Naval de la Nación, fundado en 1892, ha sido declarado Monumento Histórico Nacional por Decreto Presidencial 2187/79 y pertenece a los bienes culturales de las Fuerzas Armadas, dependientes del Ministerio de Defensa.

Presidió el evento el Ministro de Defensa, Ing. Agustín ROSSI. En dicha oportunidad el Ministro identificó que “Hay que preservar todas las expresiones culturales de las Fuerzas Armadas porque son un punto de encuentro con la sociedad civil”, reconociendo que “Desde que asumí como ministro y por orden de la Presidenta, nos propusimos jerarquizar todos los ámbitos culturales e históricos del ámbito de la Defensa”.<sup>3</sup>

Asimismo, estuvieron presentes distintas autoridades, como la Directora Nacional de Derechos Humanos y Derecho Internacional Humanitario, Sra. Stella Segado.

### **4. SEÑALIZACIÓN FAROS CENTENARIOS. Enero de 2014. Costa Atlántica de la Provincia de Buenos Aires, Argentina.**

Durante el mes de enero de 2015 se concretaron las labores iniciadas en el año 2014, con miras a la señalización mediante el escudo azul del “Sistema de Faros Centenario”, declarados Monumento Histórico Nacional por la Ley 26.650 del 20 de octubre de 2010, con la participación del Ministro de Defensa, Ing. Agustín ROSSI.

De este modo, el Ministro de Defensa inauguró en tres bienes culturales la colocación del emblema azul, distintivo de la Convención para la Protección de Bienes Culturales en Caso de Conflicto Armado. Así, han sido señalizados mediante el emblema distintivo de la mencionada convención el Faro San Antonio<sup>4</sup>, el Faro Punta Mogotes<sup>5</sup> y el Faro Punta Médanos, ubicados en la costa turística argentina.

Por una parte, el Faro San Antonio está ubicado en la ciudad balnearia de San Clemente del Tuyú, provincia de Buenos Aires, habiendo sido inaugurado en enero de 1892. Activo y perteneciente a los bienes administrados por el Ministerio de Defensa, el faro es de vital utilidad para los navegantes de la zona.

Por otra parte, el Faro Punta Mogotes, perteneciente al Ministerio de Defensa e inaugurado en 1891, se encuentra en la ciudad de Mar del Plata, provincia de

<sup>3</sup> Publicaciones periódicas <http://www.mindef.gov.ar/noticias/2014noticia320.html> [Último Acceso, 15 de abril de 2015]

<sup>4</sup> Publicaciones periódicas <http://www.telam.com.ar/notas/201501/91669-rossi-faro-san-antonio-san-clemente.html> [Último Acceso, 15 de abril de 2015]

<sup>5</sup> Publicaciones periódicas <http://prensa.argentina.ar/2015/01/21/55895-rossi-coloco-el-emblema-azul-en-el-faro-punta-mogotes.php> y <http://www.mindef.gov.ar/noticias/2015noticia010.html> [Último Acceso, 15 de abril de 2015]



Buenos Aires. Desde entonces, funciona incesantemente y es operado por personal de Defensa y efectivos de la Armada que dependen del Servicio de Hidrografía Naval.

Finalmente, el Faro Punta Médanos fue inaugurado en 1893 y se encuentra ubicado en la localidad homónima, sobre la costa atlántica de la provincia de Buenos Aires. El mismo se encuentra habitado, pertenece al Ministerio de Defensa y es operado por miembros de la Armada Argentina.

### **III. Conclusiones**

La protección del patrimonio cultural que nos identifica como sociedad implica un compromiso para los Estados, en relación a los deberes de respeto y garantía del derecho humano a la cultura, reconocidos mediante cuerpos normativos internacionales reforzados por los trabajos desarrollados en los últimos cincuenta años.

El patrimonio cultural de un pueblo encierra su memoria, su historia y su identidad. En este sentido, la eficacia de la protección del patrimonio cultural depende de su organización en tiempos de paz a través de la adopción de medidas tanto en la esfera nacional como internacional.

Por ello, el Ministerio de Defensa ha propuesto mediante el Grupo de Trabajo interministerial la ejecución de aquellas obligaciones adquiridas en materia de señalización y protección de bienes culturales ante situaciones especiales, tales como conflictos armados, que derivan de los Convención para la Protección de los Bienes Culturales en caso de Conflicto Armado y sus Protocolos adicionales.

De este modo, a lo largo del año 2014 se efectuó un relevamiento de los bienes existentes, tanto en el ámbito civil como los pertenecientes al Ministerio de Defensa, concretándose la realización de un total de 7(siete) bienes culturales, de diversas características, declarados Monumento Histórico Nacional, distribuidos a lo largo de la provincia de Buenos Aires y la Capital Federal.

Asimismo, se compartió la información emitiendo respuesta a una solicitud que efectuar el Comité para la Protección de Bienes Culturales en Caso de Conflicto Armado relativa al cumplimiento de las obligaciones que surgen de los tratados internacionales bajo su supervisión.

Finalmente, por disposición de los miembros del Grupo de Trabajo, se elevará el presente Informe de Gestión 2014 a las autoridades de cada uno de los miembros participantes.

**INVENTARIO BIENES CULTURALES SEÑALIZADOS  
CON EL ESCUDO AZUL**

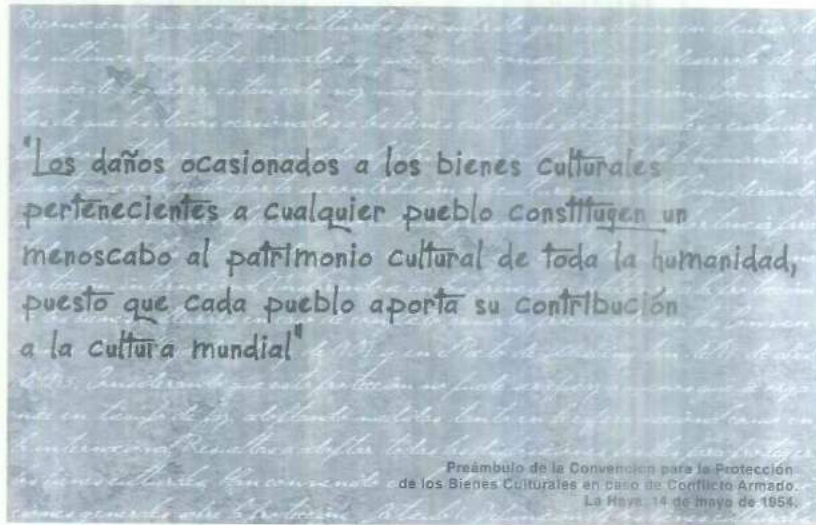
- AÑO 2014 / 2015 -

<b>17</b>	<b>Finca Casona de Castañares</b> Monumento Histórico Nacional Decreto Presidencial 95687/41	<b>Señalización con el Escudo Azul</b> <b>20 de mayo 2015</b>
<b>16</b>	<b>CABILDO DE SALTA</b> Monumento Histórico Nacional Ley 12.345	<b>Señalización con el Escudo Azul</b> <b>20 de mayo 2015</b>
<b>15</b>	<b>FARO PUNTA MÉDANOS</b> Museo Histórico Nacional Ley 26.650	<b>Señalización con el Escudo Azul</b> <b>23 de enero de 2015</b>
<b>14</b>	<b>FARO PUNTA MOGOTES</b> Museo Histórico Nacional Ley 26.650	<b>Señalización con el Escudo Azul</b> <b>12 de enero de 2015</b>
<b>13</b>	<b>FARO SAN ANTONIO</b> Museo Histórico Nacional Ley 26.650	<b>Señalización con el Escudo Azul</b> <b>9 de enero de 2015</b>
<b>12</b>	<b>MUSEO NAVAL DE LA NACIÓN</b> Museo Histórico Nacional Decreto Presidencial 2187/79	<b>Señalización con el Escudo Azul</b> <b>26 de noviembre de 2014</b>
<b>11</b>	<b>FARO RECALADA</b> Museo Histórico Nacional Ley 26.650	<b>Señalización con el Escudo Azul</b> <b>15 de octubre 2014</b>
<b>10</b>	<b>BATERÍA N° 4 DE LA BASE NAVAL DE PUERTO BELGRANO</b> Museo Histórico Nacional Decreto Presidencial 10525/61	<b>Señalización con el Escudo Azul</b> <b>15 de octubre 2014</b>
<b>9</b>	<b>MUSEO HISTÓRICO NACIONAL</b> Museo Histórico Nacional Decreto Presidencial 437/97	<b>Señalización con el Escudo Azul</b> <b>8 de mayo 2014</b>

- AÑO 2005-

8	<b>EDIFICIO DE LA EX CERVECERÍA MUNICH</b> Sede de la Dirección General de Museos de la Ciudad Autónoma de Buenos Aires Decreto Presidencial N° 4949/90	Señalización con el Escudo Azul marzo de 2005
7	<b>MUSEO CASA CARLOS GARDEL</b> Lugar Histórico Nacional Decreto Presidencial N° 437/97	Señalización con el Escudo Azul marzo de 2005
6	<b>MUSEO DE ARTE POPULAR JOSÉ HERNÁNDEZ</b> Ley de la Ciudad de Buenos Aires 2028/06	Señalización con el Escudo Azul marzo de 2005
5	<b>MUSEO DE ARTE HISPANOAMERICANO ISAAC FERNÁNDEZ BLANCO</b> Museo de la Ciudad Autónoma de Buenos Aires	Señalización con el Escudo Azul marzo de 2005
4	<b>MUSEO DE ARTES PLÁSTICAS EDUARDO SÍVORI</b> Museo de la Ciudad Autónoma de Buenos Aires	Señalización con el Escudo Azul marzo de 2005
3	<b>TORRE MONUMENTAL (EX TORRE DE LOS INGLESES)</b> Museo de la Ciudad Autónoma de Buenos Aires	Señalización con el Escudo Azul marzo de 2005
2	<b>MUSEO DE LA CIUDAD DE BUENOS AIRES</b> Museo de la Ciudad Autónoma de Buenos Aires	Señalización con el Escudo Azul marzo de 2005
1	<b>MUSEO DE ARTE ESPAÑOL ENRIQUE LARRETA</b> Museo de la Ciudad Autónoma de Buenos Aires	Señalización con el Escudo Azul marzo de 2005

## Annex 2: Images



Señalización y sensibilización sobre la protección de Bienes Culturales en caso de conflicto armado.



[facebook.com/MinDefArgentina](https://www.facebook.com/MinDefArgentina)  
[mindef.gob.ar](http://mindef.gob.ar)

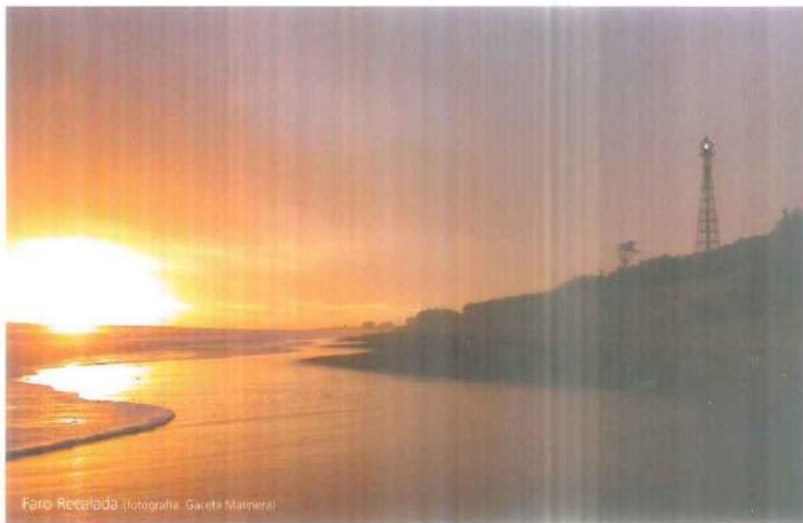
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HAY FUERZA.



Ministerio de  
Defensa  
Presidencia de la Nación



IV Bateria Histórica



Faro Recalada (fotografía: García Matipera)



Museo histórico Nacional



Comprende al complejo de baterías construidas para la defensa de la entrada a la ría de la Bahía Blanca, que fueron emplazadas en un promontorio llamado Punta Sin Nombre, hoy predio de la Base de Infantería de Marina Baterías. Su construcción comenzó en 1898. Fue una obra difícil, lejos de todo nudo logístico, en medio de médanos, demandó en su primera etapa del uso de bueyes. Actualmente depende del Museo de Infantería de Marina de la Armada Argentina.

*Fue declarado Monumento Histórico Nacional por Decreto Presidencial 10525/61.*

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HAY FUERZA.**



### **FARO RECALADA**

Este faro inició sus servicios en 1906. Dada su forma de estructura abierta, es el único en la región y ocupa el primer lugar en Sudamérica. Con 67 metros de altura, es el faro más alto de Argentina, tiene un alcance de 28 millas náuticas, siendo de gran utilidad para los navegantes. Los materiales que componen este faro centenario fueron traídos de Francia por la empresa que construyó la torre Eiffel en París. Actualmente, depende del Servicio de Hidrografía, organismo descentralizado del Ministerio de Defensa. Más aún, el Faro Recalada de Bahía Blanca integra el Sistema de Faros Centenarios, declarados Monumentos Históricos Nacionales por la Ley 26.650, del 20 de octubre de 2010.

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HAY FUERZA.**



### **MUSEO HISTÓRICO NACIONAL**

Creado en 1989, este museo fue concebido como el Panteón de la Patria donde se guardaban y veneraban las reliquias de los próceres de la Revolución de Mayo y las guerras de la Independencia. Desde sus exhibiciones, se difundió una narración histórica unilineal y homogénea que ignoraba los conflictos y la diversidad de identidades étnicas, regionales y sociales que convivían dentro de los límites del Estado argentino. Actualmente y a partir del revisionismo histórico, se busca brindar un relato construido por los diversos actores y, asimismo, interpretar los múltiples procesos sociales que contribuyeron a la formación de la Argentina moderna; aspirando a ser una institución destinada a rescatar, investigar, valorizar e interpretar la realidad pasada y presente de nuestro país, para luego proyectarla de manera crítica a la población. *Fue declarado Monumento Histórico Nacional por el Decreto Presidencial 437/97.*

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HAY FUERZA.**





## EMBLEMA AZUL Señalización de Monumentos Históricos Nacionales



Desde el Ministerio de Defensa se trabajó en un plan para la implementación del cumplimiento de las obligaciones internacionales asumidas por nuestro país, en el marco de la **CONVENCIÓN PARA LA PROTECCIÓN DE LOS BIENES CULTURALES EN CASO DE CONFLICTO ARMADO**, firmado en la Haya en 1954. —

CUANDO UN PAÍS SE JUNTA,  
HAY FUERZA.

La citada Convención nos invita a la adopción de medidas en reconocimiento de la protección que merece la cultura, entendida como patrimonio de la humanidad, ante situaciones especiales como emergencias o conflictos armados. Estas medidas se plasman en la señalización con el escudo azul de los bienes declarados Monumentos Históricos Nacionales y en la concreción de acciones de sensibilización que difundan la temática.

Por ello, materializar la Convención sobre la Protección de Bienes Culturales en caso de Conflicto Armado, en su sexagenario, implica el cumplimiento de la obligación de prevenir -que requiere el derecho internacional humanitario- y el deber de respeto -que demanda el derecho humano a la cultura. Los trabajos de identificación de bienes culturales a señalizar son impulsados por un equipo conformado a los efectos, coordinado por el Ministerio de Defensa e integrado por miembros del Ministerio de Cultura y del Ministerio de Relaciones Exteriores y Culto. Este año, los escudos azules fueron elaborados por Fabricaciones Militares. —



Los actos de señalización constituyen una visibilización de la importancia que representa para la política de defensa la protección de los bienes culturales. Asimismo, el éxito del trabajo desarrollado en conjunto evidencia una integración intergubernamental fundamental para avanzar como país. —

