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Protection of
Cultural Property in
the Event of Armed Conflict

**Four-year cycle
2017-2020**

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

GENERAL INFORMATION

1. Region:

State Party:
CYPRUS

2. Submission of previous national reports

2.1. 2013-2016 cycle

Yes

No

3. Actors involved in the preparation of the national report

3.1. Government institutions responsible for the protection of cultural property

3.2. National Commission for UNESCO

3.3. Military expert

3.4. Independent experts

If other actors have been involved, please indicate them

4. National Focal Point

According to paragraph 120 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 consider the Permanent Delegation as a focal point, you are invited to provide the Secretariat with the name and address of a national focal point who will receive all official documents and correspondence related to the national periodic reporting.

Institution: <input type="text"/>	Email: <input type="text"/>
Name: <input type="text"/>	Tel.: <input type="text"/>
Address: <input type="text"/>	Fax: <input type="text"/>

I. The Hague Convention of 1954

1. Article 3 - Safeguarding of cultural property

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

- *Has your State undertaken such measures?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Please also refer to the three previous National Reports (2005-2010, 2011-2012, 2013-2016).

The following projects have been implemented or are currently ongoing mostly aiming to the creation of digital inventories and records.

a) The digitisation programme of the Department of Antiquities “Cyprus Archaeological Digitisation Programme” which begun implementation in October 2009 aiming to the creation of fully digitized database, increasing the efficiency and effectiveness in retrieving Cypriot Archaeological data, has been ongoing for over a decade. CADiP aims to offer the Department of Antiquities the opportunity to store and manage a huge amount of data in an efficient way and to save vulnerable paper records and archives from destruction. The scheme adopted was designed following international forms of databases and previous applications concerning cultural material and it focuses on digitizing: a) the Declared Ancient Monuments of the First Schedule (Ancient Monuments on State Land) and of the Second Schedule (Ancient Monuments on Private Land), according to the Archaeological Law of Cyprus, b) Movable Antiquities (exhibited and stored in State-run Archaeological and Ethnographic Museums and private collections, including missing/stolen antiquities) c) the Controlled Areas (the areas surrounding Ancient Monuments and by Law are protected by prohibiting the erection of any building in close distance to the Monument), d) the Areas under temporary requisition (the areas which the Department of Antiquities required by Law from its owners for a short period of time, in order to conduct archaeological research) and finally f) Surveyed Areas (the areas where Archaeological Surveys have been conducted). There are five thematic databases according to the five themes. In each thematic database digitized data forms are created for each entry, where archaeological, historical, technical and administrative information is recorded and also there are saved digitized pictures, maps, graphics and bibliography. As digitization has been set as a priority the Department of Antiquities continuously pursues further funding for the continuation of the project and the acceleration of the digitization process. In this framework, a grant was secured by the EEA Financial Mechanism for the continuation of the digitisation process with a programme titled “Digitising the Museums of Cyprus” which begun implementation in May 2021. The grant awarded amounts to approx. €540.000 and involves the employment of 8 archaeologists for a period of 31 months, aiming to digitise 96.000 movable antiquities from the museums of the Department of Antiquities.

b) Also, within this reporting period the project Saving Prehistoric Antiquities Under Threat (SPAUT) was concluded and the project Saving Cypriot Antiquities Under Threat (SCAUT) begun implementation. These are also digitisation projects, co-funded by the Republic of Cyprus and the Swiss Federal Office of Culture, aiming to the digital recording of artefacts

stored in the Cyprus Museum that were excavated in the occupied areas of the Republic of Cyprus prior to 1974 and come from Prehistoric and Iron Age sites.

c) The project DigiArc funded by the European Union programme Interreg VA Greece-Cyprus, will also be concluded this year. The main goal of the project is the documentation with cutting-edge technological actions (terrestrial and aerial digital capture) of selected monuments and their surroundings with exceptional accuracy. The project focuses on medieval fortifications and castles in Cyprus (Castles of Lemesos, Larnaka, Pafos and Kolossi, as well as the towers of Alaminos, Pervolia, Pyla and Xylofagou).

d) The project Cyprus Coastal Assessment Project, supported by the Honor Frost Foundation begun implementation in 2019 and its first phase was concluded in 2021. This first phase consisted of an initial desk-based assessment utilising extant archaeological publications, literature and field reports along with satellite imagery, historic maps, topographical data and aerial photographs, in order to identify and characterise the archaeological resource. This will be followed at a subsequent phase by detailed underwater surveys in areas identified as having the greatest archaeological potential or being under most threat. The results will be made available in a database housed within the Department of Antiquities and will be used to implement a management framework within which the intention would be to declare coastal areas of high archaeological importance as protected areas where development and other activities can be controlled and managed. It will also be made accessible to students and scholars after permission by the Department of Antiquities.

e) The project “Tracing History and Environment with Tree Rings in Cyprus” (TREE) together with the IH-AT (Invisible Heritage Analysis and Technology) project, both lead by the Cyprus Institute in partnership with the Department of Antiquities, focus on the WHS of the Painted Churches in the Troodos Region. The TREE project aims at the systematic application of dendrochronology to provide new knowledge and a better understanding of the Byzantine and Medieval heritage of Cyprus, with a particular focus on the UNESCO World Heritage monuments of Mount Troodos. While the IH-AT project to design and develop an innovative portal comprised of reliable and efficient technology-ready tools for the visualization, documentation and analysis of the UNESCO listed churches in the Troodos area. The project aims at applying Non-Destructive-Techniques (NDT), geophysics, 3D modelling and visualization methods, supported by art-historical and archaeological research, to investigate a cluster of selected churches in Cyprus. The main aims are to preserve by way of record the existing structural remains and to identify lost and invisible features as well as assess the conservation conditions of their structures. The portal will be exploited by a variety of stakeholders and is targeted to multiple economical actors such as public authorities, universities and individuals.

Emergency measures have continued to be implemented and expanded to ensure safeguarding of cultural heritage. At the archaeological sites of Kato Pafos and Tombs of the Kings, both included on the WHS “Pafos”, a new fence has been installed aiming to secure the site from looting activities and vandalisms. To this end within the current year the installation of CCTV systems will be set up on both sites. Cameras and a new security system have also been set up in Larnaka Castle. Fire protection zones are systematically implemented on archaeological sites on a yearly basis. Further risks are being identified by assessing the surrounding area of monuments and sites and potential risks are being addressed by installing fire extinguishers, or by controlling the vegetation. Yearly monitoring and systematic conservation is undertaken in listed Ancient Monuments, whether buildings or archaeological ruins to ensure their structural safety. Maintenance on infrastructure occurs on a permanent basis, while the issues involving preservation are being examined also in relation with management studies for archaeological sites and monuments, or museological studies for museums. The Department of Antiquities is in the process of

assessing the risks of cultural heritage, and collaborates with other Departments (e.g. Department of Forests, Cyprus Fire Service) so as cultural heritage is included in preventive measures and plans. Moreover, monitors are being installed in monuments to monitor climate conditions, such as humidity (e.g. in the UNESCO churches in Troodos), as well as inside the Cyprus Museum to monitor the conditions of the preservation of artefacts. Monitoring instruments have been installed in the UNESCO archaeological site of Nea Pafos as well, to monitor conditions resulting e.g. from rain, humidity, wind factor etc. These data will be used in the design of shelter for the mosaics. A number of research studies are being put forward by the Department of Antiquities in collaboration with research institutes aiming at assessing deterioration caused by climate change. It should also be mentioned that, efforts are directed into collecting and safeguarding traditional knowledge, e.g. concerning the traditional materials and techniques used, so as to secure energy efficiency and the traditional ways of controlling weather conditions. At the same time we assess the potential of new materials, to be used in the restoration and conservation of monuments and sites, that will enable the long-term preservation of cultural heritage.

Difficulties encountered include lack of human resources, as many of the positions of the Department of Antiquities remain vacant, while the appropriate procedures are being pursued. Also, in direct correlation there is a lacking need for the establishment of proper site managers. Other challenges include the need for further capacity building on risk mitigation actions and the compiling and implementation of emergency evacuation plans.

2. Article 6 - Use of the distinctive emblem for the marking of cultural property

The 1954 Hague Convention creates a distinctive emblem for the exclusive marking of cultural property, with a view to ensure its recognition, particularly in the event of armed conflict. The marking of cultural property is one of the preparatory measures that can be undertaken in time of peace.

- *Has your State **marked cultural property** by using the distinctive emblem of the Convention?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

A number of sites have been marked with the distinctive emblem of the Hague Convention, but it is a process that remains challenging. In particular, concerning archaeological sites, which can vary in size and nature, the practicalities of marking the site without interfering with its aesthetics, is challenging. For example, for the archaeological site of Kato Pafos, which is perhaps the most expansive site in Cyprus with a perimeter of 5km, a newer building housing the mosaics conservation laboratory was chosen to be marked with the emblem on its roof.

The marking of cultural property is not carried out systematically, rather than on an ad hoc basis, particularly where conservation work is undertaken and the site or building allow for their marking without interfering with their authenticity and aesthetics. A more recent example is the Larnaka Castle, which was marked with the emblem in its entrance, following recent conservation work.

There are currently 16 sites marked with the blue shield emblem.

3. Article 7 - Military measures

This Article provides for the obligations of the High Contracting Parties with regard to the introduction in their regulations or instructions for the use of their armed forces of provisions to ensure compliance with the Convention, as well as to plan or establish within their armed forces, 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 such property. These are obligations to be implemented in time of peace.

- *Has your State introduced provisions in the **regulations and instructions for your armed forces** to ensure compliance with the Convention?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

An informative leaflet, to be disseminated within the armed forces, has been prepared by the Department of Antiquities, in collaboration with the Ministry of Defence. This leaflet contains basic and simple information on what is cultural heritage, what the blue shield emblem means and the actions that need to be taken in case cultural property is located by the army.

Moreover in 2020 the translation of the Military Manual in the Greek language was concluded and was forwarded to the Ministry of Defence to be distributed within the National Guard. Approximately 150 copies of the Manual were sent to the Ministry of Defence, as requested, with the purpose of being incorporated into the libraries and reference material of the National Guard.

Also in 2020 a National Committee on International Humanitarian Law was established by a Ministerial Council Decision, whose mandate includes amongst others: the dissemination and implementation of IHL in the Republic of Cyprus, the suggestion to responsible authorities of strategies and national policies on the implementation and compliance with IHL, to introduce educational programmes in schools on IHL and to suggest actions on the education of the National Guard through seminars and other actions. An informal translation of the Ministerial Council Decision is herewith attached for reference.

- *Has your State established **services** or designated specialist personnel *within your armed forces* to ensure respect for cultural property?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

4. Article 25 - Dissemination of the Convention

Regulations relating to the protection of cultural property in time of armed conflict must be included into the programmes of military and, if possible, civilian training. The objective is to ensure that the principles of the Convention are known by the whole population, especially the armed forces and personnel engaged in the protection of cultural property.

- *Has your State **disseminated the provisions of the Convention** within the armed forces as well as among target groups and the general public?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

See answer 3 above.

With regards to the general public and particularly youth, the Department of Antiquities continues to collaborate with the Ministry of Education and Culture as far as educational programs held in state museums are concerned. At present, specially designed educational programs for children of primary school age are held at the Cyprus Museum in Lefkosia and at the Archaeological Museums of the Lemesos, Larnaka and Pafos Districts, as well as at archaeological monuments and sites such as Choirokoitia, Kolossi and Kouklia- Palaipafos. These programs, among other things, aim to cultivate awareness among children on issues related to the appreciation and protection of cultural heritage. In addition, Archaeological Officers of the Department of Antiquities frequently visit elementary schools in order to present to the children, in an animated way, the profession of the Archaeologist and to raise their awareness regarding the serious damage that can be caused by the destruction of cultural heritage. The Department of Antiquities has a leading part in activities specified by the International Council of Museums (ICOM) such as International Museums' Day (IMD) and the International Day for Monuments and Sites established by UNESCO. These events include special exhibitions of a thematic nature, lectures, artistic events and education programs for children. Such events attract a wide spectrum of the local population, especially young children and teenagers. Workshops and conferences are organised on a regular basis, focusing on the protection of cultural property. The international workshop, titled "Four Decades of Hiatus in Archaeological Research in Cyprus: Towards Restoring the Balance", took place in 2016 in Nicosia. The workshop was accompanied by a periodical exhibition titled "Archaeology and Memory: Excavations in the Districts of Keryneia and Ammochostos" and a keynote lecture was given by Professor Jean-Robert Gisler titled "Insights into the new challenges in protecting cultural property". The DoA website (www.mcw.gov.cy/da) is continuously being enriched with information concerning the island's cultural heritage, both in Greek and in English. Legislation is posted on the website, as well as other information, such as press releases of all archaeological missions, public consultations, information on funded projects, repatriations of cultural goods, events, exhibitions and much more. It is expected that in the Department's website will soon be upgraded following a fresher and more contemporary and user friendly design. The DoA Facebook page is also very popular amongst the local population, tourists and researchers. Also, in March 2018, the DoA launched its Instagram page, which is also very popular and continuously receives excellent comments. Issues related to the protection of cultural heritage are frequently posted.

5. Article 26(1) - Official translations

This Article requires that the High Contracting Parties communicate to one another, through the Director-General of the United Nations Educational, Scientific and Cultural Organization, the official translations of the present Convention and of the Regulations for its execution:

Please submit a copy / copies of such translation(s), in electronic format, if possible, to the Secretariat”

Please annex an *electronic copy of your translation(s) to this report*:

Attach the document

The official translation of the Convention has already been forwarded to the Secretariat in previous National Reports.

6. Article 28 - Sanctions

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

- *Has your State **introduced in your domestic legislation** all necessary steps to prosecute and impose penal or disciplinary sanctions against a conduct contrary to the obligations set out in the Convention?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

The Convention is included in the national legislation, having passed as Law on 15 April 1971, but no provisions have been taken to impose penal sanctions in the case of breach of the Convention.

II. Resolution II of the 1954 Conference

- *Has your State established a **National Advisory Committee** in accordance with the wish expressed by the Intergovernmental Conference (1954) in [Resolution II](#)?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Eventhough a National Advisory Committee has not been established, we consider the recent establishment of the National Committee on International Humanitarian Law, to be a positive step towards this direction. Please refer to our answer in par. 3. and the attached Ministerial Council Decision for the establishment of the National Committee on International Humanitarian Law.

- *In the event that you have established a National Advisory Committee, has it been incorporated into a national commission for the implementation of international humanitarian law?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

III. 1954 (First) Protocol

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

The main purpose of the 1954 Protocol is the protection of cultural property in **or stemming from** occupied territory.

- *Has your State undertaken **measures to implement** these international obligations, including the adoption of relevant legislation?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Measures undertaken are included in the legislation in force as follows.

The main national legislation that protects cultural property in Cyprus is the Antiquities Law enacted in 1935 with its amendments (up to 2018). The 2012 and 2014 amendments were especially important for the protection of cultural property since they further restricted the use of metal detectors and protected all sea zones. Other Laws that have been enforced in accordance to European Council Directives and Regulations are: - The Return of Cultural Goods Law of 2016 - Export of Cultural Goods Law No. 182(I)/2002 The Law on Private and Local Museums (Procedures and Preconditions) (2009) determines the process and the conditions by which private and municipal museums can be accredited. In this respect, the role of the Department of Antiquities is to provide local community and municipal museums with all the necessary assistance and consultation to maintain internationally accepted standards. With respect to the collections of newly established private and municipal museums, the Department of Antiquities continuously highlights and promotes the practice of due diligence. The National Committee for the Combating of Looting and the Illicit Trafficking of Cultural Heritage, which was appointed in 2015 works on issues related to the protection of cultural heritage. The Committee comprises of experts/representatives from the Department of Antiquities, the Ministry of Transport, Communications and Works, the Legal Services, the Cyprus Police, the Department of Customs and Excise, the Ministry of Foreign Affairs, the Cultural Services of the Ministry of Education and Culture, and the Church of Cyprus. Customs Code Law No. 94(I) of 2004 The Department of Customs and Excise of the Republic of Cyprus, due to its physical presence at all points of entry, exit and in transit through the Republic of Cyprus and E.U. borders in general, has a major role to play in enforcing the laws and regulations related to the exportation of cultural goods. The Department exercises its powers to control persons and goods and also to facilitate trade. According to Customs Code Law No. 94(I) of 2004 any goods may be detained or seized as liable to forfeiture, amongst others and in the case of importation or exportation of goods contrary to any prohibition or restriction under the customs and other legislation. Consequently, the Department of Customs and Excise has the responsibility to implement 'The Antiquities Law' at the time of importation or exportation of goods and detains or seizes any cultural property which is imported without an authorized license. Within the above framework, the Department of Antiquities cooperates very closely with the Department of Customs and Excise. The Department of Customs and Excise of the Republic of Cyprus implements 'The Export of Cultural Goods Law No. 182(I) of 2002' for combating the illegal movement of cultural goods at the points of exit from and transit through the Republic of Cyprus. According to this national law, the export of cultural goods without an export license is prohibited. All consignments declared for exports regarding the cultural goods are subject to 100% documentary and physical checks. Random checks in relation to exports in general are also carried out within the preventive measures undertaken by the Department of Customs and Excise. Once a cultural object appears at a point of entry, exit or transit the Department of Customs and Excise notifies the Department of Antiquities, Documents accompanying the object are inspected and further information on the provenance is

requested (i.e. any information resulting from the conduct of due diligence is requested). As a result of United Nations Security Council Resolution 2199, this procedure has been made more efficient and less time consuming. Following the temporary seizure of a cultural object the Department of Antiquities then notifies the Cyprus Police (Office of Cultural Heritage and InterpolNicosia), which then contacts and cooperates further with other specialized organisations, such as INTERPOL, FBI, and EUROPOL.

There are also in force bilateral agreements that incorporate issues relating to cultural heritage. The Government of the Republic of Cyprus has bilateral agreements relating to the protection of cultural heritage with the Government of the Russian Federation, the Palestinian National Authority, the Government of the State of Israel, the Government of the State of Georgia, the Swiss Federal Council, the Government of the Peoples' Republic of China, the Government of the Republic of Bulgaria, the Arab Republic of Egypt. Trilateral Agreements have been signed with the Hellenic Republic and the Hashemite Kingdom of Jordan and a trilateral Agreement with the Hellenic Republic and the Arab Republic of Egypt on the Prevention of Theft, Clandestine Excavation and Illicit Import, Export or Transfer of Ownership of Cultural Property and the Promotion of its Restitution is in the final stages of negotiation.

One of the main obstacles encountered in securing the restitution of illicitly exported cultural property originating from Cyprus is the identification that is required to be proven. For example, one of the most frequently identified categories of cultural property found to have been illicitly exported abroad are ecclesiastical cultural goods (icons, wall-paintings, vestments etc) that were originally part of churches situated in the now occupied areas of the island. In some cases these objects were not inventoried or adequately documented prior to the 1974 invasion and it is consequently often difficult to prove their provenance in court, especially considering that in some countries the legislation provides that the burden of proof on the provenance of an object is on the claimant country. In addition, illicitly exported cultural goods such as pottery, metal objects, jewellery, coins etc. which form part of the contents of tombs or sometimes settlements may be found in illegal excavations. As a result their identification cannot be proven by providing photographs, inventory numbers etc. simply because they were unknown. In some courts, providing parallels for these objects is not accepted as adequate evidence for their provenance and their return is therefore extremely difficult.

IV. The 1999 Second Protocol

[To be filled in only by the Parties to the 1999 Second Protocol]

The 1999 Second Protocol supplements the 1954 Hague Convention in many respects. In case the information has already been presented in the context of questions relating to the 1954 Hague Convention, you can directly refer to it.

1. Article 5 - Safeguarding of cultural property

Article 5 of the Second Protocol supplements Article 3 of the Hague Convention by providing concrete examples of preparatory measures to be undertaken in time of peace, such as the preparation of inventories of cultural property or the designation of competent authorities responsible for the safeguarding of cultural property.

- *Has your State undertaken such measures?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Please refer to answer in par. I 1. concerning the implementation of Article 3 of the Hague Convention of 1954.

2. Article 9 - Protection of cultural property in occupied territory

Article 9 of the Second Protocol complements Article 5 of the 1954 Hague Convention by imposing specific obligations on the occupying power. Paragraph 119 of the Guidelines for the Implementation of the 1999 Second Protocol requires Parties that are occupying powers to provide information in their national reports on how the provisions relating to the protection of cultural property in occupied territory are being respected.

- *Do you ensure compliance with the provisions relating to the **protection of cultural property in the context of military occupation?***

YES: NO: Not applicable:

You can complete your answer below, taking into account the guidelines in the model report.

Cyprus is not an occupying power but it is experiencing occupation since 1974. The cultural heritage of Cyprus has since, due to the Turkish invasion and continued Turkish occupation of the 36.2% of the Republic of Cyprus' territory, suffered immeasurable damages as looting and pillage in the occupied areas continue unabated. Cases of illegal excavations, illegal possession of antiquities, illegal interventions and neglect of cultural heritage in the occupied areas continue to be reported both through scientific publications, as well as articles in the press. The Government of the Republic of Cyprus continues efforts to locate and repatriate looted artefacts and to terminate illegal excavations undertaken by the illegal regime established in the occupied areas of the island. Ongoing efforts to terminate the illegal excavation of important archaeological sites by foreign missions are based on the provisions of Article 9 of the Second Protocol to the Hague Convention. Illegal excavations led by foreign or non-recognized missions however continue to take place at Salamis (by Ankara University), the Karpasia peninsula, Galinoporni (German universities of Tübingen

and Freiberg), Gastria-Alaas and Akanthou-Arkosyko.

3. Article 10 - Enhanced protection

The 1999 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).

- Do you **intend to request the granting** of enhanced protection for cultural property within the next four years or, if appropriate, to submit a **national tentative list** under Article 11 (1) of the 1999 Second Protocol?

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Cyprus intends to submit a national tentative list within the next four years.

MONITORING OF CULTURAL PROPERTY UNDER ENHANCED PROTECTION

[If some cultural property in your State benefits from enhanced protection, please also fill in this part of the questionnaire].

The benefit of enhanced protection implies the continued fulfilment of the conditions provided for in Article 10 of the 1999 Second Protocol.

- Is a **specific mechanism for monitoring cultural property under enhanced protection** in place? For example, are the measures undertaken to ensure the highest level of protection periodically reviewed to ensure their full adequacy in all circumstances?

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

The Department of Antiquities is the responsible authority at a national level for properties placed under enhanced protection status in the Republic of Cyprus. There is no specific mechanism for the periodic review of measures undertaken to ensure the highest level of protection of these properties, but there is a mechanism of protection in place, as all three properties awarded enhanced protection are also World Heritage Sites. As such, the highest level of protection is observed through concrete actions to ensure protection, management and their monitoring.

The implementation of the Antiquities Law creates a legal framework for the protection of the sites and their environs. Thus, all development activities involve the authorisation of the Department of Antiquities, which over time has expropriated substantial areas of land providing for buffer zones or established declared Controlled Areas. The Department of Antiquities systematically monitors of the current preservation condition and conservation work is undertaken on a yearly basis at all sites with underlying principles the preservation of the integrity and authenticity of the sites, as values recorded in the Retrospective Statements of Outstanding Universal Value of the sites. All sites are properly documented and digitised (all have been extensively recorded with drones, 3d scanned, digitised, historic photographs of their development have been digitised together with drawings). Management

plans are in place for Chirokoitia and the Painted Churches in the Troodos Region that include monitoring procedures, while for Pafos a management plan is under development in collaboration with the Getty Foundation. This takes into consideration all aspects, values and complexity of the site and the end result is expected to provide practical solutions to major issues, such as the construction of shelters for the protection of mosaics currently unsheltered. A short list of architects to provide their proposals has already been compiled. Scientific research is ongoing on these sites, with the Department of Antiquities granting permission to various academic and research institutions, both local and foreign, to conduct research within the scope of cultural heritage preservation. Usually the objective is to have the data back so as to enable their effective use for the benefit of heritage, or to contribute in policy-making.

Pursuant to paragraph 94 of the Guidelines, a distinctive emblem is created for the exclusive marking of cultural property under enhanced protection.

- *Has your State **marked with the distinctive emblem** cultural property under enhanced protection?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

The sites are not marked yet with the distinctive emblem for a property under enhanced protection, but they are marked with the blue shield emblem.

4. Article 15 - Serious violations of the 1999 Second Protocol

“Article 15 obliges Parties to **establish as criminal** offences in their domestic law offences constituting serious breaches of the Second Protocol, **and to make such offences punishable by** appropriate penalties”.

- *Has your State **implemented this obligation**? If yes, what measures have been undertaken?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

See previous reports. For easy reference it is mentioned here that 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 34.200 Euro or both or any other punishment the court may decide to impose.

There have been no legal cases pursued under the provisions of the abovementioned law.

5. Article 16 - Jurisdiction

Pursuant to Article 16 of the Second Protocol, the Parties shall take the necessary legislative measures to establish their jurisdiction over offences set forth in Article 15 of the 1999 Second Protocol in certain cases.

- *Has your State **implemented this obligation**?* If yes, what measures have been undertaken to **grant jurisdiction to your courts** over serious offences under the 1999 Second Protocol?

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

See previous reports. For easy reference it is mentioned here that 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.

6. Article 21 - Measures regarding other violations

The 1999 Second Protocol obliges Parties to adopt legislative, administrative or disciplinary measures as may be necessary to **suppress certain other violations of the Second Protocol**:

- a. any use of cultural property in violation of the 1954 Hague Convention or the 1999 Second Protocol;
- b. any illicit export, other removal or transfer of ownership of cultural property from occupied territory in violation of the 1954 Hague Convention or the 1999 Second Protocol.

- *Has your State implemented such measures?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

See previous reports. For easy reference it is mentioned here that as per domestic Law No. 4 (III)/2001, the acts referred to in paragraphs 1 (a), (b) and (c) of article 9 are offences punishable with incarceration of up to 10 years or a fine of up to 25.650 Euro or both.

There have been no legal cases pursued under the provisions of the abovementioned law.

7. Article 30 - Dissemination

Article 30 of the Second Protocol complements Articles 7 and 25 of the 1954 Hague Convention. In this regard, Article 30 it asks the Parties, to endeavour by appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect for cultural property by their entire population, to ensure the dissemination of the 1999 Second Protocol, and to incorporate in their military regulations' guidelines and instructions for the protection of cultural property.

- *Has your State **disseminated the provisions of the Convention and the Second Protocol** within the armed forces as well as to target groups and the general public?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Please refer to Section I above, par. 4.

8. Article 33 – Assistance of UNESCO

Pursuant to paragraph 151 of the Guidelines for the Implementation of the 1999 Second Protocol, the Parties having activities at bilateral or multilateral level are invited to inform the Committee, in their periodic reports, of their activities in order to share their experiences or good practices.

- *Has your State shared, in particular through the Secretariat of UNESCO, your experiences and good practices in implementation of the 1954 Hague Convention and / or its Protocols?*

YES: NO:

You can complete your answer below, taking into account the guidelines in the model report.

Cyprus within 2019 has contributed €5.000 to the Secretariat of the Hague Convention and its two Protocols and €10.000 to the Fund for the Protection of Cultural Property in the Event of Armed Conflict.

We have not provided international or technical assistance on a bilateral or multilateral level.

Cyprus has not received or requested international assistance from the Fund.

9. Article 37 - Official translation of the 1999 Second Protocol to the 1954 Hague Convention

Pursuant to Article 37 of the Second Protocol, the Parties shall translate the 1999 Second Protocol into their official language(s) of their countries and shall communicate these official translations to the Director-General.

Please submit a copy / copies of such translation(s), in electronic format, if possible, to the Secretariat.

Please annex an *electronic copy of your translation(s) to this report* .

The official translation of the Second Protocol has already been forwarded to the Secretariat in previous National Reports

V. Other questions relating to the 1954 Hague Convention and its two Protocols

1. Ratification of / accession to other international treaties having provisions of the protection of cultural property

- Can you indicate the other international instruments to which your State is a party?

International instruments	Ratification/Accession
1970 UNESCO Convention on the means on Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property	Ratification
1972 UNESCO Convention on the Protection of the World, Cultural and Natural Heritage	Accession
2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage
2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage	Ratification
2005 UNESCO Convention for the Protection and Promotion of Diversity of Cultural Expressions	Ratification
Additional Protocol (I) to the Geneva Conventions, 1977	Ratification/Accession
Additional Protocol (II) to the Geneva Conventions, 1977	Ratification/Accession
Additional Protocol (III) to the Geneva Conventions, 2005	Ratification/Accession

2. National practice relating to the implementation of the Hague Convention and its two Protocols

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

- Relevant **civil and military administrative regulations**:

PDF Document

Website

- **National laws** relating to the protection of cultural property, as well as criminal provisions adopted in the context of the implementation of Article 28 of the Hague Convention and Articles 15, 16 and 21 of the Second Protocol, and case law relating to the protection of cultural property.

PDF Document

Website

- Documents relating to awareness-raising activities (seminar programme, brochures, etc.), as well as any other document (legislative, judicial or administrative) relevant to the dissemination of the 1954 Hague Convention and its 1999 Second Protocol.

PDF Document

Website www.mcw.gov.cy/da,
<https://www.facebook.com/DEPARTMENTOFANTIQUITIES/>

3. Effectiveness of cooperation mechanisms at the national level

- The implementation of the Hague Convention and its two Protocols requires cooperation at the national level between the various authorities (civil, military, etc.). Can you assess the degree of cooperation, at the national level, in your State?

- | | |
|---|-------------------------------------|
| There is no cooperation between the different authorities | <input type="checkbox"/> |
| There is limited cooperation between the different authorities | <input type="checkbox"/> |
| There is cooperation between the various authorities, but there are still improvements to be made | <input checked="" type="checkbox"/> |
| There is a perfectly functional cooperation between the different authorities | <input type="checkbox"/> |
| Other (specify) | |

VI. Self-assessment forms

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

1. Assessment of the degree of implementation

[To do this, please use the following rating scale]

1. Not at all implemented;
2. Partially implemented and the process is at standstill;
3. Partially implemented, the process following its course; and
4. Fully implemented.

Implementation of the safeguarding obligation through the adoption of preparatory measures	3
Military training on regulations for the protection of cultural property	2
Use of the distinctive emblem to mark cultural property	2
Implementation of the obligation to disseminate, through the implementation of awareness-raising activities for target audiences	3
Adoption of relevant criminal legislation	3
<i>For Parties with cultural property under enhanced protection only.</i> Establishment of a monitoring system for cultural property under enhanced protection at the national level	3

2. Assessment of the difficulties encountered

[To do this, please use the following rating scale]

1. Difficulties are encountered, but there are no plans to seek technical assistance from the UNESCO Secretariat;
2. Difficulties are encountered, nevertheless, it is planned to make use of the technical assistance of the UNESCO Secretariat;
3. Difficulties were encountered, but thanks to the technical assistance of the Secretariat they could be resolved;
4. Difficulties were encountered at first, but they turned into challenges that were overcome; and
5. No difficulties were encountered.

Implementation of the safeguarding obligation through the adoption of preparatory measures	4
Military training on regulations for the protection of cultural property	1
Use of the distinctive emblem to mark cultural property	5
Implementation of the obligation to disseminate, through the implementation of awareness-raising activities for target audiences	5
Adoption of relevant criminal legislation	5
<i>For Parties with cultural property under enhanced protection only.</i>	5
Establishment of a monitoring system for cultural property under enhanced protection at the national level	

VII. Enhanced protection mechanism – 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 criteria are cumulatively met:

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

As these conditions are set out in an international treaty, their interpretation cannot be made independently of State practice, which is of fundamental importance under international treaty law. Therefore, 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 consideration the relevant paragraphs of the Guidelines for the Implementation of the Second Protocol.

- Article 10, paragraph (a) - "The greatest importance for humanity"

Please list the main factors to be undertaken into consideration in determining whether a cultural property is of the greatest importance for humanity?

Exhibits traits, attributes and values that make it valuable and important at a national and/or peripheral level. Special note should be given to the fact that the list of properties under enhanced protection should be inclusive, not exclusive so as to provide sufficient protection to cultural property that may come under threat.

- Article 10, paragraph (b) - "The highest level of protection"

Please mention the national authorities to be consulted in determining the choice of measures to be adopted to ensure the highest level of protection for a cultural property for which enhanced protection is requested. What measures can ensure the highest level of protection?

National authorities responsible for the protection of cultural heritage (Department of Antiquities in the case of Cyprus), town planning authorities, environmental authorities, heritage professionals, cultural property stakeholders.

Management, protection and monitoring measures.

- Article 10, paragraph (c) - "Not-used for military purposes"

Please mention the national authorities to be consulted in order to take the decision not to use the proposed cultural property for granting enhanced protection for military purposes or to shield military sites?

Ministry of Defence, National Guard.

Informal Translation

PROPOSAL TO THE COUNCIL OF MINISTERS (adopted on 7/5/2020)

Topic: Proposal for the establishment of a National Committee on International Humanitarian Law in the Republic of Cyprus

1. National Committees for the application of International Humanitarian Law operate in more than 110 states, of which 20 are member states of the European Union. The establishment of a National Committee on International Humanitarian Law in the Republic of Cyprus will enhance the rule of law in Cyprus. Moreover, it will reaffirm the particular sensitivity demonstrated by the Republic in relation to violations of International Humanitarian Law, while taking into account the serious violations of International Humanitarian Law provoked by the 1974 Turkish invasion, that are persistent due to the ongoing illegal occupation. It should be noted that the establishment of the Committee does not emerge as a legal obligation for the Republic of Cyprus, but it is up to the states to decide how to set up such committees, their operation modalities, their scope of responsibilities and their composition.

2. The main international texts about International Humanitarian Law are the Geneva Conventions of 1949 and their Additional Protocols of 1977, which together with The Hague Conventions of 1899 and 1907 constitute the main body of rules that determine International Humanitarian Law. It should be noted that the majority of the provisions of the aforementioned conventional texts constitute customary international law. The Republic of Cyprus is a party to these Conventions, as well as to numerous other Conventions and Agreements relating to International Humanitarian Law. International Humanitarian Law determines, among others, the protection of members of armed forces who no longer participate in hostilities, the protection of civilians in armed conflicts, the status of prisoners of war, the colonisation, missing persons, the non-proliferation of weapons of mass destruction and specific weapons systems, the protection of cultural heritage, as well as the respect of medical and paramedical personnel during armed conflicts. It is underlined that the serious violations of the Geneva Conventions constitute war crimes.

3. The Committee will have an advisory role to the work of the competent authorities of the Republic of Cyprus in relation to the application of International Humanitarian Law. Following the example of National IHL Committees that operate in other states and following, *mutatis mutandis*, the

guidelines that are presented in the publication of the International Committee of the Red Cross (ICRC) “National Committees and Similar Entities on International Humanitarian Law: Guidelines for Success”, the Committee will be responsible for the following issues:

- (1) The dissemination, promotion and application of International Humanitarian Law in the Republic of Cyprus.
- (2) To provide recommendations to the competent Ministries for the establishment of national policies, plans and strategies for promoting International Humanitarian Law and enhancing the compliance of the Republic of Cyprus with its relevant international obligations.
- (3) To provide recommendations for the coordination of the activities of the competent state authorities and the Cyprus Red Cross in this field.
- (4) To provide recommendations for the inclusion of education about International Humanitarian Law in the educational system.
- (5) To provide recommendations for the training of National Guard officers, law enforcement agencies, health professionals, other state officials, the Mass Media and public opinion in this field, through the organization of educational seminars and activities.
- (6) To provide suggestions to the Law Commissioner on the need of further harmonization of the national legislation with International Humanitarian Law, as well as the submission of relevant recommendations to the competent authorities of the Republic of Cyprus.
- (7) The contribution to the evaluation process on the possibility of ratification of International Conventions or Agreements on International Humanitarian Law that have not been ratified by the Republic of Cyprus.
- (8) The cooperation with the House of Representatives, Universities, Mass Media, NGOs and the civil society in undertaking initiatives, programmes and activities for the promotion of International Humanitarian Law.
- (9) The contribution to the preparation and the follow-up of the participation of the Republic of Cyprus to the International Conferences of the Red Cross and Red Crescent Movement, which take place every four years in Geneva, including through provision of advice on the implementation of the pledges of the Republic of Cyprus and of the common pledges undertaken on behalf of the European Union and its Member States during said Conferences.
- (10) The cooperation with the IHL National Committees of other states, the International Committee of Red Cross (ICRC) and other

competent international Organizations and the exchange of expertise and information in this field.

(11) The representation of the Republic of Cyprus in international meetings of the National Committees on International Humanitarian Law.

4. Taking into account the example of National Committees operating in other States, as well as the competencies of the Committee, it will be comprised by representatives of: the Law Office; the Ministry of Foreign Affairs; the Office of the Law Commissioner; the Ministry of Defence; the Ministry of Justice and Public Order; the Ministry of Education, Culture, Sports and Youth; the Ministry of Health; the Ministry of Interior; the Civil Defence; as well as the Ministry of Transport, Communications and Works and the Department of Antiquities. The Cyprus Red Cross will also participate to the National Committee. The Committee may also invite to its meetings on an ad hoc basis, other authorities of the Republic, experts, academics and NGOs. The Ministry of Foreign Affairs will act as the Secretariat of the National Committee, while the Minister of Foreign Affairs will determine with his decision which person or institution will assume its Presidency.

5. Initially, the Committee will evaluate the status of the application of International Humanitarian Law in the Republic of Cyprus and will set its priorities. The Plenary of the Committee will meet twice a year and when urgent matters arise for discussion. In framework of its operation, the Committee may establish sub-working groups responsible for specific fields and topics which relate to International Humanitarian Law. The Committee will submit every two years an activity report to the Secretary of the Council of Ministers.

6. The operation of the Committee will not burden the state budget and any expenses for its operation will be covered by the existing budget of participating government authorities, depending on the topic.

7. The present proposal to the Council of Ministers was drafted in cooperation and was agreed amongst the state authorities that will participate to the National Committee and the Cyprus Red Cross. The said authorities and the Cyprus Red Cross participated to a training offered by the International Committee of Red Cross (ICRC) on International Humanitarian Law and National Committees on the IHL on 27-28/2/2020.

8. The Minister of Foreign Affairs, who will present the topic, will invite the Council of Ministers: a) to approve the proposal for establishing a National

Committee on International Humanitarian Law in the Republic of Cyprus, with the composition, terms of reference and operation modalities that are defined above and b) to agree with the publication of its decision.

MINISTRY OF FOREIGN AFFAIRS

23 April, 2020

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