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**UNITED NATIONS EDUCATIONAL,  
CULTURAL AND SCIENTIFIC ORGANIZATION**

**CONVENTION CONCERNING THE PROTECTION  
OF THE WORLD CULTURAL AND NATURAL HERITAGE**

**WORLD HERITAGE COMMITTEE**

**Eighteenth session**

**Phuket, Thailand**

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**Information Note: International Register of Cultural Property  
under Special Protection: Co-ordination of Implementation of  
Conventions Protecting the Cultural Heritage**

## INFORMATION NOTE

### *International Register of Cultural Property under Special Protection Co-ordination of Implementation of Conventions Protecting the Cultural Heritage*

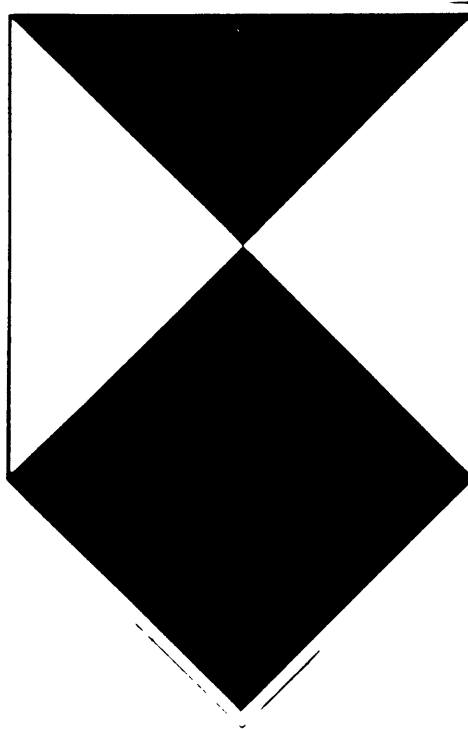
1. The experience of many armed conflicts has clearly demonstrated the need for special protection for monuments and other important immovable cultural property during hostilities. However, in order to avoid their destruction or to prevent any accidental attack against them, all parties to the conflict must be aware of their existence and must recognize their special status. For this reason, there is provision in the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague Convention) for the marking of cultural property with a special emblem (see Annex I).

2. The Hague Convention is the only worldwide agreement for the protection of cultural property during military conflicts. It provides (Article 8) for a special level of protection for a *limited* number of centres which contain monuments and other immovable cultural property of very great importance. At the request of the State concerned such property may be placed under special protection, provided however that it is situated at an adequate distance from any large industrial centre or from any important military objective constituting a vulnerable point, such as, an airport, broadcasting station, port or a railway station. Nevertheless, even if such a property is situated close to an important military objective, it may be placed under special protection provided that the State Party asking for that protection undertakes not to make use of this military objective. Such refuges are listed in the "*International Register of Cultural Property under Special Protection*" and may be marked by a triple use of the emblem.

3. To date, only one monumental complex, **the whole of the territory of the Vatican City State**, has been entered in the Register. The inscription of cultural sites from the World Heritage List in the Register under The Hague Convention will strengthen their protection in case of armed conflict under existing international conventions for the protection of cultural heritage and will allow the military to take all the necessary measures in **time of peace** or during conflict to protect them. It is therefore recommended that States Parties to both Conventions that have their cultural sites entered in the World Heritage List and wish to provide additional protection for them in case of armed conflict proceed to their nomination for the Register under the 1954 Convention.

4. In compliance with Decision 5.5.1., paragraph 17, of the Executive Board, adopted at its 141<sup>st</sup> session in May 1993 (Annex II), the Secretariat has contacted more than 40 States which are Parties both to the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and the Convention concerning the Protection of the World Cultural and Natural Heritage of 1972 and which also have cultural sites on the World Heritage List inviting them to consider the possibility of nominating those cultural sites for the International Register of Cultural Property under Special Protection. Six States (Ecuador, Lebanon, Pakistan, Spain, Syria and Thailand) have to date informed the Secretariat of their intention to do so.

5. The Convention for the Protection of Cultural Property in the Event of Armed Conflict 1954 (the Hague Convention) is particularly concerned with armed conflict: it has detailed provisions on contingency planning and obligations on States to assist monument protection authorities in occupied States. States Parties to the World Heritage, which are not already Party to the Hague Convention, are invited, in accordance with General Conference resolution 27/C Resolution 3.5, adopted at its 27<sup>th</sup> session in Paris in November 1993, to consider participating in the Hague Convention. It should be noted that this Convention protects cultural property of national and local importance as well as sites of outstanding universal character. The Protocol to the Hague Convention provides for the protection of movables in occupied territories and is particularly important for the preservation of museums and church collections as well as archaeological sites. Finally, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970 completes the protection of the cultural heritage by providing a mechanism for the return of cultural property which has been illegally removed from its country of origin in peace time. Decision 5.5.1., paragraph 9 of the Executive Board, adopted at its 141<sup>st</sup> session in May 1993 (Annex II) called on States which were not Parties to this Convention to ratify or accept it. While there are 138 Parties to the World Heritage Convention, only 84 States are Parties to The Hague Convention (72 of them to its Protocol) and 81 States to the 1970 Convention.



## 5.5 Culture

### 5.5.1 Report by the Director-General on the reinforcement of UNESCO's action for the protection of the world cultural and natural heritage (141 EX/18 and 141 EX/42)

The Executive Board.

1. Reaffirming its conviction that the preservation and protection of the world cultural and natural heritage is of the utmost importance to all humanity.
2. Conscious that today the world cultural and natural heritage is exposed to growing risks of serious harm and degeneration owing to armed conflicts of an international and non-international character, natural catastrophes, environmental deterioration and other natural events, as well as harmful human activities.
3. Recalling 26 C/Resolution 3.9 inviting the Director-General to report on the reinforcement of UNESCO's action for the preservation of the world cultural and natural heritage, including the possibility and desirability of a revision of the existing provisions regulating the protection and conservation of the world cultural and natural heritage,
4. Having considered the Director-General's report in document 140 EX/13, supplemented by document 141 EX/18,
5. Considering that since 1954 protection of the cultural heritage has been the object of many instruments adopted under the aegis of UNESCO,
6. Recalling the opinion expressed by the Director-General in his report (140 EX/13) that the 1954 Hague Convention no longer meets current requirements and that its effectiveness should be improved.
7. Noting that the study on the review of this Convention has been received by the Director-General.
8. Convinced that there should be better co-ordination of all existing UNESCO instruments for the protection of the cultural heritage,
9. Calls on all Member States that are not yet parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague, 1954), to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property (1970), and to the Convention for the Protection of the World Cultural and Natural Heritage (1972) to ratify or accept them:
10. Welcomes the Director-General's decision to circulate the above-mentioned study to Member States and Associate Members of the Organization and other interested States that are members of the United Nations, and invites the Director-General to convene at the earliest appropriate date an open-ended meeting to exchange information on the

study and on the question of co-ordination, with a view to presenting a report of the meeting to the Board for consideration at its 142nd session:

11. Invites all Member States and Associate Members of the Organization, other interested States that are members of the United Nations and appropriate non-governmental organizations to participate actively in this meeting in order to acquire a thorough knowledge of this subject, and encourages them to consider appropriate follow-up initiatives aimed at strengthening the 1954 Hague Convention;
12. Further invites States Parties to the Hague Convention to set up national systems to implement their obligations under that Convention;
13. Endorses the Director-General's decision to include in the forthcoming programme and budget additional funds for practical measures set out in his report to improve the working of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property (1970);
14. Endorses the view of the World Heritage Committee and of the Director-General that the text of the World Heritage Convention should not at present be revised, and notes that the Committee is undertaking a revision of the text of the Operational Guidelines for the Implementation of the Convention, which do not form part of the Convention but ensure its proper application, taking into account the strategic orientations adopted in Santa Fe, United States, in December 1992;
15. Invites the Director-General to consider the feasibility of drafting a new instrument for the protection of the underwater cultural heritage;
16. Recommends reinforcement of measures at national level for the protection of the cultural heritage, and suggests that the General Conference at its twenty-seventh session consider requesting Member States to submit reports on measures taken;
17. Invites States Parties to the Hague Convention and to the World Heritage Convention that have sites on the World Heritage List to examine the possibility of nominating them for the Register of Special Protection under the Hague Convention;
18. Commends UNESCO's participation in joint periodical meetings of the Secretariats of the Convention on Wetlands of International Importance especially as Waterfowl Habitat, 1971 (RAMSAR Convention), Convention on the International Trade in Endangered Species of Wild Flora and Fauna, 1973 (CITES), Convention on the Conservation of Migratory Species of Wild Animals, 1979 (Bonn Convention), and the Convention on Biological Diversity, 1992, concerning natural sites, and its entry into discussions with the United Nations, in respect of peace-keeping activities, and with the Secretariat of the Red Cross, in respect of humanitarian interventions, with a view to improved co-ordination;

19. Invites Member States to improve co-ordination of the implementation of all existing UNESCO instruments for protection of the cultural heritage:
20. Decides to include this item in the agenda for its 142nd session in order to make recommendations to the General Conference at its twenty-seventh session on:
  - (a) the strengthening and possible revision of the 1954 Hague Convention:
  - (b) the co-ordination of all existing UNESCO instruments for protection of the cultural heritage.