



Four-year cycle 2005-2010

Cyprus

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

I. The 1954 Hague Convention

1. Article 3 – Safeguarding of cultural property

The Department of Antiquities, as the competent authority for the protection of the cultural heritage of the Republic of Cyprus, has the authority to declare Ancient Monuments according to the Antiquities Law of 1935 and its amendments. The declared Ancient Monuments, ranging chronologically from the Neolithic to the 20th century, are registered in the Departments of Antiquities' archives; therefore, an inventory of the Ancient Monuments is available. At present inventories are mostly in hard copy, while their digitization with the use of a Geographical Information System (GIS) is also currently being developed. Furthermore, excavation records are available which concern archaeological sites where excavations were conducted but may not be declared as Ancient Monuments. The Department of Antiquities has also prepared inventories of all movable antiquities exhibited in the showcases of the major Governmental Museums under its authority, i.e. the Cyprus Museum in Nicosia, the Limassol District Museum, the Pafos District Museum and the Larnaka District Museum. There are also comprehensive inventories for the movable antiquities stored in the Department of Antiquities' storerooms. These are mostly in hard copy but a large number of movable cultural property has been digitized or its digitization is under way, as for the monuments.

Emergency measures for protection against fire are applied in the totality of the Department of Antiquities' Museums. Museums are equipped with smoke detectors and alarm systems, as well as fire extinguishers. Special provisions have been taken for the churches included in the World Heritage site "Painted Churches in the Troodos Region". The ten churches included in the site, have been equipped in their totality with highly sensitive and technologically advanced fire detection and fire protection systems and for six of them a fire extinguishing system has also been applied. The Department of Antiquities in association with the Fire Department has employed fire protection plans, creating fire protection zones and fire stations in the vicinity of Ancient Monuments and major archaeological sites. Fire protection is of major importance to the Department of Antiquities and efforts are made to apply all appropriate measures to Ancient Monuments and governmental Museums.

The Department of Antiquities is by law the responsible authority for the safeguarding of the Movable and Immovable Cultural Property of Cyprus. Within the framework of the Hague Convention, the Department of Antiquities is in contact with the Ministry of Defense for the implementation of a strategy of emergency evacuation and protection of Cultural Property in time of armed conflict. Contacts are specifically aimed in the development, among others, of a mechanism that will designate competent groups of individuals responsible for the safeguarding of cultural property and a specific emergency evacuation and transport plan.

2. Article 7 – Military measures

At present, no provisions, which will ensure observance of the Convention, have been introduced into the military regulations or instructions of Cyprus. The Department of Antiquities is, however in contact with the Ministry of Defence and a series of meetings are planned, so as to promote the introduction of such regulations into the military instructions. The introduction of such provisions into the military regulations has been set as a priority, an event that will in turn allow the cultivation of the spirit of respect for cultural property within the armed forces and the designation of specialist personnel for its safeguarding.

3. Chapter V – The distinctive emblem

The distinctive emblem of the Convention has been used in the past to mark a number of Ancient Monuments and archaeological sites in the Republic of Cyprus. Provisions will be made in order to ensure the reapplication of the distinctive emblem on cultural property where it has been discolored, as well as to promote its use on a wider scale.

4. Article 25 – Dissemination of the Convention

As above, the Department of Antiquities is currently in contact with the Ministry of Defence in order to incorporate the provisions of the convention into the military regulations. As this is achieved, the dissemination of these regulations within the armed forces will be promoted and designated personnel engaged in the protection of cultural property will be properly trained. As a primary step, the dissemination of the text of the Convention and the Regulations for its execution within the military will be promoted with the collaboration of the Ministry of Defence.

5. Article 26 (1) – Official translations

The Hague Convention and the First Protocol to the Hague Convention of 1954, was translated in Greek and published in the Republic of Cyprus Official Gazette Supplement I, on 15 April 1971. A hard copy of the official translation is herewith attached.

6. Article 28 - Sanctions

The Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention and the First Protocol to the Hague Convention of 1954, was accessed by Cyprus in 9 September 1964. It was translated in Greek and published in the Republic of Cyprus Official Gazette Supplement I, on 15 April 1971, Law No. 12/1971. The Convention was passed as a law in the Republic of Cyprus but no provisions have been taken to impose penal sanctions in the case of breach of the Convention.

7. 1954 (First) Protocol

The Republic of Cyprus further to the 1954 Hague Convention, has ratified the 1970 Paris Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (Law No. 61/1979). Furthermore, the export and return of cultural objects in the Republic of Cyprus is exercised in accordance to the Export of Cultural Goods Law of 2002 (Law No. 182(1) of 2002) and to the Return of Cultural Objects Law of 2002 (Law No. 183(1) of 2002). The legislation in force in the Republic of Cyprus ensures the application of the provisions of the 1954 Protocol and has been a tool in cases of illicit exportation of cultural property from the occupied area of the Republic.

8. Resolution II of the 1954 Hague Conference

At present, no national advisory committee has been formed in the Republic of Cyprus as suggested in Resolution II of the 1954 Hague Conference. The question was raised during the recent meeting held with the representatives of the Ministry of Defence, as well as in previous contacts between the Department of Antiquities, the Ministry of Foreign Affairs and the Law Office of the Republic of Cyprus. The Department of Antiquities is coordinating efforts to set up a national advisory committee with the participation of representatives of the abovementioned governmental authorities, in order to further promote the implementation of the Hague Convention.

II. The 1999 Second Protocol to the 1954 Hague Convention

1. Article 5 - Safeguarding of cultural property

The peacetime preparatory measures taken by the Department of Antiquities, concerning the preparation of inventories, the planning of emergency measures for protection against fire or structural collapse, the preparation for the removal of movable cultural property or the provision for adequate in situ protection of such property and the designation of competent authorities responsible for the safeguarding of cultural property, apply as per Article 3 of the Hague Convention above.

2. Chapter 3 - Enhanced protection

The Republic of Cyprus intends to nominate cultural sites to be placed under enhanced protection. Priority will be given to the cultural sites inscribed in the World Heritage List of UNESCO, i.e. the Choirokoitia Neolithic settlement, the Painted Churches in the Troodos region and Paphos.

3. Article 15 - Serious violations of this Protocol

The Second Protocol to the Hague Convention of 1999, was ratified by Cyprus in 16 May 2001. It was translated in Greek and published in the Republic of Cyprus Official Gazette Supplement I(III), on 9 March 2001, Law No. 4 (III)/2001 and entered into force on 9 March 2004. The offences enumerated in Article 15 of the protocol are established as a penal offence under Cyprus domestic law. The law provides for incarceration of up to 15 years or a fine of up to 20.000 CY pounds (31.400 Euro) or both or any other punishment the court may decide to impose. A copy of the legislation in Greek is attached.

4. Article 16 – Jurisdiction

According to Law No. 4 (III)/2001, the courts of the Republic of Cyprus have jurisdiction over offences set forth in article 15 of the protocol, when these are committed in the cases referred to in article 16 of the Protocol. Please see attached copy of the legislation as above.

5. Article 21 - Measures regarding other violations

As per domestic Law No. 4 (III)/2001, the acts referred to in paragraphs (a), (b) and (c) of article 9 are offences punishable with incarceration of up to 10 years or a fine of up to 15.000 CY pounds (23.550 Euro) or both. Please see attached copy of the legislation as above.

6. Article 30 - Dissemination

The dissemination of the Second protocol applies as per article 25 of the Hague Convention above. As per paragraphs (c) and (d) of article 30 we herewith submit the law and administrative provisions adopted to ensure the application of the Protocol.

7. Article 37 - Translations and reports

A hard copy of the official translation of the Second protocol as published in the Republic of Cyprus Official Gazette Supplement I(III), is herewith attached, to be communicated to the Director-General.