



unesco

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:

Sweden

2. Submission of previous national reports

Yes

No

2.1. 2013-2016 cycle

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.

During the reporting period, there has been an increased cooperation between the Swedish National Heritage Board and representatives of the Swedish Armed Forces in matters regarding military training and military planning in relation to cultural property that is protected under the 1954 Hague Convention.

One notable point of discussion has been the definition of cultural property in the Convention in relation to our nationally protected cultural property and in what way the distinctive emblem can be attached to property that meets the definition in art. 1 but has no clear national legal protection.

The use of the emblem shall be used as visual complement, to detailed national inventories that are available online. The visual information that an emblem can give to military forces in the fields during training sessions and the public should not be overshadowed, but in terms of protection of cultural heritage it is important to complete it with the use of measures according to art. 3, including plans on the relocation and evacuation of movable cultural property.

Issues relating to work on the implementation of the Hague Convention shall be incorporated into the action plan for the National World Heritage Work produced by The Swedish National Heritage Board in order to achieve synergy gains in terms of implementation. The work and responsibility for the provisions of the Hague Convention will be included in the section on crisis and emergency preparedness issues. Several county administrative boards have stated in the consultation response that this would be positive.

The National Heritage board has initiated the preparation of a handbook on how museums can manage evacuations of cultural objects during different crises such as fire hazard, flooding and conflict. This includes lists of priority objects.

In 2020, the National Heritage Board conducted a pilot program with the County Administrative Board on Gotland, Sweden, within their government assignment to strengthen the work with the total defense. During the pilot course, fire scenarios were practiced in museums, churches and archives on Gotland to see how the responsible authorities should work together to evacuate collections of cultural objects in the event of such an incident.

The County Administrative Board of Gotland and the Armed Forces have been commissioned by the government to carry out a project to improve the total defense on Gotland. The assignment, which focuses on civilian and military cooperation, should be seen as a development initiative where the results can serve as a model for total defense cooperation in other parts of the country. One task in this project is that the cultural heritage unit at the County Administrative Board of Gotland shall carry out the marking of the county's cultural property, according to the 1954 Hague Convention.

A future advantage can be to establish a part of the civil defense, as in voluntary unions such as the Home Guard, that is focused on protecting the cultural heritage in particular. It can be vulnerable if the emergency preparedness work needs to rely solely on the committed public and the Armed Forces, as it is important to ensure that knowledge about cultural heritage is constantly present.

In the event of conflict and crisis, it is important that there is available experience and expertise exactly where this occurs. Short contact paths and a committed public are required. In that regard, further public awareness and involvement activities are important to engage the public.

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.

Since the last reporting period there has been progress in the use of the distinctive emblem. For example the County Administrative Board of Gotland's pilot project may be able to serve as best practice for other regions. Their work has been presented to other regional authorities in Sweden.

County Administrative Board of Gotland has completed the marking with the distinctive emblem of 56 items and initiated a form of collaboration for knowledge exchange and identification of development needs related to relocation and evacuation of cultural property. A listing of objects and planning of relocation and evacuation of cultural property has been initiated but has not been completed. Parts of planned training and exercise efforts have been carried out.

The selection of cultural property marked by the County Administrative Board of Gotland represents a restrictive selection of secular buildings (where all but two objects constitute building monuments), churches, archeological sites and archives. The starting point was

to list the objects that are of national importance and the focus has been on selecting objects that are unique to Gotland and that represent Gotland's distinctiveness with regard to heritage.

The project has emphasized the importance of planning in peacetime. Early in the project, the complexity of carrying out a selection of objects and carrying out a plan for relocation and evacuation was realized. This is because the selection of objects has required, to a greater extent than the sole use of the emblem, consultation with external partners. During the pandemic, it has been difficult for collaboration partners to prioritize the work. The project therefore changed direction and focused on implementing awareness raising initiatives to interested parties, raising preparedness through collaboration and inspiring the parties to work on preparedness within the organization.

One circumstance that has been discussed is the use of the emblem on cultural heritage buildings in areas classified as World Heritage Sites. To which extent should the general protection be signaled when the area in question is already under the protection of the World Heritage Convention? This is a question that has been raised, but where we have not yet come to a final conclusion.

Challenges have arisen as to how the national division of responsibilities in Sweden is structured in matters of distinction according to the 1954 Hague Convention. Regional authorities are responsible for marking with the general protection while central authorities and the government are responsible for issues related to enhanced protection. The challenges can be remedied.

During 2020-2021, The Swedish National Heritage Board completed a revision and modernization of executive regulations for inventorying and marking of cultural property protected under the 1954 Hague Convention. The regulation instructs all County Administrative Boards of Sweden on how to use the distinctive emblem and what kind of pieces of information that are to be disseminated to the National Heritage Board, in order to establish a national overview.

The purpose of the revision has been to include provisions on digital data on the location of protected cultural property, which has not previously been prescribed. This is believed to improve the digitalization of a national inventory and will harmonize the selections from the different regions of Sweden. The data can then be merged into other national registers, for example the Register of Sweden's built Heritage.

The National Heritage Authorities also plan to draft recommendations on the use of the marking after the executive regulations enter into force. This is also believed to further simplify the work with protected Heritage property in different regions of Sweden.

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.

The Swedish law (1992:1402) on relocation and destruction contains provisions that allow the total defence to relocate cultural property to ensure protection in the events of acts of war. In the associated regulation (1993:243) there are rules that oblige museums and other cultural institutions to plot the relocation within their area of competence in order to facilitate execution.

With regard to training of the Armed Forces personnel, it is based on the Swedish Armed Forces' International Law Ordinance (1990: 12), which has been transposed by the Armed Forces into an internal provision (FIB 2019: 1) with the training described in Chapter 2 and Appendix 1. Appendix 1 mentions "protection symbols and characteristics " for the different command levels, the protection of cultural property is included.

The Swedish manual in humanitarian law, which is a basic book in all military education (used both in educational materials and as encyclopedias in the planning and implementation of education), contains the 1954 Hague Convention under item 119 and the protection of cultural property under items 348 and 516. The manual in humanitarian law is primarily aimed at personnel at the operational level within the Armed Forces and to the civil and military international law advisers. The purpose of the manual is to provide guidance for military decision-making and to promote compliance with humanitarian law by explaining in a relatively detailed, user-friendly and clear, way how military personnel under international law, and Swedish policy, may act.

The degree of bachelor of Science in Military Studies is a higher education qualification ([Annex - Swedish Council for Higher Education uhr.se](https://www.uhr.se)), among other requirements shall students have "demonstrated the ability in professional practice to make judgements informed by relevant disciplinary, social and ethical issues and with special concern for human rights". The literature used is for example "International law in war, crisis and peace operations" (Bring, Körlof-Askholt, Stockholm: Norstedts Juridik). It mentions the protection of cultural property and cultural objects in a number of places.

- *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.

In the war organization of the Swedish Armed Forces, there are international law advisers in senior staffs who are to assist managers and other staffs with international law issues, including links to obligations with regards to cultural property and the 1954 Hague Convention. The description of these can be found in the Swedish Armed Forces' constitution (FFS 2019: 4), Chapter 5.

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.

Combating cultural heritage destruction and preventing illegal trade in cultural objects are priority issues for Sweden. In 2017, Sweden was elected to the committee for the UNESCO Convention on Measures against Illegal Export, Import and Transfer of Cultural Property for the period 2017-2021.

An important issue linked to Security Council Resolution 2199 is to prevent the illegal trade in cultural objects from gaining a foothold in Sweden. Therefore, several authorities have formed a collaboration group led by the National Heritage Board and the Swedish National Commission to UNESCO.

The National Museums of World Culture are Swedish partners in UNESCO's campaign #Unite4Heritage. This is part of raising public awareness of illicit trafficking, a problem that prospers in times of conflict and crisis.

Sweden has, in the spirit of #Unite4Heritage, initiated the project Endangered Cultural Heritage which contains conferences, films and other information activities. Organisations behind the project are The Museum of World Culture, The Swedish National Commission for UNESCO, The Swedish National Heritage Board and ICOM Sweden.

As with all UNESCO Conventions, the responsible authorities work to make the principles of the Hague Convention known to the public. That could both be the actual provisions and what differs the Conventions from each other but also to merge them in order to disseminate the UNESCO principles as an entirety.

Please find more awareness raising activities conducted by Swedish authorities in our periodical report from last reporting period.

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

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.

In the implementation process, the legislator has considered that Swedish criminal law complies with the provisions of the Convention, either after changes have been made or by stating that the legal content of the provisions of the Convention already complies with Swedish law.

When included as part of or otherwise in connection with an armed conflict or an occupation, the act to direct an attack towards cultural property (in the meaning of the Convention), provided that this property is not a military objective, is criminalized as a war crime in the Swedish national law (2014:406) on punishment for genocide, crime against humanity and war crimes.

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.

The Swedish Armed Forces' International Law Council was established by the government in 1991 as a special council for international law issues within the Swedish Armed Forces. The council belongs to the Ministry of Defense.

The Council's tasks are to:

- *Follow developments in international humanitarian law.*
- *Responsible for coordination and development within the Swedish Armed Forces' authorities, with special attention to teaching and information issues.*
- *Take initiatives to promote the development, dissemination and application of the rules of international law within the total defense.*

The Council also publishes a series of publications on international law. The council includes representatives from several ministries, the Swedish Armed Forces, the Swedish Civil Contingencies Agency, The Swedish National Heritage Board and the Swedish Red Cross.

- *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.

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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.

Yes. In the implementation process, the legislator has considered that Swedish criminal law complies with the provisions of the Convention, either after changes have been made or by stating that the legal content of the provisions of the Convention already complies with Swedish law.

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.

During the reporting period, there has been an increased cooperation between the Swedish National Heritage Board and representatives of the Swedish Armed Forces in matters regarding military training and military planning in relation to cultural property that is protected under the 1954 Hague Convention.

One notable point of discussion has been the definition of cultural property in the Convention in relation to our nationally protected cultural property and in what way the distinctive emblem can be attached to property that meets the definition in art. 1 but has no clear national legal protection.

The use of the emblem shall be used as visual complement, to detailed national inventories that are available online. The visual information that an emblem can give to military forces in the fields during training sessions and the public should not be overshadowed, but in terms of protection of cultural heritage it is important to complete it with the use of measures according to art. 3, including plans on the relocation and evacuation of movable cultural property.

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The County Administrative Board of Gotland and the Armed Forces have been commissioned by the government to carry out a project to improve the total defense on Gotland. The assignment, which focuses on civilian and military cooperation, should be seen as a development initiative where the results can serve as a model for total defense cooperation in other parts of the country. One task in this project is that the cultural heritage unit at the County Administrative Board of Gotland shall carry out the marking of the county's cultural property, according to the 1954 Hague Convention.

A future advantage can be to establish a part of the civil defense, as in voluntary unions such as the Home Guard, that is focused on protecting the cultural heritage in particular. It can be vulnerable if the emergency preparedness work needs to rely solely on the committed

public and the Armed Forces, as it is important to ensure that knowledge about cultural heritage is constantly present.

In the event of conflict and crisis, it is important that there is available experience and expertise exactly where this occurs. Short contact paths and a committed public are required. In that regard, further public awareness and involvement activities are important to engage the public.

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.

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.

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.

Not applicable.

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.

Not applicable.

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.

In the implementation process, the legislator has considered that Swedish criminal law complies with the provisions of the Convention, either after changes have been made or by stating that the legal content of the provisions of the Convention already complies with Swedish law. Prop. 2016/17:109.

Destruction, appropriation or seizure of protected cultural property under the 1954 Hague Convention and the second the Protocol is criminalized by an amendment to the provision on war crime relating to property in the law on the punishment of genocide, crimes against humanity and war crimes. Criminal liability include those who, without the need for military reasons, destroys, appropriates or seizes such cultural property protected under the Convention and the Second Protocol. It is required that the act is included as part of or in another way stands in in connection with an armed conflict or occupation.

§ 6 Act (2014: 406) on punishment for genocide, crimes against humanity and war crimes.

The use of cultural property is criminalized in Chapter 9 § 1 of the Cultural Heritage Act (1988:850)

For Military use of cultural property under enhanced protection, the person who, in support of military action, uses cultural property that has enhanced protection under the second Protocol to the Hague Convention of 14 May 1954 on the Protection of Cultural Property in the Event of Armed Conflict or Areas in the Immediate Proximity of Such Property, is sentenced, if the act is part of or in another way related to an armed conflict or occupation.

The penalty is imprisonment for a maximum of four years. Act (2017:629).

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.

In the implementation process, the legislator has considered that Swedish criminal law complies with the provisions of the Convention, either after changes have been made or by stating that the legal content of the provisions of the Convention already complies with Swedish law. Prop. 2016/17:109.

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.

In the implementation process, the legislator has considered that Swedish criminal law complies with the provisions of the Convention, either after changes have been made or by stating that the legal content of the provisions of the Convention already complies with Swedish law. Prop. 2016/17:109.

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.

Activities of this kind are part of the current responsibilities of the relevant cultural heritage authorities.

During the reporting period, collaboration between the National Heritage Board and the Armed Forces has increased. The Armed Forces' training in international law contains studies of the provisions of the 1954 Hague Convention. The Armed Forces' training materials are both appropriate and thorough. The National Heritage Board and the Armed Forces have established a cooperation mechanism in which the Armed Forces are able to address matters relating to cultural heritage with responsible heritage authorities.

Combating cultural heritage destruction and preventing illegal trade in cultural objects are priority issues for Sweden. In 2017, Sweden was elected to the committee for the UNESCO Convention on Measures against Illegal Export, Import and Transfer of Cultural Property for the period 2017-2021.

An important issue linked to Security Council Resolution 2199 is to prevent the illegal trade in cultural objects from gaining a foothold in Sweden. Therefore, several authorities have

formed a collaboration group led by the National Heritage Board and the Swedish National Commission to UNESCO.

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Sweden has, in the spirit of #Unite4Heritage, initiated the project Endangered Cultural Heritage which contains conferences, films and other information activities. Organisations behind the project are The Museum of World Culture, The Swedish National Commission for UNESCO, The Swedish National Heritage Board and ICOM Sweden.

As with all UNESCO Conventions, the responsible authorities work to make the principles of the Hague Convention known to the public. That could both be the actual provisions and what differs the Conventions from each other but also to merge them in order to disseminate the UNESCO principles as an entirety.

Please find more awareness raising activities conducted by Swedish authorities in our periodical report from last reporting period.

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.

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* .

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	Ratification
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
Additional Protocol (II) to the Geneva Conventions, 1977	Ratification
Additional Protocol (III) to the Geneva Conventions, 2005	Ratification

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 [Endangered Cultural Heritage -
Världskulturmuseerna \(varldskulturmuseerna.se\)](http://www.endangeredculturalheritage.org/)

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	4
Military training on regulations for the protection of cultural property	4
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	4
Adoption of relevant criminal legislation	4
<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

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	5
Use of the distinctive emblem to mark cultural property	4
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> 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?

Sweden has not yet prepared such reports to the Committee for the Protection of Cultural Property in the Event of Armed Conflict. If necessary, a process similar to that of the World Heritage Convention is used. Several different authorities will then be involved in formulating a draft that complies with the requirements stipulated in Article 10.

The correlation between the Hague Convention and the World Heritage Convention is a natural starting point for an assessment of the requirement.

The criteria for defining a cultural property of great importance to humanity is similar to the criteria for the granting of a World Heritage Site in accordance with the 1972 UNESCO World Heritage Convention. Property that has been added to the World Heritage List could thus be considered for the enhanced protection under the Second Protocol. However, it is important to point out that there is no direct link between the 1954 Hague Convention and the World Heritage Convention. The provisions of the 1954 Hague Convention are focused on cultural property, while the World Heritage Convention has a much wider scope, and covers cultural landscapes, entire cities and natural areas. In addition, the 1954 Hague Convention does not protect cultural property that is built and used for military purposes, while this does not constitute an obstacle to an object being able to constitute a world heritage site.

- 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?

The Swedish Government decides which cultural property that should be submitted to the Committee for the granting of enhanced protection. The Swedish National Heritage Board is instructed to prepare such notifications. The National Heritage Board shall consult with the Swedish Armed Forces and give the Swedish Civil Contingencies Agency, the National Library, the National Archives and relevant county administrative boards as well as others concerned institutions an opportunity to comment when necessary. Prop. 2016/17:109.

- 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?

The Swedish Government decides which cultural property that should be submitted to the Committee for the granting of enhanced protection. The Swedish National Heritage Board is instructed to prepare such notifications. The National Heritage Board shall consult with the Swedish Armed Forces and give the Swedish Civil Contingencies Agency, the National Library, the National Archives and relevant county administrative boards as well as others concerned institutions an opportunity to comment when necessary. Prop. 2016/17:109.