



United Nations  
Educational, Scientific and  
Cultural Organization



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

Four-year cycle 2013-2016

**Nigeria**

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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- On article 3- safe guarding of cultural property, it is observed that we have not fully domesticated the obligations of this article. The measure taken here so far is that we have been able to station military presence in vulnerable areas where we have our cultural property. For example at Sukur cultural landscape in Madagalli local government Area of Adamawa State as well as in Rabeh Forte in Bornu State.

In times of conflicts or wars, rules are grossly violated, war crimes committed and as such the issue of creating barriers can hardly work. This is so because that which you are trying to protect by creating barriers easily becomes targets.

However, causes of war/conflict should as much as possible be nipped in the bud through the options of negotiations and reconciliation.

## 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 in as much as Nigeria is a signatory to the 1954 and 1999 convention, the obligations of this article have not been fully implemented. What has been done in this regard is ensuring that military presence is stationed in vulnerable areas like the Sukur cultural land scape in Adamawa State and Rabeh forte in Bornu state.

The military is well aware of the importance of our cultural property. For instance, the study of museology in the Nigerian Army School of Education, Ilorin, Kwara State, has brought the importance of our cultural property to the fore though much has not really been done by the government to sensitize the army on the authentication and importance of cultural property in the event of arms conflict.

*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?*

No. There is no use of distinctive emblem to indicate cultural property owing to the non – implementation of the Hague convention in this regard. However, the military indicates such by mounting sign posts or flags in such areas.

### 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 – (i) There have been a lot of workshops, trainings, and seminars, etc., organized for the military, paramilitary, the police and the civilian populace in this regard. For instance, a workshop on illicit trafficking in cultural property was organized in the recent past for the military, paramilitary, etc. in Abuja. Workshops of this nature are periodically organized.  
ii) Furthermore, the general public is also educated through the use of jingles in the media as well as distributing of fliers. The military on the other hand sends its staff on training at the institute of museology in Jos, the Nigerian Defence Academy based on Museum training and techniques.

*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.*

Not applicable.

### 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?*

Yes– English, Nigeria’s Lingua Franca

## 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?*

Affirmatively, the NCMM act of 1979 section 18 sub section 1& 2 criminalizes any destruction, defacement, alteration or illegal excavation of any cultural property. See appendix 1: [www.laws](http://www.laws.federationofnigerian.com-section25) of the federation of Nigerian.com-section25 NCMM acts.

With the obligations of this article having not been fully domesticated, we have not established as criminal offences under our domestic law, conduct contrary to the obligations set out by the convention.

## 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?*

No. We have not established a NATIONAL ADVISORY COMMITTEE in accordance with the hope expressed by the conference in its resolution II because we have not yet domesticated.

## 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?*

Yes – Nigeria has bilateral relationships with different countries such as China, Germany, France, USA (on going) for the return of our cultural property that have directly or indirectly entered their territories through colonization, expedition, theft, vandalization, etc. See appendix 2 for the memorandum of understanding with china, for the return of illegally exported cultural property back to Nigeria.

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?*

Please refer to our earlier response on article 3 of the Hague convention of 1954 as it concerns safe guarding of cultural property.  
In addition, we wish to also state that documentation and inventorization of our cultural collections is an ongoing exercise in our museums which is aimed at further strengthening the protection of our cultural property. This measure has fully been implemented.

#### 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**?*

This article and its objectives are not applicable to Nigeria since we do not have any occupied territory.

## 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?*

Yes.

### 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. There is no specific mechanism in place to monitor cultural property under enhanced protection since we are still on the process of getting enhanced protection.

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. Although we are still on the process of getting the enhanced protection, the use of the new distinctive emblem adopted by the 2015 meeting of the parties to mark cultural property under the enhanced protection has not been domesticated. The military however, indicates such by mounting sign posts in such areas.

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. At the moment, the committee needs not be notified of a change regarding cultural property in our territory since we are still on the process of being enlisted.

### 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**?*

No. Although we have not domesticated the obligations of this article in our country, similar law is obtainable in our land.

For instance, decree 77 of the NCMM act of 1979 section 18 subsection 1 & 2 criminalizes and punishes any behaviour of debasement, defacement, and illegal excavation of our cultural property. Due to the clemency, perpetrators are not deterred. There is inadequate awareness, inadequate security personnel to man our cultural property, poverty, illiteracy, porous borders, inadequate funding, lack of interest by the government of the day, etc.

#### 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?*

No answer.

#### 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?*

Yes. Considering the weakness of the section 77 of the 1979 act as regards the above article, the National Commission for Museums & Monuments (NCMM) has taken a step further in reviewing this act with a view to having stronger penalties in order to curb activities that are adversely affecting our cultural property. This act is a bill currently at our national assembly.

### 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. The armed forces in this regard receive training in the Nigerian Defence Academy (NDA) the museum school, Nigerian Army School of Education as well as through conferences, workshops organized for both the armed forces and the general public.

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.

On awareness-raising activities, stake holders' meetings involving the youth, antiquity vendors, traditional rulers and the armed forces are held regularly. Awareness-raising activities have also been done through the media, road walks, distribution of fliers etc.

#### 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**?

Affirmatively, we have shared our experiences in the implementation and best practices through seminars, conferences, etc. by cultural experts like professor Shylon, a UNESCO expert on cultural law.

#### 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?

Yes, our country Nigeria has its national translation there which is English Language our Lingua Franca.

## 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: <a href="mailto:ajibloecr@yahoo.com">ajibloecr@yahoo.com</a>
Name: Augustus Babajide Ajibola	Tel.: +2348033018985
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 

Laws of the Federation of Nigeria 2004.com-sechon24NCMM act.20

- 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 

New Cultures of Collaboration (Benin dialogue)

### 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. Not that I am aware.

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

Yes.

## 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	<b>3</b>
Training of military personnel on the regulations relating to the protection of cultural heritage	<b>3</b>
Use of the distinctive emblem to mark cultural property	<b>1</b>
Implementation of the dissemination obligation, through the establishment of awareness-raising activities for target audiences	<b>3</b>
Adoption of relevant criminal legislation	<b>3</b>
<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	<b>1</b>

### 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	<b>2</b>
Training of military personnel on the regulations relating to the protection of cultural heritage	<b>2</b>
Use of the distinctive emblem to mark cultural property	<b>2</b>
Implementation of the dissemination obligation, through the establishment of awareness-raising activities for target audiences	<b>2</b>
Adoption of relevant criminal legislation	<b>2</b>
<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	<b>-</b>

## 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"

The following are the main factors to be taken into consideration to determine whether cultural property is of the greatest importance for humanity:

- (1) Irreplaceable contact points
- (2) Uniqueness of cultural creativity and beliefs
- (3) Employment generation
- (4) Research purposes

### **1) IRREPLACEABLE CONTACT POINTS**

Cultural Heritage sites in Nigeria for instance are of great importance to the citizenry as they serve as irreplaceable contact points between the ancestors and the people and contain all the signs that document the activities and achievements of our ancestors over time, hence the continuity of a common identity.

### **2) UNIQUENESS OF CULTURAL CREATIVITY AND BELIEFS**

Preserving our cultural heritage makes it possible for people to showcase the uniqueness and capacity of cultural creativity, beliefs and lifestyle through the ages. This is evident for instance in the annual festival of the Osun Osogbo sacred grove in Osun state of Nigeria. The festival is attended by tens of thousands of devotees and tourists both locally and internationally as it is greatly believed that the grove rewards its devotees with increased fertility in children which is performed alongside other rituals. This grove has promoted unity amongst the citizens of Nigeria and has also become a UNESCO world Heritage site

### **3) EMPLOYMENT GENERATION**

Cultural heritage sites also offer a lot of employment opportunities to the people within and outside that locality as they are employed to protect and preserve the site for generations yet

unborn. A good example of this is the Olumo rock in Abeokuta Area of Ogun State in Nigeria, Benin black smith, ivory carvers, Old Residency in Calabar, and Nok mining site in Kaduna.

#### **4) RESEARCH PURPOSES**

Sukur cultural landscape has also caught the attention of the international and local communities due to its rich architectural uniqueness. The ability of the Sukur community to preserve and still practice the age long tradition which has stood the test of time amidst fast changing trends and globalization has also served as a research point for people at home and abroad.

All this and more goes a long way to show that heritage sites remain a very important part of the people of Nigeria, hence the need for its continuous stringent legislations and adequate preservation.

Please indicate the national authorities to be consulted to determine which measures to adopt in order to ensure the highest level of protection for cultural property for which enhanced protection has been requested. What measures are necessary to ensure the highest level of protection?

As an agency of Government empowered by law (Act 242, Laws of the federation of Nigeria, 1990) to protect cultural property, the NCMM has been working hard to take adequate steps to ensure that the Hague Convention of 1954 and 1999 is domesticated in Nigeria. While it does this as part of conservation activities relating to cultural property, in various cases there would be relevant stakeholders including but not restricted to the military, civil society organizations, security agencies, local/regional/community/government authorities who are involved with the NCMM to ensure enhanced protection where it is decided necessary.

The protection of the cultural heritage, in its diverse forms, constitutes one of the principal activities of UNESCO. For this reason, UNESCO has elaborated a series of standard – setting instruments, both legally binding and non-binding that aim to ensure the safe guarding of the world’s cultural diversity through heritage presentation. Damage to cultural property belonging to any people whatsoever, means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world “the Hague convention specifically”, highlights: UNESCO fundamental belief that the cultural heritage of each nation belongs to all humankind.

In line with this, the second protocol advances a number of essential legal, military and technical aspects of cultural property protection. In particular the second protocol introduces a new system of enhanced protection for cultural property of “the greatest importance of humanity” which must also be protected by adequate national legislation and not used for military purposes or to shield military sites.

Other necessary measures put in place to ensure the highest level of protection among member states are

- 1) Encourage the systematic inventory and cataloguing of cultural property, with the fullest possible details and in accordance with methods used universally by ICOM standard.
- 2) Encourage as appropriate the standardized identification of movable and immovable cultural property using unobtrusive means offered by contemporary technology
- 3) Urge the museums and similar institutions to reinforce the prevention of risks by a comprehensive system of practical security measures and technical installations and to ensure that all cultural property kept, exhibited and transported in such a way as to protect it from all elements like damage or destroy it.
- 4) Provide the museums and similar institutions for which they are responsible with the conservation of our cultural property and carried out accordingly
- 5) Ensure adequate training for the museum professionals and similar institutions security to enable them know what to do in the event of disasters to co-operate effectively in the rescue operations carried out by the competent public services
- 6) Member states should provide sanctions or any appropriate measures in case of theft,

- pillage, destruction intentionally on the cultural property.
- 7) The laws on cultural property should be strengthened to punish offenders in the destruction of our cultural property.

□ 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.

Nigeria, like many other countries in the world, including Mali and Afghanistan, has recorded attacks on its cultural heritage, like Sukur cultural landscape, a UNESCO world Heritage site, which was not spared by the Boko- Haram insurgency. The National Commission for Museums and Monuments (NCMM), set up under Decree 77 of 1979 constitution, is saddled with the responsibility of taking decisions regarding the protection of any cultural property in Nigeria.

The commission works under the Federal Ministry of Information and Culture (FMIC), and should be consulted with issues regarding whether or not to use cultural property granted enhanced protection for military purposes or to shield military sites.

The ministry of Defence should also be consulted, to work hand in hand with other military and Para- military agencies to enforce such actions, requesting non-use of cultural property for military purpose.

## APPENDIXES

- (1) [www.laws](http://www.laws) of the federation of Nigeria 2004 .com – section 25 NCMM act.20.
- (2) “New cultures of collaboration” (Benin Dialogue)
- (3) Memorandum of understanding with china, for the return of illegally exported cultural property back to Nigeria.
- (4) Copies of enhanced protection forms.



Appendix 3



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### Cultural Cooperation Agreement Between the Government of the Federal Republic of Nigeria and the Government of the People's Republic of China

The Government of the Federal Republic of Nigeria and the Government of the people's Republic of China (hereinafter referred to as "the two Contracting parties"), desirous of strengthening friendly relations and understanding between the two countries, and with a view to promoting and encouraging cooperation in the fields of culture, education, science and health services between the two countries, have Agreed as follows:

#### Article 1

The two contracting parties shall for their mutual benefit encourage cooperation in the fields of culture, education, science, public health, sports, publication, press, broadcasting, television, arts and literature, and other related fields of mutual interest.

#### Article 2

The two contracting parties have agreed to have exchanges and cooperation in the fields of culture and arts through:

- (a) Organizing exchange programs for their musical and theatrical groups, artists, actors, musicians and journalists;
- (b) Encouraging and organizing concerts and performing tours of troupe and lectures tours on culture and arts in their countries;
- (c) Holding of exhibitions on culture and arts in each other's country.

#### Article 3

For the purpose of learning about and understanding the culture and civilization of each other, the two contracting parties shall:

- (a) Encourage and organize the exchange of text books, periodicals, scientific and technical publications, magazines, newspapers and other materials between educational institutions of the two countries;
- (b) The two Contracting Parties agree to translate and publish outstanding works of literature and arts of each others country;
- (c) The two Contracting Parties agree to facilitate the exchange of views and information about their museums, libraries and other cultural institutions, and also the exchange of information and materials concerning antiquities natural history and arts.

#### Article 4

The two contracting countries agree to pursue the following program of exchange and co-operation in the field of education:

- (a) Exchange of visits, study and lecture tours of university professors, teachers, experts and scientific research workers;
- (b) Each of the two contracting parties, as far as possible, shall exchange and award scholarships to students and graduates to study at their universities, higher institutions of learning, and other educational institutions, and encourage self-paid students to study in each other's country.

#### Article 5

The two Contracting Parties shall establish requisite conditions for the evaluation of certificates, university degrees, diplomas and other academic qualifications, awarded in their countries with a view to concluding a separate agreement on the equivalent of such certificates, degrees, diplomas and qualifications.

#### Article 6

The two Contracting Parties shall not only make available to each other the educational statistics and information that could render useful contributions in educational developments, but also



facilitate the establishment of direct contacts and cooperation between the educational institutions of higher learning and libraries of the two countries.

Article 7

The two Contracting Parties shall encourage cooperation in the field of mass communications by exchange of radio and television materials, film and press organizations; and arrange the exchange of specialists who will participate in the activities organized by each contracting party.

Article 8

The two Contracting Parties shall promote cooperation in the field of sports and encourage contacts, between sports organizations not only in the interest of development of sports generally, but with the specific aim of arranging friendly sports competitions between the two countries.

Article 9

The two Contracting Parties agree to exchange experiences in the fields of medicine and public health and technology.

Article 10

The two Contracting Parties agree to encourage the participation of their representatives at international congresses, conferences, seminars, lecture tours, and other meetings in the field of social sciences held in their respective countries.

Article 11

The representatives of the Federal Republic of Nigeria and the People's Republic of China sent under this Agreement shall observe the laws and regulations of the host country.

Article 12

In order to implement the present Agreement, the two Contracting Parties shall make periodic adjustments in their concrete plans for cultural and scientific exchanges by means of direct meetings of appropriate delegations or through diplomatic channels. Negotiations for this purpose shall take place alternately in the capitals of both Contracting Parties. The plans shall prescribe the forms, scope and financial terms of cooperation.

Article 13

Financial arrangements connected with the implementation of the present Agreement shall be mutually agreed upon.

Article 14

The two Contracting Parties shall settle, through diplomatic channels, all issues concerning the interpretation or application of the provisions of this Agreement.

Article 15

The present Agreement shall come into force on the date of exchange of notes signifying that it has been approved in accordance with the constitutional procedure of two Contracting Parties and shall remain valid for four (4) years. Thereafter, its validity shall be automatically renewed for a period of one (1) year by tacit Agreement unless either Party requests its termination by serving a written notice to the other Party six (6) months prior to date of expiration.

In witness whereof the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Done in Lagos on November 20th 1981. In English and Chinese languages, both texts being equally authentic.

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facilitate the establishment of direct contacts and cooperation between the educational institutions of higher learning and libraries of the two countries.

Article 7

The two Contracting Parties shall encourage cooperation in the field of mass communications by exchange of radio and television materials, film and press organizations; and arrange the exchange of specialists who will participate in the activities organized by each contracting party.

Article 8

The two Contracting Parties shall promote cooperation in the field of sports and encourage contacts, between sports organizations not only in the interest of development of sports generally, but with the specific aim of arranging friendly sports competitions between the two countries.

Article 9

The two Contracting Parties agree to exchange experiences in the fields of medicine and public health and technology.

Article 10

The two Contracting Parties agree to encourage the participation of their representatives at international congresses, conferences, seminars, lecture tours, and other meetings in the field of social sciences held in their respective countries.

Article 11

The representatives of the Federal Republic of Nigeria and the People's Republic of China sent under this Agreement shall observe the laws and regulations of the host country.

Article 12

In order to implement the present Agreement, the two Contracting Parties shall make periodic adjustments in their concrete plans for cultural and scientific exchanges by means of direct meetings of appropriate delegations or through diplomatic channels. Negotiations for this purpose shall take place alternately in the capitals of both Contracting Parties. The plans shall prescribe the forms, scope and financial terms of cooperation.

Article 13

Financial arrangements connected with the implementation of the present Agreement shall be mutually agreed upon.

Article 14

The two Contracting Parties shall settle, through diplomatic channels, all issues concerning the interpretation or application of the provisions of this Agreement.

Article 15

The present Agreement shall come into force on the date of exchange of notes signifying that it has been approved in accordance with the constitutional procedure of two Contracting Parties and shall remain valid for four (4) years. Thereafter, its validity shall be automatically renewed for a period of one (1) year by tacit Agreement unless either Party requests its termination by serving a written notice to the other Party six (6) months prior to date of expiration.

In witness whereof the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Done in Lagos on November 20th 1981. In English and Chinese languages, both texts being equally authentic.

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Appendix 4<sup>(a)</sup>

ENHANCED PROTECTION REQUEST FORM

<b>1. Party: NIGERIA</b>	Submission prepared by: Institution: National Commission for Museums and Monuments. E-mail: nigheritage@yahoo.ca Name: Adedayo, Oluremi Funsho Fax: Address: 1 <sup>st</sup> Floor, Block C. Head of Service P.M.B. 171, Garki, Abuja NIGERIA Telephone: +234 80 3378 3808
<b>2. Date of Submission</b>	28 <sup>th</sup> February 2014
<b>3A. Identification of the Cultural Property Maps and Photos</b>	See attached
<b>Name of the Cultural Property</b>	<u>Osun Osogbo Sacred Grove</u> ✓
<b>State, Province or Region Located or Stored</b>	Osun State
<b>UTM Coordinates of the approximate centre point of the property.</b>	857034mN,671176mE
<b>Area of the Cultural Property (ha)</b>	75ha
<b>3B. Description of the Cultural Property</b>	<p>The grove covers an area of 75 hectares and it is a typical example of a true primary rainforest and the remnants of rainforest that is fast disappearing in the West Africa sub-region and one of the few vestiges of the rainforest in Nigeria. The grove is fenced with a four (4) kilometers chain link or wall in areas where land pressure exist. It has a buffer zone of about 47 hectares.</p> <p>The main features of the site is the Osun river which drains into the grove and the mythical Osun goddess that abodes in the forest. Two principal roads and several footpaths leading to sacred locations such as the mythological first palaces, shrines, temples (Agbala Osun), primordial market (oja-outoto), new sacred art works and suspension bridge. In the grove can also be found, the first palace where the founder and first Ataoja of Osogbo, King Larooye and his people first settled. Apart from the first palace, there is the second palance which serves the Ogbon temple, other sacred places and Osun worship points. Several gigantic sculptures and structures have been erected to honour different Yoruba deities in the grove. There is an annual festival to celebrate the mythical bonds between the Osogbo people and Osun goddess.</p> <p>The grove consists of exceptionally rich floral and fauna life. The number of floral species are (400) comprising of 63 families. Many of these plants are</p>

	of high medicinal values. The grove is a mature, reasonably undisturbed forest canopy which supports a broad diversity of small mammals, birds, reptiles and associated insects. Seven species of primates are encountered in the grove.
<b>3C. Protection of the Cultural Property</b>	Osun-Osogbo grove is a declared national monument, protected by Decree 77 of 1979 now Act of NCMM, Cap 242 of 1990 law of the Federation. There is a conservation management plan 2010 – 2014 now under review. A management committee that oversees the activities of the site involving all major stakeholders.
<b>3D. Use of the Cultural Property</b>	The cultural property is a spiritual living heritage; <ul style="list-style-type: none"> <li>- It is a place of daily, weekly, monthly and annual worship by different devotees</li> <li>- Cultural tourism</li> <li>- Herbal pharmacy</li> <li>- Ethnographic/Historical and scientific research by researchers and institutions on Yoruba culture, knowledge systems and practices, and biodiversity.</li> <li>- Annual Osun-Oshogbo festival.</li> </ul>
<b>3E. Information Regarding Responsible Authority</b>	Institution: National Commission for Museums and Monuments. E-mail: <a href="mailto:nigheritage@yahoo.ca">nigheritage@yahoo.ca</a> <a href="mailto:commissionmusums@yahoo.com">commissionmusums@yahoo.com</a> <a href="mailto:kawuyus@yahoo.com">kawuyus@yahoo.com</a> Name: Yusuf Abdallah Usman Fax: Address: 1 <sup>st</sup> Floor, Block C. Head of Service P.M.B. 171, Garki, Abuja NIGERIA Telephone: +234 802 834 9053
<b>3F. Justification for Enhanced Protection</b> <b>The cultural property:</b> i) is of the greatest importance for humanity (Article 10(a) of the Second Protocol); ii) is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached. iii) is not used for military purposes	Osun-Osogbo Sacred Grove is a unique cultural and natural heritage resource of outstanding universal value which made it to be declared a world heritage site in 2005. The grove as a typical example of a true primary rainforest that is fast disappearing in the West African sub-region needs to be given enhanced protection to preserve its uniqueness. Furthermore, the site as a notable symbol of identity for the Yoruba people both at home and in diaspora plays a key role in the promotion and preservation of traditional Yoruba religious system which is an important component of the intangible heritage of Yoruba race all over the world.  The site does not experience any armed conflicts and no imminent threat of armed attack within

or to shield military sites. A copy of the non-military use declaration certifying such situation is attached.

Osogbo and its environs, but a spill-over of the insurgencies in the North-Eastern part of the country to other parts of the country may occur in the future.

Also this site is within a built-up area and being faced with developmental pressures and challenges. There is a management plan to address this issue; however enhanced protection will further protect the site. The Federal Government administers the site through a site manager of NCMM who is empowered by the Decree 77 of 1979 now Act of NCMM Cap 242 of 1990 law of the Federation of Nigeria. Osun State Government equally contributes to its protection and management, through its respective local governments, ministries and parastatals who are also empowered by the state edicts on state monuments. There are traditional activities which have been used to protect the site from any form of threats such as traditional laws, myths, taboos and custom which forbid people from fishing, hunting, poaching, felling of trees and farming. However, the advent of Christianity and Islam with new converts has reduced adherence to these traditional norms and practices. The cultural site is not used for military purpose or to shield military sites as it is purely a sacred and living heritage used for daily, weekly, monthly and annual worship amongst others.

**Signature by the Party's competent authority**

Name and Title:

Yusuf Abdallah Usman  
Director General  
28<sup>th</sup> February 2014

**MODEL**  
**Non-military use declaration**  
On behalf of [the Party which has control over the cultural property], I hereby declare that, in conformity with Article 10 of the Second Protocol, [the cultural property for which enhanced protection was requested ] will not be used for military purposes or to shield military sites.

Signature:

Name: Yusuf Abdallah Usman  
Function: Chief Executive Officer  
Date: 28<sup>th</sup> February 2014

Appendix 4(b)

ENHANCED PROTECTION REQUEST FORM

<b>1. Party: NIGERIA</b>	Submission prepared by: Institution: National Commission for Museums and Monuments. E-mail: nigheritage@yahoo.ca Name: Adedayo, Oluremi Funsho Fax: Address: 1 <sup>st</sup> Floor, Block C. Head of Service P.M.B. 171, Garki, Abuja NIGERIA Telephone: +234 80 3378 3808
<b>2. Date of Submission</b>	28 <sup>th</sup> February 2014
<b>3A. Identification of the Cultural Property Maps and Photos</b>	See attached
<b>Name of the Cultural Property</b>	<u>Sukur Cultural Landscape</u> ✓
<b>State, Province or Region Located or Stored</b>	Adamawa State
<b>UTM Coordinates indicating the course of the property boundary</b>	1190550mN 342521mE 1190683mN 343676mE 1188976mN 343911mE 1188541mN 345093mE 1187160mN 344753mE 1186057mN 344110mE 1186250mN 342257mE 1189199mN 342302mE
<b>Area of the Cultural Property (ha)</b>	764.40ha
<b>3B. Description of the Cultural Property</b>	Sukur is located on the Mandara mountains at the boundary between Nigeria and Cameroun, some 290 km from Yola, the Adamawa State Capital. It is an ancient hilltop settlement with a rich history of iron technology, flourishing trading, political and cultural traditions. Located at one thousand and forty-five metres above sea level, with a distance of 3.8 kilometres from the base of the hill which offers adequate protection for the people and their culture against physical attacks and external influences. The landscape comprises of cultural and natural features such as the Hidi's palace, stonewalls, paved walkways, domesticated landscape, terrace farming, vernacular architecture, traditional graveyards, shrines,

	and ceramic altars, bull fattening pens, iron smelting furnace and herbal remedies.
<b>3C. Protection of the Cultural Property</b>	The site is a declared national monument. In addition, it is protected by Decree 77 of 1979 now Act of NCMM Cap 242 of 1990 law of the Federation of Nigeria. Furthermore, there is a conservation management plan 2012-2016 in place which is used in the day to day management of the site. There is also a management committee for the site made up of all the major stakeholders.
<b>3D. Use of the Cultural Property</b>	The cultural property is a living heritage site. Some of the uses of the property are as follows: <ul style="list-style-type: none"> <li>- Mini museum with exhibition on "Windows to five hundred years of living heritage".</li> <li>- Ethnographic/historical research on the culture of Sukur by researchers and institutions</li> <li>- Terrace farming as a unique cultural occupation</li> <li>- Cultural tourism</li> <li>- Annual Yawal festival</li> <li>- Animal husbandry (bull fattening)</li> <li>- Herbal pharmacy</li> </ul>
<b>3E. Information Regarding Responsible Authority</b>	Institution: National Commission for Museums and Monuments. E-mail: <a href="mailto:nigheritage@yahoo.ca">nigheritage@yahoo.ca</a> <a href="mailto:commissionmusums@yahoo.com">commissionmusums@yahoo.com</a> <a href="mailto:kawuyus@yahoo.com">kawuyus@yahoo.com</a> Name: Yusuf Abdallah Usman Fax: Address: 1 <sup>st</sup> Floor, Block C. Head of Service P.M.B. 171, Garki, Abuja NIGERIA Telephone: +234 802 834 9053
<b>3F. Justification for Enhanced Protection</b> <b>The cultural property:</b> i) is of the greatest importance for humanity (Article 10(a) of	Sukur is an ancient settlement with a recorded history of iron smelting technology, flourishing trade and strong political institution dating back to the 16 <sup>th</sup> century A.D. The landscape characterized by terraces on



<p>ii) the Second Protocol); is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection (Article 10(b) of the Second Protocol). A copy of the list required by paragraph 58 of the Guidelines is attached.</p>	<p>the farm lands, dry stone structures and stone paved walk ways, is a unique cultural landscape that has withstood modernization for centuries that needs enhanced protection.</p>
<p>iii) is not used for military purposes or to shield military sites. A copy of the non-military use declaration certifying such situation is attached.</p>	<p>It must be argued that only few ancient settlements such as Sukur with its remarkable socio-economic, political and spiritual values which continue to define the existence and relationships of this type of hilltop communities still exist in some part of the world till date. Based on this and among others, it is imperative that this site is presented for enhanced protection by UNESCO. This has become very vital because the North-Eastern part of Nigeria has been under siege by Boko Haram insurgents for the last four years. This has led to loss of lives and properties. Although this site has not been physically occupied or attacked by these insurgents but their activities in the region have affected cultural and social activities such as festivals and others. For example, Yawal festival was cancelled in 2014 as a result of insurgence attack at Chalawa village that led to the loss of lives and properties.</p> <p>The security challenge facing the North-Eastern part of Nigeria, though being tackled by the Federal Government of Nigeria has not abated. During their raids, these insurgents could be unmindful of cultural properties which is why Nigeria as a State Party is requesting for enhanced protection for this exceptional associative cultural landscape, in order to ensure its continuous existence for the benefit of all humanity.</p> <p>it must be pointed out that the Federal Government administers this site through a site manager of NCMM which is empowered by Decree 77 of 1979 now Act of NCMM Cap 242 of 1990 law of the Federation of Nigeria. Adamawa State Agency for Museums and</p>