



United Nations
Educational, Scientific and
Cultural Organization

Organisation
des Nations Unies
pour l'éducation,
la science et la culture



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

Convention
pour la protection
des biens culturels
en cas de conflit armé

15 COM

**C54/20/15.COM/Decisions
Paris, 10-11 December 2020**

SECOND PROTOCOL TO THE HAGUE CONVENTION OF 1954 FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT

COMMITTEE FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT

FIFTEENTH MEETING

**Paris, UNESCO Headquarters
10 and 11 December 2020**

**Decisions adopted during the 15th meeting of the
Committee for the Protection of Cultural Property in the
Event of Armed Conflict**

Item 2 of the agenda
Election of the Bureau

DECISION 15.COM 2

The Committee,

1. Decides to suspend Article 16.1 of the Rules of Procedure of the Committee in order to ensure an equitable geographical representation of all members of the Bureau;
2. Decides to elect, its Bureau which is composed of the following:
 - (a) Mrs. Najat Rhani, Morocco, as the Chairperson of the Committee,
 - (b) El Salvador, Estonia, Greece and Japan, as Vice-Chairpersons of the Committee,
 - (c) Mr. Sunday Imoh Egbo, Nigeria, as the Rapporteur of the Committee;
3. Recalls that the terms of the members of the Bureau will continue until the beginning of the 16th meeting in 2021.

Item 3 of the agenda
Adoption of the agenda

DECISION 15.COM 3

The Committee,

1. Having examined document C54/20/15.COM/3.Rev,
2. Recalling Rules 13 and 14 of the Rules of Procedure of the Committee and the discussions held on items 15 and 16 of the document;
3. Adopts the Agenda contained in the above-mentioned document.

DECISION 15.COM 3 bis

The Committee,

1. Recalling Rule 14 of its Rules of Procedure,
2. Decides to delete items 15 and 16 of the Agenda adopted at the beginning of its session.

Item 4 of the agenda

Report of the Secretariat on its activities

DECISION 15.COM 4

The Committee,

1. Having examined documents C54/20/15.COM/4.Rev and C54/20/15.COM/4.INF,
2. Takes note of the Secretariat's report on its activities and in particular the impact of COVID-19 on the implementation of its programme;
3. Congratulates Ukraine and Lebanon for their accession to the 1999 Second Protocol;
4. Encourages the Member States of UNESCO who are not yet Parties to the 1999 Second Protocol to ratify or accept it;
5. Thanks the Governments of the Czech Republic, Ireland and the Netherlands for their financial contributions to the Fund for the Protection of Cultural Property in the Event of Armed Conflict;
6. Expresses its concern on the impact of COVID-19 on the ratification and implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols;
7. Further expresses its solidarity and full support to the States Parties during the COVID-19 crisis and welcomes the efforts made to tackle the challenges in the protection of cultural property;
8. Approves the use, by the Secretariat, of the resources of the Fund, up to US\$ 100,000, to partly finance the implementation of the Action Plan approved at the 14th meeting of the Committee in 2019;
9. Thanks Burkina Faso for having submitted its national report and calls on the States Parties to submit their national reports on the implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols by 30 June 2021;
10. Regrets that no request for granting of enhanced protection has been submitted to the Secretariat, and encourages the States Parties to consider submitting requests for the granting of enhanced protection to their cultural property;
11. Requests the Secretariat to submit to it a report on its activities, at its 16th meeting in 2021.

Item 5 of the agenda

Reinforcing synergies between the 1954 Hague Convention and its two Protocols and the other UNESCO Cultural Conventions

DECISION 15.COM 5

The Committee,

1. Having examined document C54/20/15.COM/5,
2. Recalling its Decisions 9.COM 7, 9.COM, 10.COM 4, 11.COM 11, 13.COM 15, adopted respectively in 2014, 2015, 2016 and 2018, as well as Resolution 8SP.12 adopted by the Meeting of the Parties in 2019,
3. Welcoming the substantial contributions made by the competent governing bodies of UNESCO's Cultural Conventions,
4. Invites States Parties to ensure the strengthening of knowledge and awareness at the national level of existing mechanisms for the protection of cultural heritage under the UNESCO's Cultural Conventions, as well as the integration of these mechanisms into national cultural policies and their incorporation into national law, as a *sine qua non* for conflict prevention and the protection of heritage in times of peace;
5. Decides to establish a thematic and operational approach to strengthen the synergies between the UNESCO's Cultural Conventions for the protection of heritage in all its forms, in particular in emergency situations, launches a Thematic Programme on Heritage for Peace strengthening the role of heritage in conflict prevention, in conflict situations, for conflict resolution, and as a tool for post-conflict recovery and requests that States Parties support it financially and/or in kind;
6. Requests the Secretariat to conduct, in cooperation with the Secretariat of the 1972 Convention, an in-depth study of the most representative examples of synergies in monitoring the state of conservation of cultural properties located in conflict and post-conflict areas through the information system on the state of conservation of World Heritage sites, including properties under enhanced protection;
7. Calls on the Director-General to organize, as appropriate, a meeting of the Chairpersons of the governing bodies of the UNESCO's Cultural Conventions, with the aim to develop a holistic vision and joint orientations for the protection of cultural heritage in times of peace and armed conflict;
8. Encourages States Parties to consider presenting nomination files of cultural properties already inscribed on the World Heritage List located in their territory for inscription on the International List of Cultural Property under Enhanced Protection, as an indispensable tool for conflict prevention;
9. Requests the Secretariat to inscribe an item on the agenda of the 16th meeting, bringing to the Committee's attention the work undertaken by the governing bodies of the 2003 Convention on the Safeguarding of Intangible Cultural Heritage regarding the protection of intangible cultural heritage in emergencies with a view to a more in-depth reflection of the Committee, on the basis of a reflection paper submitted by the secretariat, on the links between intangible cultural heritage and the work undertaken in the framework of the 1999 Second Protocol;
10. Urges States Parties to provide the Secretariat with additional financial and human resources, which are essential to optimize synergies in all their forms, as well as the integrated implementation of UNESCO's Cultural Conventions by enhancing their credibility;
11. Also requests that the Secretariat submits a progress report on the implementation of the above-mentioned requests to the Committee at its 16th meeting in 2021.

Item 6 of the agenda

Mobilization of resources for the implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols

DECISION 15.COM 6

The Committee,

1. Having examined document C54/20/15.COM/6,
2. Recalling Decision 14.COM 9 adopted at its 14th meeting,
3. Expresses its gratitude to Ireland, the Netherlands and the Czech Republic for their generous contributions to the Fund in 2020;
4. Encourages all Parties to contribute to the Fund to ensure its long-term viability and sustainability;
5. Invites the Parties to submit requests for international or other assistance from the Fund;
6. Requests the Secretariat to present to the Committee at its 16th meeting a progress report on the mobilization of resources for the implementation of the 1954 Hague Convention and its two (1954 and 1999) Protocols.

Item 7 of the agenda

Provisional suspension of the application of Rule 33 of the Rules of Procedure of the Committee - proposal for its extension

DECISION 15.COM 7

The Committee,

1. Having examined document C54/20/15.COM/7,
2. Recalling its Decision 6.COM 5 (B), Decision 10.COM 2; Decision 13.COM 4 and 13.COM 15,
3. Acknowledges the importance of harmonizing translation and interpretation requirements for all convention meetings as provided for in Recommendation 1(d) of the Audit of the Working Methods of the Culture Conventions prepared by UNESCO's Internal Oversight Service;
4. Decides to further suspend the application of Rule 33 of its Rules of Procedure until 2023 and to use only English and French as working languages of the Committee.

Item 8 of the agenda

Equitable distribution of seats in the Committee for the Protection of Cultural Property in the Event of Armed Conflict

DECISION 15.COM 8

The Committee,

1. Having examined document C54/20/15.COM/8,
2. Recalling Resolution 8.SP 7 adopted at the 8th Meeting of the Parties to the 1999 Second Protocol,
3. Reiterates the importance of ensuring equitable representation of the different regions and cultures of the world in the Committee, as stipulated under Article 24, paragraph 3 of the Second Protocol;
4. Recommends the 9th Meeting of the Parties to approve the proposed amendments to the Rules of Procedure of the Meeting of the Parties to the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict included in Annex 3 to the document, based on the allocation of one seat for an electoral group that is not represented among the seats not open for election.

Annex to Decision 15.COM 8

Draft amendments to the Rules of Procedure of the Meetings of the Parties to the 1999 Second Protocol

Rules of Procedure of the Meeting of the Parties to the 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict

Proposed amendments

IV. ELECTION OF MEMBERS OF THE COMMITTEE

Rule 13 - Procedures for the presentation of candidatures to the Committee for the Protection of Cultural Property in the Event of Armed Conflict

13.1 The Secretariat shall ask all States Parties, at least three months prior to the opening of the Meeting, whether they intend to stand for election to the Committee for the Protection of Cultural Property in the Event of Armed Conflict. If so, its candidature should be sent to the Secretariat at least six weeks prior to the opening of the Meeting.

13.2 At least four weeks prior to the opening of the Meeting the Secretariat shall send to all States Parties the provisional list of States Parties candidates. This list of candidatures will be revised as necessary.

13.3 This list of candidatures shall be finalised 48 hours before the opening of the Meeting.

Rule 13 - Procedures for the presentation of candidatures to the Committee ~~for the Protection of Cultural Property in the Event of Armed Conflict~~

13.1 The Secretariat shall ask all States Parties, at least three months prior to the opening of the Meeting, whether they intend to stand for election to the Committee ~~for the Protection of Cultural Property in the Event of Armed Conflict~~. If so, its **Parties should send their** candidature ~~should be sent~~ to the Secretariat at least six weeks prior to the opening of the Meeting.

13.2 At least four weeks prior to the opening of the Meeting the Secretariat shall send to all ~~States~~ Parties the provisional list of ~~States Parties~~ candidates. This list of ~~candidatures~~ will be revised as necessary.

13.3 This list of candidatures shall be ~~finalised~~ **closed** 48 hours before the opening of the Meeting.

Rule 14 - Election of members of the Committee for the Protection of Cultural Property in the Event of Armed Conflict

- 14.1 The election of members of the Committee shall be conducted by secret ballot and in conformity with Articles 24 and 25 of the Second Protocol, whenever three or more delegations having the right to vote so request, or if the Chairperson so decides.
- 14.2 Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he/she shall hand to them the list of States entitled to vote and the list of States candidates. He/She shall announce the number of seats to be filled.
- 14.3 The Secretariat shall distribute to the delegations a voting paper in the form of a list of all the States which are candidates.
- 14.4 Each delegation shall cast its vote by encircling the names of those States for which it desires to vote.
- 14.5 The tellers shall collect from each delegation their voting paper and shall proceed to count the votes, under the supervision of the Chairperson.
- 14.6 Voting papers on which all names of States have been circled shall be considered to be abstentions.
- 14.7 Voting papers on which more names have been circled than there are seats to be filled shall be considered invalid.
- 14.8 Those States obtaining in the first ballot the required majority shall be elected, unless the number of States obtaining that majority is greater than the number of seats to be filled. In that case, the States obtaining the greatest number of votes, up to the number of seats to be filled,

Rule 14 - Election of members of the Committee for the Protection of Cultural Property in the Event of Armed Conflict

- 14.1 The election of members of the Committee shall be conducted by secret ballot and in conformity with Articles 24 and 25 of the Second Protocol, whenever three or more delegations having the right to vote so request, or if the Chairperson so decides.
- 14.2 The election of Members of the Committee shall be conducted on the basis of the composition of the electoral groups of UNESCO, as determined by the UNESCO General Conference at its most recent session, it being understood that 'Group V' shall consist of two separate groups, for the African States and Arab States respectively.**
- 14.3 At each election, one seat shall be allocated for each electoral group that is not represented among the seats not currently open for election. If the electoral group concerned does not present any candidate for such allocated seat, the seat shall be filled in accordance with the provisions of Rule 14.11 (b) below.**
- 14.4 Ballot(s) for allocated seat(s) shall precede the ballot(s) for the remaining seats to be filled. Unsuccessful candidates in a ballot for any allocated seat shall be eligible to stand for election in subsequent ballot(s).**
- 14.5 Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he/she shall hand to them the list of States entitled to vote and the list of States candidates. He/She shall announce the number of seats to be filled.
- ~~14.2~~
- 14.6** The Secretariat shall distribute to the delegations a voting paper in the form of a list of all the States which are candidates.
- ~~14.3~~

shall be declared elected. If the number of States obtaining the majority required is less than the number of seats to be filled, there shall be a second ballot. If the number of States obtaining the majority required is still less than the number of seats to be filled, there shall be a third and, if necessary, a fourth ballot, to fill the remaining seats. For the third and fourth ballots, the voting shall be restricted to the States obtaining the greatest number of votes in the previous ballot, up to a number twice that of the seats remaining to be filled.

- 14.9 After the fourth ballot, the candidates obtaining the greatest number of votes, up to the number of seats to be filled, shall be declared elected.
- 14.10 If, in the fifth ballot, two or more candidates obtain the same number of votes, the Chairperson shall decide between them by drawing lots.
- 14.11 The Chairperson shall announce the results of the election.

~~14.4~~ **14.7** Each delegation shall cast its vote by encircling the names of those States for which it desires to vote.

~~14.5~~ **14.8** The tellers shall collect from each delegation their voting paper and shall proceed to count the votes, under the supervision of the Chairperson.

~~14.6~~ **14.9** Voting papers on which all names of States have been circled shall be considered to be abstentions.

~~14.7~~ **14.10** Voting papers on which more names have been circled than there are seats to be filled shall be considered invalid.

14.11 a) Ballot for the allocated seats
The candidate obtaining in the first round the highest number of votes shall be declared elected. In case two or more candidates obtain the same number of votes for the seat to be filled, a second round shall be held for those candidates to fill the allocated seat.

b) Ballot for the remaining seats
The remaining seats shall be open to Parties. The candidate(s) obtaining in the first round, more than half of the valid votes cast by Parties present and voting shall be declared elected in the sequential order of the number of votes obtained from the highest to the lowest, up to the number of seat(s) to be filled. If there still remain seat(s) to be filled, there shall be a second round.

~~14.8~~ Those States obtaining in the first ballot the required majority shall be elected, unless the number of States obtaining that majority is greater than the number of seats to be filled. In that case, the States obtaining

~~the greatest number of votes, up to the number of seats to be filled, shall be declared elected. If the number of States obtaining the majority required is less than the number of seats to be filled, there shall be a second ballot. If the number of States obtaining the majority required is still less than the number of seats to be filled, there shall be a third and, if necessary, a fourth ballot, to fill the remaining seats. For the third and fourth ballots, the voting shall be restricted to the States obtaining the greatest number of votes in the previous ballot, up to a number twice that of the seats remaining to be filled.~~

14.12 In the second round, the candidate(s) obtaining the highest number of votes, up to the number of seat(s) to be filled, shall be declared elected.

14.13 If in the second round, two or more candidates obtain the same number of votes, and, as a result, the number of these candidates is greater than the remaining number of seats to be filled, there shall be an additional round of voting restricted to those candidates who obtained the same number of votes. If in this additional round of voting, two or more candidates obtain the same number of votes, the Chairperson shall decide by drawing lots among them in order to allocate the remaining seat(s).

~~14.9 After the fourth ballot, the candidates obtaining the greatest number of votes, up to the number of seats to be filled, shall be declared elected.~~

~~14.10 If, in the fifth ballot, two or more candidates obtain the same number of votes, the Chairperson shall decide between them by drawing lots.~~

14.14 After each round, the Chairperson shall announce the results of the election.

~~14.11~~

Item 9 of the agenda

Requests for international assistance from the Fund for the Protection of Cultural Property in the Event of Armed Conflict: Barbados, Ecuador and Mexico

DECISION 15.COM 9

The Committee,

1. Having examined Document C54/20/15.COM/9, including the requests submitted by Barbados, Ecuador, and Mexico, as well as the reviews of completeness prepared by the Secretariat, and the recommendations of the Bureau resulting from the *prima facie* examination,
2. Recalling Article 29(1)(a) of the 1999 Second Protocol and the Guidelines for the Implementation of the 1999 Second Protocol to The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict,
3. Also recalling that, in conformity with paragraph 137 of Guidelines, while considering requests for international assistance, and taking into account special needs of applicants that are developing countries, priority is given bearing in mind the emergency or the preventive nature of the request,
4. Decides to approve the international assistance request, “Strengthening and Protecting Barbados’ Cultural Property: The Digitization and Conservation of Slavery Records” (Barbados), from the Fund for the Protection of Cultural Property in the Event of Armed Conflict for an amount of US\$ 46,000.00;
5. Requests the State Party of Barbados to ensure the exemplary value of the activity by developing a general contingency plan and guidelines to mitigate the foreseeable effects of armed conflict, which could also benefit the countries in armed conflict and submit a progress report at the 16th meeting of the Committee in 2021;
6. Also decides to defer, to its next meeting in 2021, for substantial revision of the international assistance request “Rescue, recovery and conservation process of “El Gran Canal y Baño del Inca” cultural property, located within the museum and archaeological park Pumapungo in Cuenca, Ecuador” (Ecuador), from the Fund for the Protection of Cultural Property in the Event of Armed Conflict for an amount of US\$ 43,178.85;
7. Invites the State Party of Ecuador to substantially revise its request in order to ensure that the activities proposed will fully fall under preparatory measures as defined in Article 5 of the 1999 Second Protocol;
8. Decides to approve the international assistance request “National Anthropology Museum Risk Management Plan” (Mexico), from the Fund for the Protection of Cultural Property in the Event of Armed Conflict for an amount of US\$ 44,400.00;
9. Requests the State Party of Mexico to provide it, at its 16th meeting in 2021, with a concrete roadmap or strategy, through a participative and inclusive process, in view of preparing the nomination of the National Anthropology Museum for its possible inscription on the International List of Cultural Property under Enhanced Protection;
10. Requests the Secretariat to monitor, in close coordination with the relevant national authorities, the implementation of the approved requests, in conformity with paragraph 140 of Guidelines, and submit a monitoring report for review by the Committee at its 16th meeting in 2021;
11. Invites Barbados and Mexico, to submit to the Secretariat, in conformity with paragraph 141 of Guidelines, the final report on the implementation of the assistance within three

months of the completion of projects carried out, for review by the Committee at its 17th meeting in 2022;

12. Also requests the Secretariat to develop draft Explanatory Notes on International Assistance Application Form (Annex II of the Guidelines) and submit it for examination by the Committee at its 16th meeting in 2021.

Item 10 of the agenda

**Report on the implementation of international assistance granted to
Afghanistan, Burkina Faso and Mali**

DECISION 15.COM 10.1

The Committee,

1. Having examined document C54/20/15.COM/10,
2. Recalling Decision 13.COM 8, adopted at its 13th meeting in 2018,
3. Taking into account the impact of the security and health situation in Afghanistan on the schedule for the implementation of activities,
4. Takes note that the State Party has started the establishment of an inter-ministerial committee and developed a work plan for the implementation of activities but that more time would be needed;
5. Requests the State Party to prepare a final report on the implementation of the activities carried out within the framework of international assistance, and to submit it to the Committee for consideration at its 16th meeting in 2021.

DECISION 15.COM 10.2

The Committee,

1. Having examined document C54/20/15.COM/10,
2. Recalling Decision 14.COM 7, adopted at its 14th meeting in 2019,
3. Taking into account the impact of the socio-political and health situation in Burkina Faso on the launch of activities,
4. Takes note that the State Party has started, in October 2020, the implementation of activities relating to the preparation of a plan of action and the organization of a meeting the Committee also organised an awareness-raising campaign for members of the Inter-Ministerial Committee on Human Rights and International Humanitarian Law on the Second Protocol of 1999;
5. Requests the State Party to prepare a progress report on the implementation of the activities carried out within the framework of international assistance and to submit it to the Committee, for consideration at its 16th meeting in 2021.

DECISION 15.COM 10.3

The Committee,

1. Having examined document C54/20/15.COM/10,
2. Recalling Decisions 11.COM 5.2, 11.COM 6, and 12.COM 7.1, as well as its Decision 13.COM 8, adopted at its 11th, 12th, and 13th meetings,
3. Takes note of the final report submitted by the State Party on the full implementation of the activities identified in the international assistance;
4. Considers that the impact of the security and health situation in Mali has affected the timetable for the adoption of legislative and regulatory measures at the national level;

5. Thanks the State Party on having continued its efforts to transpose the provisions of Chapter 4 of the 1999 Second Protocol into Malian national law, and encourages it, as soon as the political situation permits, to complete the process of adoption at the national level in order for the protection of the Tomb of Askia property to be strengthened.

Item 11 of the agenda

Amendments to the Guidelines for the Implementation of the 1999 Second Protocol: Enhanced protection

DECISION 15.COM 11

The Committee,

1. Having examined document C54/20/15.COM/11,
2. Recalling its Decisions 13.COM 11 and 14.COM 8, adopted at its 13th (2018) and 14th meetings (2019) respectively,
3. Takes note of the proposed amendments to the Guidelines and the Enhanced Protection Request Form, as amended during the discussions;
4. Requests the Secretariat to prepare a proposal on the procedure for granting provisional enhanced protection, as distinct from the regular procedure, with particular consideration of the need to conduct such procedure as expeditiously as possible, to be examined for its 16th meeting;
5. Recommends that the Meeting of the Parties approve the proposed amendments to the Guidelines, including the amendments to the Enhanced Protection Request Form at its 9th Meeting to be scheduled in 2021.

Annex to Decision 15.COM 11

Proposals of amendments to the Guidelines for the Implementation of the 1999 Second Protocol¹

Guidelines for the implementation of the Second Protocol

Proposed amendments

24. The Committee also co-operates with international and national governmental and non-governmental organizations having objectives similar to those of the Convention and its two Protocols. To assist in the implementation of its functions, the Committee may invite to its meetings, and consult within the framework of granting enhanced protection, in an advisory capacity, eminent professional organizations such as those which have formal relations with UNESCO, including the International Committee of the Blue Shield (ICBS) and its constituent bodies (the Coordinating Council of Audiovisual Archives Associations (CAAAA), the International Council on Archives (ICA), the International Council of Museums (ICOM), the International Council on Monuments and Sites (ICOMOS) and the International Federation of Library Associations and Institutions (IFLA)). Representatives of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre) (ICCROM) and of the International Committee of the Red Cross (ICRC) may also be invited to attend in an advisory capacity.
44. The Parties are entitled and encouraged to submit to the Committee requests for the granting of enhanced protection to cultural property under their jurisdiction or control. The Committee, which establishes and maintains the List, decides in each particular case whether the criteria set out above are met. To facilitate the granting of enhanced protection, the

24. The Committee also co-operates with international and national governmental and non-governmental organizations having objectives similar to those of the Convention and its two Protocols. To assist in the implementation of its functions, the Committee may invite to its meetings, and consult within the framework of granting, **suspending or cancelling** enhanced protection, in an advisory capacity, eminent professional organizations such as those which have formal relations with UNESCO, including the ~~International Committee of the Blue Shield~~ **International (ICBSI)** and its constituent bodies (the Coordinating Council of Audiovisual Archives Associations (CAAAA), the International Council on Archives (ICA), the International Council of Museums (ICOM), the International Council on Monuments and Sites (ICOMOS) and the International Federation of Library Associations and Institutions (IFLA)). Representatives of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre) (ICCROM) and of the International Committee of the Red Cross (ICRC) may also be invited to attend in an advisory capacity.
44. The Parties are entitled and encouraged to submit to the Committee requests for the granting of enhanced protection to cultural property under their jurisdiction or control. The Committee, which establishes and maintains the List, decides in each particular case whether the criteria set out above are met. **The request for the granting of enhanced**

¹ The proposed amendments by the Secretariat and the States Parties are marked in **bold** or ~~strikethrough~~ characters. The observations (Additions and alternative wording) of the States Parties are specified accordingly. A new section titled "Procedure for requesting an advisory opinion" (paragraphs 97-102) is integrated by the Secretariat.

Secretariat prepared an enhanced protection request form (Annex I).

45. The request for the granting of enhanced protection is sent by the Permanent Delegation to UNESCO of the Party to the Committee through the Secretariat. Requests need to be received by the Secretariat by 1 March of each year at the latest in order to be considered at the upcoming meeting of the Committee. Requests received after this deadline will be considered during the next meeting of the Committee. The above-mentioned date does not apply to requests for provisional enhanced protection.
46. The Secretariat acknowledges the receipt, checks for completeness and registers the request. The Secretariat requests any additional information from the Party, as appropriate, and all such information must be received, preferably, in a single submission of one complete file within two months of the date of the request from the Secretariat. The Secretariat forwards complete requests to the Bureau for *prima facie* consideration together with a review of completeness prepared by the Secretariat.
47. The Bureau may consult organisations with relevant expertise for evaluation of the request. The Bureau will forward the

protection needs to be prepared in accordance with the format set out in Annex I. ~~To facilitate the granting of enhanced protection, the Secretariat prepared an enhanced protection request form (Annex I).~~

45. The request for the granting of enhanced protection ~~is sent~~ **may be submitted by or in cooperation with, where appropriate,** the Permanent Delegation to UNESCO of the Party to the Committee through the Secretariat **at any time during the year.** Requests need to be received by the Secretariat **by on or before** 1 March of each year ~~at the latest~~ in order to be considered at the upcoming meeting of the Committee. Requests received after this deadline will be considered during the next meeting of the Committee. The above-mentioned date does not apply to requests for provisional enhanced protection.
46. The Secretariat acknowledges the receipt, checks for completeness and registers the request. The Secretariat requests any additional information from the Party, as appropriate, and all such information must be **integrated preferably,** in a single submission of one complete file ~~within two months of the date of the request from the Secretariat.~~ The Secretariat forwards complete requests to the Bureau for ~~*prima facie* consideration~~ **evaluation** together with a review of completeness prepared by the Secretariat. **The timetable for registration and processing of requests is detailed in paragraph 125. Incomplete requests are also brought to the attention of the Bureau.**
47. **A request which is not completed within three years following the initial submission date will be considered expired. It can be resubmitted following the regular procedure as per paragraph 45.**
48. ~~The Bureau may consult organisations with relevant expertise for evaluation of the request.~~ The Bureau will

request (including the evaluation) to the Committee and may propose a decision.

[In the margin] Article 11(5) of the Second Protocol

49. The Committee considers the representations, providing the requesting Party with a reasonable opportunity to respond before making a decision.

54. A request submitted by a Party meets the following requirements in order to be considered by the Committee:

57. The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development. This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone. The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10 (a).

62. g. Format of the request

47. forward the request, (including ~~the~~ **its** evaluation, to the Committee and may propose a decision.

~~[In the margin] Article 11(5) of the Second Protocol~~

50 The Committee considers the representations, **made on the basis of the criteria mentioned in Article 10**, providing the requesting Party with a reasonable opportunity to respond before making a decision **within its mandate**.

~~54.~~ **55** A request ~~submitted by a Party meets~~ **to be considered as “complete”**, the following requirements ~~in order to be considered by the Committee~~ **(see format in Annex I) need to be met:**

~~57.~~ **58.** The Party provides the relevant information and documentation on the cultural property concerned, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development. This includes a description on how the cultural property has reached its present form and the significant changes that it has undergone. ~~The information provides the facts needed to support and substantiate the argument that the cultural property meets the criterion of being of greatest importance for humanity under Article 10 (a).~~

59. In accordance with paragraphs 32-35, the requesting Party is expected to provide facts needed to support and substantiate the argument that the cultural property concerned has exceptional cultural significance, and/or is unique, and/or its destruction would lead to irretrievable loss for humanity.

~~g. Format of the request~~ **Documentation**

Parties are invited to submit their requests both in paper and electronic format provided by the Secretariat. Requests may be submitted in one of the two working languages of the Secretariat.

64 A Party may withdraw in writing a request it has submitted at any time prior to the Committee's session at which it is scheduled to be examined. The Party can resubmit a request for the cultural property, which will be considered as a new request.

65 The Party informs the Committee of any change affecting the cultural property concerned to meet the criteria set out in Article 10 in order to allow an update and, where appropriate, a reconsideration of the status of enhanced protection and/or a new decision by the Committee.

66 The Committee decides by a majority of two-thirds of its members present and voting whether a cultural property shall be granted or denied enhanced protection or whether the request should be referred or deferred. In two exceptional cases, a majority of four-fifths of the members of the Committee present and voting is needed:

- i) when Parties make a representation to the Committee on the basis of another Party's request for inclusion in the List; and

~~62. Parties are invited to submit their requests both in paper and electronic format provided by the Secretariat. Requests may be submitted in one of the two working languages of the Secretariat.~~ **Parties are expected to submit their requests together with all documentation necessary to substantiate the request, both in printed form as well as in electronic format (Word and/or PDF format preferred) in one of the two working languages of the Secretariat. Parties are expected to ensure that the information submitted is accurate.**

~~66~~ A Party may withdraw in writing a request it has submitted at any time prior to the Committee's ~~session~~ **meeting** at which it is scheduled to be examined. The Party can resubmit a request for the cultural property, which will be considered as a new request.

~~65~~ ~~67~~ The Party ~~informs~~ **is expected to inform** the Committee of any change affecting the cultural property concerned to meet the criteria set out in Article 10 in order to allow an update and, where appropriate, a reconsideration of the status of enhanced protection and/or a new decision by the Committee.

~~66~~ ~~68~~ The Committee decides by a majority of two-thirds of its members present and voting whether a cultural property shall be granted or denied enhanced protection or whether the request should be referred or deferred. **When preparing its decisions on enhanced protection, the Committee may, if considered necessary, decide to request an advice in accordance with Article 11(6) of the Second Protocol. If required, the Committee may also decide to finance such advisory services through the Fund for the Protection of Cultural Property in the Event of Armed Conflict.**

- ii) when a Party requests enhanced protection on an emergency basis.

In two exceptional cases, a majority of four-fifths of the members of the Committee present and voting is needed:

- i) when Parties make a representation to the Committee on the basis of another Party's request for inclusion in the List; and
- ii) when a Party requests enhanced protection on an emergency basis.

III.D PROCEDURE ON SUSPENSION AND CANCELLATION

- 91 **When considering the suspension or cancellation of enhanced protection the Committee may, inter alia, consult, in an advisory capacity, eminent professional organizations, such as those mentioned in paragraph 24.**

III.G Timetable – Overview

125.	TIMETABLE	PROCEDURES
	1 March	Deadline by which requests must be received by the Secretariat to be transmitted to the Bureau for its <i>prima facie</i> evaluation.
		Requests received after this date will be considered, - where applicable, during the next meeting of the Committee.

1 March – 1 April

Registration, assessment of completeness and transmission to the Bureau.

The Secretariat registers each request, acknowledges receipt to the requesting Party upon receipt of the file. The Secretariat informs the requesting Party whether or not the request is complete.

1 April

Deadline by which the Secretariat informs the Party of the receipt of a request, whether it is considered complete and whether it has been received by 1 March.

If a request is incomplete, the Party concerned will be advised of information required to complete the request.

1 July

Deadline by which the requesting Party must provide additional information asked by the Secretariat in order to complete the request.

A request which is not completed within three years

following the initial submission date will be considered expired. It can be resubmitted following the regular procedure as per paragraph 45.

12 weeks prior to the annual meeting of the Committee

Deadline by which the Secretariat transmits requests to the Bureau (see paragraph 46).

9 weeks prior to the annual meeting of the Committee

The Bureau forwards the request, as well as its evaluation referred to in paragraph 48, where applicable, to the Committee.

Once the Committee has received a request, it immediately informs all Parties of the request for inclusion in the List. Parties may submit a representation concerning the request to the Committee within 60 days. These representations may only be made on the basis of the criteria mentioned in Article 10, and must be specific and related to facts.

Immediately following the annual meeting of the Committee

The Committee immediately informs the Director-General of its decision to include cultural property in the List. The Director-General in turn notifies without delay the Secretary-General of the United Nations and all Parties of the decision of the Committee.

Annex to Decision 15.COM 11



Revised Enhanced Protection Request Form

ENHANCED PROTECTION REQUEST FORM²

[APPLICANT STATE]

[NAME OF PROPERTY]

[DATE OF SUBMISSION]

² Revised as per Decisions 14.COM 8 and 15.COM 11 of the Committee for the Protection of Cultural Property in the Event of Armed Conflict.

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Signature by the Party's competent authority	N

EXECUTIVE SUMMARY

APPLICANT STATE	
DATE OF SUBMISSION	
NAME OF PROPERTY	

NAME AND CONTACT INFORMATION OF OFFICIAL STATE INSTITUTION(S)	
Institution:	
Address:	
Telephone:	
Fax:	
E-mail:	
Web address:	

EMERGENCY REQUEST ³	YES / NO
If yes, provide justification.	

ANNEXES ATTACHED TO THE REQUEST ⁴

Annex 1	A list of UTM coordinates indicating the course of the property boundary and, as appropriate, its immediate surroundings corresponding high-resolution maps and plans
Annex 2	High-resolution images of the cultural property
Annex 3	Legislative and administrative measures taken, and an abstract of the texts on the protection of cultural property
Annex 4	Non-military use declaration

³ In accordance with Article 11 (9), upon the outbreak of hostilities, a Party to the conflict may request, on an emergency basis, enhanced protection of cultural property under its jurisdiction or control. Please check paragraph 63 of the Guidelines for the Implementation of the 1999 Second Protocol.

⁴ The list of annexes is not exhaustive. An applicant state may be requested to provide other attachments to support the request.

1. IDENTIFICATION OF THE CULTURAL PROPERTY

<p>1.1 Name of the cultural property</p> <p>This is the official name of the property that will appear in publications, on the UNESCO website, and in all official correspondence and documentation.</p> <p>Do not exceed 200 characters, including spaces and punctuation.</p>	
<p>1.2 Category of the cultural property</p> <p>Select one of the types of a cultural property described under Article 1 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict.</p> <p><i>As described under Article 1 (a) of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (“the 1954 Hague Convention”), monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the properties defined on the right column.</i></p>	<p>O Category A</p> <p>A.1 Immovable cultural property</p> <ul style="list-style-type: none"> ○ Monuments of architecture, art or history (religious or secular) ○ Archeological sites ○ Groups of buildings of historical or artistic interest ○ Other <p>A.2 Movable cultural property</p> <ul style="list-style-type: none"> ○ Work of art ○ Manuscripts ○ Books ○ Other objects of artistic, historical or archeological interest ○ Scientific collections ○ Important collections of books ○ Important collections of archives ○ Other
<p><i>As described under Article 1 (b) of the 1954 Hague Convention, museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, movable cultural property.</i></p>	<p>O Category B</p> <p>Building whose main and effective purpose is to preserve or exhibit movable cultural property</p>
<p><i>As described under Article 1 (c) of the 1954 Hague Convention, centers containing a large amount of cultural property.</i></p>	<p>O Category C</p> <p>Center containing monuments</p>

<p>1.3 Location of the cultural property</p> <p>Indicate State, Province or Region, where the cultural property is located or stored.</p> <p>Provide UTM coordinates of the approximate central point.</p> <p>A list of UTM coordinates indicating the course of the property boundary, and, as appropriate, its immediate surroundings, and corresponding maps and plans must be provided as Annex 1.</p> <p>In case of movable cultural property UTM coordinates of the building/shelter where the property is stored or will be stored must be provided.</p>	
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<p>1.4 Area of the cultural property in hectares (ha)</p> <p>For immovable cultural property, indicate area of the property and, as appropriate, its immediate surroundings.</p>	
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2. DESCRIPTION OF THE CULTURAL PROPERTY

<p>2.1 Description and history of the cultural property</p> <p>Provide a description of the cultural property at the date of request highlighting its greatest importance for humanity. Based on the category of cultural property (see Section 1.2), the description should refer to all the exceptionally culturally significant features of the cultural property, including those on the present state of conservation, the appearance of the cultural property, as well as its history and development. This includes a description of how the cultural property has reached its present form and the significant changes that it has undergone.</p> <p>In case of movable cultural property of Category A, information on its physical characteristics (size, weight, etc.), author (if known), cultural significance, previous locations shall be provided (also see Section 1.3).</p> <p>In case of cultural properties of Category B, it is not necessary to describe each movable cultural property, but important properties should be described individually and an account should be given as far as possible of the internal planning of the building.</p> <p>In case of cultural properties of Category C, it is not necessary to describe each individual building, but important public buildings should be described individually and an account should be given of the planning or layout of the area, its street pattern and so on.</p>
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3. GREATEST IMPORTANCE FOR HUMANITY

3.1 Justification for inscription

Paragraph (a) of Article 10 of the 1999 Second Protocol

This section must make clear why the property is considered to be of “Greatest Importance for Humanity”.

The section should be written with careful reference to paragraphs 32-35 of the Guidelines for the Implementation of the 1999 Second Protocol.

This section should highlight information to assess whether the property is of exceptional cultural importance (paragraph 33 of the Guidelines), and/or unique (paragraph 34 of the Guidelines) and/or whether its destruction would constitute an irreplaceable loss to humanity (paragraph 35 of the Guidelines).

It should not include detailed descriptive material about the property or its management, which are addressed in other sections.

In case of cultural properties inscribed on the World Heritage List or the List of the World Heritage in Danger or the Memory of the World International Register, please indicate the respective links on the UNESCO website.

4. PROTECTION OF THE CULTURAL PROPERTY

4.1 Identification and safeguarding measures

In accordance with Article 5 of the 1999 Second Protocol, provide information on preparatory measures taken in time of peace for the safeguarding of cultural property against the foreseeable effects of armed conflict. These measures may include, as appropriate, the preparation of inventories, the planning of emergency measures for protection against fire or structural collapse, the preparation for the removal of movable cultural property or the provision for adequate in situ protection of such property, and the designation of competent authorities responsible for the safeguarding of cultural property.

4.2 Military planning and military training

In accordance with Article 30 of the 1999 Second Protocol, provide information on the incorporation of guidelines and instructions on the protection of cultural property in military regulations, as well as information on peacetime training and educational programmes for the members of armed forces.

4.3 Criminal legislation

Provide information on criminal legislation providing for the repression of, and jurisdiction over, offenses committed against cultural property under enhanced protection within the meaning of, and in accordance with, Chapter 4 of the 1999 Second Protocol.

4.4 Relevant national legislation

Provide information on relevant national legislation governing the protection of the cultural property concerned along with information related to the 1954 Hague Convention.

5. USE OF THE CULTURAL PROPERTY

5.1 Use of the cultural property

Describe the current use of the cultural property. Provide all relevant information to establish that the property is not used for military purposes or to shield military sites.

5.2 Non-military use declaration

The non-military use declaration certifying that the cultural property will not be used for military purposes or to shield military sites shall be attached (Article 10(c) of the Second Protocol) as Annex 4.

MODEL

Non-military use declaration

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

[Signature of the representative authorized by the Party which has control over the cultural property as competent for this matter]

Name:

	Function: _____ _____
	Date: _____

6. RESPONSIBLE AUTHORITY/IES

Contact information	
Provide detailed contact information on authority/ies responsible for the measures referred to in Articles 5, 10(b), and 10(c) of the Second Protocol.	
Institution: Address: Telephone: Fax: E-mail: Web address:	

Signature by the Party's competent authority/ies:	
Full name	_____
Title	_____ _____
Date	_____

Item 12 of the agenda

Review of the protection of the Tomb of Askia (Mali) in the context of its inscription on the List of Cultural Property under Enhanced Protection

DECISION 15.COM 12

The Committee,

1. Having examined document C54/20/15.COM/12,
2. Recalling Decisions 11.COM 5.2 and 13.COM 9 by which the Committee granted Mali the enhanced protection for the cultural property of the Tomb of Askia in 2016, subject to the adoption of adequate domestic, legal and administrative measures recognizing the outstanding cultural and historical value of the property and ensuring the highest level of protection,
3. Recalling also that it decided to review the state of protection of the Tomb of Askia at its 15th meeting in 2020,
4. Taking into account the impact of the current political, health and security situation in Mali on the timetable for the adoption of legislative and regulatory measures at the national level,
5. Takes note of the progress made by the State Party to ensure the highest level of protection for the cultural property of the Tomb of Askia;
6. Decides to grant the State Party an additional period of up to 36 months, starting from the present decision, to enable the Malian authorities to adopt the necessary legislative and regulatory measures to ensure the highest level of protection for the cultural property of the Tomb of Askia;
7. Requests the State Party to prepare a detailed final report on the adoption of domestic, legal and administrative measures and to submit to the Committee, at the latest, at its 18th meeting in 2023.

Item 13 of the agenda

Study on the implementation of Recommendation 5 of the Evaluation of UNESCO's standard-setting work of the Culture Sector – Part V – 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (the Hague Convention) and its two Protocols (1954 and 1999)

DECISION 15.COM 13

The Committee,

1. Having examined document C54/20/15.COM/13,
2. Recalling its Decisions 13.COM 15, 14.COM 6 as well as Resolution 13.HCP 6 of the Meeting of the High Contracting Parties,
3. Thanks Sweden for its financial support provided to reinforce the Secretariat and its contribution to the ongoing preparation of the Study on the implementation of Recommendation 5 of the Evaluation of UNESCO's standard-setting work of the Culture Sector – Part V – 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (the Hague Convention) and its two Protocols (1954 and 1999);
4. Takes also note of the ongoing reflection concerning the theory of change for the 1954 Hague Convention and its two (1954 and 1999) Protocols;
5. Considers that the reflection process on synergies between UNESCO's Culture Conventions will contribute to define a satisfactory theory of change for the 1954 Hague Convention and its two (1954 and 1999) Protocols;
6. Requests the Secretariat to present the Study on the implementation of Recommendation 5 of the Evaluation of UNESCO's standard-setting work of the Culture Sector – Part V – 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (the Hague Convention) and its two Protocols (1954 and 1999), to its 16th meeting in 2021.

Item 14 of the agenda

**Monitoring and supervision mechanism for the implementation of the 1999
Second Protocol**

DECISION 15.COM 14

The Committee,

1. Having examined document C54/20/15.COM/14,
2. Recalling document CLT-14/9.COM/CONF.203/3/REV,
3. Taking note of document C54/20/15.COM/INF, submitted by Qatar,
4. Emphasizing the importance of the protection of cultural property in all its forms as it is the common heritage of all nations, regardless of origin,
5. Deploing the intentional targeting and illicit trafficking of cultural property in the event of armed conflicts,
6. Stressing that the Parties have the primary responsibility to protect the cultural property situated on their territory and urges them to reassess the level of protection given to cultural property to ensure its maximum protection,
7. Also stressing the importance for Parties to ensure the effective discharge of Article 27 of the 1999 Second Protocol, in particular the monitoring and supervision of the implementation of the Protocol,
8. Decides to establish an *ad hoc* subcommittee composed of the Members of the Committee and relevant experts, and is open to the participation of Parties not represented in the Committee pursuant to Rule 11 of the Rules of Procedure, tasked with the assistance of the Secretariat, to develop and submit proposals on the application of Article 27(1)(c) of the 1999 Second Protocol and, *inter alia*, elaborate a mechanism aiming to improve the protection of cultural property in the event of armed conflict notably in extreme emergency situations.
9. Requests the Secretariat to assist the *ad hoc* subcommittee by a reflection document in coordination with the secretaries of all relevant UNESCO Conventions, programmes and initiatives;
10. Also requests the *ad hoc* subcommittee to submit a report on the implementation of the above, including a comprehensive document with proposed amendments to the Guidelines for examination by the Committee at its 16th Meeting in 2021;
11. Encourages the States Parties to the Second Protocol to provide extrabudgetary funding for the work of the *ad hoc* subcommittee;
12. Extends warm thanks to Austria for its generous contribution for its organization of a meeting of experts to prepare the work of the subcommittee.