



United Nations
Educational, Scientific and
Cultural Organization



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



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Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols

RATIFICATION KIT



This publication provides brief overview of required procedural steps to become a party to the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols.

For more information, please contact:
UNESCO

Culture and Emergencies
Culture Sector

7, Place de Fontenoy
75352 Paris 07 SP France
Tel: 33 (0)1 45 68 1478
E-mail: 99sp@unesco.org
www.unesco.org

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OVERVIEW

The Convention for the Protection of Cultural Property in the Event of Armed Conflict (hereinafter “the 1954 Hague Convention) and its two Protocols are international treaties adopted by States in The Hague to ensure the protection of cultural property.

Any State expressing the consent to be bound by the 1954 Hague Convention and/or its two Protocols shall comply with all obligations stipulated under these treaties.

The present publication will use the phrase “ratification” as a generic term to define an international act of expressing the consent to be bound by a treaty. Nevertheless, it is important to note that the terms has a specific meaning under the 1954 Hague Convention and/or its two Protocols, which will be elaborated in other sections of this publication.

The Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) is a depositary of the 1954 Hague Convention and its two (1954 and 1999) Protocols. UNESCO provides technical assistance to States in connection to becoming a party to the above-mentioned treaties and their implementation within the limits fixed by its programme and by its resources.

To obtain up to date information about States Parties to the 1954 Hague Convention and to its Protocol, as well reservation and declaration issued by them please visit the website of the **Office of International Standards and Legal Affairs of UNESCO.**

BECOMING A PARTY TO THE 1954 HAGUE CONVENTION

The 1954 Hague Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative. The Convention was adopted on 14 May 1954 and opened for signature until 31 December 1954. 49 States signed the Convention.

It must be noted the Signatory states are not parties to the Convention or to its Protocols. In order to become a Party, a State must follow necessary internal and international procedures described below.

To become a party to the 1954 Hague Convention, States must take legal and procedural steps both at national and international level. Internally, in accordance with a domestic legislation, States must take necessary measures to ensure the full and effective application of the Convention by respective government authorities. Internationally, pursuant to Articles 31 and 32 of the Convention, State must deposit an instruments of ratification or accession with the Director-General of UNESCO.

Article 31. Ratification

1. The present Convention shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.
2. The instruments of ratification shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Article 32. Accession

From the date of its entry into force, the present Convention shall be open for accession by all States mentioned in Article 30 which have not signed it, as well as any other State invited to accede by the Executive Board of the United Nations Educational, Scientific and Cultural Organization. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

The 1954 Hague Convention enters into force for a State concerned three months after the deposit of instrument of ratification or accession. If a State that has deposited an instrument of ratification or accession is involved in an armed conflict, the Convention will enter into force immediately after the instrument of ratification or accession is deposited.

A State intending to ratify the 1954 Hague Convention can make declaration or reservation in accordance with the established rules of international law.



BECOMING A PARTY TO THE FIRST PROTOCOL

Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict (hereinafter “the First Protocol”) is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative. The First Protocol was adopted on 14 May 1954 and opened for signature until 31 December 1954. 39 States signed the First Protocol.

To become a party to the First Protocol, States must take legal and procedural steps both at national and international level. Internally, in accordance with a domestic legislation, States must take necessary measures to ensure the full and effective application of the First Protocol by respective government authorities. Internationally, pursuant to paragraphs 7 and 8 of the First Protocol, State must deposit an instruments of ratification or accession with the Director-General of UNESCO.

Paragraph 7

- (a) The present Protocol shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.
- (b) The instruments of ratification shall be deposited with the Director General of the United Nations Educational, Scientific and Cultural Organization.

Paragraph 8

From the date of its entry into force, the present Protocol shall be open for accession by all States mentioned in paragraph 6 which have not signed it as well as any other State invited to accede by the Executive Board of the United Nations Educational, Scientific and Cultural Organization. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Becoming a party to the 1954 Hague Convention is a precondition to ratify of or accede to the First Protocol.

The First Protocol enters into force for a State concerned three months after the deposit of instrument of ratification or accession. If a State that has deposited an instrument of ratification or accession is involved in an armed conflict, the First Protocol will enter into force immediately after the instrument of ratification or accession is deposited

A State intending to ratify the 1954 Hague Convention can make declaration or reservation in accordance with the established rules of international law.



BECOMING A PARTY TO THE SECOND PROTOCOL

Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict (hereinafter “the Second Protocol”) is drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authentic. The First Protocol was adopted on 26 March 1999 and opened for signature until 31 December 1999. 38 States signed the Second Protocol.

To become a party to the Second Protocol, States must take legal and procedural steps both at national and international level. Internally, in accordance with a domestic legislation, States must take necessary measures to ensure the full and effective application of the Second Protocol by respective government authorities. Internationally, pursuant to Articles 41 and 42 of the Second Protocol, State must deposit instruments of ratification, acceptance, approval or accession with the Director-General of UNESCO.

Article 41. Ratification, acceptance or approval

1. This Protocol shall be subject to ratification, acceptance or approval by High Contracting Parties which have signed this Protocol, in accordance with their respective constitutional procedures.
2. The instruments of ratification, acceptance or approval shall be deposited with the Director-General.

Article 42. Accession

1. This Protocol shall be open for accession by other High Contracting Parties from 1 January 2000.
2. Accession shall be effected by the deposit of an instrument of accession with the Director-General.

Becoming a party to the 1954 Hague Convention is a precondition to ratify or accede to the Second Protocol.

The Second Protocol enters into force for a State concerned three months after the deposit of instruments of ratifications, acceptances or approvals or of accessions. If a State that has deposited the above-mentioned instruments is involved in an armed conflict, the Second Protocol will enter into force immediately after the instrument is deposited.

A State intending to ratify the 1954 Hague Convention can make declaration or reservation in accordance with the established rules of international law.

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MODEL INSTRUMENTS

The 1954 Hague Convention and its two Protocols do not include a specific provision concerning the format of instruments of ratification, acceptance, approval or accession. However, to facilitate the ratification process, UNESCO recommends the use of the following model instruments.

Model instrument of ratification of (accession to) the Convention for the Protection of Cultural Property in the Event of Armed Conflict

CONSIDERING that the Convention for the Protection of Cultural Property in the Event of Armed Conflict, is open for [(ratification) (accession)] in the terms of its Article [(31) (32)],

I DECLARE by the present instrument that the Government of [name of State], after examining the aforementioned Convention, [(ratifies) (accedes to)] the aforementioned Convention and commits to faithfully executing all of its Articles.

In WITNESS THEREOF, I have signed and sealed the present instrument of [(ratification) (accession)].

(location) _____

(date) _____

(seal)

(signature of the Head of State,
Prime Minister or Minister of Foreign Affairs)

**Model instrument of ratification of (accession to) the 1954 Protocol to Hague
Convention of 1954 for the Protection of Cultural Property
in the Event of Armed Conflict**

CONSIDERING that the 1954 (First) Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, is open for [(ratification) (accession)] in the terms of its paragraph [(7) (8)],

I DECLARE by the present instrument that the Government of [name of State], after examining the aforementioned Protocol, [(ratifies) (accedes to)] it and commits to faithfully executing all of its Articles.

In WITNESS THEREOF, I have signed and sealed the present instrument of [(ratification) (accession)].

(location) _____

(date) _____

(seal)

(signature of the Head of State,
Prime Minister or Minister of Foreign Affairs)

**Model instrument of ratification of (acceptance of) (approval of) (accession to) the
Second Protocol to the Hague Convention of 1954 for the Protection of Cultural
Property in the Event of Armed Conflict**

CONSIDERING that [name of State] presented its instrument of [(ratification of) (accession to)] the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, [date],

CONSIDERING that the Second Protocol to the 1954 Convention, adopted on 26 March 1999, is open for [(ratification) (acceptance) (approval) (accession)] in the terms of its Article [(41) (42)],

I DECLARE by the present instrument that the Government [name of State], after examining the aforementioned 1999 Protocol, accedes to it and commits to faithfully executing all of its Articles.

In WITNESS THEREOF, I have signed and sealed the present instrument of [(ratification) (acceptance) (approval) (accession)].

(location) _____

(date) _____

(seal)

(signature of the Head of State,
Prime Minister or Minister of Foreign Affairs)



UNESCO

**7, Place de Fontenoy
75352 Paris 07 SP France**

+33 (0) 1 4568 1478

99sp@unesco.org

www.unesco.org