UNESCO

United Nations
Educational, Scientific and
Cultural Organization

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 AND ITS TWO PROTOCOLS (1954 AND 1999)

Abstract & Acknowledgement

ABSTRACT

The main purpose 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 and its two Protocols (1954 and 1999) is to generate findings, lessons learned and recommendations regarding the relevance and the effectiveness of the standard-setting work of the Culture Sector with a focus on its impact on legislation, policies, and strategies of Parties to the 1954 Convention and its two Protocols. The evaluation found that the 1954 Convention and its Protocols are more important than ever as cultural property continues to be deliberately targeted during armed conflict. Their implementation is hampered by poor understanding and visibility in Member States and an insufficient resource base at the UNESCO Secretariat.

Cover photo: ©Martha McGuire – A hole in the Damascus Citadel, Syria made by a missile. (June 2018)

List of Acronyms

CHP	Cultural Heritage Protection Treaties Section
CLT	Culture Sector
EPR	Emergency Preparedness and Response Unit
EU	European Union
HQ	Headquarters
GDPR	General Data Protection Regulation (European Union)
ICC	International Criminal Court
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICOMOS	International Council on Monuments and Sites
ICOM	International Council of Museums
ICRC	International Committee of the Red Cross
IFLAI	International Federation of Library Associations and Institutions
IOS	UNESCO's Internal Oversight Service
MINUSMA	United Nations Multidimensional Integration Stabilization Mission in Mali
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organizations
OHCHR	Office of the High Commissioner on Human Rights
SDG	Sustainable Development Goal
UN	United Nations
UNDPKO	United Nations Department of Peacekeeping Operations
UNEG	United Nations Evaluation Group
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNITAR	United Nations Institute for Training and Research
UNODC	United Nations Office on Drugs and Crime
UK	United Kingdom of Great Britain and Ireland

Table of Contents

Table of Figures

EXECUTIVE SUMMARY

Purpose of the evaluation

1.   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 and its two Protocols (1954 and 1999) reviews the relevance and implementation mechanisms of the Convention and its two protocols as well as examining the extent to which the provisions of the 1954 Convention have been reinforced by the 2015 Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict (the 2015 Strategy)

2.   The evaluation findings and recommendations shall be used by the Secretariat, the Culture Sector, field offices and States Parties to improve the programme activities with a view to strengthening the implementation of the Convention and its Protocols. The Secretariat shall also use the findings as it plans for the next phase of the implementation of the Strategy. The preliminary interviewees expressed a need for concrete, practical recommendations while at the same time exploring new approaches.

Methodology

3.   Data collection methods included:

- Document review

- Forty-two interviews with

  13 UNESCO HQ staff

  7   UNESCO field staff
  14 Permanent Delegates
  2   Other UN agency representatives
  6   Partner agency representatives

- Survey of Member States with 127 respondents from 74 countries

- Case studies with site visits to Cambodia, Lebanon, Mali and Syria; Afghanistan, El Salvador, the Military Training and the United Kingdom

were developed without site visits. The case studies included 75 additional interviews.

4.   The findings from different lines of inquiry were analyzed and then triangulated in order to determine consistencies and distinguish between different sources of information.

5.   A workshop was held with the evaluation reference group to review the preliminary findings and obtain input into interpreting the findings and formulating recommendations.

Key Findings

Relevance

6.   At the global level, the 1954 Convention and its Protocols are more important than ever, as cultural property continues to be deliberately targeted during armed conflict. As the first of UNESCO's culture Conventions, the 1954 Convention provides the foundation for the others. The1954 Convention and its Protocols do not, however, adequately address this deliberate destruction, which is often perpetrated by non-state actors. Article 19.3 of the Convention provides UNESCO with the authority to intervene. However, it is not clear what interventions would be constructive. UNESCO needs to reach out to peacekeepers and other humanitarian actors including NGOs to strategize on the most effective way of dealing with non-state actors.

7.   Within UNESCO and the UN, the 1954 Convention and its Protocols are relevant to SDG 11.4 and are being reinforced by the 2015 Strategy. While some Member States question whether the Strategy has re-enforced the implementation of the 1954 Convention and its Protocols, the majority feel it has the potential to have a positive influence, while it is too early to determine the impact.

Addressing Gender

8.   Although a UNESCO priority, the implementation of the 1954 Convention and its Protocols has not consistently taken gender equality into account. While

some of the military training and restoration efforts have consciously included women, the evaluation came across many stakeholders who feel that considering gender equality is not applicable for this particular Convention. The absence of guidelines for the inclusion of gender equality in the implementation of the 1954 Convention and its Protocols does not facilitate the task of the Secretariat in mainstreaming.

Results Achieved through Assistance Provided by UNESCO Supports

9.   As demonstrated by the case studies and examples provided in interviews, results have been achieved in implementing the 1954 Convention and its Protocols to protect cultural property during conflict and to restore cultural property that has been destroyed. UNESCO has been involved both at the Headquarters level though the development of a training manual, and the regional and national levels through helping to organize and implement training of the military and police.

10.   It is important to note that some results have also been achieved with little or no direct support from UNESCO as demonstrated by the UK, United States and NATO military training. The 1954 Convention and its Protocols guided many of these efforts even if direct support from UNESCO did not occur.

11.   The Secretariat has established programmatic targets such as sound governance, ratification of the 1954 Convention and its Protocols, number of periodic reports submitted, implementation of assistance under the 1999 Second Protocol, fund, and number of support stakeholders. Because a limited number of Member States have submitted periodic reports, there is no consistent evidence to measure progress towards these targets.

Effectiveness

12.   Although it is difficult to measure whether the destruction would have been greater without the 1954 Convention and its Protocols, there is evidence that the 1954 Convention and its Protocols have had an impact that goes beyond what has been documented by periodic reports submitted by Member States. Countries such as Syria, Lebanon and the United States that have not ratified the 1999 Protocol but are signatories to the 1954 Convention, do support cultural property protection and are carrying out a number of activities such as training of military and police, taking measures during conflict to protect property such as moving objects to safe havens, passing legislation to protect cultural property, restoring cultural property that has been damaged and engaging citizens to promote a better understanding of the importance of protecting cultural property. The UK provides an example where extensive work was carried out prior to ratification of the Convention and its Protocols.

Efficiency

13.   The Secretariat's support to the implementation of the 1954 Convention and its Protocols is not based on a clear theory of change, which sets out the links between the activities, outputs and results achieved. In the absence of such a model, it is difficult to set priorities and demonstrate results.

14.   One of the biggest challenges facing the Culture Sector at UNESCO is the limited coordination among the structures that support the various culture conventions, thereby preventing much needed integration of the implementation of these instruments. While there are some coordination mechanisms, these are not sufficient. The 1954 Convention Secretariat has too few resources to be able to play a stronger role vis-à-vis the other Culture Conventions. The Culture Sector leadership has also provided limited support to this Convention in raising its profile.

15.   Based on the evidence from the case studies and the interviews, the 1954 Convention and its Protocols are implemented efficiently and effectively by many of the field offices. The evaluation found good practices of the integration of all the culture Conventions at the field level.

Sustainability

16. Most of UNESCO's programmes are dependent on extra-budgetary resources; therefore, fund-raising is an important aspect of sustainability. The Secretariat's limited resources result in limited capacity for tasks that would support sustainability. UNESCO has already developed a number of partnerships with NGOs and other UN agencies and is in the process of strengthening those partnerships in order to extend its resources and influence. There is much potential to provide increased support of sustainability through partnerships.

Recommendations

1. **The 1954 Convention Secretariat should engage with peacekeeping and other humanitarian actors, including NGOs to spread awareness of the necessity to protect cultural property by all armed groups, including non-state actors. The Convention Secretariat should lead the way by:**

   - Bringing the issue of the destruction of cultural property by non-state actors to the agenda of the 1999 Second Protocol Committee

   - Strategizing on effective ways to encourage non-state actors to respect the 1954 Convention and its Protocols

   - Entering into agreements with partners that assist with the protection of cultural property in times of conflict where non-state actors are involved

2. **The Culture Sector should review the resources and staff capacities of the 1954 Convention Secretariat with a view to strengthening its effectiveness and efficiency. The review should:**

   - Assess the competencies needed to implement the 1954 Convention and its Protocols

   - Assess the capacity and capabilities of staff compared to what is needed; determine the gaps and develop a plan to fill those gaps

   - Consider moving towards a fully digital way of working

3. **The 1954 Convention Secretariat should develop a theory of change for the 1954 Convention and its Protocols in order to strengthen the understanding, acceptance and commitment to longer-term results. The theory of change should:**

   - Be developed through a collaborative process engaging relevant stakeholders.

   - Clearly link inputs and activities to various levels of results (outputs and outcomes) while also indicating the underlying assumptions

   - Elaborate a narrative based on the theory of change model that can be used in outreach materials as a basis for promoting a stronger understanding of the Convention and its Protocols

   - Develop programme indicators that focus on both output and outcome levels

   - Revise the periodic reporting format to encourage States Parties to report on these indicators (for example, on adopting and implementing relevant legislation and policies related to the protection of cultural property during armed conflict, training military and police in the mechanisms of the Convention and its Protocols, developing inventories of cultural property and using them in protection measures).

4. **Based on the theory of change, the 1954 Convention Secretariat should develop a communication and outreach strategy for the 1954 Convention and its Protocols in order to increase their visibility. The plan should:**

   - Develop a brand for the Convention and its Protocols

   - Include activities to increase the understanding and effective implementation of the Convention and its Protocols among Member States

   - Use current events to emphasize and demonstrate what can happen when cultural property is not protected

   - Consider the use of various communication media and partnerships

5. **The 1999 Second Protocol Committee should reflect on its working methods with a view to informing implementation mechanisms by:**

   - Establishing priorities with the Secretariat based on a theory of change for the Convention and its Protocols

   - Bringing in new topics of importance to the agenda of Committee meetings such as addressing how to deal with non-state actors

- Engaging more frequently with other UNESCO Conventions' Governing Bodies to draw on synergies between the various instruments.

6. **The 1954 Convention Secretariat should undertake efforts to increase coordination, knowledge sharing and synergies with other Conventions' Secretariats and field offices to encourage learning from existing good practices and strengthen implementation at the national level by:**

- Developing a mechanism for regular information sharing with other Convention Secretariats (particularly the 1970, 1972 and 2003) and culture programme officers in field offices

- Collecting information on good practices, including on synergies between the Conventions that can be shared among field offices and help to direct practices at Headquarters

- Having regular bilateral meetings with Member States, particularly countries in conflict zones, Africa and small island developing states and sharing the experiences of these countries

7. **The Culture Sector should strengthen coordination mechanisms in view of increasing equity and integration among its Conventions by:**

- Facilitating more opportunities for joint thinking, exchange of experiences, synergies and cooperation among Conventions Secretariats

- Creating parity among the Conventions through increased sharing of financial resources

- Establishing a single fund-raising mechanism with Convention Secretariats being encouraged to submit joint action plans.

8. **The 1954 Convention Secretariat should promote the inclusion of gender equality in its normative work related to the 1954 Convention and its Protocols by:**

- Developing and disseminating guidelines for the inclusion of gender equality in the implementation of the 1954 Convention and its Protocols

- Collecting and disseminating information on good practices related to gender equality from Member States.

Management Response

Overall Management Response	
November 2018	
Recommendation	**Response (Accepted / Not Accepted)** *please briefly indicate how the recommendation will be addressed or the reason for non-acceptance*
1. **The 1954 Convention Secretariat should engage with peacekeeping and other humanitarian actors, including NGOs to spread awareness of the necessity to protect cultural property by all armed groups, including non-state actors. The Convention Secretariat should lead the way by:** • Bringing the issue of the destruction of cultural property by non-state actors to the agenda of the 1999 Second Protocol Committee • Strategizing on effective ways to encourage non-state actors to respect the 1954 Convention and its Protocols • Entering into agreements with partners that assist with the protection of cultural property in times of conflict where non-state actors are involved	**Accepted.** The training of national armed forces and peacekeeping contingents on cultural property protection is included in the Action Plan for the implementation of the Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict. The development of the related training material is ongoing and the Secretariat, in view of its implementation, is engaging with the UN Department of Peacekeeping Operations (UNDPKO), the UN Institute for Training and Research (UNITAR) and other institutions involved in the training of peacekeepers. The Memorandum of Understanding signed with the International Committee of the Red Cross in 2016 aims also at leveraging partnerships for the protection of cultural property in the event of armed conflict, whenever accessibility for UNESCO is difficult. With regards to non-state armed groups, UNESCO has financed a study on the potential of their engagement on the protection of cultural heritage. The study, undertaken by the non-governmental organization Geneva Call and published in October 2018, presents various recommendations on how to encourage non-State actors to respect international humanitarian law related to cultural property protection, including the 1954 Hague Convention and its two (1954 and 1999) Protocols. However, a guidance is needed from the governing bodies of the 1954 Hague Convention and its Second Protocol as concerns the Secretariat's engagement with non-state actors. For this reason, the recommendation is accepted with reservation.

2. **The Culture Sector should review the resources and staff capacities of the 1954 Convention Secretariat with a view to strengthening its effectiveness and efficiency. The review should:** • Assess the competencies needed to implement the 1954 Convention and its Protocols • Assess the capacity and capabilities of staff compared to what is needed; determine the gaps and develop a plan to fill those gaps • Consider moving towards a fully digital way of working	**Accepted.** The Culture Sector closely monitors both the financial and human resources, as well as staffing situation of the Secretariat of the 1954 Hague Convention and its two (1954 and 1999) Protocols. To this end, the Assistant Director-General for Culture has proposed a new structure for Culture Sector at Headquarters, which seeks, among other things, to reinforce the UNESCO's Cultural Conventions, such as the 1954 Convention and its two (1954 and 1999) Protocols, within the limits of available funding and with regard to the complexity of the programmes/statutory processes inherent to each standard-setting instrument. To this end, from 5 November 2018, the Director for Culture and Emergencies leads the Secretariat of the 1954 Convention and its two (1954 and 1999) Protocols. Given the ongoing constraints on the Regular Programme Budget, further strengthening of human resources is dependent on the willingness of Member States to provide support. This may be in the form of dedicated financial contributions, such as those of Sweden in the past and current biennium, or through in kind support such as a Junior Professional Officer position financed by Qatar and the seconded senior official from the Netherlands. The Culture Sector welcomes and will work closely with the Human Resources Management Division in the workforce planning initiative being rolled out by as of Autumn 2018. Finally, while the Culture Sector is fully committed to the house wide 'Invest for Efficient Delivery' initiative which is looking at ways of improving delivery including through moves towards a less paper dependent culture, these should not be confused with the question of staff capacities and capabilities.

3. **The 1954 Convention Secretariat should develop a theory of change for the 1954 Convention and its Protocols in order to strengthen the understanding, acceptance and commitment to longer-term results. The theory of change should:** • Be developed through a collaborative process engaging relevant stakeholders. • Clearly link inputs and activities to various levels of results (outputs and outcomes) while also indicating the underlying assumptions • Elaborate a narrative based on the theory of change model that can be used in outreach materials as a basis for promoting a stronger understanding of the Convention and its Protocols • Develop programme indicators that focus on both output and outcome levels • Revise the periodic reporting format to encourage States Parties to report on these indicators (for example, on adopting and implementing relevant legislation and policies related to the protection of cultural property during armed conflict, training military and police in the mechanisms of the Convention and its Protocols, developing inventories of cultural property and using them in protection measures).	**Accepted.** The Secretariat will launch a consultative process, in collaboration with relevant stakeholders, to develop a theory of change with a view to strengthening the implementation of the 1954 Hague Convention and its two Protocols. However, it is to be noted that developing a full theory of change requires time, financial and human resources, that are not currently available. While the Secretariat will continue to actively seek additional resources, Member States are invited to support the implementation of this recommendation. Similarly, with regard to a revision of the periodic reporting format, as indicated in Document C54/18/13.COM/13,[1] the Secretariat will seek voluntary contributions from Member States to improve the periodic reporting mechanism of the 1954 Hague Convention and its two (1954 and 1999) Protocols.
4. **Based on the theory of change, the 1954 Convention Secretariat should develop a communication and outreach strategy for the 1954 Convention and its Protocols in order to increase their visibility. The plan should:** • Develop a brand for the Convention and its Protocols • Include activities to increase the understanding and effective implementation of the Convention and its Protocols among Member States • Use current events to emphasize and demonstrate what can happen when cultural property is not protected • Consider the use of various communication media and partnerships	**Accepted.** The Secretariat will continue its efforts to develop specific communication and outreach materials in line with the communication strategy of the Culture Sector that is being elaborated. However, developing a full-fledged communication strategy building on a theory of change would require significant resources, as indicated above.

---

[1] See the document: http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/13COM-13-Resource-Mobilization_En.pdf

5. The 1999 Second Protocol Committee should reflect on its working methods with a view to informing implementation mechanisms by: • Establishing priorities with the Secretariat based on a theory of change for the Convention and its Protocols • Bringing in new topics of importance to the agenda of Committee meetings such as addressing how to deal with non-state actors • Engaging more frequently with other UNESCO Conventions' Governing Bodies to draw on synergies between the various instruments.	**Accepted.** The Secretariat will work with the Committee and its Bureau to support establishing priorities, based on emerging needs of relevance to the 1954 Hague Convention and its two Protocols, and taking into account the resources available. It will also continue its efforts to identify areas of cooperation with other instruments and facilitate exchange between their governing bodies.
6. The 1954 Convention Secretariat should undertake efforts to increase coordination, knowledge sharing and synergies with other Conventions' Secretariats and field offices to encourage learning from existing good practices and strengthen implementation at the national level by: • Developing a mechanism for regular information sharing with other Convention Secretariats (particularly the 1970, 1972 and 2003) and culture programme officers in field offices • Collecting information on good practices, including on synergies between the Conventions that can be shared among field offices and help to direct practices at Headquarters • Having regular bilateral meetings with Member States, particularly countries in conflict zones, Africa and small island developing states and sharing the experiences of these countries	**Accepted.** In consultation with the Secretariats of the other Culture Conventions, as well as with UNESCO's field offices, the Secretariat will take measures to increase coordination, knowledge sharing and synergies to encourage learning from existing good practices and strengthen implementation at the national level. Notably, the new horizontal structure of the Culture Sector put in force by the Assistant Director-General for Culture, which is flatter and more balanced, should support collaboration between the Conventions' Secretariats, including for the exchange of knowledge and information with field offices. To this end, Cultural Policies and Development Entity in the revised Headquarters structure has initiated a new consultation mechanism between Headquarter and field offices.

7. The Culture Sector should strengthen coordination mechanisms in view of increasing equity and integration among its Conventions by: • Facilitating more opportunities for joint thinking, exchange of experiences, synergies and cooperation among Conventions Secretariats • Creating parity among the Conventions through increased sharing of financial resources • Establishing a single fund-raising mechanism with Convention Secretariats being encouraged to submit joint action plans.	**Accepted.** As mentioned in relation to recommendation 2 above, the reorganization of the Culture Sector at Headquarters (effective 5 November 2018) aims to create a flatter, more balanced and accountable structure that will better support Member States in addressing the challenges and opportunities of the 2030 Agenda and delivering the approved programme. The appointment of a D-1 staff member as Secretary of the 1954, 1970 and 2001 Conventions as well as of the Emergency Preparedness and Response work will naturally bring greater coordination and synergies among these areas of work, as will the establishment of a completely new entity (Cultural Policies and Development) charged, inter alia with ensuring closer intra and inter sectoral cooperation mechanisms, as well as deeper engagement with UN and regional processes. The Culture Conventions Liaison Group (CCLG) henceforth under the leadership of the Assistant Director-General for Culture, has agreed to refocus its work on questions of policy and substance, including with other UNESCO and UN system Conventions. For example, in September 2018, the CCLG held meetings with the UN wide Biodiversity Liaison Group and with UNESCO's Man and Biosphere Secretariat. Regarding creating financial parity among the Conventions, the current distribution of resources under the Regular Budget ensures that the statutory processes of all the Conventions can be fulfilled. This methodology takes into account the specificities of each of the Conventions and the demands of their respective Governing Bodies, as well as those of UNESCO's Executive Board and General Conference. Other resources under this part of the integrated budget are decentralized to the field for operational activities linked to their implementation. Additional resources have to come through resource mobilization efforts. The Culture Sector's internal resource mobilization framework acknowledges that certain standard-setting instruments, such as the 1954 Convention and its two (1954 and 1999) Protocols are less attractive to donors than others and seeks to pay special attention to strengthening efforts in this regard. Concerning joint fundraising mechanisms, the Executive Board, at its 202nd session, adopted 202EX/Decision 30 Part II by which it approved financial

	regulations of a new Special Account for the support of the Culture Programme to attract funding with as little earmarking as possible. Funding made available through this Special Account can support joint programmes cutting across several conventions.
8. **The 1954 Convention Secretariat should promote the inclusion of gender equality in its normative work related to the 1954 Convention and its Protocols by:** • Developing and disseminating guidelines for the inclusion of gender equality in the implementation of the 1954 Convention and its Protocols • Collecting and disseminating information on good practices related to gender equality from Member States.	**Accepted**. The Secretariat will deepen its efforts to mainstream gender equality in the implementation of the 1954 Convention and its two (1954 and 1999) Protocols. However, here again, additional resources would be required to obtain the necessary expertise to find ways to apply gender to this particular Convention, which can be a challenge, as noted in the evaluation.

1. INTRODUCTION

Background

17.   The 1954 Convention is the first international treaty with universal vocation focused exclusively on the protection of cultural heritage in the event of armed conflict. The Convention and its Protocols (1954 and 1999) cover both movable and immovable property, including architectural, artistic or historical monuments, archaeological sites, works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections of all types.

18.   The First Protocol is specific to movable cultural property and addresses issues of restitution. The Second Protocol is intended to strengthen the 1954 Convention by establishing a committee responsible for implementation, creating an 'enhanced protection' category that is intended to strengthen protection of cultural property and defining sanctions for serious violations against cultural property.

19.   The rise of violent extremism and terrorism in recent years created a new context for implementation of the Convention and its two Protocols. Conflict is no longer just internal or with another country, but involves groups not associated with any country. These non-state actors have been parties to large-scale destruction of cultural heritage. To adapt to these new circumstances, UNESCO's Member States adopted the 2003 Declaration concerning the Intentional Destruction of Cultural Heritage, explicitly referring, among others, to issues of State and individual civic responsibility.

20.   Figure 1 depicts the expectations set out by the Convention for times of peace as well as during and after armed conflict. These expectations apply to all States Parties regardless of whether they are in danger of armed conflict or not.

Figure 1: Activities for Implementing the 1954 Convention and its Protocols

Pre-conflict
- Form national committee
- Inventory cultural property
- Place Blue Shield emblem
- Plan for safe havens
- Military/police training
- Engage public
- Provide assistance to nations in conflict

Post-conflict
- Retrieve & restore cultural property
- Prosecute people who have caused damage
- Resume pre-conflict activities

During conflict
- Respect Blue Shield Emblem
- Do not place troops in cultural property
- Prevent damage to cultural property
- Place movable cultural property in safe havens

21.   The governance mechanisms for the 1954 Convention and its Protocols consist of:

- The Committee for the Protection of Cultural Property in the Event of Armed Conflict (hereafter the Committee), established by the 1999 Second Protocol, which meets once a year. It is responsible for determining the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict (hereafter the Fund), granting enhanced protection and setting the policy direction for implementation of the 1999 Second Protocol.

- The Meeting of the High Contracting Parties to the 1954 Hague Convention and the Meeting of the States Parties to the 1999 Second Protocol, both of which meet once every two years to review the implementation of the 1954 Convention and its Protocols and make recommendations therein.
- The 1954 Convention Secretariat which is responsible for supporting the work of the three Governing Bodies established by the Convention and its Protocols as well as providing support to States Parties and national and regional UNESCO field offices in implementing the instruments, developing tools such as a military manual and an information kit about the Convention and its Protocols.

22. The Strategy for Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict (hereafter the Strategy) was adopted by the 38th session of the General Conference in 2015. This six-year strategy is intended to reduce the vulnerability of cultural heritage and diversity before, during and after armed conflict. Its key objectives are to strengthen Member States' ability to prevent, mitigate and recover the loss of cultural heritage and diversity and to incorporate the protection of culture into emergency response, humanitarian action, security strategies and peace-building processes. The strategy takes a more comprehensive approach, linking the culture Conventions to each other as well as to relevant stakeholders outside of the culture domain.

Purpose, Scope and Intended Use of the Evaluation

23. The main purpose of the evaluation is to generate findings, lessons learned and recommendations regarding the relevance and the effectiveness of the standard-setting work of the Culture Sector related to the 1954 Convention and its Protocols, with a focus on its impact on legislation, policies, and strategies of Parties to the 1954 Convention and its two Protocols. The evaluation intended to be formative in nature, looking at relevance and effectiveness. It assessed the work of UNESCO in protecting cultural property, spanning three biennia to the present time (2012 – early 2018). Hence, the focus is primarily on the Second Protocol adopted in 1999. However, the evaluation explored the 1954 Convention in depth and the First Protocol to some extent.

24. The evaluation scope included activities implemented by the UNESCO Secretariat to support Member States with the ratification of the three instruments as well as activities to support States Parties with their implementation. The evaluation assessed specific mechanisms set up by the Convention and its Protocols such as the Blue Shield emblem, the Enhanced Protection status, the Fund for the Protection of Cultural Property in the Event of Armed Conflict. It also examined capacity-building initiatives for the military and police, awareness-raising campaigns, the working methods of the Committee for the Protection of Cultural Property in the Event of Armed Conflict, and specific UNESCO support for implementation at the national level.

25. Evaluation findings and recommendations shall be used by the Secretariat, the Culture Sector, the field offices and the States Parties to improve programme activities with a view to strengthening the implementation of the Convention and its Protocols. The Culture Sector shall also use the findings as it plans for the next phase of the implementation of the Strategy. This evaluation aims to provide concrete, practical recommendations while at the same time exploring new approaches.

Evaluation Questions

26. The evaluation questions are set out in the Terms of Reference attached in Appendix 1 and cover the following:

- Relevance of the Convention and its Protocols in today's legal landscape and geopolitical context
- Contribution to SDG 11, target 4: strengthen efforts to protect and safeguard the world's cultural and natural heritage
- Extent to which gender equality is addressed in the implementation of the Convention and its Protocols
- The results that have been achieved at ratification, policy development and implementation levels
- The effect of the Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict and its Action Plan on the implementation of the Convention and its Protocols
- The existence of a realistic theory of change
- The mechanisms in place for implementing the Convention and its Protocols

- The mechanisms in place for monitoring the implementation of the Convention and its Protocols

- Coordination within UNESCO's Culture Sector

- The appropriateness and effectiveness of the governing bodies formed by the Convention and its Protocols

- The sustainability of the implementation of the Convention and its Protocols, looking at partnerships and mechanisms for mobilizing resources

Approach

27.   Two key aspects of the approach used in conducting the evaluation include the following two underlying principles:

Ethical standards

28.   This evaluation applied the United Nations Evaluation Group's (UNEG) updated norms and standards[2] as these provide guiding principles for conducting evaluations across cultures. The evaluation was conducted in accordance with UNEG's Ethical Guidelines for Evaluation. The evaluation design and methodology also complies with Canada's privacy and consent legislation and the European Union General Data Protection Regulation (GDPR). Explicit consent to participate and for the provided information to be used in the evaluation was obtained prior to all interviews, focus groups and survey participants. The approach used was also consistent with the principles outlined in Canada's Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans[3] including respect for human dignity, respect for free and informed consent, respect for vulnerable persons, respect for privacy and confidentiality, respect for justice and inclusiveness, recognizing the potential for harm and maximizing benefits for all who are involved. Essentially this evaluation design goes beyond the basic requirements of the norms and standards, ensuring that the most rigorous requirements are applied.

Appreciative

29.   While conflict by its nature is negative, this evaluation found examples of good practices of preventing damage to cultural property during conflict, upon which future practices can be built. An appreciative approach looks at the challenges faced and uses them as learning opportunities. It draws on positive activities, practices and processes that have worked despite obstacles. In taking an appreciative approach, the evaluation focused on the best of what exists and aspirations for what is desired. It is intended to set the stage for enabling States Parties and other partners to innovate and sustain solutions that work.

Data Collection Methods

30.   The evaluation utilized a mixed method design approach based on the data collection matrix in Annex B, and followed the following guiding principles:

- Triangulation of data through an extensive review of the background documents, interviews and discussions with relevant stakeholders, and survey data;

- Participatory approaches to encourage active involvement by a range of stakeholders; and

- Field visits to obtain information through face-to-face interactions.

31. Data collection methods included:

32.   **A Document Review** was completed and contributed to answering all the evaluation questions. The list of documents reviewed is attached in Appendix 2. Information from the documents was organized by evaluation question. Thematic analysis was performed in NVivo[4] according to the evaluation questions and elements of interest identified in the evaluation plan. This review included all documents that pertained to implementation of the 1954 Convention and its Protocols including but not limited to periodic reports from Member States, UN resolutions, the 2015 Strategy and manuals intended to guide the implementation.

33.   **Key Informant Interviews** were conducted using the interview guides attached in Appendix D. Three of the respondents provided written responses

---

[2] United Nations Evaluation Group (April 2005) Standards for Evaluation in the UN System, United Nations Evaluation Group (April 2005) Norms for Evaluation in the UN System

[3] Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans, 1998 (with 2000, 2002 updates)" from http://www.pre.ethics.gc.ca/english/policystatement/policystatement.cfm

[4] A computer programme designed to assist qualitative analysis

to the questions in the interview guide as an interview could not be arranged. A list of the 42 people interviewed is provided in Appendix 4. It includes 19 women and 23 men in the following categories:

13 UNESCO Headquarters staff
7 UNESCO field staff
14 Permanent Delegates
2 Other UN agency representatives
6 Partner agency representatives

34. The selection of interviewees was purposeful, ensuring input from representatives of the governing bodies, the Secretariat, other Culture Conventions' Secretariats, relevant UN agencies and relevant NGOs, focusing on those who are familiar with the Convention and its Protocols and work to support their implementation. Furthermore, 75 interviews were conducted as part of the case studies. Interview guides are attached in Appendix E.

35. **A Survey for UNESCO Member States** was available online for approximately eight weeks from July 12 – August 29, 2018. During this period, regular reminders were sent out. All UNESCO Member States were invited to respond through an email invitation sent out by the Sector for External Relations. The survey was addressed to national authorities responsible for implementing the Convention and its Protocols and to authorities in charge of pursuing possible ratification. There were 127 respondents from 74 Member States (out of 195), and 62 of those had ratified the Convention. In other words, approximately 38% of UNESCO Member States responded to the survey. A survey analysis report is attached in Appendix F.

36. **Case Studies** (8 in total) included four with sites visits (Lebanon, Syria, Mali and Cambodia) and four without site visits (Afghanistan, El Salvador, Military training and the United Kingdom). The case studies were selected, in consultation with the evaluation reference group using the following criteria:

- Country with recent conflict where cultural property has been protected

- Country with recent conflict where cultural property has not been well protected

- At least one country where recent conflict has not occurred

- Varying ratification levels of the three instruments by countries

- Geographical representation of countries

- Country recipients of UNESCO support (Training of military personnel, granting of special or enhanced protection, focus of advocacy and awareness efforts, assistance from the Fund)

37. Data collection for the case studies included a review of relevant documents, interviews and photo-voice. Interviewees were purposefully selected to ensure they had in-depth knowledge of implementation activities and results within each country. Each of the case studies in Appendix G provides details of the contributing data collection methods. The case studies provided a rich information base regarding the implementation of the 1954 Convention and its Protocols.

38. A three-hour workshop providing the preliminary summary of findings was held for the Evaluation Reference Group and UNESCO staff who implement the Convention and its Protocols in Field Offices. Workshop participants attended both in person and via videoconference to test and validate findings and conclusions.

Strengths and limitations

Strengths

39. This evaluation was designed along multiple lines of inquiry, which allowed for comparison across the different sources of information to determine similarities and differences by source. While there were some differences in perspectives within lines of inquiry, the findings from the different lines of inquiry were similar.

40. The Member State survey had a response rate that was relatively high and drew a lot of interest.

41. The evaluation included eight case studies, which provided an increased in-depth understanding of how the Convention and its Protocols are implemented under a variety of circumstances.

42. Interviews were conducted across the full range of stakeholder groups including UNESCO headquarters and field staff, other relevant UN organizations, Member State representatives and partner organizations.

Limitations

43. The document review pointed to a serious limitation in information on implementation of the Convention and its Protocols: only 24% of the States Parties that have ratified the 1999 Protocol have provided periodic reports.

44. There is limited information within the periodic reports on the results achieved. Information regarding results was gleaned through the case studies and the surveys.

45. A results-based management framework has not been developed for the Convention and its Protocol. Indicators related to the evaluation questions were developed as part of the evaluation planning process.

46. Some caution must be applied when interpreting the results of the survey as the respondents were self-selecting rather than coming from a random sample, which therefore cannot be considered as fully representative.

2. Findings

47. The findings are grouped by relevance, addressing gender, results achieved, impact, efficiency and sustainability.

A. Relevance of the 1954 Convention and its two Protocols

48. This section looks at the extent to which the Convention and its Protocols are relevant in terms of:

- Today's legal landscape and geopolitical context where non-state actors are now a significant feature of conflict and warfare.

- Complementarity to other related standard-setting instruments.

- Relationship to humanitarian efforts and law and security efforts and peacekeeping.

- Contribution to SDG 11, target 4.

In the Current Context

49. Given the changing nature of conflict, with the rise of non-state actors explicitly targeting sites of cultural value the implementation of the 1954 Convention and its two Protocols are more important than ever.

50. The Convention and its two Protocols are recognized as valuable, providing the only normative framework for the mobilization of the international community and a legal basis for action against perpetrators of attacks on cultural heritage. The 2014/15 UNESCO Programme Implementation report explicitly stated that "the protection of cultural heritage affected by disasters and conflicts is arguably one of the most visible fields of activity for UNESCO. As UNESCO is the only UN agency mandated with cultural heritage protection".

51. Survey results revealed that a larger portion of Member States see the 1954 Convention as relevant rather than irrelevant. Figure 2 indicates the extent to which States Parties responding to the survey find the 1954 Convention to be relevant. Nearly three-quarters of the respondents (72%) indicated that the 1954 Convention is still relevant. However, 19% found it to be irrelevant. A major concern emerging from the interviews is that the Convention and its Protocols do not address ways of dealing with non-state actors.

52. The case studies and interviews revealed extensive concern that the 1954 Convention and its Protocols do not sufficiently address how to address non-state actors. However, Article 19.3 of the 1954 Convention does grant UNESCO the authority to offer its services to parties of conflict that are not of an international nature. In other words, the 1954 Convention and its protocols may apply during conflict involving non-state actors, which is very relevant in the current context. There is also an expectation that the provisions of the 1954 Convention will be applied by both sides.

Figure 2: Member States' views on relevance of the 1954 Convention
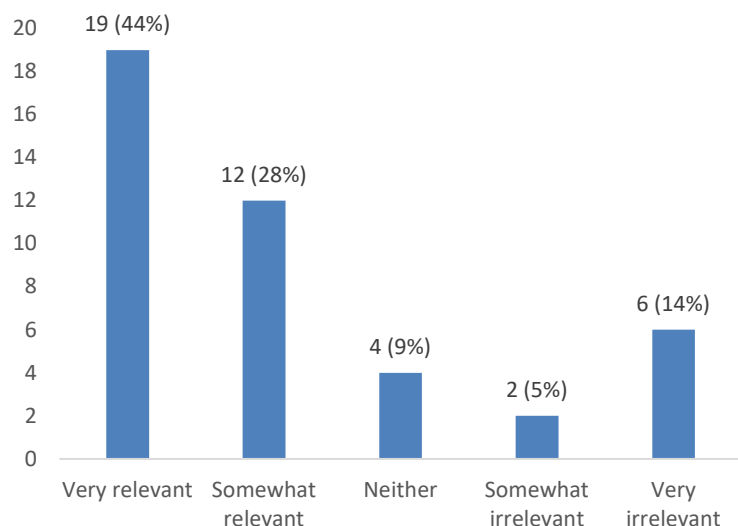
Complementarity to other International Standard-Setting Instruments

53. The evaluation clearly showed the significant complementarity of the 1954 Convention and its two Protocols with the other UNESCO Culture Conventions, particularly the 1970, 1972, and 2003 Conventions. This is evident by the UNESCO support to protect, safeguard, and restore cultural property exposed to destruction and/or illicit trafficking during recent conflicts in Cambodia, Egypt, Haiti, Iraq, Libya, Mali, and Syria.

1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

54. Because looting of cultural property is often integral to destruction of cultural property and increases during times of conflict, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property from 1970 is linked to and supports the 1954 Convention. Many of the interviewees did not distinguish between the two

conventions. In fact, awareness raising and training of military in Mali, Lebanon, United Kingdom and Cambodia include both conventions because many of the actions for preventing cultural property damage are similar to those needed to prevent looting.

1972 Convention concerning the Protection of the World Cultural and Natural Heritage

55. The World Heritage Convention intends to protect natural and cultural property from a variety of threats including conflict, thus reinforcing the 1954 Convention and its Protocols. All the 13 properties inscribed on the International List of Cultural Property under Enhanced Protection List[5] (Enhanced Protection List) are also on the World Heritage list. This raises the question as to why the Enhanced Protection List is needed, given the already existing responsibilities for protection under the World Heritage Convention. Many interviewees said they saw the Enhanced Protection List as providing an extra layer of protection and international recognition for the importance of cultural heritage sites.

56. The World Heritage Fund has provided support for the restoration of cultural property in times of conflict, including in Syria and Afghanistan. Most people external to the UNESCO Culture sector interviewed for this evaluation do not distinguish between the Fund for the Protection of Cultural Property in the Event of Armed Conflict (the 1999 Second Protocol Fund) established by the 1999 Second Protocol and the World Heritage Fund, simply noting that they received funding from UNESCO. Given that the World Heritage Fund has a much higher profile on the international stage than the 1999 Second Protocol Fund, this puts the 1954 Convention Secretariat at a disadvantage in its ability to raise funds to support awareness raising and implementation across Member States.

2003 Convention for Safeguarding of Intangible Cultural Heritage

57. Because practice of intangible cultural heritage often occurs within cultural property, the destruction of cultural property interferes with the ability to carry out cultural practices. Many of the interviewees and the case studies indicated that this concern linked the two conventions.

---

[5] Intended to provide an additional layer of protection under the 1999 Protocol

Geneva Convention

58. The two 1977 Additional Protocols to the four 1949 Geneva Conventions for the protection of victims of war specifically relate to protecting cultural objects and places of worship. Article 53 of the Protocol to the Geneva Convention of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1) states that it is prohibited to commit acts of hostility towards historic monuments, works of art or places of worship. It prohibits using such objects to support military efforts or making such objects the target of reprisals. The 1954 Convention and its Second Protocol compliment the Geneva Convention since places of worship are often also immovable cultural property, housing movable cultural objects.

Relationship to Humanitarian Efforts and Law, Security Efforts and Peacekeeping

59. Recently, the UN General Assembly and UN agencies have shifted to view the relationship between the cultural, humanitarian, and security dimensions of conflict to be much more intertwined and interdependent than in the past. This shift has resulted in the importance and value of the 1954 Convention and its two Protocols being recognized across a variety of international humanitarian resolutions and security strategies. In 2017, the UN Security Council adopted Resolution 2347, which was the first UN Security Council resolution that dealt explicitly with the protection of cultural heritage through the 1954 Convention and its Protocols as well as the 1970, 1972 and 2003 Conventions. This resolution "Deplores and condemns the unlawful destruction of property."[6] In addition, the resolution emphasizes the responsibility of military and peacekeeping forces in abiding by the international obligations to protect cultural heritage, reiterating that the mandate of UN peacekeeping operations may encompass "assisting relevant authorities, upon their request, in the protection of cultural heritage from destruction, illicit excavation, looting and smuggling in the context of armed conflicts"[7]. In addition to this UN Security Council resolution, seven other international declarations[8] have been signed condemning the intentional destruction of culture heritage connecting it directly

with concerns of security and peacekeeping. A table of the specific declarations is attached in Appendix H.

60. There have been specific humanitarian and peacekeeping actions taken that have leveraged the 1954 Convention and its two Protocols, as well as UNESCOs' related Culture Conventions. The MINUSMA mission in Mali is one example. In April 2013, the United Nations Security Council established the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) through resolution 2100 to support political processes in that country and carry out a number of security-related tasks. The Mission was asked to support the transitional authorities of Mali in the stabilization of the country and implementation of the transitional roadmap. MINUSMA was also tasked with assisting the transitional authorities of Mali in "protecting from attack the cultural and historical sites in Mali, in collaboration with UNESCO" and "to operate mindfully in the vicinity of cultural and historical sites". (Resolution 2100, 25 April 2013) MINUSMA's mandate has since been extended by three other Security Council resolutions (2164, 2227, and 2295), the latter extending the mission's mandate to 30 June 2019. All have emphasized its strong role for cultural preservation in collaboration with UNESCO. This marks the first time that the protection of culture is an integral part of the mandate of a peacebuilding force. Within this framework, the Secretariat of the 1954 Hague Convention and its two Protocols has developed specific tools (a brochure, a military handbook with materials and questionnaire for trainers, and a PowerPoint presentation) to train MINUSMA military, police and civilian personnel before they are deployed to Mali. The UNESCO Bamako Office has since been implementing a training programme for both MINUSMA forces and the military.

Relevance to SDG 11.4

61. The Sustainable Development Goal 11 is to make cities and human settlements inclusive, safe, resilient and sustainable. Its fourth target is to strengthen efforts to protect and safeguard the world's cultural and natural heritage. The 1954 Convention and its Protocols contribute directly to this target. However, the indicator for measuring the achievements of the goal[9] does not adequately capture some of the most important results related to the 1954

---

[6] UNSC Resolution 2347, Paragraph 19
[7] UNSC Resolution 2347, Paragraph 19
[8] Namur Call (24 April 2014), Cairo Declaration (14 May 2015), Abu Dhabi Declaration (2 December 2016), Final Declaration (15 May 2015), St. Petersburg Declaration (16 December 2015), Milan Declaration (1 August 2015

[9]*the total expenditure (public and private) per capita spent on the preservation, protection and conservation of all cultural and natural heritage, by type of heritage (cultural, natural, mixed and World Heritage Centre designation), level of government (national, regional and local/municipal), type of expenditure (operating expenditure/investment) and type of private funding (donations in kind, private non-profit sector and sponsorship)* https://sustainabledevelopment.un.org/sdg11

Convention, since most of the work under the latter is normative (the interpretation of the Convention and its Protocols), providing implementation tools (e.g. the military training manual and the 1954 Convention toolkit) and expert support at the national and regional levels.

Conclusions

62. The 1954 Convention and its Protocols are highly relevant in today's context of conflict and destruction of cultural property. It is consistent and directly related to the 1970, 1972 and 2003 Conventions as well as complementing other international standards for the protection of cultural property and with humanitarian and security efforts. Determining how to address the issue of non-state actors is very important and very challenging.

B. Addressing Gender

63. Addressing gender is a priority for UNESCO. This section looks at the extent to which the implementation of the UNESCO and its Protocols consider gender and integrated into the implementation activities, outputs and outcomes.

64. Gender equality is considered by many of those interviewed not to be relevant to the 1954 Convention. As shown in Figure 3, almost half of the respondents to the Member State survey (47.6%) felt that gender equality was not applicable to the 1954 Convention and its Protocols. In interviews, a few people indicated that gender was not relevant since the Convention and its Protocols deal with participants of conflict, assuming that this would involve men only. There are currently no tools or guidance materials that explain how gender equality can be integrated into the implementation of the Convention and its Protocols. This therefore makes advocating for the integration of this priority a challenge for the Secretariat.

65. However, as was indicated in the case studies and interviews, gender equality is an important consideration because women are increasingly becoming a larger proportion of the armed forces and are enrolling in disciplines such as archaeology and engineering that are relevant for the protection and/or restoration of cultural property as a result of armed conflict. This increased involvement is critical as the violation of the Convention and its Second Protocol could involve the destruction of cultural property that is important specifically to women. As well, women may be affected differently from men by the destruction of cultural property.

66. Examples of taking gender into account include:

- In Mali, consistently having two trainers conduct the military training, one man and one woman.

- In Lebanon, the military has established a unit for providing training in all UN conventions, which is also responsible for addressing gender equality.

- Afghanistan is making an effort to increase the number of police officers who are women.

- A gender balance among the experts providing training in UNESCO capacity-building activities for the military is considered important. There are also plans to incorporate gender equality into the military training provided by UNESCO, with the specifics yet unknown.

Figure 3: States Parties Taking Gender Equality into Account when implementing the 1954 Convention and its Protocols
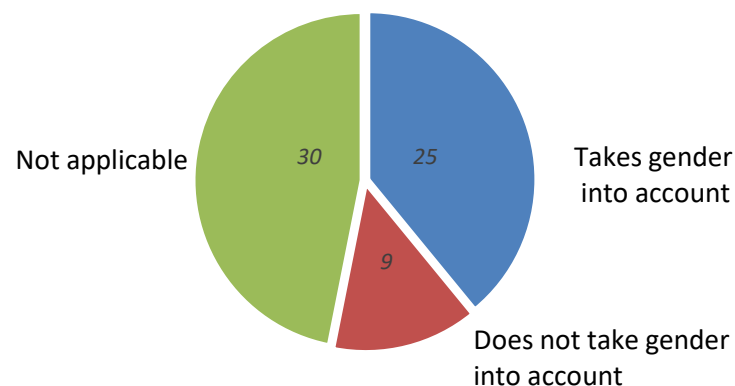
Source: Member State Survey 2018

Conclusions

67. The implementation of the 1954 Convention and its Protocol has not consistently taken gender into account. While there are some examples where

gender has been considered in the implementation efforts, the absence of specific guidelines for inclusion of gender equality are notable.

c. Results Achieved through UNESCO Support

68. This section looks at the extent to which some of the desired outputs and outcomes have been achieved including:

- Ratification of Member States

- Policy and legislation developed by Member States

- Implementation efforts by UNESCO and Member States

69. UNESCO's mechanisms for the protection of cultural property in times of conflict include support for ratification, for development of policy and legislation and for implementation.

Ratification

70. The 39C/5 Programme and Budget document set the following targets for an increase in ratification of the 1954 Convention and its Two Protocols for the end of 2019:

- 1954 Hague Convention: 138 of which 30 in Africa and 5 SIDS

- First Protocol: 110 of which 16 in Africa and 3 SIDS

- Second Protocol: 83 of which 12 in Africa and 2 SIDS

71. The 1954 Convention and its Protocols still have low ratification levels compared to other culture Conventions. To date (September 2018), 133 Member States have ratified the 1954 Hague Convention, 110 the First Protocol, and 81 the 1999 Protocol. Two countries covered by the case studies (Lebanon and Syria) have not yet ratified the 1999 Protocol.

72. Almost all UN staff and Permanent Delegates interviewed for this evaluation indicated that universal ratification is the ideal. As indicated in Figure 4, ratifications of both the Convention and the 1999 Protocol have increased in the past two years. This may be the result of the increased efforts of the 1999 Protocol Committee to promote ratification, the support provided by the

Secretariat and UNESCO field offices and the explicit encouragement presented in paragraph 7 of the UNSC Resolution 2347.

Figure 4: Ratifications of/Accessions to the 1954 Convention and the Second Protocol
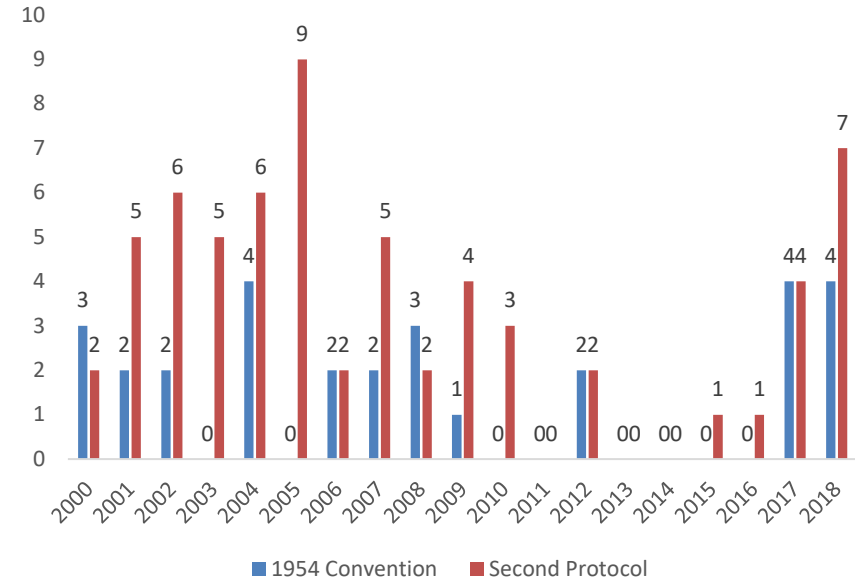
Source: 1954 Hague Convention – Status of Ratification April 2018

73. Figure 5 provides some insights into why countries have not ratified the 1999 Protocol, based on responses to the Member State survey.

Figure 5: Reasons for not ratifying the 1999 Protocol
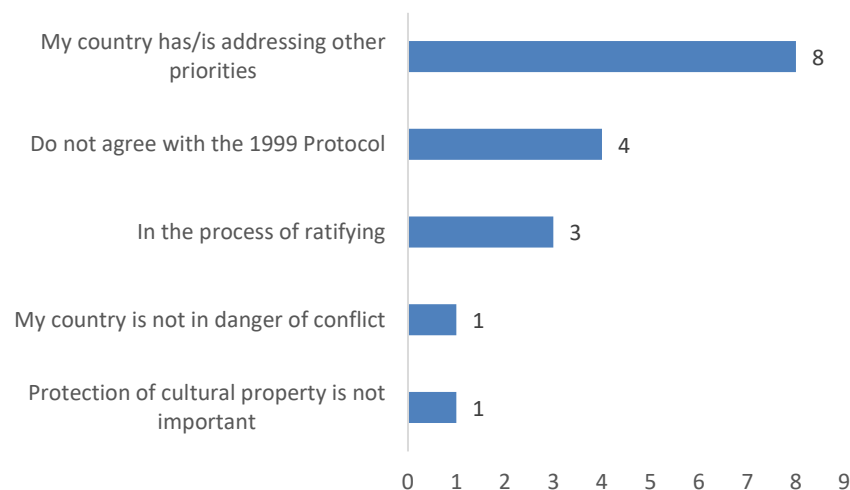
Source: Member State Survey 2018

74.   The interviews and case studies reinforced that the reasons for not ratifying the Convention and its Protocols vary among countries:

- The country has other priorities such as dealing with armed conflict as is the case with Syria.

- The country is in the process of forming its government so does not have the means to ratify, as is the case with Lebanon.

- The 1999 Protocol does not address non-state actors, a concern expressed by Syria, Afghanistan, Mali and Lebanon, although both Mali and Afghanistan have ratified the 1999 Protocol.

- The country is concerned that the obligation to protect cultural property will interfere with its ability to defend itself.

- Concern about the financial obligations, to contribute to the Fund, as expressed by some of the permanent delegates to UNESCO, even though such contributions are voluntary.

- There is a lack of awareness regarding the importance of the Convention and its Protocols, expressed by UNESCO Headquarters staff and permanent delegates.

75.   A review of the website showed that information regarding the Conventions and its Protocols is not easy to find. It requires prior knowledge regarding armed conflict and cultural heritage in order to obtain information about the advantages of ratification. Buried in the website is the 1954 Convention Toolkit, which is intended to encourage ratification of the Convention and its Protocols. While it has key information, it is not particularly useful as an advocacy tool although it points to the benefits of ratification of all of the UNESCO Conventions on the protection of cultural heritage, it does not point specifically to the advantages of ratifying the 1954 Convention and its Protocols. It does not sufficiently emphasize the mutual obligation of parties in conflict to respect and protect each other's cultural property. It makes no mention of the 1999 Second Protocol Fund. Given the stress placed on ratification, it needs to have more visibility on the homepage of the Armed Conflict and Heritage website.

76.   A majority of the people interviewed indicated a need for a strong communication strategy that emphasizes the advantages of ratifying the 1954 Convention and its Protocols that includes a campaign to reach countries that have not ratified. The Secretariat presented a ratification strategy as an information document C54/17/7.SP INF.6 at the 7th meeting of the High Contracting Parties.

77.   A few permanent delegates indicated that they need a better understanding of why countries are not ratifying the instruments. Some indicated that the Convention and its Protocols are too vague; that there needs to be concrete examples of implementation that provide clarity and incentives. It was also suggested that any promotional materials should stress the benefits of ratification compared to the financial obligations.

78.   A number of people interviewed in all categories commented on the lack of visibility of the Convention and its Protocols. Many countries are simply not aware of them. Some suggested that high profile events with press coverage could help to promote the visibility of the Convention and its Protocols. While conflict and cultural property protection is not as inherently appealing as World Heritage, global concerns about terrorism provide an opportunity to highlight the destruction of cultural property as a psychological tactic used by non-state actors. This provides a means of drawing attention to the importance and value of the 1954 Convention and its Protocols.

79. The ratification process does take time and resources. Extensive support is provided by national and regional UNESCO offices as demonstrated in Lebanon[10], Mali, and Afghanistan. The 1954 Convention toolkit outlines the ratification process and provides a template for ratification. The actual preparation of the ratification documents is straightforward. However, the decision-making process within a country may take a long time, particularly if the country has other priorities.

80. In some countries, support for the implementation of the Convention and its Protocols is strong even though they have not yet ratified the 1999 Protocol. For example, neither Lebanon nor Syria have ratified the 1999 Protocol. However, both are taking measures to implement many of the provisions of the Convention and its Protocols. The United Kingdom, which only recently ratified both the Convention and the 1999 Protocol, has put in place legislation, military training, and technical assistance from the Victoria and Albert Museum to assist countries experiencing conflict to restore damaged cultural property.

81. Ratification is complex and for some countries requires time to determine the impact such ratification might have. It is a process that needs to be more strongly advocated and supported by UNESCO.

Policy development and legislation

Policy development

82. There are no specific targets related to policy development in UNESCO's Programme and Budget documents covering the period under evaluation. The 38C/5 Programme and Budget for 2016-2017 document only sets a target for the submission of national reports on the implementation of the Convention and its Protocols: 24 reports. By the end of 2017 a total of 38 reports were received from States Parties, 31 of which concern the implementation status of the 1999 Second Protocol. These reports outline the policy and legislative measures taken by States Parties to implement these instruments. This section provides examples of policies in States Parties.

83. The document review provided extensive information on laws and policies adopted by States Parties. This was supplemented by information gleaned through interviews and case studies. For example, Afghanistan, Cambodia,

Mali, Syria and the UK have all adopted legislation related to the protection of cultural property. It should be noted that the information on laws and policies is limited to the 21 States Parties (24%) that have provided periodic reports following ratification of the 1999 Protocol as well as the information collected through case studies for this evaluation.

84. Documents show there have been a number of policies implemented by States Parties. For example, as of 2017, 24% of the High Contracting Parties to the 1954 Hague Convention have policies against their military damaging or destroying cultural property as outlined in Article 7 of the Convention and most have provided training for military officers. Furthermore, 27% of the States Parties to the 1999 Protocol have implemented Article 30 regarding the training of military and dissemination of information regarding the Convention and its Protocols to both military and civilians.

85. The case studies indicate that Lebanon, Mali and the UK have developed policies related to the protection of cultural property in times of conflict. For example, the UK has adopted a policy regarding the responsibility of the military in protecting cultural property. Mali's Ministry of Culture has committed to the implementation of the 1954 Convention and its Protocols. Through funding provided by UNESCO it developed a 'passport' identifying cultural property and policies related to military responsibility to protect such property. The passport is distributed to the military and reported to be a very useful tool. Lebanon has a military policy that all humanitarian conventions, including the 1954 Convention, are to be respected and has provided a poster identifying the symbols and the appropriate action to be taken by the military.

86. Some interviewees indicated that it is difficult to give priority to culture in time of conflict because security issues and humanitarian priorities are prevailing. This requires a careful approach, tact and continued awareness raising and demonstration of the social, economic and cultural dimensions inherent in protecting tangible and intangible heritage.

87. Integrating the protection of cultural property in times of armed conflict into policy documents at the national level and with international bodies is only the first step, while translating the policies into explicit action for integration is another matter. For example, although Afghanistan has laws against the

---

[10] Note: Although Lebanon has not yet ratified the 1999 Protocol, the field office is providing extensive support to help the country prepare for ratification

destruction of cultural property, it does not have the resources required to bring the offenders to trial.

Legislation

88.   There are no specific targets related to legislation development, making it difficult to assess effectiveness in relation to legislation at country level. This section provides examples of legislation has been developed.

89.   Based on the periodic reports, the following legislative action has occurred:

- In Mali, following the funding from the 1999 Protocol Fund in 2017, the UNESCO Bamako Office assisted the Malian government in completing a review of current laws protecting cultural property.

- Fifteen States Parties have passed laws making it illegal to damage or destroy cultural property. Some of these, such as in Syria, are general protection. The UK has passed legislation specific to destruction of cultural property in the event of armed conflict. According to the survey of Member States, 30 respondents indicated their country had enforced such legislation.

- Thirty States Parties have passed laws that allow them to prosecute individuals who damage or destroy cultural property.

90. Fifteen States Parties have passed laws that set out what constitutes serious violations of the Convention and its Protocols including illicit transfer of ownership or export of cultural property. These laws address conflicts that are not of an international nature. Information from interviews and case studies indicates that much of the legislation covers general protection rather than special measures to be adopted in times of conflict (Mali, Syria and Afghanistan). Although the United Kingdom had not ratified the 1954 Convention and its Protocols until 2017, it then enacted legislation that was directly linked to that framework at the time of its ratification.[11]

Implementation Efforts

91. Although awareness raising, advocacy and fundraising activities are encouraged as well as carried out by the Secretariat in support of the

implementation of the 1954 Convention and its two Protocols, there are no specific targets set in relation to these activities making it difficult to compare actual to planned.

92. Some of the Secretariat's implementation efforts included:

- Twenty-two awareness raising and capacity building activities and workshops executed by the Secretariat between December 2011 and November 2017. These include providing workshops to assist countries in understanding their responsibilities as well as participating in training sessions and workshops at the national level to support the military in implementing the Convention and its Protocols.

- Six manuals and information kits developed in English, French, Kiswahili and Spanish with plans to translate in Arabic, Czech, Chinese and Russian. These include: a Military Manual, Commentary on the 1999 Second Protocol, an information kit on 1954 Convention and its two Protocols, a Brochure for Enhanced Protection mechanisms, a Brochure on the Fund for the Protection of Cultural Property in the Event of Armed Conflict, and a Manual on the Implementation of Chapter 4 of the Second Protocol. The use of these manuals and information kits has not been documented by the Secretariat.

93. The UNESCO Director-General continued to condemn destructions of cultural heritage and remind parties in conflict of their international obligations through a number of public statements. For example, in 2014 the UN Secretary General Ban Ki-moon, UNESCO Director-General Irina Bokova and UN and League of Arab States Joint Special Representative to Syria Lakhdar Brahimi jointly made a statement that the destruction of Syria's cultural heritage must stop.

94. The case studies also provide specific examples of implementation efforts. For example:

- El Salvador implemented 43 workshops and awareness raising campaigns to all levels of government, community leaders, state institutions and the general public, elaborating themes from the 1954 Convention and international humanitarian law around the protection of

---

[11]Cultural Property (Armed Conflicts) Act 2017
https://www.legislation.gov.uk/ukpga/2017/6/contents/enacted

cultural property during armed conflict. Five cultural properties were marked with the Blue Shield emblem in public acts of unveiling.

- Mali in 2013, conducted evaluations and assessments completed across cultural heritage sites in order to assess the damage and actions required to restore its monuments. As mentioned above, 34 actions were identified to complete the originally planned activities and continue to assess and make plans to restore damaged heritage sites.

95. Overall data regarding the implementation across States Parties of the Convention and its two Protocols is weak. While interviews and case studies indicated that resourcing at UNESCO is lacking and needed to increase implementation efforts, they also indicated that implementation is happening at the state level that is not reported to UNESCO. For example, all of the case studies provide examples of implementation activities such as:

- Training of military in UK, Mali, Lebanon, El Salvador, Cambodia and South African Development Community (SADC) Regional Peacekeeping Training Centre in Zimbabwe, United States and NATO.

- Protecting cultural property from damage during conflict is less common, but Syria, Lebanon, El Salvador and Mali are making efforts to protect cultural property through the use of the Blue Shield emblem. The National Museum in Lebanon successfully protected its cultural property by encasing statues in concrete during the 2006 conflict.

- The restoration of damaged cultural property has occurred in Cambodia and Syria.

- The UK has provided financial support and expertise to countries in conflict to carry out activities related to the protection of cultural property.

96. The responses to the Member States' Survey indicated that 69 countries have taken some action towards implementation of the provisions of the Convention and its Protocols. Figure 6 shows that raising awareness is the most frequent activity; developing legislation and providing military training are the second and third highest activities.

Figure 6: Actions of Countries to Implement the Convention and its Protocols
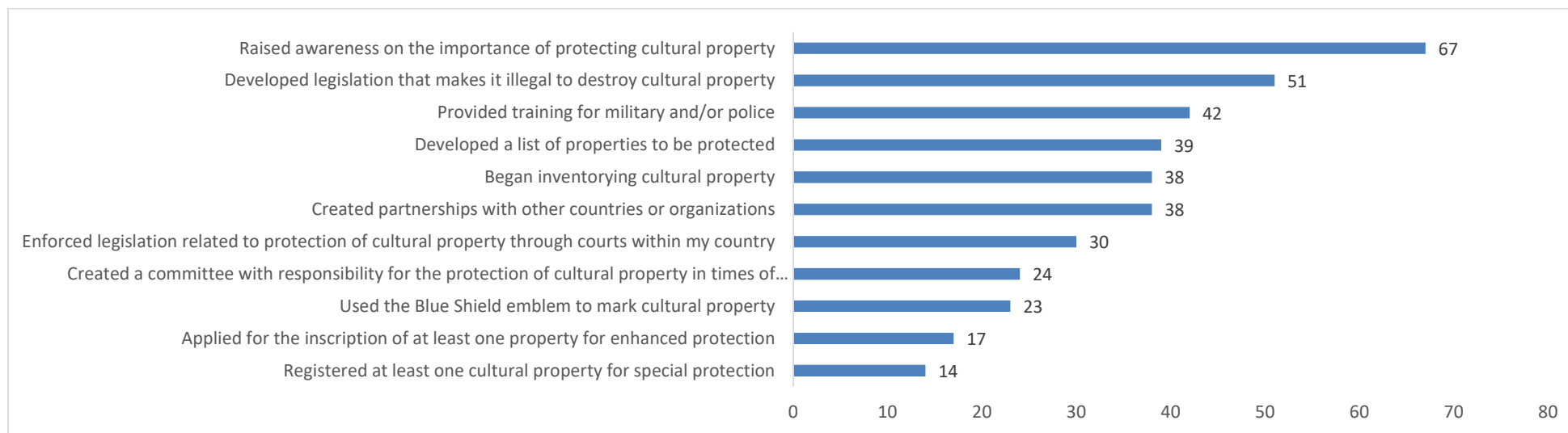
Source: Member Survey 2018

97. Regional and national field offices have provided support to protect and restore property, bringing in outside experts as well as working with local experts. They have also worked with local NGOs to reach the community and raise awareness on the importance of protecting cultural property during times of conflict. Most external parties to UNESCO do not distinguish between the 1999 Second Protocol Fund and other categories of assistance from UNESCO.

98. While field officers report the Secretariat is responsive to requests for information and assistance, there are no mechanisms in place for coordination among the field offices as well as with Headquarters. There are no mechanisms for collecting and sharing best practices on a regular basis or in a systematic way. Nor are there mechanisms for sharing challenges and jointly formulating solutions.

Conclusions

99. With the continued destruction of cultural property during conflict, it is difficult to measure the impact of the Convention and its Protocols. It is not possible to know whether more destruction of cultural property would have taken place, had these instruments not been in place. The very existence of the 1954 Convention and its protocols has however resulted in some Member States taking measures to protect cultural property.

D. Impact of the Strategy and Action Plan on the Convention and its Protocols

100. This section looks at the effect the 2015 Strategy and the Action Plan has had on the implementation of the 1954 Convention and its Protocols.

101. The Strategy has been endorsed by all UNESCO Member States (whether a party to the 1954 Convention or not) that have pledged to undertake initiatives to curb the destruction of cultural heritage. It was estimated that a total of $25 million USD will be needed to develop and implement the priority actions foreseen under the present Strategy during its six-year time frame. The actual amount raised as well as the amount that has contributed to the 1954 Convention and its Protocols is not known. Interviews with UNESCO

Headquarters staff indicate that most of the funding that is provided by Member States is still directed to activities under the 1972 Convention.

102. Most respondents to the Member State survey (71%) indicated that the Strategy and Action plan contribute to the implementation of the 1954 Convention and its Protocols. However, as indicated in Figure 7, nearly one-third (29%) indicated that it has not contributed. Many of the interviewees said it was too early to assess impact of the Strategy.

103. Reports on the implementation of the Strategy to the Executive Board and General Conference indicate that substantial work related to the 1954 Convention and its Protocols has been carried out in Iraq, Syria, Libya, Mali and Afghanistan under its framework. A significant action was the implementation of a Rapid Response Mechanism, which provides a roster of experts available for rapid deployment to support protection of cultural heritage in locations where conflict is occurring.

104. A Heritage Emergency fund was established, geared towards supporting cultural property protection. It goes beyond the 1954 Convention and its Protocols to include natural disasters, intangible heritage and cultural industries. As of October 2018, a total of $5,323,300 USD was raised and $2,800,000 USD has been spent.

Figure 7: Number of Member States indicating effectiveness of the 2015 Strategy in implementing the 1954 Convention and its Protocols
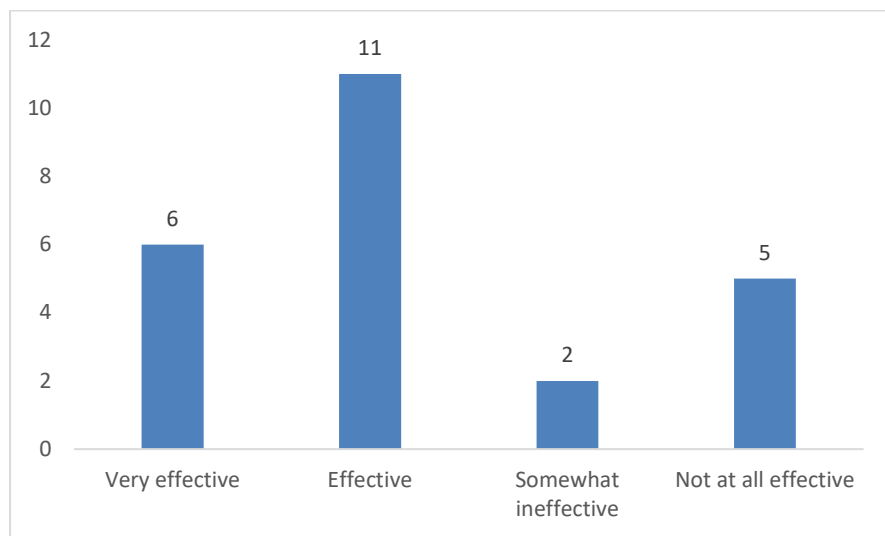
Source: Member State Survey 2018

105. The interviews and case studies show that the Strategy is not well known or directly considered at field offices, and knowledge of the Strategy is almost non-existent outside of UNESCO. This is despite extensive consultations with Member States related to the Action Plan for implementing the Strategy and the explicit mention of the Strategy in the UNSC Resolution 2347.

106. However, it should be noted that at the field level, the work to integrate efforts across Culture Conventions has predated the Strategy and continues since its adoption.

Conclusions

107. Results have been achieved in implementing the 1954 Convention and its Protocols with support from UNESCO as well as through independent activities undertaken by some Member States. Because a limited number of Member States have submitted periodic reports, it is difficult to know the full range of results achieved,

E. Efficiency of the Programme

108. This section looks at whether a realistic theory of change exists for the Convention and its protocols, the coordination across UNESCO's culture sector, and the contribution of the governing bodies.

Theory of Change

109. The programme for implementing the Convention and its Protocols has not developed a theory of change. A high-level result, output indicators and targets are included in the C/5 submissions. Although this typology includes some of the elements of a theory of change, it does not demonstrate the links between activities and outputs and any intended outcomes. Nor does it include a narrative that outlines why and how the activities and outputs are expected to lead to the intended outcome. Consequently, a theory of change was developed as part of the evaluation process and used to test the validity of the programme (attached in Appendix I). It shows the complexity and ad hoc nature of the programme. Besides the C/5 Programme and Budget document, the evaluation found no strategic or operational strategy for the implementation of the 1954 Convention and its Protocols.

110. While the results chain depicted in Figure 8 below is relatively straightforward, operationalizing the chain is complex, including involving other UN agencies, all Member States, national and global NGOs. The presence of non-state actors also has an impact on the implementation of the Convention and its Protocols.

Figure 8: Convention and Protocols Results Chain
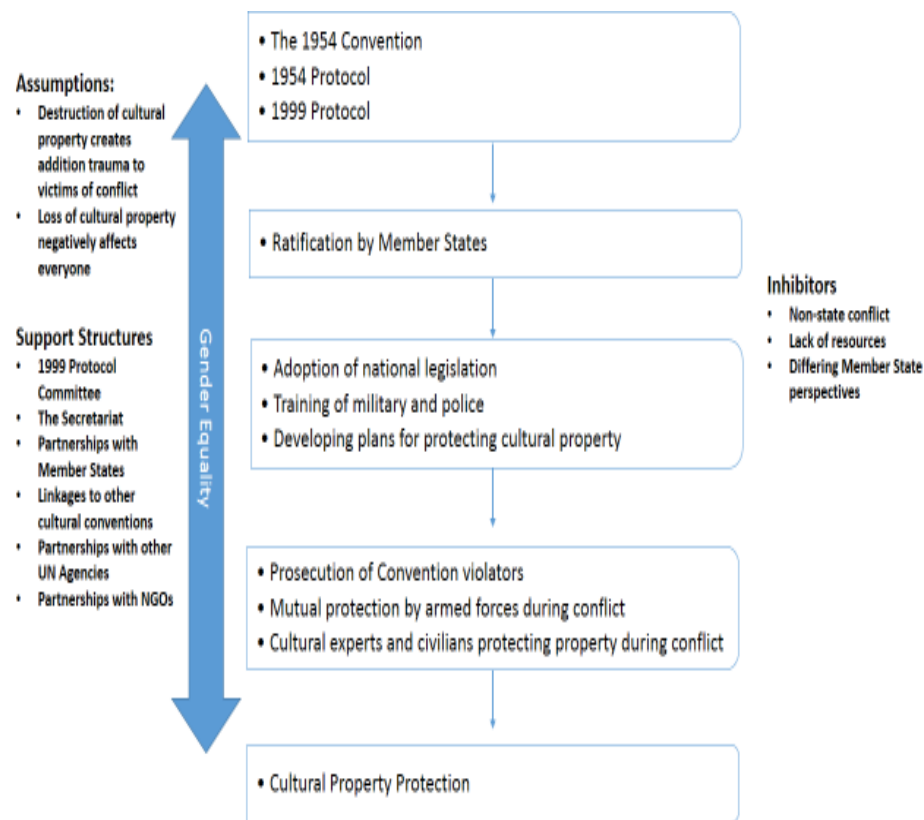
Source: Authors

Coordination with the UNESCO Culture Sector

111. Efforts to coordinate across Culture Sector conventions can be seen across the three main delivery units: the Cultural Heritage Protection Treaties Section (CHP) (which includes the 1954 Secretariat), the Partnerships, Communication and Meetings Unit (PCM) and the Emergency Preparedness and Response Unit (EPR).

112. Member State survey respondents were mixed in their views regarding the 1954 Convention Secretariat. Almost half (49%) indicated that the Secretariat was effective or very effective, with 13% indicating that it was ineffective to some degree and 38% indicating they either did not know or were neutral. Many interviewees pointed to lack of resources and lack of support from UNESCO leadership as interfering with the Secretariat being able to function at its full potential.

113. The Partnerships, Communication and Meetings Unit (PCM) was created following an audit of the Culture Conventions in 2013 and the Emergency Preparedness and Response Unit (EPR) was created as part of the 2015 Strategy, in an attempt to better integrate efforts across the culture conventions and pool limited resources.

114. The chairs of the Culture Conventions' governing bodies have met twice. These meetings were reported to focus on information sharing, rather than on joint planning. The heads of the Conventions' Secretariats also reportedly meet regularly to consider joint actions.

115. Interviewees consistently noted that these joint structures do not work well for the 1954 Convention and its Protocols. The Committee created by the 1999 Protocol and the Secretariat for the 1954 Convention and its Protocols have comparatively less resources than the other Conventions as shown in Figure 9 from the Audit of the Working Methods of Cultural Conventions (2013). The 1972 Convention, with its larger regular programme funds tends to dominate the coordinating discussions. While there is an effort to break down the silos, it is happening very slowly. A number of UNESCO Headquarters staff indicated that this is due, in part to 'turf protection'. For example, an effort to establish common reporting forms across the conventions is moving slowly in part because integrating them is a complex process, but some questioned the will to find solutions.

116. With the rising conflict targeting cultural heritage and the growing advocacy and awareness of the protection of culture becoming a priority across security, peacekeeping and humanitarian missions, there has been significant discussion on how the Culture Sector can support the six distinct, but related Conventions. Interviews with UNESCO Headquarters staff indicate that with the onset of the 2015 Strategy, a focus and desire to take a broader approach to protecting culture conventions that cross cuts the individual conventions are both needed and desired, from both a resource mobilization and a results perspective. The evaluation of the 1972 Convention echoed the need for this, "*At the time of*

dwindling resources for UNESCO and most Member States, a certain amount of institutional concentration and normative coordination could result, not only in a more cost-effective organization of UNESCO's efforts for the safeguarding of cultural and natural heritage; it might also improve the understanding of the deeper interconnection between the different regimes of heritage protection and enhance coherence in the development of the legal tools."

117. Since 2015, there has been a concerted attempt to identify synergies between the 1954, 1970 and 1972 Conventions through six official joint chairperson committee meetings. While joint committee meetings have been focused on synergies between the 1954 Convention and the 1970 and 1972, three of these meetings have been joint meetings across the six Convention chairpersons.

118. Attempts to better align the 1954 Convention and 1972 Convention have focused on creating synergies between the nomination process for the World Heritage List and the List for Cultural Property under Enhanced Protection and reporting mechanisms for the Conventions. Today all the cultural property on the List for Cultural Property under Enhanced Protection are also on the World Heritage List. The attempts to create synergies are still ongoing.

119. While attempts have been made to better streamline governance mechanisms across conventions governing committees, there have been challenges. Documents show that there have been attempts to hold cross Convention governance meetings where applicable and to begin aligning implementation efforts. The interviews indicate that there is substantial work needed to achieve integration.

120. In an attempt to streamline efforts, jt has been suggested that a Special Account for all six conventions be created in order to work towards efficiency and provide more equitable distribution of funds. At the same time, the following reasons were provided as to why this was not a good idea: 1) not all States Parties to the Second Protocol were also party to the other cultural conventions; 2) it may discourage States which were not party to all six cultural conventions from contributing to the single Special Account; and 3) the management and supervision of a single Special Account would add unnecessary complications.

121. Figure 9 shows the budget allocation across the Culture Convention Secretariats, with the 1972 Convention receiving the highest share and the 1954 Convention and its Protocols receiving the lowest.

Figure 9: Budget Allocation for UNESCO Cultural Conventions
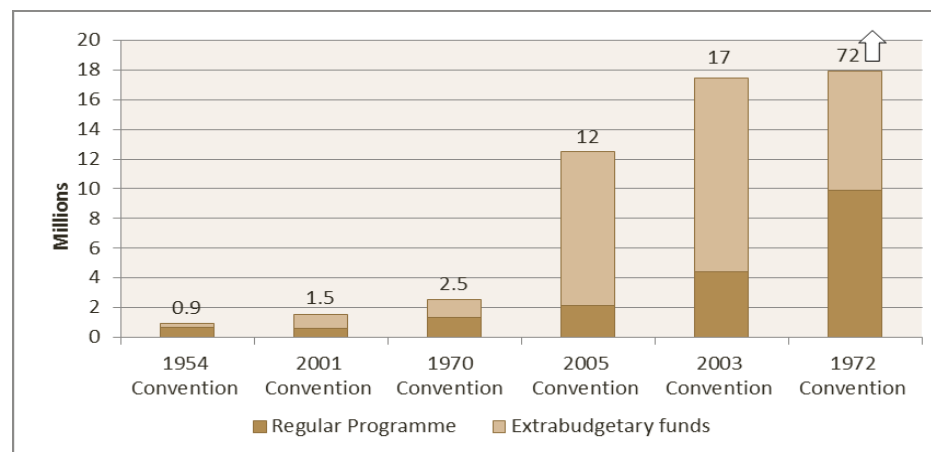
Source: FABS data July 2013. 33,9 Million USD is managed by the World Heritage Centre and 38.8 Million USD is delegated to UNESCO field offices.

122. Limited resources available to the Culture Sector as a whole, and particularly for the implementation of the 1954 Convention and its Protocols result in increased fragmentation and interference in the ability to carry out work and achieve critical objectives. The following resources have been mobilized specifically for the implementation of the 1954 Convention and its two Protocols from States Parties:

- $1,000 USD from Georgia
- $33,546 USD from Belgium
- $81,300 USD from the Swiss authorities
- $122, 282 USD from the Swedish government

123. The following in-kind resource support is provided by the following countries and does augment the financial resources

- Azerbaijan provided an Associate expert in June 2014 for two years.
- Cyprus seconded a professional for a period of one year, beginning in September 2015.
- Qatar provided a Junior Professional Officer
- The Netherlands seconded a Senior Professional Officer

Contribution of the Governing Bodies

124. The working methods of the three governing bodies of the 1954 Convention and its two Protocols are as follows:

1. The High Contracting Parties to the 1954 Convention meet every two years. The purpose of their Meeting is to discuss the application of the Convention and of the Regulations for its execution, and to formulate recommendations in this respect.
2. The Meeting of the States Parties to the 1999 Second Protocol is the governing body of the 1999 Second Protocol, which meets once every two years to carry out its functions in accordance with Article 23.[12]
3. *The 1999 Second Protocol Committee for the Protection of Cultural Property in the Event of Armed Conflict has special functions concerning the 1999 Second Protocol, such as the granting of enhanced protection and other functions as it deems necessary. It is composed of the representatives of 12 States Parties and meets once a year.*

125. This last body has the potential to set priorities for the Secretariat in order to move the implementation of the 1954 Convention and its Protocols forward. Although the majority of respondents to the Member State survey, as shown in Figure 10, indicate that both the body and the Secretariat are effective, many of the interviewees expressed concern about the Committee being able to adequately carry out its functions, primarily because of the lack of substantive discussion. Concern was also expressed about the Secretariat's ability to carry out its functions because of lack of resources and clear direction from the Committee.

Figure 10: Views of Effectiveness of the Secretariat and 1999 Protocol Committee by those who were not neutral
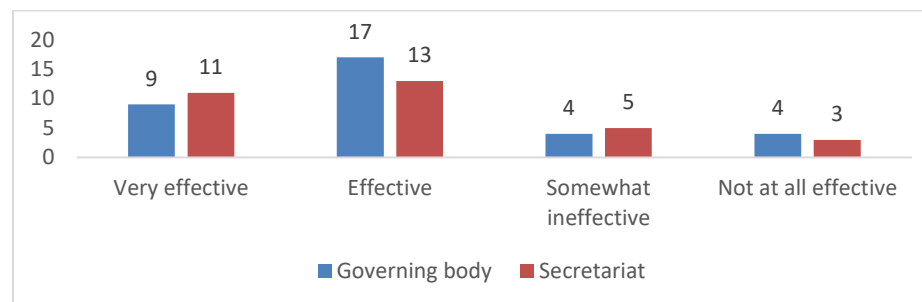
Source: Member State Survey 2018

126. The evaluators did not have the opportunity to observe statutory meetings as part of this evaluation. A review of the minutes indicates that the governance bodies do carry out their required functions. A number of members of the 1999 Protocol Committee indicated that they would like to have more opportunity for substantive discussion and for members to raise new and relevant issues.

Conclusions

127. There is evidence of efficient, collaborative activities being carried out in field offices as well as at Headquarters. However, greater efficiency could be gained through improved collaboration within the Culture sectors as well as between Headquarters and the field offices.

---

[12] Functions of the Meeting of the Parties to the 1999 Second Protocol are:
- to elect the Members of the Committee for the Protection of Cultural Property in the Event of Armed Conflict ("the Committee")
- to endorse the Guidelines developed by the Committee
- to provide guidelines for, and to supervise the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict by the Committee
- to consider the report on the implementation of the 1999 Second Protocol submitted by the Committee
- to discuss any problem related to the application of the 1999 Second Protocol, and to make recommendations, as appropriate

F. Sustainability

128. The sustainability of the implementation of the 1954 Convention and its Protocols is affected by a number of factors including the monitoring mechanisms, coordination with the Culture Sector both internally and externally, the strengths of partnerships and the durability of the mechanisms that are in place to support implementation.

Monitoring Mechanisms

129. The periodic reporting system and results framework are the main mechanisms for monitoring the implementation of the Convention and its two Protocols. The periodic reporting system is not enforced; therefore not all States Parties submit reports with Secretariat staff indicating that enforcement is not possible. The format for reporting also does not ensure that consistent information is reported. It has been noted that there are plans to strengthen the periodic reporting system on the implementation of the 1954 Hague Convention and its two Protocols. The Secretariat is in the process of developing more effective monitoring that is consistent with the results framework for the Strategy. This is intended to enable better assessment of results and facilitating the process of submission of national reports. As well, the Convention Secretariat intends to revise the format and availability of data to encourage sharing of best practices.

130. More recent initiatives related to the 1954 Convention and its two Protocols show attempts to establish a more results-oriented framework in the Culture Sector's work, particularly around the implementation of the 2015 Strategy and the associated Heritage Emergency Fund. For example, the following desired outputs were identified in the 2018-2019 Results Framework for the Heritage Emergency Fund that relate to the 1954 Convention and is two Protocols:

1. Capacities of national and local authorities reinforced, and technical assistance provided for the implementation of emergency preparedness and risk mitigation interventions on cultural heritage
2. Awareness of Member States raised on the importance to protect heritage in emergency situations
3. Technical support provided to Member States through rapid interventions, monitoring, coordination and planning for recovery

4. Awareness of Member States raised on the programme of activities supported through the Heritage Emergency Fund

131. As mentioned above, the adoption of the Strategy and its associated action plan were intended to reinforce the implementation work related to the Convention and its two Protocols. The Strategy and its associated action plan have instituted a more comprehensive approach to evaluation with a results and outcomes-focused monitoring approach. Efforts through the monitoring of outcomes related to the Strategy should also provide insight into the outcomes achieved as they specifically relate to the Convention and its two Protocols. However, those indicators need to focus on outcomes rather than just outputs.

132. The following are the performance indicators identified in UNESCO's Programme and Budget for the 2017-18 biennium (i.e. 39C/5) for Expected Result 3 for the Culture Sector's work as it relates to the 1954 Convention, which reads: 'Protection of cultural property improved by Member States, in particular through the wide ratification and effective implementation of the 1954 Convention and its two Protocols (1954 and 1999):

- Sound governance exercised through the implementation of strategic resolutions/decisions of the governing bodies of the 1954 Convention and its 1999 Second Protocol

- Number of States Parties to the 1954 Convention and its two Protocols (1954 and 1999) increased, in particular in Africa and in countries involved in armed conflict

- Number of national reports submitted on the implementation of the 1954 Hague Convention and its two Protocols (1954 and 1999)

- Number of States Parties who have effectively implemented international or other categories of assistance under the 1999 Second Protocol (extrabudgetary)

- Number of support stakeholders which have contributed to protection and awareness raising including to elements of the Strategy for Reinforcing UNESCO's action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed conflict.

133. These indicators focus primarily on outputs rather than higher-level results (outcomes). For example, the first indicator is subjective and should be broken down into specific indicators of good governance. The number of national reports submitted does not give an indication of the actual implementation activities being carried out by Member States or the results of those activities. Through satellite monitoring it is possible to get pictures of cultural property sites and determine the extent to which they are being protected in times of conflict. A reduction in destruction of cultural property during conflict would be a strong indicator of the results being achieved by the Convention and its Protocols. This is currently not being monitored.

134. A new expected result was included in the Culture Sector's Programme in 2017 (i.e. ER5). This cross-sectoral expected result is not specific to one of UNESCO's six Convention Culture. Rather, it adopts a more holistic approach to the preservation of cultural heritage in the very particular context of emergencies. The performance indicators for this result are as follows:

1. Number of supported Member States which have carried out actions and policies towards effectively implementing UNESCO's standard-setting instruments in relation to emergency situations
2. Number of policy decisions and actions taken by supported Member States and relevant intergovernmental actors in the framework of UNESCO's international standard-setting instruments that enable the integration of culture within humanitarian action, security strategies as well as peace-keeping and peace–building processes (10)
3. Number of Member States, supported through the Rapid Response Mechanism in addressing emergency situations (only extrabudgetary) (10 of which 1 in Africa and 2 SIDS)
4. Number of post-disaster and post-conflict assessments of needs related to culture effectively undertaken by Member States including SIDS, with technical and financial support of UNESCO, as part of international crisis response mechanisms (only extra budgetary) (5)

135. These efforts towards the development of performance indicators are a start in the right direction, but have yet to be reflected in the periodic reporting by Member States, which would support the C/5 programme and budget reporting.

Current Partnerships

Partnerships

136. Partnerships have been created at the global, regional and national levels in order to implement the 1954 Convention and its Protocols. The case studies provide examples of some of the regional and local partnerships. The following provides some noteworthy examples of some of the global partnerships.

UNITAR

137. The United Nations Institute for Training and Research (UNITAR) has the capacity to use satellite picture technology to compare images from various dates. UNITAR partnered with UNESCO to report on damage of cultural property in Syria. This was made possible through funding from Norway, France and the EU. It will soon issue a damage assessment. It also looked at museum and burial sites in Mali, which provided evidence for the ICC trials. This technology allows observation in parts of the world where it is difficult or dangerous to carry out on-land monitoring.

138. UNITAR would like to move into developing an early warning system that could help protect property by ongoing monitoring and alerts. At this point, it does not have the capacity to do this, but with UNESCO, it is looking for funding to expand this function. UNESCO provides the cultural property expertise, which supports UNITAR in going beyond simply providing technical report. The relationship between UNESCO and UNITAR, which is based on a memorandum of understanding signed in 2015, is described by UNITAR as being highly collaborative. This partnership appears strong and to be moving towards increased collaboration in providing monitoring and alerts.

Blue Shield

139. The International Committee of the Blue Shield works to protect cultural property in times of conflict by promoting inventorying cultural property and protection through use of the Blue Shield emblem. There are currently discussions between UNESCO and the International Blue Shield Committee regarding an MOU, which would set out parameters of the relationship and use of the Blue Shield emblem.

140. UNESCO field staff also work with local Blue Shield organizations to promote the use of the Blue Shield emblem in protecting cultural property. Field

staff have also supported the development of local Blue Shield organizations. For example, in Lebanon, the UNESCO field office supported the formation of the local organization and linkages of the Blue Shield to other organizations aimed at protecting cultural property in times of conflict.

ALIPH

141. The International Alliance for the Protection of Heritage in Conflict Areas (ALIPH) was established in March 2017 in order to attract, leverage, manage and invest resources to protect property in danger of destruction, damage or looting because of armed conflict, using the 1954 Convention definition of cultural property. It provides funding for concrete projects such as rehabilitation of specific cultural property in Iraq and Mali. As of fall 2018, ALIPH will launch regular calls for proposals, thus providing another potential resource to support the implementation of the 1954 Convention and its Protocols. To date, it has received pledges for USD$76 million and plans to amplify this through partnerships with State and private donors.

142. The ALIPH Foundation board includes the UNESCO Assistant Director-General for Culture as a non-voting member. It has also received political support from the United Nations through Security Council Resolution 2347. Despite this, many of the UNESCO Headquarters staff raised questions regarding the role of ALIPH and how the partnership between ALIPH and UNESCO can be strengthened.

United Nations Forces of International Humanitarian Law

143. Section 6.6 of the Secretary-General's Bulletin on Observance by United Nations Forces of International Humanitarian Law directs peacekeepers to refrain from attacking cultural property and using cultural property or their immediate surroundings in a way that would expose them to destruction or damage. While this Bulletin does not specifically address the 1954 Convention and its Protocols, it does indirectly provide support. UN Forces is in the process of developing a memorandum of agreement with UNESCO. Details of what is being proposed were not available at the time of the evaluation.

144. At a national and regional level UN Peacekeepers are working with UNESCO field officers and local military and police to provide training on protection of cultural property in times of conflict, for example in Mali, Lebanon, and Zimbabwe.

The Council of Europe Convention of Nicosia

145. In 2017, the Council of Europe adopted the Convention of Nicosia to protect cultural property by obtaining a commitment from signatories that they would adopt legislation to criminalize acts of damage or destruction, by strengthening crime prevention and criminal justice relating to cultural property and by promoting national and international cooperation relating to cultural property. Its preamble refers to the 1954 Convention and its Protocols. This Convention combines the intent of the 1954 and the 1970 Conventions. UNESCO could explore strengthening their relationship with the Council of Europe, given the common interest and the Council's recognition of the 1954 Conventions and its Protocols as the foundation of its Convention.

International Criminal Court

146. Article 8 of The Rome Statute defines attacks on civilian objects as a war crime, specifying that such objects include buildings dedicated to religion or art and historical monuments and therefore establishes ICC jurisdiction over such crimes. This makes it possible to prosecute individuals who committed crimes against cultural property, as defined under Article 8 of the Statute, Statute which also contributes to the implementation of the 1954 Convention as was done with in Mali. In 2016, the International Criminal Court (ICC) tried and convicted Al Mahi Al Faqu Faqi, a member of Ansar Eddine, a movement associated with Al Qaeda in the Islamic Maghreb, of the war crime of intentionally directing attacks against historic monuments and buildings dedicated to religion, including nine mausoleums and one mosque in Timbuktu, Mali, in June and July 2012. This marked the first time for an international court to convict an individual for the destruction of cultural property.

Challenges and potential supports for sustainability

147. Some of the challenges to implementing the Convention and its Protocols include:

- The Secretariat has found it difficult to advocate for the Convention and its two Protocols in regions that are deemed unstable. For example, due to the outbreak of Ebola in Liberia and Sierra Leone, a planned workshop to encourage certain countries to ratify the Convention and its two Protocols could not be held in 2014.

- Lack of resources is a challenge. As the Convention Secretariat receives the lowest level of funding in the Culture Sector. The 1999 Second Protocol

Committee and the Secretariat are also limited in their extra-budgetary fund-raising capacity.

- Lack of knowledge by Member States of the 1954 Convention and its Protocols interferes with the ratification process and also limits the ability to obtain resources from Member States.

- The 1954 Convention and its Protocols do not adequately address the destruction of cultural property by non-state parties.

148. Some of the potential supports include:

- All of the global partnerships have potential for future development as well as some unexplored partnerships such as with NATO, which has carried out extensive work in training of military in the protection of cultural property in times of conflict.

- The increased concern regarding terrorism provides an opportunity to raise awareness on the importance of protection of cultural property in times of conflict.

- The amount of current activity in this area such as the formation of ALIPH and the European Council adopting the Nicosia Convention indicates an increasing interest in this topic.

Conclusions

149. The need to obtain extra-budgetary funding to support the activities of the Secretariat and its governing bodies threatens the sustainability of the implementation of the 1954 Convention and its Protocols. While a number of Member States have carried out activities that will be sustained without support, the limited funding available means limited activities. The Secretariat and the Culture Sector need to work towards increasing the resources available for implementation.

3. **Conclusions**

150. As cultural property continues to be deliberately targeted during armed conflict, the 1954 Convention and its Protocols are more important than ever. The ratification and subsequent implementation of these instruments is hampered by their poor understanding and visibility in Member States and an insufficient resource base at the UNESCO Secretariat.

Relevance

151. With the current level of conflict in the world and the massive destruction of cultural property, the 1954 Convention and its Protocols are more relevant than ever. However, the Convention and its Protocols do not address the ever-important challenge of destruction of cultural property by non-state actors. Two distinctive perspectives emerged during this evaluation for addressing this topic: 1) that UNESCO play a role in bringing non-state actors to the table in order to engage them in cultural property protection, and 2) that indirect solutions must be found, such as through the International Criminal Court, that do not engage with non-state actors and that action be taken through national courts or the ICC. This difficult issue of how to address non-state actors needs to be resolved. Article 19.3 provides UNESCO with the authority to intervene, but does not specify how. This issue is recognized as important, but is very sensitive and will require a process that brings together experts, peacekeepers, humanitarian actors, NGOs and national stakeholders under UNESCO's leadership.

152. As the first of UNESCO's Culture Conventions, the 1954 Convention provides the foundation for the others, but is not nearly as visible. The Convention and its Two Protocols are consistent with the overall UNESCO Strategy to protect cultural property as well as with SDG 11.4, which refers to protection of cultural property in communities. While some Member States question whether the Strategy has re-enforced the implementation of the 1954 Convention and its Protocols, the majority feel it has the potential to have a positive influence. It is too early to determine its longer-term impact.

Addressing Gender

153. The implementation of the 1954 Convention and its Protocols has not consistently taken gender equality into account. While some of the military training and restoration efforts have consciously included women, the evaluation came across many stakeholders who feel that considering gender equality is not applicable for this particular Convention. The absence of guidelines for the inclusion of gender equality in the implementation of the 1954 Convention and its Protocols does not facilitate the task of the Secretariat in mainstreaming.

Effectiveness - Results Achieved through Assistance Provided UNESCO

154. As demonstrated by the case studies and examples provided in interviews, important results have been achieved in implementing the 1954 Convention and its Protocols to protect cultural property during conflict and to restore cultural property that has been destroyed. UNESCO has supported Member States both from Headquarters though the development of a training manual, and at the regional and national levels by helping to organize and implement training of the military and police.

155. It is important to note that some results have also been achieved with little or no direct support from UNESCO as demonstrated by the United Kingdom, United States and the NATO military trainings. The 1954 Convention and its Protocols guided many of these efforts even if direct support from UNESCO did not occur.

156. The Secretariat has established programmatic targets such as sound governance, ratification of the 1954 Convention and its Protocols, number of periodic reports submitted, implementation of assistance under the 1999 Second Protocol, fund, and number of support stakeholders. These are output indicators that do not measure the outcomes achieved. There is therefore very little reporting on the actual results of implementation of the provisions of the Convention and its Two Protocols. In addition, very few States Parties submit regular periodic reports.

157. There is evidence, however, that the 1954 Convention and its Protocols have had an impact beyond what has been documented by periodic reports submitted by States Parties. Countries such as Mali, Cambodia and Afghanistan that have ratified the 1954 Convention and its two Protocols have carried out a number of activities such as training of military and police, taking measures during conflict to protect property such as moving objects to safe havens,

passing legislation to protect cultural property, restoring cultural property that has been damaged and engaging citizens in order to promote a better understanding of the importance of protecting cultural property. Countries such as Syria, Lebanon and the United States that have not ratified the 1999 Protocol still support cultural property protection by carrying out activities similar to those who have ratified. With the continued destruction of cultural property during conflict, it is difficult to measure the impact of the Convention and its Protocols. While it is technically possible to track the destruction of cultural property such as was done in Syria, is not possible to know whether more destruction of cultural property would have taken place, had these instruments not been in place.

Efficiency

158. The Secretariat's support to the implementation of the 1954 Convention and its Protocols is not based on a theory of change, which sets out the links between the inputs, activities, outputs and outcomes. The existing programme logic that is in the C/5 is limited to results at the output level. In the absence of such a model, it is difficult to demonstrate the true results of implementing the Convention at the outcome level and beyond. Such a theory of change would provide the theoretical basis for the work of the Convention Secretariat. Taking the time to develop a theory of change would support a shared understanding of the programme goals and the means required to achieve clear time-bound results. It would also result in a process that builds understanding, acceptance and commitment to implementation. Such a model can also be used to communicate on the programme to Member States and other partners.

159. One of the biggest challenges facing the Culture Sector at UNESCO is the limited coordination among the structures that support the various Conventions. There is evidence of some coordination mechanisms such as the Culture Conventions Liaison Group, but these are not found to be sufficient. The evaluation found that the Culture Sector leadership has provided limited support to raising the profile of this Convention. Given the amount of destruction of cultural property that has occurred in recent years, 1954 Convention and its Protocols need stronger support in order to create awareness and understanding of the important role of these instruments in the protection of cultural property.

160. While much has been accomplished with very limited resources, the 1954 Convention Secretariat needs more resources and to be able to play a stronger role vis-à-vis the other Culture Conventions. The allocation of resources across all the culture Conventions is unequal with 1954 Convention receiving the smallest share. Furthermore, the absence of fundraising competency within the Secretariat impedes the potential for the programme under the Convention and its Protocols to grow.

161. Based on the evidence from the case studies and the interviews, the 1954 Convention and its Protocols are implemented efficiently and effectively by many of the field offices. The collaborative approaches used by field offices provide examples of good practices that need to be documented and shared in a systematic way. As well, the growing scope of work between the Cultural Heritage Protection Treaties Section and the Emergency Preparedness and Response Unit also provides an example of good practice in collaboration and approaches that integrate common elements across the Culture Conventions.

Sustainability

162. The sustainability of the programme under the 1954 Convention Secretariat is heavily dependent on the Secretariat's limited capacity for tasks such as communication, outreach, substantive support to the 1999 Second Protocol Committee and fund-raising. With a minimal resource base, the Secretariat has successfully developed a number of partnerships with NGOs and UN agencies. These need to be further strengthened and new opportunities pursued.

4. Recommendations

1. **The 1954 Convention Secretariat should engage with peacekeeping and other humanitarian actors, including NGOs to spread awareness of the necessity to protect cultural property by all armed groups, including non-state actors. The Convention Secretariat should lead the way by:**

   - Bringing the issue of the destruction of cultural property by non-state actors to the agenda of the 1999 Second Protocol Committee

   - Strategizing on effective ways to encourage non-state actors to respect the 1954 Convention and its Protocols

   - Entering into agreements with partners that assist with the protection of cultural property in times of conflict where non-state actors are involved

2. **The Culture Sector should review the resources and staff capacities of the 1954 Convention Secretariat with a view to strengthening its effectiveness and efficiency. The review should:**

   - Assess the competencies needed to implement the 1954 Convention and its Protocols

   - Assess the capacity and capabilities of staff compared to what is needed; determine the gaps and develop a plan to fill those gaps

   - Consider moving towards a fully digital way of working

3. **The 1954 Convention Secretariat should develop a theory of change for the 1954 Convention and its Protocols in order to strengthen the understanding, acceptance and commitment to longer-term results. The theory of change should:**

   - Be developed through a collaborative process engaging relevant stakeholders.

   - Clearly link inputs and activities to various levels of results (outputs and outcomes) while also indicating the underlying assumptions

   - Elaborate a narrative based on the theory of change model that can be used in outreach materials as a basis for promoting a stronger understanding of the Convention and its Protocols

   - Develop programme indicators that focus on both output and outcome levels

   - Revise the periodic reporting format to encourage States Parties to report on these indicators (for example, on adopting and implementing relevant legislation and policies related to the protection of cultural property during armed conflict, training military and police in the mechanisms of the Convention and its Protocols, developing inventories of cultural property and using them in protection measures).

4. **Based on the theory of change, the 1954 Convention Secretariat should develop a communication and outreach strategy for the 1954 Convention and its Protocols in order to increase their visibility. The plan should:**

   - Develop a brand for the Convention and its Protocols

   - Include activities to increase the understanding and effective implementation of the Convention and its Protocols among Member States

   - Use current events to emphasize and demonstrate what can happen when cultural property is not protected

   - Consider the use of various communication media and partnerships

5. **The 1999 Second Protocol Committee should reflect on its working methods with a view to informing implementation mechanisms by:**

   - Establishing priorities with the Secretariat based on a theory of change for the Convention and its Protocols

- Bringing in new topics of importance to the agenda of Committee meetings such as addressing how to deal with non-state actors

- Engaging more frequently with other UNESCO Conventions' Governing Bodies to draw on synergies between the various instruments.

6. **The 1954 Convention Secretariat should undertake efforts to increase coordination, knowledge sharing and synergies with other Conventions' Secretariats and field offices to encourage learning from existing good practices and strengthen implementation at the national level by:**

- Developing a mechanism for regular information sharing with other Convention Secretariats (particularly the 1970, 1972 and 2003) and culture programme officers in field offices

- Collecting information on good practices, including on synergies between the Conventions that can be shared among field offices and help to direct practices at Headquarters

- Having regular bilateral meetings with Member States, particularly countries in conflict zones, Africa and small island developing states and sharing the experiences of these countries

7. **The Culture Sector should strengthen coordination mechanisms in view of increasing equity and integration among its Conventions by:**

- Facilitating more opportunities for joint thinking, exchange of experiences, synergies and cooperation among Conventions Secretariats

- Creating parity among the Conventions through increased sharing of financial resources

- Establishing a single fund-raising mechanism with Convention Secretariats being encouraged to submit joint action plans.

8. **The 1954 Convention Secretariat should promote the inclusion of gender equality in its normative work related to the 1954 Convention and its Protocols by:**

- Developing and disseminating guidelines for the inclusion of gender equality in the implementation of the 1954 Convention and its Protocols

- Collecting and disseminating information on good practices related to gender equality from Member States.

5. Appendices

A. TERMS OF REFERENCE

Terms of Reference (TOR)

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 and its two Protocols (1954 and 1999)

Background
In recent years, the world has seen an increase in the number of deliberate attacks on cultural property during the resurgence and escalation of armed conflicts. This upsurge, often due to the rising extremist ideologies conveyed by violent terrorist groups and the increasing role of non-state actors in conflicts, has caused much damage to humanity's cultural properties across the world. It has also urged UNESCO, to reinforce its action to protect culture and promote cultural pluralism. In doing so, the Organization can rely on its normative instruments in culture and particularly the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols (1954 and 1999).

Brief description of the 1954 Convention and its two Protocols (1954 and 1999)
In the aftermath of the Second World War and the widespread damage to cultural property it had induced, States recognized the importance of adopting measures, to be implemented both in times of peace and war, to preserve cultural heritage. In 1954, UNESCO's Member States adopted the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (hereafter 'the Convention'), whose most emblematic measure is certainly the creation of the 'Blue Shield Emblem' designed to identify protected cultural property. Alongside the Convention, States adopted the First Protocol that specifically deals with the protection of movable cultural property in occupied territory and its restitution. In view of the further atrocities committed at the outbreak of several devastating civil wars, especially in ex-Yugoslavia, the Second Protocol to the Convention was adopted in 1999; hence refining key definitions to fill the legal voids as well as creating an enhanced protection for specific cultural properties of great importance to humanity. In addition, it

created a Fund for the Protection of Cultural Property in the Event of Armed Conflict (hereafter 'the Fund') whose purpose is to provide financial or other assistance to States Parties that wish to adopt preventive measures to preserve the integrity of cultural property, help retrieve property once warfare has ceased or undertake post-recovery measures.

Governance and Mechanisms
The Meeting of the High Contracting Parties to the Convention studies issues regarding the implementation of the Convention and its Regulations for Execution and formulates recommendations on their implementation. Since 2003, this has often coincided with UNESCO's General Conference (every two years). Each Meeting also elects a six-member Bureau in charge of coordinating its work and that of any subsidiary bodies.

The Second Protocol to the Convention established two additional governing mechanisms. A Meeting of Parties to the Second Protocol is convened in coordination of the Meeting of the High Contracting Parties to the Convention. Its main role is to elect members of and provide guidelines for the work of the Committee for the Protection of Cultural Property in the Event of Armed Conflict (hereafter 'the Committee'), which was established by Article 24 of the Second Protocol. This Committee meets once a year in ordinary session and in extra-ordinary session whenever is deemed necessary, in order to decide on the enhanced protection of cultural property, monitor the implementation of the Second Protocol, consider requests for the granting of international or other assistance and determine the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict.

A Strategy to reinforce UNESCO's action
In response to the increasing number of deliberate attacks on cultural heritage, UNESCO's General Conference adopted the *Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict (2015-2021) (38C/49)* in November 2015. It has two intertwined objectives: (1) to strengthen the ability of Member States to prevent, mitigate and recover the loss of cultural heritage and diversity as a result of conflict; and (2) to incorporate the protection of culture into

humanitarian action, security strategies and peace-building processes by engaging with relevant stakeholders outside the culture domain.

In the spring of 2017, UNESCO's Executive Board endorsed an Action Plan (201 EX/5 Part I (E)) for strengthening the cooperation between the Organization and relevant partners in the implementation of the Strategy. The Action Plan is a living document that is to be adjusted and enriched over time in response to the evolving needs of Member States in the implementation of the Strategy. It contains activities with short, medium and long-term priorities together with their estimated costs and indications of whether respective funding has been fully, partially or not secured.

To implement the Strategy and Action Plan, UNESCO can rely and build on the legal frameworks laid out in its normative instruments in the field of culture, particularly the 1954 Convention and its two Protocols, but also its other standard-setting instruments in the field of culture.[1] Consequently, the Action Plan contains a number of activities specific to the 1954 Convention and its Second Protocol with the aim of assisting Member States in all three phases of the emergency cycle, namely preparedness, immediate response during conflict and mid- to longer-term recovery/reconstruction.

Situating the Convention within UNESCO's Culture Sector
UNESCO's Culture Sector fulfils the role of Secretariat for the 1954 Convention and its two Protocols through its Cultural Heritage Protection Treaties Section, which is located within the Division for Heritage. A separate Emergency Preparedness and Response Unit, created in late 2014, coordinates the Organization's response to emergencies and crises, as laid out in the Strategy and Action Plan. Furthermore, programme specialists and project officers throughout UNESCO's network of field offices contribute to programme implementation.

UNESCO's Programme and Budget document for the current quadrennium (2018-2021), the 39C/5, includes two expected results (ERs) for this line of work under its Main Line of Action 1 'Protecting, conserving, promoting and transmitting culture and heritage for dialogue and development':
ER 3:   Protection of cultural property improved by Member States in particular through the wide ratification and effective implementation of the 1954 Convention and its two Protocols (1954 and 1999).

ER 5:   Culture protected and cultural pluralism promoted in emergencies through better preparedness and response, in particular through the effective implementation of UNESCO's cultural standard setting instruments.

The programme is funded by a combination of regular programme funds and extra budgetary resources, including through allocations from the Heritage Emergency Fund, which was established in 2015.

Rationale for Evaluation
During 2013-2014, UNESCO's Evaluation Office undertook evaluations of four of the Organization's normative instruments in culture, namely the 1970, 1972, 2003 and 2005 Conventions.[2] Two remaining Conventions, including the 1954 Convention and its two Protocols, have however not been subject to evaluation. Following the adoption of the Organization's Strategy to reinforce its action in conflict-affected areas (38C/49) in 2015, the provisions of UNESCO's Conventions, and particularly those of the 1954 Convention have been at the forefront of UNESCO's action. In light of recent developments, the time has therefore come to review the relevance and implementation mechanisms of the Convention and its two Protocols. It is also an opportunity to examine the extent to which the provisions of the 1954 Convention have been reinforced by the Strategy.

Purpose and Scope
Objectives and Use
The main purpose of the evaluation is to generate findings, lessons learned and recommendations regarding the relevance and the effectiveness of the standard-setting work of the Culture Sector with a focus on its impact on legislation, policies, and strategies of Parties to the 1954 Convention and its two Protocols. The evaluation also aims to inform the next phase of implementation of the *Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict* (2018-2021).

While the evaluation will be mainly formative in its orientation – in line with the above purpose of the envisaged continuous improvement – it will include summative elements as it is essential to learn what has been working so far, why and under what circumstances, and what the challenges have been in order to extract lessons and identify possible improvements to ensure the effective

implementation of the normative instruments. The evaluation will also focus on the alignment and complementarity of the standard-setting work of the Culture Sector with UNESCO's global priorities Africa and Gender Equality, and its continued relevance, notably in the framework of the 2030 Sustainable Development Agenda.

The evaluation aims to help the UNESCO Culture Sector, Senior Management and the Governing Bodies of the 1954 Convention and its two Protocols to strengthen, refocus and better coordinate the Organization's response in the event of armed conflict, particularly through the implementation of these normative instruments. The evaluation will feed into the next Strategic Results Report (due in 2020) and aim to inform the next quadrennial programme and budget (2022-2025). It also aims to serve as a learning exercise for managers and staff working in emergencies and protracted crises across the Organization.

The final evaluation report will be submitted to the Secretariat of the Convention, the UNESCO Culture Sector and the Governing Bodies established under the Convention and its Protocols.

Scope and Evaluation Questions
The evaluation will assess UNESCO's standard-setting work under the 1954 Convention and its two Protocols, which is designed to support Member States with the:

I. Ratification (or accession / acceptance / approval) of the standard-setting instruments
II. Integration of the provisions of the standard-setting instruments into national / regional legislation, policy and strategy (policy development level)
III. Implementation of the legislation, policies and strategies at national level (policy implementation level).

The evaluation aims to find out about the results achieved at each of these levels, about the effectiveness of the mechanisms used to support the implementation of the Convention, and about the overall relevance of these standard-setting instruments, particularly in the framework of UNESCO's *Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict* and its Action Plan. The evaluation will assess UNESCO's work in the field of protection of cultural heritage within the framework of both the regular and extrabudgetary programmes during the past three biennia (2012-2013, 2014-2015, 2016-2017) up to the time of the present evaluation (early 2018). The evaluation should also reflect UNESCO's global priorities Gender Equality and Africa by seeking to collect data on gender-relevant matters as well as focusing, when appropriate, on the needs of the African continent.

The evaluation will build on previous studies and evaluations, particularly on the case study *Lessons Learned from Mali (2016-2017)* undertaken as a pilot prior to this evaluation, the *Evaluation of UNESCO's work on culture and sustainable development (2015),* the four *evaluations of UNESCO's standard-setting work in culture* (related to the 1970, 1972, 2003 and 2005 Conventions) *(2013 – 2014*), as well as the UNESCO publication on *Gender Equality, Heritage and Creativity* (2014).

Key evaluation questions will include the following:

Relevance:
1. How relevant are the 1954 Convention and its two Protocols in today's legal landscape and global geopolitical context?
•   To what extent are the 1954 Convention and its two Protocols complementary to other international standard-setting instruments in the field of cultural heritage protection?
•   To what extent has the protection of cultural property been integrated into humanitarian action, security strategies and peacebuilding processes? What has been UNESCO's role in these processes?
•   To what extent has the protection of cultural property become integrated into customary international humanitarian law? What has been UNESCO's role in encouraging this?

2. How likely is the standard-setting work in the framework of the 1954 Convention and its Protocols to contribute to SDG 11 target 4 'strengthen efforts to protect and safeguard the world's cultural and natural heritage?

3. How and to what extent are issues related to gender addressed through the implementation of activities under the Convention and its two Protocols, including in the framework of the Strategy and its Action Plan?

Effectiveness:

4.   What results have been achieved from UNESCO's support to Member States in terms of preventing and mitigating the damage to and the destruction of cultural property as a result of conflict? These should be analysed at the ratification, policy development, and implementation levels.

5.   To what extent have the *Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict* and its Action Plan reinforced the ratification of and implementation of the 1954 Convention and its two Protocols?

Efficiency:

6.   To what extent does the programme underlying the Convention and its Protocols have a realistic
Theory of Change? What mechanisms are in place for monitoring the implementation of the
Convention and its two Protocols?

7.   How is the protection of cultural property overseen and coordinated within UNESCO's Culture Sector? In case of a new or resurgent armed conflict, what mechanisms are in place within the UNESCO Secretariat to intervene in the framework of the Convention and its two Protocols?

8.   To what extent are the working methods of the governing bodies for the 1954 Convention and its two Protocols appropriate and contribute to the protection of cultural heritage in armed conflicts?

Sustainability:

9.   What are the partnerships (current and future) that may contribute the further ratification of and the implementation of the 1954 Convention and its two Protocols?

10.   What types of mechanisms have been put in place by UNESCO to mobilize resources for the protection of culture in conflict-affected areas?

A full list of evaluation questions will be developed during the Inception Phase of the evaluation.

Prospective bidders are expected to elaborate an evaluation approach and methodology in their technical proposals in response to these Terms of Reference. It is expected that the evaluation approach will require a combination of multiple and complementary evaluative methods and strategies collecting both quantitative and qualitative data. These Terms of Reference contain an indicative set of key evaluation questions. It is expected that the evaluator(s), following exchanges with the Evaluation Reference Group, will further elaborate the methodology, including the full list of evaluation questions, in the Inception Report.

The suggested evaluation methodology will include the following:
•   Document review and analysis, among others, of a sample of Periodic Reports by States Parties, of project progress and monitoring reports, documents of the three statutory bodies of the 1954 Convention and its Second Protocol, various legal instruments and strategies in the field of cultural heritage protection, and the Heritage Emergency Fund Results Framework
•   Reconstruction/refining of an intervention logic /Theory of Change for the Convention and its two Protocols, including its relationship with UNESCO's Strategy and Action Plan
•   Structured and semi-structured interviews (face-to-face and via Skype) and focus groups with stakeholders within UNESCO, representatives of the statutory bodies of the standard-setting instruments as well as States Parties to the Convention and its Protocols, partner organizations and beneficiaries of UNESCO's assistance
•   Questionnaire(s) and/or survey(s)
•   Case study(ies) on a select sample of area(s) which demonstrate the implementation of the
•   Convention and its two Protocols (these may or may not require field visits)
•   Field visits to countries where UNESCO has implemented projects in the framework of the
•   Convention and its two Protocols (to be decided during the inception phase)
•   Participatory workshops to steer the evaluation and to discuss findings, lessons learned and recommendations
•   Three visits to UNESCO Headquarters in Paris: once for the Inception Phase, once during the data collection phase to meet and interview relevant UNESCO management and staff, and once during the finalization phase to

validate findings, lessons learned and preliminary recommendations in a stakeholder workshop.

Data collection, sampling and analysis must incorporate a gender equality perspective, be based on a human rights based approach, and take into consideration the diverse cultural contexts in which the activities are being implemented.

Roles and Responsibilities

UNESCO's Internal Oversight Service (IOS) Evaluation Office will manage the evaluation and be responsible for quality assurance of the evaluation process. It will also support the external evaluation team in terms of facilitating access to documents and stakeholders during the evaluation process.

An independent external evaluation team will conduct the evaluation. The evaluator(s) will contribute specific subject matter expertise and knowledge. The evaluator(s) will prepare three main written deliverables: (i) an inception report, (ii) draft report and (iii) final report, as well as conduct a stakeholder workshop for validating findings, lessons learned and preliminary recommendations. The evaluator(s) will also be responsible for their own logistics and travel arrangements. In case of field missions, they will be required to complete the UN security training. Finally, they will be responsible for administering and disseminating all methodological tools such as surveys, although IOS may provide some assistance in this regard.

An evaluation Reference Group will be established to guide the evaluation process and ensure the quality of associated deliverables. The group will be composed of the evaluation manager from the Evaluation Office and representatives from the following entities in the Culture Sector: Executive Office, Division for Heritage, Cultural Heritage Protection Treaties Section, and the Emergency Preparedness and Response Unit. A representative from the Bureau of Strategic Planning will also be a part of the group.

The exact roles and responsibilities of all stakeholders are to be specified in the Inception Report.

Qualifications of Evaluation Team

The external evaluators must have no previous involvement in the implementation of the activities under review and should possess the following qualifications and experience:

Mandatory
- Advanced university degree in fields of culture, social science, law, public policy, knowledge management, international relations or related fields;
- At least 10 years of policy and programme evaluation experience on an international basis of relevance to policy making;
- Demonstrated knowledge of international legal instruments in the field of cultural heritage (previous evaluation, research, article, etc. on the subject area);
- Excellent oral communication and report-writing skills in English (as demonstrated in the technical proposal for this evaluation and in examples of previous evaluations submitted)

Desired
- Experience with the evaluation of international Conventions or other standard-setting instruments (previous evaluation, research, article, etc. on the subject area)
- Experience with the UN (previous work assignments)
- Demonstrated knowledge of the 1954 Convention and its two Protocols (previous evaluation, research, article, etc. on the subject area)
- Understanding and knowledge of the UN mandates in relation to Human Rights and Gender
- Equality (for example through certification, training, examples of assignments)
- Understanding and knowledge of international humanitarian law (previous evaluation, research, article, etc. on the subject area)
- Understanding and knowledge of the workings of the United Nations Security Council in relation to mandates on the protection of cultural property
- Knowledge of innovative methods, information systems and technology in public administration (previous work assignment in this area)
- Working knowledge of French (oral communication and reading)
- Other language skills (Spanish, Arabic, Russian and Chinese)

Preference will be given to evaluation teams that are gender-balanced and of geographically and culturally diverse backgrounds.

Verification of these qualifications will be based on the provided Curriculum Vitae. Moreover, references, web links or electronic copies of two recently completed evaluation reports should be provided, preferably in relation to cultural heritage protection.

Deliverables and Schedule
The evaluation will take place between May and September 2018.

Deliverables
Inception report: An inception report containing the intervention logic or Theory of Change of the Strategy (based on desk study), an evaluation plan with a detailed timeline, detailed methodology including an evaluation matrix (with a full list of evaluation questions and subsequent methods for data collection), a stakeholder analysis and a list of documents.

Draft evaluation report: The draft evaluation report should be written in English, be comprised of no more than 30 pages and follow the IOS Evaluation Office template.

Final evaluation report: The final evaluation report should incorporate comments provided by the Reference Group without exceeding 30 pages (excluding Annexes). It should also include an Executive Summary and Annexes. The final report must comply with the UNEG Evaluation Norms and Standards and will be assessed against the UNEG Quality Checklist for Evaluation Reports. Evaluators are encouraged to refer to the UNEG Guidance on Integrating Human Rights and Gender Equality in Evaluation.

Table 1: Schedule of Activities and Deliverables

Activity/Deliverable	Date
Finalization of Terms of Reference	End-March 2018
International Call for Proposals	April
Launch of Evaluation	Early May
Mission to Paris for Inception Phase	Second half of May

Inception Report	First week of June
Data Collection and Analysis	June and July
Stakeholder workshop	End of July
Draft Evaluation Report	End of August
Final Evaluation Report	End of September 2018

References

- Convention for the Protection of Cultural Property in the Event of Armed Conflict
- First Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict
- Second Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict
- Fund for the Protection of Cultural Property in the Event of Armed Conflict
- Meeting of the High Contracting Parties to the 1954 Convention
- Meeting of Parties to the 1999 Second Protocol
- Committee for the Protection of Cultural Property in the Event of Armed Conflict
- Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict
- Action Plan for the Implementation of the Strategy for the Reinforcement of UNESCO's Actions for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict and for the Protection of Culture in Emergency Situations related to Natural Disasters (201 EX/5 Part I (E))

Previous evaluations:
- UNESCO's Role and Action to Protect and Safeguard Cultural Heritage and to Promote Cultural Pluralism in Crisis Situations – Case Study: Lessons Learned from Mali (2016-2017)
- Evaluation of UNESCO's Standard-setting Work of the Culture Sector - Part I - 2003 Convention for the Safeguarding of the Intangible Cultural Heritage
- Evaluation of UNESCO's Standard-setting Work of the Culture Sector - Part II - 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

- Evaluation of UNESCO's Standard-setting Work of the Culture Sector - Part III - 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage
- Evaluation of UNESCO's Standard-setting Work of the Culture Sector – Part IV - 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions

B. Data Collection Matrix

Evaluation Questions	Indicators/Elements of Interest	Data Sources	Collection Methods	Sampling	Comments
Relevance					
How relevant are the 1954 Convention and its two Protocols in today's legal landscape and global geopolitical context?	Complementary to other international standard-setting instruments Integration into humanitarian action, security strategies and peace-building actions Integration into customary international humanitarian law Reasons for not ratifying Integration into military training programs of Cultural Property Protection (Article 7 of the Hague Convention and Article 30 of the Second Protocol)	Other UN standard setting instruments Other UNESCO standard-setting instruments (Conventions, declarations) Country reports Member state Relevant UNESCO staff Relevant UNESCO country staff Partners Ministries of Defence	Document review Survey/case studies Interviews	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype
How likely is the standard-setting work in the framework of the 1954 Convention and its Protocols to contribute to SDG 11 target 4 'strengthen efforts to protect and safeguard the world's cultural and natural heritage'?	Intention of SDG 11, Target 4 Intention of the standard-setting work Best practices in standard-setting work	SDGs 1954 Convention and Protocols, strategies and action related to the Convention Country reports Country legislation	Document review	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff,	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype

Evaluation Questions	Indicators/Elements of Interest	Data Sources	Collection Methods	Sampling	Comments
		Representatives of signatory countries Relevant UNESCO staff Relevant UNESCO country staff	Surveys/case studies Interviews Jurisdictional review • Other Protocols • IAEA • NATO	relevant field staff, external partners, selected member states Jurisdictional review: purposeful sampling including other Conventions and other organizations that do regulatory work	It will involve looking at websites plus some interviews
How and to what extent are issues related to gender addressed through the implementation of activities under the Convention and its two Protocols, including in the framework of the Strategy and its Action Plan?	Inclusion of gender consideration in the implementation of activities	1954 Convention and Protocols, strategies and action related to the Convention Country reports Country legislation Representatives of signatory countries Relevant UNESCO staff Relevant UNESCO country staff	Document review Surveys/case studies Interviews	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype
Effectiveness					
What results have been achieved from UNESCO's support to Member States in terms of	Number of ratifications, laws, strategies and action plans adopted	Country reports Country legislation	Document review	Survey: All member states invited, self-selection	Most interviews will be done face-to-face in Paris,

Evaluation Questions	Indicators/Elements of Interest	Data Sources	Collection Methods	Sampling	Comments
preventing and mitigating the damage to and the destruction of cultural property as a result of conflict?	Policies developed Policies implemented Evidence of prevention of damage and/or destruction of cultural property Number of cultural properties inscribed on international lists	Representatives of signatory countries Relevant UNESCO staff Relevant UNESCO country staff	Survey/case studies Interviews	Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	remainder will be conducted by telephone or skype
To what extent have the *Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict* and its Action Plan reinforced the ratification of and implementation of the 1954 Convention and its two Protocols?	Strategies and action plans adopted Policies developed Policies implemented Evidence of prevention of damage and/or destruction of cultural property	Country reports Country legislation Representatives of signatory countries Relevant UNESCO staff Relevant UNESCO country staff	Document review Survey/case studies Interviews	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype
Efficiency					
To what extent does the programme underlying the Convention and its Protocols have a realistic Theory of Change? What mechanisms are in place for monitoring the implementation of	Evidence of a theory of change – either written or oral Consistent understanding of the theory of change	Country reports Country legislation Representatives of signatory countries	Document review Survey/case studies	Survey: All member states invited, self-selection Case studies: purposeful based on criteria	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype

Evaluation Questions	Indicators/Elements of Interest	Data Sources	Collection Methods	Sampling	Comments
the Convention and its two Protocols?	Systems for monitoring the protection of cultural property	Relevant UNESCO staff Relevant UNESCO country staff Data from country monitoring systems	Interviews Data pull and analysis	Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	
How is the protection of cultural property overseen and coordinated within UNESCO's Culture Sector? In case of a new or resurgent armed conflict, what mechanisms are in place within the UNESCO Secretariat to intervene in the framework of the Convention and its two Protocols?	UNESCO mechanisms Country level mechanisms Linkages between UNESCO and countries with conflict	UNESCO reports Country reports Representatives of signatory countries Relevant UNESCO staff Relevant UNESCO country staff	Document review Survey/case studies Interviews	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype
To what extent are the working methods of the governing bodies for the 1954 Convention and its two Protocols appropriate and contribute to the protection of cultural heritage in armed conflicts?	Priorities established through Resolutions/ Recommendations/Decisions of the governing bodies of the 1954 Convention and its Second Protocol Decisions/resolutions adopted and implemented to strengthen the implementation of specific provisions of the 1954 Hague Convention and its two Protocols	UNESCO reports Country reports Experience in other areas Representatives of signatory countries Relevant UNESCO staff	Document review Jurisdictional review Survey/case studies Interviews	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff,	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype

Evaluation Questions	Indicators/Elements of Interest	Data Sources	Collection Methods	Sampling	Comments
	UNESCO mechanisms Country level mechanisms Linkages between UNESCO and countries with conflict Results achieved by the mechanisms	Relevant UNESCO country staff		external partners, selected member states Jurisdictional review: purposeful sampling including other Conventions and other organizations that do regulatory work	It will involve looking at websites plus some interviews
Sustainability					
What are the partnerships (current and future) that may contribute the further ratification of and the implementation of the 1954 Convention and its two Protocols?	Current partnerships Potential partnerships	Partnership agreement UNESCO reports Country reports Representatives of signatory countries Relevant UNESCO staff Relevant UNESCO country staff	Document review Survey/case studies Interviews	Survey: All member states invited, self-selection Case studies: purposeful based on criteria Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype
What types of mechanisms have been put in place by UNESCO to mobilize resources for the protection of culture in conflict-affected areas?	Resource Mobilization Strategies adopted Contributions to and use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict Evidence of implementation of the Action Plan	UNESCO reports Country reports Representatives of signatory countries Relevant UNESCO staff	Document review Survey/case studies	Survey: All member states invited, self-selection Case studies: purposeful based on criteria	Most interviews will be done face-to-face in Paris, remainder will be conducted by telephone or skype

Evaluation Questions	Indicators/Elements of Interest	Data Sources	Collection Methods	Sampling	Comments
	Other mechanisms to protect cultural property	Relevant UNESCO country staff	Interviews	Interviews purposeful inviting all Committee members, relevant Headquarters staff, relevant field staff, external partners, selected member states	

c. KEY DOCUMENTS CONSULTED

1954 Desk Study Report May 2018

37C5 Report Africa-ER3

37C5 Report Arab States-ER3

37C5 Report Asia and Pacific-ER3

37C5 Report Headquarters-ER3

38C5 Headquarters Report ER3

38C5 Report Africa ER3

38C5 Report Asia and Pacific-ER3

39C Report – Africa – ER3

39C5 Headquarters Report ER3

39C5 Programme and Budget 2018 – 2019

Convention of Nicosia

Decisions by the Committee for the Protection of Cultural Property in Times of Conflict (2012 – 2017)

DG Ivory Note – Restructuring of the CLT Sector 2014

Enhanced Protection List 2017

Evaluation of 2003 Convention

Evaluation of 2005 Convention

Evaluation of Culture and Sustainable Development November 2015

Evaluation of the 1970 Convention

Evaluation of the 1972 Convention

Final Report on the Expert Meeting on the Responsibility to Protect as Applied to the Protection of Cultural Heritage in Armed Conflict November 2015

Financial Report 14-02-2018

Gender Equality Heritage and Creativity

Heritage Emergency Fund Results Framework 2018 - 2019

Hoffman, Jiri (no date) Cultural Property in Ware: improvement in protection

ICC decision (2017) on destruction of Timbuktu mausoleum

Information on the 1999 Fund

Institute of Disaster Mitigation for Urban Cultural Heritage Ritsumeikan University (Pamphlet)

Mali Case Study April 2017

Meetings of the High Contracting Parties to the 1954 Hague Convention (2011 – 2017)

Meetings of the States Parties to the 1999 Protocol Reports and Resolutions (2011 – 2017)

Periodic Reports 2011 – 2012 overall comments

Periodic Reports 2013 – 2015 overall comments

Program Implementation Report for 37CS 2014 – 15

Program Implementation Report for Jan – Dec 2014

Program Implementation Report of Jan – Jun 2013

Progress Reports on the 1999 Fund (2016, 2017)

Protection of Cultural Property Military Manual

Report of the Secretariat on its activities 2013

Report of the Secretariat on its activities 2015

Report of the Secretariat on its activities 2017

Report of the Secretary General to the Security Council 17 November 2017

Report on the implementation of the strategy for encouraging ratifications of the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, 17 December 2013

Report on the implementation of the strategy for encouraging ratifications of the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, 9 December 2015

SISTER 38CS Substance Report 19-03-2018

SISTER 38CS Substance Report 26-02-2018

Special Protection List 2015

Stakeholder Analysis

Report on the implementation of the strategy for encouraging ratifications of the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, 24 November 2017

Security Council Resolution 2347 (2017)

SISTER 38CS Financial Report 02-02-2018

UNESCO and ICCROM (2016) Endangered Heritage Emergency Evaluation of Heritage Collections

UNESCO's Response to Protect Culture in Crisis Unite4Heritage

D. INTERVIEW LIST

UNESCO Headquarters Staff

Atieh Asgharzadeh - Administrative Assistant, Cultural Heritage Protection Treaties Section
Elsa Urtizverea - Team Assistant, Cultural Heritage Protection Treaties Section
Erik Kleijn, Expert, Cultural Heritage Protection Treaties Section
Giovanni Boccardi – Chief, Emergency Preparedness Unit
Hendrik Garcia – Vice-chair of the Second Group on "Structure, composition and methods of work of UNESCO's international and intergovernmental bodies"
Jan Hladik – Chief, Cultural Heritage Protection Treaties Section
Jonathon Counard - Directorate of International Law
Lazare Eloundou Assomo – Deputy Director, Division for Heritage
Lynne Patchett – Chief, Executive Office, Culture Sector
Mechtild Rössler – Director, Division of Heritage
Othilie Louradour du Souich - Programme Planning Officer, Section for Strategic Planning, Monitoring and Reporting, Bureau of Strategic Planning
Shinuna Karume-Robert, Project Officer, Cultural Heritage Protection Treaties Section
Tural Mustafayev, Associate Programme Specialist, Cultural Heritage Protection Treaties Section

UNESCO Culture Programme Specialists in Field Offices

Akatsuki Takahashi – Apia
Damir Dijakovic - Harare
David Stehl – former Programme Specialist at Bamako
Joseph Kreidi - Beirut
Karalyn Monteil – Nairobi
Maria Rita Acetoso - Kabul
Tatiana Villegas-Zamora – Cairo

Permanent Delegations

H.E. Abdel-Ellah Sediqi – Ambassador and Permanent Delegate of Afghanistan
Akeno Yayama – *Chargée de mission*; Permanent Delegation of Japan

Arnaldo Minuti – Deputy Permanent Delegate of Italy
Artemis Papathanassiou – Former Chair of the Committee, Greece
Daphne Mukaronda – Deputy Permanent Delegate of Zimbabwe
H.E. Ecaterine Siradze-Delaunay – Ambassador and Permanent Delegate of Georgia
Julien François – Attaché, Permanent Delegation of Belgium
H.E. Lamia Chakkour – Ambassador and Permanent Delegate of Syria
H.E. Lorena Sol de Pool – Ambassador and Permanent Delegate of El Salvador
Megi Tabatadze – First Counselor, Permanent Delegation of Georgia
Moussa Cisse – Foreign Affairs Counselor, Permanent Delegation of Mali
Rashad Baratli – Second Secretary, Permanent Delegation of Azerbaijan
H.E. Sophann Ket – Ambassador and Permanent Delegate of Cambodia
Souleymane Konate – *Chargé de mission*, in charge of Culture and Heritage, Permanent Delegation of Mali
Vahram Kazhoyan – Secretary General of the Armenian National Commission and former Chair of the Committee
Wael Abdel-Wahab – Deputy Permanent Delegate of Egypt

Partners

Dragana Korljan – OHCHR
Einar Bjorgo - Director, Division for Satellite Analysis and Applied Research, UNITAR
Laurie Rush – Board Member of the United States' Committee of the Blue Shield
Valéry Freland – Executive Director, ALIPH
France Desmarais – Director of Programmes and Partnerships, ICOM
Frederik Rosen – Director; Nordic Centre for Cultural Heritage and Armed Conflict
Gaia Jungeblodt – Director, ICOMOS
Peter Stone – Vice President of Blue Shield International

Stakeholders interviewed for the case studies are listed in the case study reports.

E. DATA COLLECTION INSTRUMENTS

Interview Guide for 1999 Second Protocol Committee Members

Informed Consent

UNESCO has engaged LogicalOutcomes to conduct an evaluation of its standard-setting work to protect cultural property in times of conflict. In addition to a document review, and member state survey, we are conducting interviews with key individuals who have been involved in this work. The interviews are intended to gain a deeper understanding of the effectiveness this work. The interview will take about an hour.

Your participation in this is totally voluntary. If you do not want to participate in this you can say no. Because we are only interviewing a few key stakeholders, we cannot guarantee complete confidentiality. Your name will be listed in the final evaluation report, but your input will not be attributed to you.

Do you agree to participate in the interview and the information you provide to be used in planning the evaluation?

- Yes

- No – explore conditions under which she/he would be comfortable participating. If she/he still does not consent, thank him/her for his/her consideration

Questions

1. Please introduce yourself and explain your role vis-à-vis the 1954 Convention and its Two Protocols.

2. What are the reasons for why your country is supporting the 1954 Convention and its Protocols through your participation on the *Committee for the Protection of Cultural Heritage in the Event of Armed Conflict*? (Probe: relevance, experience)

3. What role does the 1954 Convention and its Two Protocols play today in protecting and safeguarding cultural heritage during times of armed conflict? (Probe: What would happen if these instruments weren't in place? Can you describe a situation where the Convention and Protocols played an important role in protecting cultural property?)

4. How has UNESCO supported Member States in the implementation of the 1954 Convention and its Two Protocols? What have been the results? What partnerships have been critical?

5. To what extent has the 2015 *Strategy for the Reinforcement of UNESCO'S Action for the Protection of Culture and the Promotions of Culture Pluralism in the Event of Armed Conflict* garnered more support for the implementation of the 1954 Convention and its Protocols? (Probe: Why? Why not?)

6. How does the implementation of the 1954 Convention and its two Protocols contribute to gender equality? (Probe: specific examples, opportunities)

7. To what extent have the governance mechanisms of the 1954 Convention and its two Protocols contributed to its ability to achieve its goals? What working methods have been effective? What can be improved?

8. Looking ahead five years and cultural property is being well protected during armed conflict, what would that look like? (Probe: UNESCO's role? the role of Member States? Partnerships? Linkages to the other UNESCO Conventions/instruments? Other UN initiatives such as peacekeeping?

9. What does UNESCO need to do in order to make that vision become a reality? (Activities, Governance, Partnership, etc)

10. What do State Parities need to do in order to make that vision become a reality?

11. Is there anything else that we have not asked you that you think would be important for us to know as we proceed with this evaluation?

Interview Guide for UNESCO Staff (HQ & Field Offices)

Informed Consent

UNESCO has engaged LogicalOutcomes to conduct an evaluation of its standard-setting work to protect cultural property in times of conflict. In addition to a document review, and member state survey, we are conducting interviews with key individuals who have been involved in this work. The interviews are intended to gain a deeper understanding of the effectiveness this work. The interview will take about an hour.

Your participation in this is totally voluntary. If you do not want to participate in this you can say no. Because we are only interviewing a few key stakeholders, we cannot guarantee complete confidentiality. Your name will be listed in the final evaluation report, but your input will not be attributed to you.

Do you agree to participate in the interview and the information you provide to be used in planning the evaluation?

- Yes
- No – explore conditions under which she/he would be comfortable participating. If she/he still does not consent, thank him/her for his/her consideration

Questions

1. Please tell me your role in relation to the protection of cultural property during times of armed conflict, specifically as it relates to the 1954 Convention and the 1954 and 1999 Protocols.

Effectiveness

2. Please tell me about your understanding the types of support provided to states parties by UNESCO in implementing the convention and its protocols?

3. Please describe a situation where the 1954 Convention and its protocols played an important role in protecting cultural property. What factors contributed to cultural property being protected?

4. How has the implementation of the 1954 Convention and its two protocols worked to address gender equality? Please provide a specific example of

when specific UNESCO actions contributed to addressing gender issues? What activities and actions were critical in this regard? What were the results achieved? Was there recognition of these efforts? How can these efforts be strengthened in the future?

Partnerships/Coordination

5. To what extent has the implementation of the *Strategy for the Reinforcement of UNESCO'S Action for the Protection of Culture and the Promotions of Culture Pluralism in the Event of Armed Conflict* strengthened efforts to protect and safeguard cultural property during armed conflict?

6. To what extent has the Strategy has garnered more support than the 1954 Convention and its Protocols? Why? What more can be done to encourage more ratifications of the Convention and its Protocols?

7. What are the interlinkages between the 1954 convention and other UNESCO Conventions? How can they be better utilized?

8. What internal and external partnerships do you rely on to support you and your team's efforts to implement the Convention and its protocols? How have these partnerships evolved over the years? How can these be strengthened to better support your work? What new partnerships will be critical in the future?

9. What role does the multiplication of actors and mechanisms dedicated to the protection of cultural protection play in UNESCO's work? (Probe: advantages, challenges, extent to which it is necessary)

Sustainability/organizational strengths/monitoring

10. How have the governance mechanisms and coordination of efforts in place around the Convention and its protocols contributed to its effectiveness? What has been essential? How well have efforts been coordinated between headquarters and the field? How can these mechanisms be strengthened?

11. In your work, what outcomes are you focused on achieving as it relates to the implementation of the 1954 Convention and its two protocols are trying to achieve? What are the key factors in achieving these outcomes? What

other protocols play a critical role in this? How does this work interact with other priorities you have on a day to day basis?

12. What mechanisms have you seen in place and/or operating to monitor and evaluate the Convention and its two protocols? Who is involved? What has been communicated?

13. What resources have been mobilized that have strengthened efforts to implement the Convention and its two protocols? What other mechanisms are needed to continue to build on these efforts moving forward?

14. Looking ahead five years and cultural property is being well protected during armed conflict, what would that look like? (Probe: UNESCO's role?

Interview Guide for UNESCO Member States

UNESCO has engaged LogicalOutcomes to conduct an evaluation of its standard-setting work to protect cultural property in times of conflict. In addition to a document review, and member state survey, we are conducting interviews with select member states who have been impacted by the 1954 Convention and its two Protocols. The interviews are intended to gain a deeper understanding of the supports and efforts around this work. The interview will take about an hour.

Your participation in this is totally voluntary. If you do not want to participate in this you can say no. Because we are only interviewing a few key stakeholders, we cannot guarantee complete confidentiality. Your name will be listed in the final evaluation report, but your input will not be attributed to you.

Do you agree to participate in the interview and the information you provide to be used in planning the evaluation?

- Yes

- No – explore conditions under which she/he would be comfortable participating. If she/he still does not consent, thank him/her for his/her consideration

Questions

1. Please tell me about your role in relation to the 1954 Convention and the 1954 and 1999 Protocols/ protection of cultural property?

the role of Member States? Partnerships? Linkages to the other UNESCO Conventions/instruments? Other UN initiatives such as peacekeeping?

15. What does UNESCO need to do in order to make that vision become a reality? (Activities, Governance, Partnership, etc)

16. What do State Parities need to do in order to make that vision become a reality?

17. Is there anything else you would like to share regarding UNESCOs efforts to protect and safeguard cultural heritage during times of armed conflict?

2. Please tell me about your understanding of what the 1954 Convention and the 1954 and 1999 Protocols are intended to accomplish and how those goals are intended to be accomplished. (Probe: UNESCO's role and supports provided, member states' roles and supports they provide)

For those who have not ratified the Convention and/or its Protocols

3. Why has your country not ratified the 1954 Convention, 1954 Protocol and/or the 1999 Protocol?

For those who have ratified at least one: 1954 Convention and Protocol and 1999Protocol

4. Thinking of a situation where the 1954 Convention and its Protocols played an important role in the protecting cultural property, describe that situation. What factors contributed to the cultural property being protected?

5. What role has the 1954 Convention and its two Protocols played in your jurisdiction in the protection and safeguarding of cultural heritage during times of armed conflict? How have these efforts contributed to broader humanitarian efforts?

6. What other Protocols and international standard setting instruments have been relevant to protecting and safeguarding cultural heritage during armed conflict? How have these Protocols worked in parallel with the 1954 Conventions and its Protocols? What key partnerships have been critical on the ground to coordination efforts across other standard setting instruments?

7. In your jurisdiction, how does the protection and safeguarding of cultural heritage sites during times of armed conflict contribute to gender equality and gender issues faced on the ground? How can efforts around the Convention and its two Protocols be strengthened to more effectively contribute to gender issues?

8. How have UNESCO's effort to support the implementation of the Convention and its Protocols been effective in providing support where it is needed? How have these efforts been coordinated with other related Protocols and/or international standard setting mechanisms?

9. To what extent the recent implementation of the *Strategy for the Reinforcement of UNESCO'S Action for the Protection of Culture and the Promotions of Culture Pluralism in the Event of Armed Conflict*

Interview Guide for UNESCO Partner Organizations

Informed Consent

UNESCO has engaged LogicalOutcomes to conduct an evaluation of its standard-setting work to protect cultural property in times of conflict. To better understand and evaluate UNESCOs efforts, we are conducting interviews with key partners organizations who have played a critical role in this work. The interviews are intended to gain a deeper understanding of the effectiveness this work. The interview will take about an hour.

Your participation in this is totally voluntary. If you do not want to participate in this you can say no. Because we are only interviewing a few key stakeholders, we cannot guarantee complete confidentiality. Your name will be listed in the final evaluation report, but your input will not be attributed to you.

Do you agree to participate in the interview and the information you provide to be used in planning the evaluation?

- Yes

- No – explore conditions under which she/he would be comfortable participating. If she/he still does not consent, thank him/her for his/her consideration

Questions

strengthened efforts to protect and safeguard cultural property during armed conflict in your jurisdiction? How so? What have been the specific efforts that have provided support?

10. What are the key partnerships in your jurisdiction that contribute to efforts to safeguard and protect cultural heritage today? What partnerships can be strengthened? What future partnerships will be critical?

11. How can the implementation and support efforts of UNESCOs 1954 Convention and its two Protocols be strengthened moving forward?

12. Is there anything else you would like to share regarding UNESCOs efforts to protect and safeguard cultural heritage during times of armed conflict?

1. What is your role, and your organizations role, as it relates to UNESCO's 1954 Convention and the 1954 and 1999 Protocols in the protection of cultural property during times of armed conflict?

2. Please describe how UNESCO's efforts to implement the 1954 Convention and its Protocols to protect and safeguard cultural heritage during times of armed conflict interacted or contributed to your organizations work in this area?

3. Please describe a situation where the 1954 Convention and its Protocols played an important role in the protecting cultural property, describe that situation. What factors contributed to the cultural property being protected?

4. What other Protocols and international standard setting instruments have been relevant to your work in protecting and safeguarding cultural heritage during times of armed conflict? How has this work been related to broader humanitarian efforts? How have you seen these Protocols work in parallel with the 1954 Conventions and its Protocols?

5. How have the combined efforts of your organization and UNESCO's implementation efforts of the 1954 Convention and its Protocols been integrated with efforts to protect cultural property? (Probe: specific examples)

6. How effective has the coordination efforts been in ensuring your organization is able to partner UNESCO's efforts to implement policies,

activities, tools and resources to protect and safeguard cultural heritage during times of armed conflict? Can you provide an example of when this worked well? Who was involved? What processes were in place to ensure effective coordination and integration? How was communication managed?

7. How has UNESCO worked with your organization in the tracking, monitoring and evaluation of efforts to safeguard and protect cultural heritage sites during times of armed conflict?

8. What other key partnerships does your organization have that contribute to efforts to safeguard and protect cultural heritage today? What can UNESCO do in these partnerships help to strengthen your efforts?

9. In your view, how can the implementation and support efforts of UNESCOs 1954 Convention and its two Protocols be strengthened to better address the protection and safeguarding of cultural heritage sites during times of armed conflict?

10. Is there anything else you would like to share regarding UNESCOs efforts to protect and safeguard cultural heritage during times of armed conflict?

F. Survey Results

Preferred language

English	French
193	45
81%	19%

Place of work

UNESCO National Commission	Responsibility for culture	Ministry in charge of security or def	Foreign affairs	Permanent Delegation	Customs
27	10	5	8	8	1

Ratified 1954 Hague Convention

Yes	No
108	13

Reasons for not ratifying 1954

Other priorities	Not in conflict	No cultural properties of importance	In process
4	6	2	3

Likelihood of ratifying

Very likely	Likely	Neither likely nor unlikely	Unlikely	Definitely not
5	3	1	2	0

Ratified 1999 Protocol

Yes	No
83	26

Reasons for not ratifying

Other priorities	Not in conflict	It is not important	Do not agree		In process
8	1	1	4		3

Likelihood of ratifying 1999 Protocol

Very likely	Likely	Neither likely nor unlikely	Unlikely		Definitely not
5	6	8	1		2

What countries are doing to implement the 1954 Convention

Raised awareness on the importance of protecting cultural property	81.16%
	67
Used the Blue Shield emblem to mark cultural property	28.99%
	23
Created partnerships with other countries/organizations	42.03%
	38
Provided training for military and/or police	50.72%
	42
Began inventorying cultural property	56.52%
	38
Developed a list of properties to be protected	44.93%
	39
Applied for the inscription of at least one property for enhanced protection	18.84%

	17
Registered at least one cultural property for special protection	13.04%
	14
Created a committee within my government with responsibility for protection of cultural property in times of conflict	27.54%
	24
Developed legislation that makes it illegal to destroy cultural property	66.67%
	51
Enforced that legislation through courts within my country	36.23%
	30

Factors contributing to cultural property being Protected	Training of military	Use of Blue Shield	Legislation	Strict enforcement	Financial support	Implementing other Conventions
	41	21	8	5	1	1

Taking gender equality into account	Yes	No	Not applicable
	25	9	30

Effect of sanctions	Has effect	Does not have effect
	23	10

Relevance of 1954 Convention	Very relevant	Somewhat relevant	Neither	Somewhat irrelevant	Very irrelevant
	19	12	4	2	6

Satisfaction with UNESCO's Assistance	very satisfied	satisfied	not satisfied	very unsatisfied
Assistance with ratification	7	10	0	4
Access to Fund		2	4	3
Assistance in registering property for enhanced protection	10	3	1	5
Support in developing legislation	3	6	1	5
Support in developing policies	5	12	5	3
Assistance with military training	3	10	2	8
Helping develop networks	4	12	4	5
Support in setting up a national committee	4	7	5	4

Effectiveness	Very effective	Effective	Somewhat ineffective	Very infective
Governing body	9	17	4	4
Secretariat	11	13	5	3
Strategy	6	11	2	5

G. CASE STUDIES

Afghanistan

Background

Afghanistan is a cross-road of civilization which gives a richness to the culture, with treasures from many different countries. It has seen a long history of conflict from the time of Genghis Khan. Afghanistan has been in recent conflict since 1978 to the present day.

Afghanistan ratified the 1954 Convention in October 2017 and the Second Protocol in March 2018. The Afghani Ambassador to UNESCO indicated that the ratifications represent Afghanistan's strong respect for all cultural artefacts.

> *Afghans love beauty, poetry, birds. This tells us that we should be optimistic about the future. We come from an honorable past. We have lived peacefully among ourselves*
> - Afghan Ambassador to UNESCO

Extent of destruction

With 40 years of conflict, there has been extensive damage to cultural property:

- Bamiyan Buddhas destroyed. These monumental statues of Gautam Buddha which are carved into the side of a cliff in the Bamiyan Valley had existed since the 6th Century.
- Bamiyan Great Clift that housed the Buddhas is also in danger of collapse.
- Rabatak's inscriptions, which date back to the 2nd Century experienced destruction and looting of artefacts.
- Surkh Kotal, an archaeological site with temples, statues of Kushan rulers and inscriptions, experienced destruction.
- National Museum in Kabul was destroyed and looted.

One of the most challenging aspects has been the deliberate destruction of cultural property. As shown in the picture, the Taliban placed their artillery so that they could target Bamiyani. Those interviewed for this case study indicated that it was unlikely that an earlier ratification of the 1954 Convention and its Protocols would have prevented destruction of the Bamiyani Buddhas.

Taliban artillery targeting Bamiyami

Efforts made to Protect Cultural Property

In the midst of constant conflict, there have been a number of efforts to protect Afghanistan's cultural property:

Afghanistan Cultural Property Law, 2004

Afghanistan Cultural Property Law, 2004 defines historical and cultural property as:

1. any product of mankind, movable or immovable, which has an outstanding historical, scientific, artistic and cultural value and is at least one hundred years old.
2. the objects which are less than one hundred years old, but which because of their scientific, artistic and cultural value, should be recognized as worthy of being protected.[13]

The legislation provided for an Archaeological Committee under the Ministry of Information and Culture. While it does not refer specifically to protection of cultural property in the event of conflict, it does provide for penalties of paying compensation and up to 10 years imprisonment for any person who deliberately destroys or damages cultural property. It allows Afghanistan to prosecute within their nation.

Damage to the National Museum

---

[13] Afghanistan Cultural Property Law, 2004

Reconstruction of the Bamiyani Buddhas

The destruction of the Bamiyani Buddhas by the Taliban has been one of the most widely publicized incidents of destruction of cultural property in the world. Through funding from UNESCO, experts were engaged to assess the situation and plan for restoration. Additional funding from Japan was coordinated through UNESCO. A total of $750,000 was allocated over three years to help safeguard Bamiyani. It was directed primarily to bringing in expertise and providing training. To date, the niches housing the Buddhas has been protected and fragments from two Buddhas have been recovered. One of the Buddhas has been restored.

Bamiyani Buddhas before destruction and after

Heritage Awareness for Youth and Broader Community

A project funded by Italy was intended to raise awareness of the importance of the protection of cultural property as well as help to establish the foundations of sustainable cultural tourism in Bamiyan, which would help to create opportunities for local communities to diversify sources of income and livelihoods into the future. This occurred under the auspices of the World Heritage Secretariat, with one aspect being the promotion of protection of cultural heritage. The total budget for this project was USD 99,949.

Moving of objects to secure sites

From 1991 – 2001, the National Museum was destroyed and looted. Many of the objects within the museum were transferred to secure locations within Kabul. Anything that remained was looted or destroyed. The museum was restored in 2003. Statues within the museum were damaged during the Taliban period. Many of the objects are now in storage and are being repaired with assistance from the Oriental Institute of the University of Chicago.

Special Police Force

In 2005, Afghanistan established a specific section of the police force to protect cultural property. There are over 4,500 archaeological sites within Afghanistan and only less than two hundred police. It should be noted that approximately 1000 women have been trained to become police officers, through funding from Japan. Still, less than 2% of the force are women.

United States' Doctrine of Cultural Property Protection

The United States plays a major role in the conflict in Afghanistan and has established a doctrine to protect cultural property in Afghanistan subject to protection under the 1954 Hague Convention. The doctrine requires respect and safeguarding of cultural property because it represents the heritage of indigenous populations and, by extension, all humanity. It defines cultural property and provides a list of 'do's and don'ts'. Some of the do's include:

- Do recognize that safeguarding cultural property while in theatre is both a treaty obligation and a legal requirement.
- Do learn about the cultural or archaeological past of the country in which you are stationed and familiarize yourself with the cultural sites and monuments in the region where you will be deployed.
- Do ask questions when you first encounter a protected archaeological, historical or religious site or first enter a province or region with known cultural heritage assets.
- Do anticipate the types of problems and damage to archaeological and cultural heritage sites that are likely to occur in the field.
- Do document site condition with photographs and verify site location and coordinates using portable GPS devices.

Support Provided by UNESCO

The UNESCO Office in Kabul encouraged Afghanistan to ratify the 1954 Convention and its Protocols, providing support through consultation, stakeholder meetings, workshops and awareness-raising activities. In addition, coordination provided by the field office contributed to Afghanistan receiving resources from Japan, Italy and Switzerland. As a result, the Government of Afghanistan deposited its instrument of accession to the 1954 Hague Convention on 26 October 2017, and to its two Protocols on 12 March 2018.

UNESCO also assisted the Government of Afghanistan in preparing a request for international assistance under the Second Protocol Fund to strengthen the implementation of Articles 5 and 30 of the 1999 Second Protocol.

Learnings

Some key learnings include:
- Despite the protracted conflict in Afghanistan, the country has been able to take some steps towards the protection of cultural property such as enacting legislation to protect cultural property and beginning to restore the Buddhas.
- In the field of military, the Ministry of National Defence of Afghanistan issued an Instruction (No 222, 31.01.2018) to Chief of Staff on the effective implementation of the 1954 Hague Convention.
- The ongoing presence of non-state actors deliberately targeting cultural property makes the protection of cultural property very challenging.

Data Collection Methods

Interviews
- Abdel-Ellah Sediqi – Ambassador to UNESCO
- Jalia Hameed - Department of Bamiyan
- Maria Rita Acetoso – UNESCO Regional Cultural Officer, Kabul
- Mohammad Eshaq Azuzi – Department of Bamiyan
- Noor Agha Noori – Director Archaeology Institute of Afghanistan

Documents

Afghanistan Periodic Report on Implementation of the 1954 Convention and its Protocols.

Archaeological monument survey and emergency stabilisation in Bamiyan Province. Publication of the 'Proceedings of the First International Conference on the Safeguarding of Afghanistan's Cultural Heritage Project Proposal and budget.

Heritage Conservation, Development and Coordination Project for Afghanistan Project Proposal and budget.

Instruction No 222, issued by the Minister of National Defence of Afghanistan on "The respect of the applicable laws of the country and international documents for the protection of cultural and historical monuments during the combat operations"

Islamic State of Afghanistan (2004) Law on the Protection of Historical and Cultural Properties.

Project overview – emergency consolidation and restoration of the site of jam.

Project overview – promoting the ratification and implementation of the 1954 Convention.

Safeguarding of the Cultural Landscape and Archaeological Remains of the Bamiyan Valley, Phase IV Project Proposal and budget.

Cambodia

Background

Cambodia is a country with a rich cultural heritage that continues to be central to the soul and identity of the Cambodian people living today. While Cambodia boasts a variety of internationally and nationally recognized cultural heritage sites, the site of Angkor wat is one of the most important, highlighted by its image on the centre of the Cambodian flag.

Cambodian National Flag

The International Conflict (Vietnam War) and civil war in Cambodia from 1970 to 1989 left the country with a palpable awareness of its vulnerability to war and destruction. While efforts to conserve and restore the site of Angkor had been ongoing since the beginning of the century, following the end of the civil war, both national and international efforts to protect and restore cultural property increased. The country has since shown a strong commitment to both national and international governance mechanisms focused on protecting and safeguarding cultural property within its borders.

Cambodia joined UNESCO in 1951 and ratified the 1954 Convention in April 1962 and the 1999 Protocol in September 2013. In 2016, Cambodia was named the Chair of the Committee for the Protection of Cultural Property in the Event of Armed Conflict; its term will end in December 2018 at the beginning of the 13th Meeting of the Second Protocol Intergovernmental Committee. Cambodia has three cultural heritage sites on the World Heritage List: Angkor Wat (inscribed December 1992), Preah Vihear (inscribed July 2008) and Sambor Prei Kuk (inscribed July 2017). Of these sites, only Angkor Wat is listed on the 1999 Protocol's Enhanced Protection List, inscribed in December 2017.

For Cambodia, the ratification of the 1954 Convention and its two Protocols is important for multiple reasons. First, these instruments provide international protection to cultural heritage sites that serve as an additional "shield" to protect the sites beyond what Cambodia is able to provide on its own. As one interviewee stated, "we are not in a position to bully other nations, so we need this type of defence. We spend our money on infrastructure development and not bullets." Second, it has provided the international and national legal framework to uphold the criminality of destroying, looting, or vandalizing cultural property. For example, the Law on the Protection of Cultural Heritage outlines a detailed set of laws that protects both immovable and movable cultural property, describes how this protection is implemented, and outlines the criminal penalties for violating these laws. These serve as a proactive measure to prevent destruction in this regard. Third, it enables access to international funding and expertise that the country needs to effectively restore and safeguard cultural property. Finally, it is symbolic. It provides the internal validation and the external credibility on the international stage of the importance of Cambodia's cultural heritage not only to its people, but also to the world.

Extent of destruction

Cambodia has had two main conflicts within the last 50 years that have affected either directly or indirectly the safeguarding and protection of Cambodia's cultural heritage sites.

Between 1970 and 1989, Cambodia experienced a violent civil war, with a coup d'état and with the rise of the Khmer Rouge regime to power in 1975. While the Khmer Rouge did not directly target Cambodia's cultural heritage sites during their time in power, the movement of the population away from the site of Angkor to rural areas stopped all preservation and conservation work that had been in place years before. In addition, some of the heaviest looting occurred between 1972 and 1975, where art and other movable cultural property was trafficked out of the country. In addition, several Angkor site statues were pillaged and vandalized throughout the civil war period. However, the most damaging destruction from the Khmer rouge regime was to the population. Almost 25% of the population was wiped out, with the educated class being a large proportion of this, leaving very little

human resource capacity to continue with restoration and conservation work around cultural heritage sites, specifically at Angkor Wat, after the war.

In 2008, following a dispute regarding the rightful jurisdiction of Preah Vihear, an Angkor era monument located in the northern province Preah Vihear at the border between Cambodia and Thailand, despite orders to safeguard the site, the military was stationed at the site and armed conflict there resulted in bullet holes visible on the monument today.

Efforts made to Protect Cultural Property

While both the Angkor site and Preah Vihear were impacted by these recent conflicts, safeguarding and restoration efforts today are largely focused on destruction caused by the natural environment and in some cases growing population and community development and impacts of increasing tourism, most notably to the Angkor site.

Preah Vihear Site

Examples of Specific Sites

1. Angkor Site

The Angkor World Heritage site is located in Siem Reap Cambodia, covers an area of 402 square kilometres, and has 91 monuments. It is believed to have been constructed between the 7th and 13th centuries.

Ta Prohm temple at the Angkor Site, Siem Reap

For several centuries, Angkor was the centre of the Khmer kingdom and is known as one of the largest archaeological sites in operation in the world. Efforts to safeguard and preserve the site have been ongoing for over the past century with the establishment EFEO of (École française d'extrème-Orient) and the Conservation of Angkor which ceased during civil war in the 1970s-90s. Activities of the international community picked up again after the Paris Peace Accords in 1991 and the Royal Government request for international assistance and World Heritage nomination. While the majority of the restoration and research work has been focused on damage caused by natural or man-made causes (community development or tourism), there are examples of efforts that are focused specifically around the 1954 Convention and its two Protocols:

- During the Vietnam War, the Cambodian government invoked Article 23 of the 1954 Convention with the aim to obtain technical assistance from UNESCO, affix the distinctive emblem on several Angkor monuments (Article 15 and 17), and in 1970 establish a National Committee for the Protection of Cultural Property in the Event of Armed Conflict.

- Following the end of the civil war a series of international and national measures were put into place to safeguard and restore the site. From these measures was the creation of APSARA, the National Authority in charge of the protection and sustainable development of the Angkor World Heritage site and the region of Siem Reap. APSARA provides government oversight to the restoration, community development, environmental protection, and tourism surrounding the Angkor site. It works closely with international partners and the local community to ensure all efforts to safeguard and protect the site are coordinated.

Indian Cambodian Cooperation Project for the Conservation and Restoration of Ta Prohm Temple

- ICC-Angkor, the international coordination committee for the Conservation and Development of the Historical site of Angkor was also created following the end of the civil war. The initiative was set up by France and Japan following the 1993 Tokyo Conference as an international coordinating mechanism for the technical expertise and assistance provided by different countries and organisations for the safeguarding and conservation of the historic site of Angkor. Today, UNESCO provides the secretariat support to the ICC-Angkor. It is widely recognized as an exceptional example of international coordination. Today there are 37 international and national teams working on research, community development, and/or restoration projects around the site.

Archeological Survey of India Restoration - Ta Prohm Temple

- Both APSARA and ICC-Angkor put a significant focus of their efforts on the development and capacity building of the local Cambodian people.
- In December 2017, the site of Angkor's immovable cultural property was inscribed on the Enhanced Protection List. While the site already enjoys the benefits from its inscription on the World Heritage list, the inscription on the Enhanced Protection List provides a second level of protection to the site. As one interviewee indicated, there is a good marriage between the 1972 and the 1954 Conventions. The 1972 Convention provides benefits to the community that can be seen and felt through tourism and local development, and the 1954 Convention and 1999 Protocol support the training of military on how to protect property, the criminal legislation to prevent looting or destruction, and provide preventative measures that protect sites from being targeted in the future.
- Finally, as one interviewee put it, Cambodia is very committed and compliant with all international Culture Conventions, including the 1954 Hague Convention and its two Protocols. Cambodia has outlined a number of legislative and regulatory frameworks that work to safeguard and protect cultural property during conflict. The following provide some examples of these:

Bayon, Prasat Sour Prat Restoration Project (JASA, APSARA, UNESCO)

   o Article 70 of The Constitution of the

Kingdom of Cambodia states that "Any offence affecting cultural and artistic heritage shall carry a severe punishment."

  o Article 71 of the Constitution of the Kingdom of Cambodia states that "The perimeter of the national heritage sites, as well as heritage that has been classified as world heritage shall be considered neutral zones where there shall be no military activity."

  o The Law on the Protection of Cultural Heritage outlines a detailed set of laws that protects both immovable and movable cultural property, describes how this protection is implemented, and outlines the criminal penalties for violating these laws.

2. Preah Vihear Site

A variety of efforts have been made by Cambodia to protect and safeguard the Preah Vihear site:

- Similar to the Angkor site, Preah Vihear has a National Authority to provide oversite to the restoration, tourism, community development and environmental management of the Preah Vihear site, referred to as the ANPV (Preah Vihear National Authority).

- As of 2014, an ICC-Preah Vihear was established modelled off the success of ICC-Angkor. Its main activities today are to encourage States Parties to take part in conservation efforts around the temple. Today China and India have committed to restoration projects, with U.S. engaging in capacity building efforts, and Belgium supporting the management of documentation and inventory of the site.

- In 2007, attempts were made to inscribe Preah Vihear on the Enhanced Protection List; the conflict with Thailand over the rightful owners of the Preah Vihear site complicated the submission and delayed efforts around this. There are plans in place to re-engage with efforts to submit an application for Preah Vihear to be inscribed on the Enhanced Protection List. Preah Vihear's inscription on the Enhanced Protection list would further validate Preah Vihear's importance to the Cambodian people and to humanity. In addition, it would ensure its protection by both national and international law if military conflict were to occur again in the region.

- During the conflict with Thailand, efforts were made to leverage the 1954 Convention to protect the site from destruction, but were unsuccessful due to the hesitancy from international actors to refer to the military activity around this as a conflict. While there was strict instruction to the military to protect the site to preserve its status on the World Heritage List, some destruction did occur, with bullet holes being visible today.

Training of Military

- During the Preah Vihear conflict (2008 to 2011), a series of workshops with the military were held to increase the military's capacity to protect the temple. It was noted that while the military was given specific instructions to protect the site from damage and destruction, Cambodia had positioned military forces at Preah Vihear with the intention to safeguard it. The 1954 Conventions states that culture property cannot be used for military purposes. While the UNESCO Phnom Penh office worked with Cambodian officials to address the positioning of military at the site, this example demonstrates that there is still work that needs to be done to increase the understanding of the implementation of the Convention and its two Protocols during times of conflict across the military and senior government officials.

- In September 2015, the Royal Government of Cambodia in partnership with the UNESCO field office Phnom Penh and the International Committee of the Red Cross organized and hosted the ASEAN Regional Seminar on the UNESCO 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict in the Preah Vihear Province. The seminar was aimed at training military personnel from Cambodia, Malaysia, Philippines and Laos on the practical application of the Hague Convention in their work as well as advocating for the ratification of the 1954 Convention and its two Protocols in other ASEAN countries. The conference resulted in bringing public awareness both on the Convention and its two Protocols, as well as to Cambodia's commitment to implementing these instruments to protect their own sites. As highlighted by an interviewee, the conference resulted in an increased understanding in the Cambodian military of the importance of cultural property and the international law around the sovereignty of Cambodia. The conference also ensured that their ASEAN counterparts have an awareness and understanding of the Convention and thus an understanding of the international and national protections that Cambodia has put in place to protect their cultural property from harm.

Support Provided by UNESCO

UNESCO is very much seen as a trusted advisor with the Cambodian government in the protection and safeguarding of cultural property. While UNESCO's resources are limited, its efforts to support the protection and safeguarding of cultural property are evident:

- UNESCO led and supported the effort to develop and submit a successful application to have the site of Angkor inscribed onto the Enhanced protection list in December 2017. These efforts were appreciated and applauded by interviewees, highlighting that the inscription of Cambodia's important cultural heritage sites on this list would not have been possible without UNESCO's support.
- UNESCO has also provided critical support to restoring cultural property through its work serving as the secretariat for ICC-Angkor. UNESCO provides the neutrality, international coordination work, and accountability mechanisms for ICC-Angkor. As one interviewee put it, to have all budgets flow through UNESCO ensures that restoration and conservation efforts can continue to progress without politics getting in the way. In addition, UNESCO's involvement in ICC-Angkor gives it a high level of credibility for Cambodians, which as an interviewee pointed out, "makes it more effective."
- UNESCO also provides technical expertise and funding for specific restoration projects at both the Angkor and Preah Vihear sites.
  - At Angkor, UNESCO is working in collaboration with the JASA (Japanese Government Team for Safeguarding Angkor) and APSARA on the Bayon Restoration Project to restore the authenticity of the temple while also developing the human capacity of local Cambodians. The project is now in its fifth phase.
  - The Preah Vihear site received 78,000USD in Emergency Assistance from the Word Heritage Fund between 2013 and 2016 to restore the site and provide national and international expertise following the conflict.

Bayon, Prasat Sour Prat Restoration Project (JASA, APSARA, UNESCO)

- The UNESCO Phnom Penh office supported the development of the contents of the Preah Vihear Eco-Global Museum, opened in March 2018. The museum, along with information on the history, archaeology, and anthropology of the Preah Vihear temple area, includes materials dedicated to the UNESCO Culture Conventions with a display dedicated to describing the role of the 1954 and 1970s Convention in the protection of cultural heritage sites.
- From 2016-2018, Cambodia served as the Chair of the Second Protocol Intergovernmental Committee. The role of Cambodia as Chair of the Committee enabled Cambodia to play a critical role in the governance of the 1999 Protocol, working across Member States and regions to increase support for the 1999 Protocol. Furthermore, the Cambodian authorities contributed in 2018 to the Second Protocol Fund 4980 $ and the same amount to human resources of the 1954 Convention Secretariat.
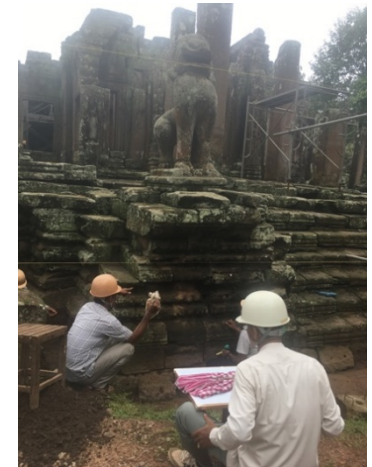
Bayon, Prasat Sour Prat Restoration Project (JASA,

The effectiveness and success of UNESCO support in Cambodia is clear. It was evident during the site visit that there was a mutually strong, trusted relationship between the UNESCO field office and the Cambodian officials regarding the country's efforts to preserve and protect their cultural heritage sites.

Inclusion of Gender Equality

All interviewees during the site visit expressed the commitment they have to ensuring both men and women have equal opportunity to be involved in all aspects of safeguarding and restoration work, from junior to the senior levels of authority. However, it was noted that for many Cambodians, working with APSARA or ANPV requires living on a compound with majority male colleagues to fulfil these duties. For many women, this serves, as a barrier to their involvement in this work, as leaving their families and children to live on an all-male compound poses unique difficulties for women compared to men.

It was also noted that Cambodia is still a 'male centred' society and in the culture sector, specifically, there are few women apart from the Minister of Culture and fine arts in senior leadership positions. As mentioned previously, culture plays an important role in Cambodia, and as such, the senior positions within the country's culture sectors hold a significant amount of power in the country. While there is hope that the recent increase in female enrolment in the engineering, sciences, and other related disciplines in the country will increase female participation in cultural restoration work over time, given the current power structure their jobs in the sector will continue to be difficult for women to participate in. This would create a need to have efforts targeted at increasing women's participation in the sector to begin to increase gender equity in the work of protecting and safeguarding of cultural property across the country.

Learnings

The Cambodian case study provides many learnings for the implementation of the 1954 Hague Convention and its two Protocols:

1. On the ground, there is very little distinction between efforts to support the preservation and protection of cultural property across the culture Conventions. However, since the 1972 Convention is much more involved in current efforts to restore and preserve cultural property, this Convention is much more visible than the 1954 Convention. Most stakeholders were likely to reference this Convention over the 1954 Convention and its two Protocols.

2. The strong relationship between the UNESCO field office and the government has been critical to the effectiveness of UNESCO's work to safeguard and restore Cambodia's cultural property. UNESCO has been able to gain the trust of the government and other international bodies working to safeguard the temple. This has provided opportunities for UNESCO to establish themselves as an invaluable broker across national and international stakeholders, despite having limited resources to provide direct support for this work.

3. Despite the broad support for the 1954 Convention and its two Protocols across key stakeholders, there is still a gap in understanding and application of the Convention. This is evident in the placement of the military at the Preah Vihear site during the recent conflict. While efforts have been made to increase awareness and understanding of the 1954 Convention and its two Protocols both in Cambodia and in ASEAN countries, more efforts are still needed.

4. The impact of the Cambodian civil war on the population has had a direct impact on the ability for the Cambodian people to safeguard and protect their cultural heritage during peacetime. This learning establishes an important link between the safeguarding and protection of cultural property with humanitarian efforts during conflict. While the safeguarding of cultural property is critical for the identity and well-being of a population, the existence of human capacity to safeguard and protect cultural property is critical for efforts. One cannot exist without the other.

5. ICC-Angkor is seen as an 'exceptional' mechanism for the Cambodian government to access international support, ensure the restoration projects are receiving the right level of technical support and to harmonize efforts across projects. The specific focus of ICC-Angkor and the institutional memory that still exists within the ICC-Angkor team (same individuals as when it started in the 1990s) are key learnings for future ICC projects that are being set up in Iraq and Afghanistan. While ICC-Angkor is not UNESCO, UNESCO's role as secretariat has been critical in establishing credibility both for UNESCO and to the ICC project. This approach was recommended for the implementation of ICC committees in other countries.

6. Interviewees highlighted that despite all of the effort around conservation and restoration of cultural property, more work is needed to better understand how to balance these efforts with the development of the local community who live close to cultural heritage sites. Partnerships between UNESCO's culture program and international development agencies are needed to ensure an effective balance between protecting cultural property and ensuring the sustainable development of local communities living in close proximity to cultural heritage sites.

Today, restoration efforts, international partnerships, and national and international legal and regulatory frameworks are all in place and significantly contribute to Cambodia's ability to restore, safeguard and protect its cultural property both in times of peace and during conflict. These efforts are both symbolic and pragmatic, proactively putting in place the national and international "shields" needed in case of conflict, and providing the people of Cambodia with validation and security that its living cultural monuments will continue to play a central role in its identity over the long term.

Data Collection Methods

Interview List
Interviewees listed in chronological order of interview during site visit.
- Phillippe Delanghe, Culture Programme Specialist, UNESCO Phnom Penh
- Kosal Mey, Liason Office Culture Unit, UNESCO Siem Reap
- Satoru Miwa, Architect, Angkor Wat Western Causeway Restoration Project, Sophia Asia Centre for Research and Development
- Soeur Sothy, Architect, Executive Director of JASA, Bayon, Prasat Sour Prat Restoration Project, Japan-APSARA Team for Safeguarding Angkor
- Rahul Tiwara, Project Lead, Indian Cambodian Cooperation Project for the Conservation and Restoration of Ta Prohm Temple
- Ket Sophann, Former Ambassador to UNESCO, Kingdom of Cambodia
- Kong Puthikar, Director General, Preah Vihear National Authority (ANPV)
- Dr. Hang Peou, Deputy Director General, APSARA National Authority
- Anne Lemaistre, Head of Office UNESCO, UNESCO Phnom Penh

Photo-Voice
- Western Causeway Restoration Project – Satori Miwa
- Bayon, Prasat Sour Prat Restoration Project Ta Prohm - Sœur Sothy
- Project for the Conservation and Restoration of Ta Prohm Temple – Rahul Tiwara

Document Review
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, Twelfth Meeting, November 2017, Item 5- Consideration of the National Reports on the Implementation of the 1999 Protocol.

Angkor Charter: Guidelines for Safeguarding the World Heritage Site of Angkor, UNESCO, APSARA, December 2012.

ASEAN Regional Seminar on the UNESCO 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, UNESCO, Preah Vihear September 2015.

Progress Report: Safeguarding of Bayon Temple of Angkor Thom Phase IV, Jan - December 2016.

Final Narrative Report: Safeguarding of the Angkor Wat Temple, Phase II, December 2015.

Draft Project Proposal, UNESCO/Italy Funds in Trust Cooperation: Safeguarding of the Angkor Wat Temple, Phase III, January 2017.

UNESCO Phnom Penh Office Report: 2016-2017.

Angkor: Application for Enhanced Protection under the 1999 Second Protocol to the 1954 Convention on the Protection of Cultural Property in the Event of Armed Conflict, May 2016.

The Temple of Preah Vihear, inscribed on the World heritage List (UNESCO) since 2008, Kingdom of Cambodia, Edited by the Council of Ministers, Phnom Penh, May 2009.

Case Concerning the Temple of Preah Vihear (Cambodia vs. Thailand), Merits, Judgment of 15 June 1962, 1062, International Court of Justice, Reports of Judgments, Advisory Opinions and Orders.

El Salvador

Background

El Salvador is a small Central American nation known for its historical monuments such as the "Ancient Tazumal Mayan scripts" which is one of the most visually striking writing systems of the world. The Maya culture which extends from El Salvador, Yucatan peninsula to Guatemala, and Honduras has endured changes, wars, and disasters over time. The capital, San Salvador, with a dramatic backdrop of volcanoes, has numerous museums and is home to the National Theatre.

> *After the war, we understood the importance of the protection of cultural property. Therefore, El Salvador ratified the 1954 convention in 2001 and its two Protocols in 2002. It was a country initiative and we decided that cultural property should be protected with the Blue Shield emblem in times of peace. We are very proud of our emblem.*
>
> The El Salvador Delegation, UNESCO Headquarters, Paris

El Salvador has experienced civil war with armed groups from 1980 to 1993. The conflict officially ended in 1993. During this period, various monuments and other cultural heritage were destroyed. Through the advocacy support provided by UNESCO, the El Salvador government understood the importance of International treaties for the protection of cultural heritage and therefore, ratified the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict on 19 July 2001 and the 1954 (First) and the Second Protocols on 27 March 2002. The 1954 Convention has been implemented through a number of actions. Despite not yet having ratified the 1954 Convention and its protocols, in 1997, El Salvador created a Management Committee of 11 institutions including the Red Cross, the General Prosecutor's Office of the Republic to act on crimes against the destruction of Cultural Property, the Procurator's Office and other State institutions. Moreover, there is a subcommittee for the protection of Cultural Property that monitors the 1954 Convention.

Extent of destruction

During the civil war period, five cultural properties that were nationally recognised as historical monuments and archaeological sites were extensively damaged by armed groups. These included: The "Monument of the Memory and the Truth", the "Museo Forma", the "SAN Miguel Arcangel Parish Church", the "Corinto Cavern", and the Barrientos' Family House".

Efforts made to Protect Cultural Property

El Salvador initiated various efforts to protect and restore cultural property damaged in times of conflict. Key actions by the government have been undertaken during post-conflict period starting from 2001 and continuing today under the framework of the Hague Convention. The following outlines an overview of the specific action taken across various sites across El Salvador.

Examples of Specific sites

Blue Shield marked installed at the Municipality of San Salvador and the Forma Museum.

Efforts made by El Salvador related to the 1954 Convention and its two Protocols for the protection of cultural sites were undertaken after the civil war. The "Blue Shield emblem" was used in times of peace to protect some specific sites with financial support received in 2011 from the Second Protocol Intergovernmental Committee through the Second Protocol Fund in the amount of $23,500. Some cultural properties such as buildings and monuments were marked with the Blue Shield. From 2004 to 2006, 20 buildings were marked with the Blue Shield in six municipalities namely San Salvador, Chalchuapa, Metapan, Suchitoto, San Juan Opico (Jewel of Cerén), and San Miguel.

Subsequently, other signalling initiatives were developed and additional buildings were marked with the Blue Shield between

2007 and 2008, under the Inter-institutional Committee of International Humanitarian Law (CIDIHES).

Moreover, 11 cultural properties of the municipalities of San Vicente, Ahuachapan, Santa Tecla, San Salvador, Ciudad Arce, Antiguo Cuscatlan, and Aguilares were marked with the Blue Shield from August 2009 to July 2010.

Finally, El Salvador received additional financial support from UNESCO under the 1999 international assistance fund from July 2012 to May 2013. The money was used to mark five buildings with the Blue Shield including the Church Parroquial San Miguel Arcángel in the municipality of Huizúcar, Grotto of the Holy Spirit in the Municipality of Corinto, House of the Barrientos Family in the Municipality of Izalco, The Big house known as "Forma Museum", and Monument to the "Memory and Truth" in the municipality of San Salvador.

To date, about 43 buildings have been marked with the Blue Shield emblem of protection as a symbol of safeguarding or as a mitigating measure

> *The Monument of Memory and Truth commemorates the violation of human rights that occurred during the Salvadorian armed conflict from 1980 to 1992. It also serves as a memorial to recognize women and children killed in the civil war. This monument is a symbol of what can never happen again.*
>
> El Salvador Delegation, UNESCO Paris

against any potential damage, looting or occupation by any armed group during time of conflict. These achievements are specific applications of the 1954 Convention to protect cultural properties.

The emblem of the Blue Shield was very important to safeguard assets and reinforce respect due to Cultural Property in times of armed conflicts such as historical and archaeological sites, architecture of colonial times.

The dissemination of messages from the 1954 Convention in various media such as radios, television and newspapers, was also very useful to make people aware of the need to protect cultural property. El Salvador developed a training handbook for the national armed and security force with technical assistance of the National Red Cross Society.

In addition to national policies on cultural property such as government resolutions and legislative degrees, the law on cultural heritage for the protection of cultural assets, the law against looting, the Penal Code, and the recently approved general culture law, which includes all indigenous peoples, further support the implementation of the 1954 Convention and its two Protocols in El Salvador.

Blue Shield marked installed at the Municipality of San Salvador and the Forma Museum.
Source: National report.

Training of Military

Training was led by the Inter-institutional Committee on International Humanitarian Law in El Salvador (CIDIH-ES) which was created by an Executive Decree No. 118 of 4 November 1997. The CIDIH-ES was also created to advise the Government on measures for the application, interpretation and dissemination of International Humanitarian Law (IHL) as well as providing training to national armed forces in meeting their commitments. About 36 trainings were carried out on the 1954 Convention and its two Protocols, as well as on other Conventions such as the 1970 and the Geneva Convention as a preventative measure to protect cultural property.

Training activities were coordinated between the CIDIH-ES, the Ministry of National Defence and the Ministry of Culture. Participants included national military officers and non-commissioned officers. For instance, 72 people from the 2nd Infantry Brigade were trained in the city of Santa Ana in September 2016; 80 people from the 5th Infantry Brigade were trained in city of San Vicente in October; and 54 people from the 3rd Brigade of Infantry, were trained in the city of San Miguel in November of the same year 2016.

Trainings on the 1954 Convention were also provided to civilians. National reports indicate that 26 students who are technicians of the Ministry of Culture were trained in October 2016 in San Salvador. However, the El Salvador Ambassador stresses that more trainings are needed on all

Conventions including the 1954 Conventions for both the national armed and security forces. The objective is to make all military and security forces aware of the importance of cultural property and get everyone as the guardian of these goods.

Furthermore, the government has taken other actions to implement the 1954 Convention and its Protocols. These include the annual planning of the Committee with a series of trainings for national armed forces (e.g. a permanent training session is provided once a month to the army and the Attorney General of the Republic, among others), dissemination of awareness printed materials which are also available on the website of the Ministry of Defence (https://rree.gob.sv/), coordination with ICRC for humanitarian law, and provision of a CIDIH-ES's link to publicly share the work of the Committee.

Support Provided by UNESCO

National reports highlight that UNESCO provided impressive financial and technical support to El Salvador in the protection of cultural property since 2001. Most of this support was for the marking of a number of monuments and archaeological sites with the Blue Shield emblem as described above. With the close collaboration of UNESCO, the Committee for the Protection of Cultural Property in the event of armed conflict approved a financial support of USD 23,500 in December 2011 for El Salvador to reinforce its efforts in the protection of cultural property from 2012 to 2013. The fund was managed by the CIDIH-ES and the main activities included:

- *Capacity-building:* This was mostly done through a series of workshops on various themes including the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (obligation of States and its application); The Blue Shield and its significance; Why and how the Conventions protect the heritage and value of a property; and the challenges of the 1954 Hague Convention and its two Protocols. Participants included: educational and cultural institutions, non-profit organizations, community leaders, local authorities and members of the private sector, and local networks.
- *Awareness-raising:* It covered the design, publication and distribution of marketing materials such as folders, notepads, banners and pamphlets to local actors in the network of contacts in each municipality, with a main slogan namely '*even in war, respect is due*' as a clear allusion to provisions of the Geneva Conventions,

as well as to the Hague Convention. The Production of audio-visual support for capacity building such as a video was prepared and presented in an interactive manner on the 1954 Convention, the Blue Shield and the CIDIH-ES. Finally, awareness raising was done through the dissemination of the training materials using radio, print media, social networks and television.

- *Campaigns* on cultural property and protective measures under the 1954 Convention through Mass Media, with broadcasting on radio, television and newspapers.

UNESCO was also available for advice and support to government and country delegation as needed. Meeting with the El Salvador Delegation in Paris was an opportunity to record that they want to see more efforts both technically and financially from UNESCO, given the number of pending challenges on the implementation of the 1954 Convention and its two Protocols. For instance, the complexity of the Convention's legal framework requires continued technical expertise to boost the capacity of government and military officials. The government wants to see more Blue Shield emblems to be marked on other archaeological monuments and ancient buildings, but the process is complex and costly. It was noted that additional challenges include the contextual framework of the 1954 Convention from the past second world war to the most recent civil war, the interrelationship with the 1970 Convention dealing with illicit trafficking and 1972 Convention which is related to the World Heritage; the need for the adoption of preparatory measures and legal framework as well as the absence of relevant criminal legislation. More synergies with other Conventions are therefore needed to overcome these challenges, such as the 1954 Conventions and its two Protocols, 1970 and the 1972 Conventions.

Inclusion of Gender Equality

Gender equality has been incorporated through the efforts made by El Salvador to protect its cultural property. For instance, the protection of The Monument of Memory and Truth with the Blue Shield brought back the respect of human rights mostly for women and children, which is an example of gender consideration in the implementation of the 1954 Convention..

Learnings

The El Salvador case study provides number of learnings:

- The ratification of the 1954 Convention and its two Protocols was very useful in supporting government initiatives on the protection of cultural properties such as the financial resources received from UNESCO which was also used to mark about 43 buildings with the Blue Shield emblem. Most of the country's efforts towards the protection of cultural properties were initiated after the ratification of the 1954 Convention and its two Protocols.
- The emblem of the Blue Shield was very important to safeguard assets and promote respect of cultural property in time of armed conflicts.
- It is important to note the linkages among the 1954, 1970, 1972 and the four 1949 Geneva Conventions. All efforts towards protecting cultural property also supported the other Conventions. For instance, the training handbook content was organised around these Conventions rather than just on the 1954 Convention.
- The complexity of the 1954 Convention's legal framework requires continued technical expertise to maintain the capacity of government and military officials to implement it. The training handbook is used when needed for further trainings for national armed and security forces.
- The existence of a national policy on cultural properties, government resolutions and legislative degrees, the law on cultural heritage for the protection of cultural assets, the law against looting, the Penal Code, and general culture law support the implementation of the 1954 Convention and its two Protocols in El Salvador.
- Training on the protection of cultural heritage is an important tool to support the implementation of the 1954 Convention. It should be given to both military and civilians as it helps to engage all parties including the community in recognizing and protecting cultural property.

Data Collection Methods

Data was collected primarily through documents and two interviews. It did not include a site visit.

Interviews

- Ms. Lorena Sol de Pool, Ambassador of the El Salvador Delegation at the UNESCO Headquarters, Paris
- Mr. Jorge Jimenez, General Director of Social Development, Ministry of Foreign Affairs of El Salvador

Document review

CIDIH-ES El Salvador, C.A. 2017. Compilation of international instruments in the field of international humanitarian law. Commemorative edition of the 20th Anniversary.

Even in war you owe respect. Final report. Project of III Phase of awareness, diffusion and signalling of cultural goods of El Salvador with the Emblem of Protection of the Hague Convention 1954.

Financial assistance request, 2011. The 1999 Fund for the Protection of Cultural Property in the event of Armed Conflict.

Four-year cycle 2013-2016. National report on the implementation of the Hague Convention of 1954 and its two Protocols (1954 and 1999).

IHL Database. Practice Relating to Rule 142. Instruction in International Humanitarian Law within Armed Forces. International Committee for the Red Cross (ICRC). https://www.icrc.org/ (Consulted date: 14/08/2018).

History of El Salvador. https://www.teachingcentralamerica.org/history-of-el-salvador/ (Revised date: August 30, 2018).

Meeting report 2013. Committee for the Protection of Cultural Property in the event of Armed Conflict. Second Protocol of the Hague Convention of the 1954. Report on use of the financial assistance granted to El Salvador. Eight meeting, UNESCO Headquarters.

Lebanon

Background

Lebanon has experienced conflict with Israel in some form since 1948, with a cease-fire since 2006. It has also experienced civil war over a number of decades 1975-1990 with the last conflict ending in 2008. Although Lebanon is currently in a relative state of peace, it is hosting both Palestinian and Syrian refugees, which represent around 40% of the Lebanese population.

Lebanon ratified the 1954 Convention and the first Protocol in 1960. It has not yet signed the second Protocol, but has done all of the preparation with plans to ratify as soon as a new government is formed. While there is extensive activity related to the implementation of the 1954 Convention, there are no specific laws related to the 1954 Convention.

Extent of destruction

Over a number of decades of war with Israel, the Civil war and the spill over from the conflict in Syria has resulted in damage to almost every cultural site in Lebanon as well as the destruction of smaller cultural properties within sites.

Palestra in Tyre Damaged in 1986 Lebanon Israel War

Efforts made to Protect Cultural Property

Lebanon has made a number of efforts to protect and/or restore cultural property in times of conflict. During a three-day site visit, it was not possible to see all the efforts. The following provides some examples. It should be noted that while interviewees recognized the difference between looting leading to trafficking and the destruction of cultural property during conflict, a number of people noted that conflict creates a context where looting can easily occur.

Examples of Specific Sites

Lebanon divides its work related to the 1954 into three distinct categories: pre-conflict work, work during the conflict and post-conflict work. The following are some examples of specific sites that provide examples of work to protect cultural property post-conflict as well as one example of protection during conflict.

Beaufort Castle Beaufort is a Crusader fortress in Southern Lebanon, near the town of Arnoun, dating back to the 10th century.

Beaufort Castle

> *In the year 2000, we heard that the Israelis were going to destroy the bunkers around the castle in Beaufort. For us, it meant they were going to destroy the castle. Everyone spoke out, citing the Hague Convention. When they actually withdrew, they did so with very little damage. The Convention was the tool we used. We can't know exactly what affected them. UNESCO spoke out. Others spoke out.* – Archeologist

This provides an example of use of the 1954 Convention to protect a cultural property during an armed conflict.

Chamaa Castle Restoration

Chamaa Castle restoration

The castle was a standing building until 2006, when the Israelis destroyed it. It is believed that this castle dates back to the Byzantine period. There was also a village here in the 6th Century. In 1978, the Israelis used this as a military site because it is high with a broad view on all sides. The site was photographed prior to the destruction, which has proved to be important for the reconstruction. The occupation is an example of a violation of the Hague Convention. After the occupation in 2006, a missile was found buried 70 metres down. It is now being rebuilt in consultation with the town's people. People who were living on the site prior to its occupation by Israeli troops are hoping to have their homes reconstructed. The archaeologist responsible for the restoration of the site indicated that they are trying to keep the authenticity of the site and create spaces for the villagers to use. There is an effort to balance archaeological authenticity with the social aspect of the villagers. It is an example of post-conflict protection of cultural property.

Protection of the National Museum

During the Lebanese civil war, the National Museum was on the demarcation line between the Christian and Muslim factions (east and west). The museum was used as a bunker by both sides at different times. Anticipating its vulnerability, the Director at the time took a number of measures to protect objects within the museum during the conflict:

- Moved the small pieces into boxes and moved to the basement. He built a wall so that no one would even know that there were boxes hidden
- Covered larger pieces and floor mosaics with protective concrete

At the end of the war, the large objects were uncovered. There was graffiti on the concrete blocks. There were only three incidents of damage to cultural objects:

- A hole made by a sniper in a mosaic on the wall
- An historical bench with burns on it
- A statue with burns on it

When they opened up the room with the small objects, they discovered that the room had flooded with water from the river. Recovery of those objects required careful removal of mould.

The outside of the museum was severely damaged and has since been repaired. This is an example of protection of cultural property both during a conflict and post-conflict.

Training of Military

The training of military is generally carried out during times of peace and considered to be a preventative measure to protect cultural property. This training enables the military to effectively recognize cultural property during times of conflict, and take measures to ensure they do not attack cultural property or use cultural property for positioning troops.

UNIFIL

In 2015, UNIFIL (the United Nations Interim Force in Lebanon) and UNESCO partnered to provide training on the 1954 Convention to senior officers in the UNIFIL and Lebanese army forces. The agenda included:

- an introduction to the 1954 Convention by the UNESCO
- presentation of a no-hit list of heritage sites
- the obligations of armed forces during peace and war time
- information regarding the Blue Shield missions in Mali, Libya and Egypt
- implementation of the Hague Convention by the Lebanese Army
- the penal aspects of the protection of cultural property
- the relationship between the Hague Convention and other UNESCO Conventions

Damaged statue in the National Museum

- protecting cultural property with local communities.

Graduates UNIFIL's Training in the 1954 Convention and its Protocols

Presenters included UNESCO's National Officer for Culture in Lebanon, a UNESCO representative from the Cultural Heritage Protection Treaties Section, local archaeologists, an officer from the Austrian military who has developed their training package, a representative of the Blue Shield, a Brigadier General from the Lebanese army, a representative of the International Committee of the Red Cross and representatives of two local NGOs.

UNIFIL now provides an introduction to the various United Nations conventions as part of its induction training. The 1954 Convention is explicitly mentioned. UNIFIL does not have the time to provide in-depth training. It would like to see more countries provide training to their military. Of the 23 different countries currently providing peacekeepers in southern Lebanon, only three countries provide any training on the 1954 Hague Convention. It was noted that it would be useful if more countries provided training to their military on all conventions.

Lebanese Army

The Lebanese Army, which currently consists of approximately 75,000 troops, has formed a Directorate to provide training and support related to enforcing all UN Conventions including the 1954 Hague Convention. The Key elements of its efforts include:

- Training during the induction of all new recruits on the various UN conventions.

- A poster that provides directives to all military regarding what they are supposed to do when they see the Blue Shield.
- A pocket-sized card that all military are expected to carry with them with the directives. The Lebanese Army includes women so recruits are advised on harassment and human rights policies.

NGO Efforts

Blue Shield

Blue Shield Lebanon is a recently formed NGO (approximately three years old) with founding members including a retired Lebanese military general, a conservator of a museum and an archaeologist. They have developed a list of properties within Lebanon that need to be protected:

Lebanese army poster with humanitarian convention icons

Amjar	Hasbaya serial	Niha
Baalbek	Hebbanyeh Roman	Saida
Beit ed-dine	temple	SHeadquartersif
Byblos	Hernel	Simar
Deir el Qamar	Musseilha	Tyre – Bass
Deir el Qalaa	National Museum	Tyre - city
Faqra Temple		

This list has been accepted by the Lebanese military as a no-hit list. They have made an effort to obtain funding from the Lebanese Ministry of Culture to purchase the Blue Shield emblem to place on all these properties, but so far have not been successful. The Blue Shield emphasizes the importance of planning during times of peace in order to protect cultural property in times of conflict.

BILADI

This NGO developed a game to teach young people, primarily adolescents, about the importance of cultural property and 1954 Convention and its two Protocols. It is a huge map of Lebanon showing the 21 cultural sites identified by Blue Shield Lebanon and accepted by the Lebanese army as 'no hit' sites. Students are asked to match cards with the sites. They are also given descriptions of scenarios and asked to identify whether it contravenes the 1954 Convention. It costs about $10 per student to implement in order to provide transportation for the students

Are

Game to teach children the importance of cultural property and protecting it in times of conflict

to BILADI and a snack. The snack is included because many of the students arrive hungry. There is now a waiting list of classrooms who want to include this game in their curriculum. This activity was fully funded by UNESCO Beirut Office. BILADI worked closely with UNESCO's National Office in developing this initiative. They would like to see this concept used in other parts of the world and would only ask that BILADI be given recognition for the creation of the game.

Support Provided by UNESCO

UNESCO has supported a number of efforts to implement the 1954 Convention and its two Protocols including:

- Partnered with UNIFIL to provide training to officers in the Peacekeeper units and Lebanese army using the expertise of the International Committee of the Red Cross (ICRC) and the Austrian army.
- Provided expertise on the Convention and its Protocols to BILADI in development of a game to teach about protection of cultural property and funding these activities.
- Provided advice to support ratification of the second Protocol by working with government, NGO's, museum directors and academics to prepare the ratification papers.
- Developed a proposal for an integrated risk preparedness strategy in view of protecting Baalbek's integrity within the framework of the

project named "Capacity Building of Human Resources for Digital Documentation of World Heritage Sites Affected by the 2006 war in Lebanon".

- Support the development of Blue Shield by facilitating meetings of the appropriate people available for advice and support to NGOs, UNIFIL, the Lebanese military, government and cultural sites on an as needed basis.

A number of people wanted to see more resources go into training of military and police. One suggestion was a think tank to bring together some of the best minds to come up with solutions for addressing destruction of cultural property by non-state military groups. This could build on Geneva Call's study on the involvement of non-state actors in cultural heritage protection. There is currently discussion underway for a regional or international conference on the implementation of the 1954 Convention to be hosted in Lebanon. UNESCO's role would be to assist with the planning and give credibility to the project.

Inclusion of Gender Equality

The Lebanese military was the only organization that has consciously incorporated gender equality into its induction training by introducing recruits to anti-harassment policies and human rights. However, it should be noted that many of the cultural leaders are women including the Director of the National Museum, the Director of the Mineral Museum and a founding member of Blue Shield and the Founder and Director of BILADI, an NGO whose mission is to introduce children to the importance of protection of cultural property.

Learnings

Lebanon provides an excellent example of implementation of the 1954 Convention at the state level. Some key learnings include:

- Most interviewees did not distinguish between the 1954 Convention and the 1970 Convention related to trafficking when discussing protection of cultural property. Military training in the Lebanese forces often includes both. Some interviewees speculated as to whether there could not be increased efficiencies if implementation of the conventions was better integrated.

- Almost all efforts to protect cultural property in Lebanon are the result of partnerships among government, academia, NGO's and UNESCO. Those involved with cultural heritage have developed a strong network aimed at maximizing the effective use of limited resources.
- As the Lebanese case suggests, lack of ratification of the 1999 Protocol does not mean that a country is not moving towards implementation of the Protocol.
- Planning is important during times of peace and should include:
  - Developing an inventory of cultural property
  - Identifying the property with the Blue Shield emblem
  - Training the military in what is needed to be done to protect cultural property emphasizing not using it for military purposes
  - Public campaigns to educate people of all ages about the importance of cultural property and what they can do to protect it
  - Ensuring that museum directors and curators have an understanding of their roles during conflict

Data Collection Methods

Interviews
- Abalgir Adam - Chief of Civil Affairs, Division of Political & Civil Affairs – UNIFIL
- Dr. Ali Khalil Badawi – Archaeologist
- General Marwan Eid - Director of International Humanitarian Law and Human Rights - Lebanese Armed Forces
- General Naim Ziade - Founder President of Blue Shield National Committee
- Joanne Farchakh 0 Director BILADI NGO
- Dr. Rashid Chamoun - Director Lebanese American University - Louis Cordahi Foundation
- Dr. Assaad Seif - former advisor to the Minister of Culture
- Suzy Hakimian - President ICOM –Lebanon -
- Anna Marie Afeich - Director General of Museums

Photo-voice
Chamaa Historic Village
Tyre
National Museum
BILADI

Document review
Agenda - Seminar on the Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols, for the UNIFIL Officers, Naquora 24-25 November 2015.

Badawi, Ali Khalil (2018) Tyre.

Protection of Cultural Property in the Event of Armed Conflict Project Description.

Rehabilitation and Valorisation of Wadi Qadisha
- Program Description
- Signed Donor Agreement
- Project Overview – SISTER
- Government Endorsed Approval
- Official Letter from Italian Agency for Government Cooperation
- Budget Document

War-Free World Heritage Listed Cities.

Mali

Background

Mali has experienced armed conflict since January 2012 in the northern regions with the Tuareg rebels. In April 2012, the Tuareg rebels took control of the territory and declared the secession of a new state namely "Azawad". In March of the same year, a number of military groups became involved with the conflict, further complicating the conflict. In January 2013, the

> "*Peace is not given, it should be prepared for and monitored. Mali did well to ratify the 1954 Convention and its two protocols ahead of the security crisis happening in the northern regions. Mali was stable before and was said to be "the most democratic country in West Africa". Security doesn't have a cost and I fully believe that the special attention we received from UNESCO and the International community was due to the country interests in ratifying those international treaties*".
> Former Director of the National Museum, Director of the National Park of Mali.

French military launched "*Operation Serval*" in response to territorial gains and after about a month, Malian and French forces recaptured most of the north regions.

Mali ratified the 1954 Convention and its first Protocol on the 18th of May 1961. The country passed two laws providing a national legal framework for the implementation of the 1954 Convention: 1) Law No. 85-40 / AN-RM on the Protection and Promotion of the National Cultural Heritage signed by the Presidency of the Republic of Mali on 26 July 1985 and 2) Law No. 10/061 of the 30th of December 2010 amending the Law No. 85-40/AN-RM on the Protection and Promotion of the National Cultural Heritage, which was adopted by the National Assembly.

Because of the recent conflict, Mali, through the UNESCO field office, became aware of the benefits that 1999 Protocol could provide in assisting with protection and repair of cultural property. With technical assistance from the UNESCO field office, Mali ratified the 1999 Protocol in 2012.

Extent of destruction

The armed conflict happening in the northern regions of Mali since 2012 has caused extensive destruction of cultural property. Following are some examples of cultural property with damage or complete destruction:

The Big Mosque of Djenne in the North of Mali.
Source: The National Museum, Bamako

Timbuktu: 14 of 16 mausoleums were destroyed by Islamists in the attack of the 23rd of September 2013. The monument of independence with the effigy of El Farouk was destroyed.

Tombs of Askia in Gao: These monuments deteriorated during the conflict as it was impossible to organize regular maintenance work.

Copy of a manuscript.
Source: The National Museum, Bamako.

The entire exhibition of the **museum Arsène Klobb** in Timbuktu was destroyed by armed groups. About 4,203 manuscripts were lost, some of which were burned or stolen.

Many other sites were seriously damaged including religious monuments, archaeological and prehistoric sites in Gao, Timbuktu and Kidal as well as colonial buildings (governorate of Timbuktu, the forts of Kidal and Bourem).

Efforts made to Protect Cultural Property

With the support of the international community under the close assistance of UNESCO office, Mali has deployed various interventions to restore and protect its cultural property both in times of conflict and post-conflict. Findings from meetings with people met during the evaluation mission

reveal that efforts by government and its partners have been made possible through the combination of normative instruments such as the 1954 Convention together with the 1970 Convention related to illicit trafficking, 1972 World Heritage Convention and 2003 Convention related to the protection of intangible heritage. Together these Conventions cover a range of issues that arise during armed conflict. For example, the occupation and destruction of cultural property and the looting of monuments and/or manuscripts can occur at the same time and be committed by the same people.

Some specific examples are provided below.

Protection of Specific Sites

Timbuktu

Timbuktu is an ancient city situated around the Niger River. Four key efforts have been made possible by the Malian government and its partners under UNESCO's guidance, coordination and monitoring, to restore cultural property.

- In 2012, the Second Protocol Intergovernmental Committee provided USD 40,500 through the Second Protocol Fund in order to make an appraisal of the situation and assist with protection of cultural property in the north of Mali. The funds were dispersed to the National Museum of Mali to secure the museum and to the National Directorate of Cultural Heritage to identify objects of the regional and local museums of Gao, Timbuktu and Djenné. The museum was successful in securing the site; however, the activities to identify objects were postponed because the conflict made it too dangerous to continue.[14]
- UNESCO coordinated the donation of about $1,600,000 from the Swiss Cooperation (CH1,000,000) and the European Union (EUR500,000) to assist with the reconstruction of the museum.
- *The restoration and plastering of the Mosque of Djingareyber and Mosque of Sankore*. This destruction was the result of a suicide bombing in 2012. UNESCO provided funds to the Cultural Mission of Timbuktu to replace entrance doors and the southern side of the building. The overall work was carried out by local communities so as to rebuild confidence and hope of people. Both mosques were restored by the associations of bricklayers, which created local jobs.
- *The restoration of the mosque of Sidi Yahia and its secret door*. This restoration project was carried out with technical expertise provided by UNESCO, through the Constructive Culture and Sustainable Development (CRAterre) unit, providing substantial support for the reconstruction of the cemetery, roof and enclosure wall.
- *Safeguarding and conserving the ancient manuscripts, and the rehabilitation of private libraries*. During the occupation of the northern regions of Mali by armed forces, community-based organisations jointly with SAVAMA (*Safeguard and Valorisation of Manuscripts for the Defence of Islamic Culture*) successfully transferred about 22,450 manuscripts for the IHERI-AB and about 377,000 from various families in Bamako. Despite these efforts, the armed conflict caused the destruction and disappearance of thousands of manuscripts. With the financial and technical support of UNESCO, a group of 14 Managers from both the SAVAMA NGO and IHERI-AB met for a two-week training in Bamako in June 2015 where they learned about the steps of the conservation process. Moreover, UNESCO provided digitisation and conservation equipment to them. Timbuktu city has several private libraries with ancient manuscripts. About 25 private libraries were destroyed or damaged by suicide attacks in 2013. Based on a priority-setting study, the Ben Essayouti, Al Wangari and Boularaf libraries, were reconstructed between 2014 and 2016 by the Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). The overall work

Ancient manuscript from the 13th Century collected in Timbuktu.
Source: The National Museum, Bamako

---

[14] Report on the use of financial assistance granted to Mali from the fund for the Protection of Cultural Property in the Event of Armed Conflict, to the Eighth Meeting of the Committee for the Protection of Cultural Property in the Event of Armed Conflict (December 2013)

was delegated to the association of bricklayers under the close monitoring of UNESCO.

- *The Askia Tombs in Gao.* This cultural property was abandoned during the conflict. In December 2016 the Second Protocol Intergovernmental Committee granted 35.000 USD from the Second Protocol Fund to Mali for the implementation of raising-awareness activities and the elaboration of preparatory measures intended to contribute to the preparation, development and implementation of laws, administrative provisions and measures recognizing the exceptional cultural and historic value of the Tomb of Askia and ensuring the highest level of protection. The plastering of these historical monuments started in May 2014 and completed in June 2016. The entire work was led by the communities. Gathering all community-based organisation leaders of Gao into a unified and common group was very important for the revitalisation of these Tombs (e.g. roofs and floors). In December 2016, the Second Protocol Intergovernmental Committee granted enhanced protection to the Tomb of Askia (cultural property inscribed on the World Heritage List) by inscribing it in the International List of Cultural Property under Enhanced Protection established by the Second Protocol.

- *Protection of the National Museum and restoration of traditional-based events.* Through the funding received in 2013 from the 1999 fund, the Museum was made more secure through replacing doors and windows, installing alarms and improving the electrical systems. This was augmented by financial support received from the Netherlands, which covered a TV spot to explain the importance of cultural heritage.

Training of Military

Two types of training are provided on a continued basis for MINUSMA troops and to the National Security forces.

MINUSMA

Training on the 1954 Convention to MINUSMA military is combined with an induction training as an introduction module. It is given weekly most of the time at the MINUSMA camp in Bamako in French, English, Arabic or Bambara. This training is currently led by two trainers (Male and female) with the participation of an UNESCO National Officer. In some instances, local archaeologists and cultural heritage experts are invited. About 240 training sessions have been held since Februray 2013 with attendance

ranging between 10 to 20 people. The training is focused on ensuring that armed groups and security forces can recognise cultural property in times of conflict. The agenda of the training covers:

- General presentation of the country, Cultural diversity and components of social organisation, Main religions and communication elements
- Introduction to the 1954 Convention
- Information about The Blue Shield and its use during times of conflict.
- Objective and field of action in Mali

Trainers are about 60% UNESCO's National and regional experts and 40% cultural heritage experts with an International profile. Other key partners include the United Nations Office for Coordination of Humanitarian Affairs (OCHA) and the National security forces. The collaboration of OCHA is very helpful as it provides much assistance on principled and effective humanitarian response through information management around the protection of cultural property in the northern regions.

Although a survey to obtain trainees' feedback is collected at the end of each session with data disaggregated by gender, information about the breakdown of attendees by gender was not made available.

Blue Shield Emblem

MINUSMA officers affirmed that the training modules

are to be reviewed in close cooperation with the UNESCO office in Mali to incorporate content of the Integrated Training Service (ITS) around peacekeeping.

Training for the National Security force

Installation of the Blue Shield panel in Gao. Source: DNCH report on the 1999 Fund in Mali.

This is an inclusive training mostly constructed on the 1954 Convention and its two Protocols, but also built on other UNESCO conventions (1970, 1972 and 2003). To date, four specific trainings in a form of training of trainers' workshops have been provided or are planned on the protection of the Cultural Heritage (November 2018, June 2017, August, 2017, August

2018 and November 2018). UNESCO provides technical expertise working closely with the Ministry of Culture. Cultural Heritage Experts are invited to serve as Facilitators. Participants are mostly composed of national security force troops and include representatives of national armed forces, Security and Police, UNESCO national officers, Custom agents, Civil protection unit, Water and Forest Officers, Cultural Missions and DNCH, Ministry of Tourism and crafts, NGO (SAVAMA), and other civilians, including journalists. Content includes:

- The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict: Overview, framework and contribution
- Protection of cultural heritage in the light of the 1954 Hague Convention: the need to integrate the imperatives of cultural heritage protection at all levels of the chain of command
- National legislative and regulatory framework for the protection and promotion of cultural heritage
- Role of military and security forces in the protection of cultural heritage in the event of armed conflict, and identification of cultural property by the national armed forces: "The Blue Shield"
- Role of UNESCO in the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict
- Training program for international forces in Mali: assessment and perspectives from UNESCO
- Development of a training plan based on the modules taught into the training programs for the armed and security forces. Presenters included the UNESCO's National Officers in Bamako, local experts of cultural heritage, local archaeologists, and officers from the DNCH. The first session led by the DNCH with the participation of UNESCO was held in Gao in August 2017 provided an opportunity for participants to install the "Blue Shield" panel in Gao. As well, the learnings from these trainings provided information for the design of a training action plan for the National security force and civilians. Gender equality was incorporated into both the trainings for military and national security forces. Participants are men and women from MINUSMA military, the National security force and civilians.

Creation of a Cultural Heritage Passport

In November 2012, UNESCO provided technical and financial support to the Ministry of Culture for the creation of the Mali Heritage Passport, which provides information about and location of important cultural property in Mali. Its aim is to facilitate the implementation of the 1954 Convention, as well as the 1970, 1972 and 2003 Conventions and Mali's Law 10-061 on cultural heritage. The passport is a very important tool and resource especially for the military.

Mali Heritage Passport

Interviewees indicated that it is good for military and national security forces to be aware, recognise, respect and preserve the cultural property of Mali and recommend the use of the passport. Copies of this passport were distributed to the National Army and other security forces such as Police and Gendarmerie, MINUSMA, national and international NGOs, Civilians, UNESCO and other UN agencies such as OCHA, WFP, UNICEF and FAO. It is important to note that the "Mali Passport" was acknowledged by the UN Secretary-General Ban Ki Moon in November 2012.
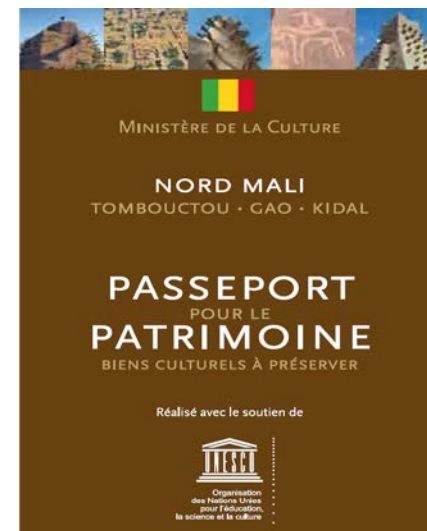
Related to the Mali Justice System

As part of the implementation of the 1954 Convention in Mali. law 10-061 was created in 2010. Malians and the government are therefore aware of the importance of the protection of Cultural Heritage and its sites. According to the one key informant, the enforcement of the law is difficult because it covers a number of conventions and does not provide a sufficient penalty to be a deterrent. However, it does allow for the arrest of individuals and to for them to be transferred to the ICC as was the case of Ahmed Al Faqi Al

Mahdi and Hassan Mohamed who were arrested in April 2017 and moved to the ICC on April 2018. Their arrest and transfer were made possible by the Rome Statute ratified by Mali.

NGO Efforts

The following provides examples of non-governmental organizations that received assistance from or worked in partnership with UNESCO.

SAVAMA – DCI

SAVAMA-DCI received technical support and a small amount financial assistance through the UNESCO office in Mali for the protection of cultural property (e.g., "Ancient manuscripts").

This NGO was initially based in Timbuktu and was delocalized to Bamako due the occupation and invasion of the city by armed forces and Jihadists. The unique mandate of the organisation is to support the preservation and restoration of ancient manuscripts of the northern regions.

Key achievements from 2012 to date include:

- The evacuation of about 95% of old manuscripts from Timbuktu to Bamako for better conservation
- Safeguarding and preservation of 377,491 manuscripts
- Establishment of a directory for 151,028 manuscripts in 15 libraries
- Physical conservation of 183,124 manuscripts from 15 libraries in 16,420 protective boxes
- Rehabilitation of 12 libraries in Timbuktu
- Reconstruction of 20 libraries in Timbuktu
- Partial rehabilitation of the IHERI-AB office as well as digitisation (scanning and photographing) of 37,000 manuscripts for 3 libraries
- Publication of a book entitled: Culture of Peace and Spiritual Tolerance
- Implementation of five scientific research projects on the ancient manuscripts, with publication of two critical editions and three scientific articles

The SAVAMA-DCI received technical and financial support from UNESCO, donors and several partners.

Support Provided by UNESCO

UNESCO has been recognised as the main leader of the overall efforts in Mali. Everyone interviewed recognised the impressive work undertaken by the UNESCO office in Mali in assisting Mali in the restoration and protection of its cultural heritage. Furthermore, UNESCO's efforts contributed to the mobilisation of the international community to assist Mali in the restoration and preservation of the cultural property during the armed conflict,

Visit to the Physical Conservation laboratory at the SAVAMA-DCI office in Bamako.

UNESCO also facilitated the participation of other specialised organisations in archaeological work or in the protection of cultural heritage, such as The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), the International Council for Monuments and Sites (ICOMOS International), and CRA-terre.

Evident from the findings in this case study, UNESCO has made significant contributions to the protection of cultural property in Mali through financial support, coordination and leadership. While UNESCO's financial contribution has been relatively small compared to other sources, contributing only approximately 4% of the $1.6 million USD contributed, UNESCO has provided legitimacy to Mali's efforts. The combined efforts of the Malian government and UNESCO were able to achieve far more than either single entity could do on their own.

Learnings

Mali provides an excellent example of efforts to protect cultural property during times of conflict as well as restoration post-conflict. Key learnings include:

- The ratification of the 1954 Convention and its two Protocols was an asset for all efforts deployed by Mali with the assistance of UNESCO and its partners. It was used in all advocacy campaigns to fight the armed groups as well as the calls for financial support from donors and humanitarian assistance. The Mali experience emphasizes the importance of UNESCO as an independent actor.
- Given the important role of culture in Mali, the inclusive approach employed by UNESCO to get the various actors (community-based organizations, Association of Bricklayers, traditional-based entities and leaders of mosques) involved in the reconstruction, restoration and safeguarding of cultural heritage supported the successes achieved in Mali. This inclusive approach has helped to support social cohesion and peace building among people, helping them to stay and work together.
- This case study provides evidence of the linkages among the different conventions, with those outside of UNESCO making little distinction, particularly between the 1954 and the 1970 Conventions. This is understandable given that looting and trafficking increase during conflict.
- Cultural pluralism during times of crisis can be successfully achieved with open dialogue, inclusive communication in local language and community development and education activities.
- The 1954 Convention and its two Protocols are not only used as working tools to raise awareness on the need for the protection of cultural heritage, but they are also essential for local development and poverty alleviation. For example, tourism in the north of Mali provides economic resources for both the government and local population.
- The "Heritage Passport" for Mali is a historical marketing and awareness tool that is very important for the implementation of the 1954 Convention and its two Protocols. By providing maps of cultural sites, existing legal measures for the protection of cultural property as well as the overall list of cultural property of Mali, it can be used by military and police to locate cultural property and know what is expected in terms of protection.
- Training on the protection of cultural heritage for the MINUSMA military, national security forces, civilians and CSO during conflict and post-conflict times are important tools to support the implementation of the 1954 Convention. It helps to engage the community in recognizing and protecting cultural property. Training related to the 1954 Convention provides the military with the identity and location of cultural property

as well as what needs to be done in relation to these sites. Mali provides an excellent example where different training approaches have proven to be effective in raising awareness of heritage protection among multiple stakeholders.

Data Collection Methods

In-depth interviews combined with site visits to both the National Museum and the laboratories of the SAVAMA-DCI were very useful. All meetings have been facilitated by UNESCO field office.

Interviews
- Abdel Kader Haidara, Executive President, SAVAMA-DCI
- Adam Diakite Sangare, Training Officer, MINUSMA Office in Bamako
- Ali Daou, Program Officer for Culture, UNESCO Country office
- Ali Ould Sidi, Former Head, Cultural Mission of Timbuktu
- Boubacar Diaby, Former Head, Cultural Mission of Djenne
- Capitain Oumou Toumani Sangare, Head of Department of Research & Library, Armed Museum Mali
- Coulibaly Adjaratou Konate, Communication Officer, SAVAMA-DCI
- Dr Salia Male, Deputy General Director, National Museum of Mali
- El Hadj Baba Wangara, Deputy Director, National Direction of Police, Interpol Security Office, National Central Bureau (BCN)
- El. Boukhary Ben Essayouti, Head of the Cultural Heritage of Timbuktu
- Fallo Baba Keita, Expert & Training, Cultural Heritage and Museum
- Gaspar Bilembe, Training Officer, MINUSMA Office in Bamako
- Guiomar Alonso – Culture Program Specialist, Dakar
- Gonogo Fidele Guirou, Program Coordinator, Rehabilitation of Cultural Heritage & Conservation of Old Manuscripts
- Herve Huot-Marchand, Head of Office, UNESCO Representative
- Lassana Cisse, Expert, Cultural Heritage and Local Development
- Sidi Lamine Kone, Deputy Director, National Direction for Cultural Heritage
- Zadi Zadi Patrick Anderson, Researcher & Consultant for the ICC, Peace Building Specialist and Trainer

Photos-voice
- National Museum in Bamako

- SAVAMA Office in Bamako

Video

- National Museum
- SAVAMA
  a. Presentation of the NGO
  b. Physical Conservation Laboratory
  c. Numerisation Laboratory

Documents reviewed

Cultural Mission of Kangaba, 2016. Armed Forces and Security Training Workshop on the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. Training report, National Museum, November 16 - 17, 2016.

Decision 8.com 8.2 in 2013. "Practices and knowledge related to Imzad of the Tuareg communities of Algeria, Mali and Niger" registered on the Representative List of the Intangible Cultural Heritage of Humanity. Report of Imzad, 2013.

DNPC, 2017. Training of Trainers for the Security and Armed Forces Workshop on the 1954 UNESCO Convention and other measures for the protection of the Cultural Heritage. National Directorate of Cultural Heritage, Ministry of Culture, Republic of Mali. Ségou, Cultural Centre Kôrè, 22 to 23 June 2017.

DNPC, 2017. Training of Trainers for the Security and Armed Forces Workshop on the 1954 UNESCO Convention and other measures for the protection of the cultural heritage. National Directorate of Cultural Heritage, Ministry of Culture, Republic of Mali. Final report. Sikasso, Governorate Conference Hall, August 2017.

DNPC, 2017. International Assistance under the Fund for the Protection of Cultural Property in the Event of Armed Conflict in connection with the inscription of the Tomb of Askia on the List of Cultural Property under Enhanced Protection. National Directorate of Cultural Heritage, Ministry of Culture, Republic of Mali. Final report.

ICCROM Training 2018. First Aid to Cultural Heritage in Times of Crisis. Course Announcement FAC-Africa. The United Nations Educational, Scientific and Cultural Organization (UNESCO); and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM). Collections Unit – ICCROM.

Law No. 10/061 of 30 December 2010 amending the Law No. 85-40/AN-RM of 26 July 1985 on the Protection and Promotion of the National Cultural Heritage. General Secretariat, Presidency of the Republic, Republic of Mali. December 30, 2010.

Law No. 85-40 / AN-RM on the Protection and Promotion of the National Cultural Heritage. Presidency of the Republic, Republic of Mali. July 26, 1985.

MINUSMA, 2018. Induction Statistics in English 2018.

MINUSMA / UNESCO / MINISTRY OF CULTURE. General Information on Local Cultures. PPT Presentation.

National Museum of Mali, Listening Session (National Assembly). June 2012.

Recommendations of the workshop on world heritage and educational institutions in Africa Great Zimbabwe, Masvingo Province, Zimbabwe 26-28 April 2018.

Report on the use of financial assistance granted to Mali from the fund for the Protection of Cultural Property in the Event of Armed Conflict, to the Eighth Meeting of the Committee for the Protection of Cultural Property in the Event of Armed Conflict (December 2013).

Resolution 2100 (2013). Adopted by the Security Council at its 6952nd meeting, on 25 April 2013. The Security Council, United Nations. S/RES/2100 (2013).

Salia Malé, 2017. THE BLUE SHIELD, Training of Trainers Workshop for the Defence and Security Forces on the 1954 UNESCO Convention and other heritage protection measures. August 14-15, 2017 in Sikasso.

SAVAMA Factsheet, 2017. The Conservation Work of the Old Manuscripts. Safeguard and Valorisation of Manuscripts for the Defence of Islamic Culture (SAVAMA-DCI). www.savamadci.net

UNESCO 2018. Circulation of Cultural Property and Shared Heritage: What new perspectives? UNESCO Headquarters, Paris. 01 June 2018. International Conference.

UNESCO, 2017. Damaged Heritage of the Northern Regions of Mali: Safeguarding, Reconstruction, Rehabilitation, Restoration, and Revitalization. Review of Phase 1, March 2017.

UNESCO-Bamako, 2017. Training of Trainers workshop for the defence and security forces in heritage protection. General Report, School of Peacekeeping, Bamako. October 25-27, 2017.

UNESCO / MINUSMA 2017. Development of a training program on the protection of cultural property for MINUSMA. Draft Concept Note. Training project in Mali for MINUSMA defence and security forces as part of Switzerland's extrabudgetary contribution. September 2017.

World Population Prospects: The 2017 Revision. ESA.UN.org (custom data acquired via website). United Nations Department of Economic and Social Affairs, Population Division. Retrieved 10 September 2017. Reviewed date: July 25, 2018.

World Heritage No. 87. Fight against Illicit Trafficking. UNESCO, Paris, France. Publishing for Development, Ltd. London, United Kingdom.

Syria

Background

Syria has a rich history, dating back over 10,000 years with its cultural property representing many cultures. The Syrian Minister of Culture writes: *On the shores of the Mediterranean overlooking the Levant and on a land fed by the Euphrates and Tigris, Civilizations thrived and hence enriched world culture with captivating presence, uniqueness and creativity. Thus, the man of this land was among the first to learn how to write and to know about music, architecture, civility, tolerance and coexistence. This cultural identity, which is deeply rooted in history, has been a key target of an unjust war in Syria for more than five years.*[15] It has experienced conflict within its borders since 2011. The targeting of cultural property as a part of the conflict has caught international attention, particularly with the Old City of Damascus, Aleppo and Palmyra.

The recent conflicts have involved non-state groups that do not recognize the legitimacy of the current Syrian government and in some cases the legitimacy of international law. This makes it difficult to create a starting point for how to protect cultural property. Government officials also noted that some non-state groups purposefully target cultural property as a psychological tactic.

Syria was one of the first States to ratify the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (14 May 1954) and the First Protocol. In 1963, Syria passed an Antiquities Law which states in Article 7: *It is prohibited to destroy, transform, damage movable and immovable antiquities by writing on them or changing their features or removing parts of them.* The legislation provides for up to 25 years imprisonment for violating this law. Although the law does not speak directly to armed conflict, it sets out clear protection of both movable and immovable antiquities. Syria has not yet ratified the Second Protocol, despite being involved in its drafting and encouragement by the Second Protocol Intergovernmental Committee to do so.

Extent of destruction

There has been very extensive destruction of cultural property throughout Syria. With the intensity of conflict, almost all cultural property has been affected in some way, despite efforts to protect it. While the destruction of World Heritage sites such as Aleppo, Palmyra, and the Old City of Damascus have received world attention because of the extent of the damage done and their international status/recognition, there are additional sites that have also been damaged and continue to be in danger. Despite the ongoing conflict, Syria is making efforts to protect and repair the damage done.

Damage of the Knights Hall from conflict in Aleppo

---

[15] Syrian Ministry of Culture, Directorate General of Antiquities & Museums (2017) Syrian Archaeological Heritage – Five Years of Crisis 2011 - 2015

The explicit targeting of cultural property by non-state military groups makes it impossible to reach agreements about the protection of cultural property as well as to carry out the restoration work. The Syrian Ambassador to UNESCO indicated that Syria had not ratified the 1999 Protocol because the Protocol does not adequately address destruction carried out by non-state groups.

> *"As the people of Syria continue to endure incalculable human suffering and loss, their country's rich tapestry of cultural heritage is being ripped to shreds. World Heritage Sites have suffered considerable and sometimes irreversible damage. Four of them are being used for military purposes or have been transformed into battlefields: Palmyra; the Crac des Chevaliers; the Saint Simeon Church in the Ancient Villages of Northern Syria; and Aleppo, including the Aleppo Citadel. Archaeological sites are being systematically looted and the illicit trafficking of cultural objects has reached unprecedented levels."*
> *Statement by UN Secretary General Ban Ki-moon, UNESCO Director-General Irina Bokova and UN and League of Arab States Joint Special Representative to Syria Lakhdar Brahimi: The destruction of Syria's cultural heritage must stop,(i)12 March 2014.*

Based on the memorandum of understanding between UNESCO and UNITAR, a satellite-based damage assessment of cultural heritage sites was carried out which showed that 290 cultural heritage sites were affected over a period of three years:

- 24 destroyed
- 104 severely damaged
- 85 moderately damaged[16]

Preparation to Protect Cultural Property

With relative peace in Damascus, the Department of Antiquities and Museums worked in collaboration with the Mayor and police to establish a plan to protect the Old City, should another armed conflict crisis occur in the city. The plan included the movement of objects to safe havens within Syria

and community engagement. By making a connection between economic development and heritage, the community has been engaged to play a role in defending historical objects, with an emphasis on minimizing and reporting looting. Although the museums are producing lists of cultural property, a number of government officials expressed concern about listing cultural property and identifying it with the Blue Shield emblem, indicating that some non-state actors see such sites as a target and are concerned that the identification of the cultural property may increase the possibility of destruction. Hence, there has not been an emphasis on identifying cultural property with the Blue Shield emblem.

Restoration of Cultural Property Damaged during Conflict

Because Syria has been in conflict for the past eight years, much of its efforts have gone to protecting property during times of conflict. The following are examples of such efforts.

Old City of Damascus

The Old City of Damascus sustained substantial damage during the conflict. The citadel received missile attacks that shattered windows and damaged the building. Efforts to restore it began during the conflict and were quite dangerous, resulting in the death of a worker involved in the restoration.

Broken window in Damascus Citadel

Hole in Damascus Citadel made by a missile.

---

[16] UNITAR UNOSAT (2014) Satellite-based Damage Assessment to Cultural Heritage Sites in Syria

Other buildings in the Old City were also damaged. These pictures show a building under restoration with the picture on the left of an unrestored wing and the picture on the right of a wing that has been restored.

Damaged wing of a building

Restored wing of building

National Museum

The National Museum plays an active role in retrieving, documenting and restoring cultural objects. It is a strongly fortified building surrounded by concrete blocks and equipped with heavy re-enforced metal doors. The museum is currently closed to the public, but there are plans to open a part of it in the next few months. For now, it is a place where cultural objects, particularly from Palmyra are stored and restored.

Military boxes with fragments of damaged objects next to museum boxes that store the restored objects.

Some of the larger exhibits are well protected because they are located underground. The garden outside the museum displays a number of cultural objects. The locked steel doors are a reminder of the conflict and the important restoration work that is taking place inside its walls.

Training, funded by UNESCO, was provided to the National Museum staff. They attended courses in Beirut on retrieving objects, documenting damage, restoring the objects, and establishing lists of cultural property.

Palmyra

Remnants of cultural property from Palmyra were transferred with assistance from the Syrian military to the National Museum where they are currently being restored. Government officials stated that there was confusion about this assistance provided by the Syrian military with

The slow job of restoration

UNESCO-sponsored training of National Museum staff in Beirut

some media reporting that the soldiers were looting cultural property. While looting has been a problem, government officials believe it to be individuals other than military personnel.


Military boxes with pieces of cultural objects

Museum officials reported that over 850 objects have been rescued, at times under gunfire, which endangered the lives of the rescuers.

Unpacking the military boxes

The lists are made in hard copy journals. Documenting the damage and then restoring the objects is painstaking work that is done using ancient techniques. These produce a repaired object that is as close to the original as possible.
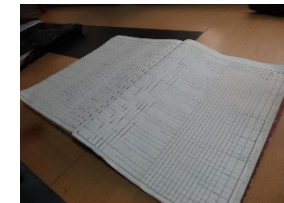
Detailed lists of cultural objects with descriptions

Because the National museum has been fortified by concrete and steel doors to protect it from damage in case of an attack, it now houses many of the objects retrieved from Palmyra in order to keep them safe. Some objects have been moved to other safe havens within Syria.

Other damaged sites

Aleppo, the largest city in Syria, was a focal point of conflict from 2012 to 2015. The ancient city of Aleppo is also a World Heritage site with a number of cultural properties dating back to the second millennium B.C. including the Citadel. Work has begun on restoring the sites without support of UNESCO. Government officials expressed concern that many of the fragments of cultural property were taken to a safe haven in Jordan. Syria has indicated that safe havens outside of the country are not in its preference.

Aleppo Citadel with rubble and damage from conflict

Aleppo Citadel following restoration work

Krac de Chevaliers dating back to the 11th century was severely damaged during the conflict. The following pre-conflict image was taken by the BBC for a 2006 documentary.[17] The Knights Hall sustained particular damage, but has undergone substantial restoration, as shown in the following pictures.

Pre-conflict Krac de Chevaliers

Post-conflict Knights Hall

Post-restoration Knights Hall

Support Provided by UNESCO

Because Syria has not ratified the 1999 Protocol, it is not eligible for grants from the Fund for the Protection of Cultural Property in the Event of Armed Conflict. However, UNESCO has provided coordination with other partners and supports for a number of initiatives aimed at safeguarding Syria's cultural heritage:

- Training workshop organized by the UNESCO Lebanese National Officer to build capacity to record, store and analyse cultural heritage research data.
- Translation into Arabic and distribution of international standards for Information Technology related to Cultural Heritage documentation.
- Purchase of scanning equipment and Network Attached Server.
- An Expert meeting entitled "Rallying the International Community to Safeguard Syria's Cultural Heritage" from 26 to 28 May 2014 at UNESCO Headquarters in Paris, where 150 experts from 21 countries took part in sharing information, devising policies, and improving international cooperation during the conflict and beyond.
- The UNESCO Observatory for the Safeguarding of Syria's Cultural Heritage established within the framework of the project funded by the European Union "Emergency Safeguarding of the Syrian Cultural Heritage", aims at accurately monitoring and assessing the state of cultural heritage during the conflict in view of its safeguarding, rehabilitation and reconstruction as soon as the situation allows it. The Observatory is an online platform where national and international

---

[17] https://www.bbc.com/news/world-middle-east-26696113

actors share the most precise information targeted at fellow experts and the general public.

- UNESCO Roster of Experts and Documents on Syria's Cultural Heritage, established in the framework of the EU-funded project "Emergency Safeguarding of the Syrian Cultural Heritage," aims at establishing a register of heritage professionals and institutions to actively assist in the post-conflict recovery phase with their specific knowledge and expertise, and to identify existing documentation on Syria's cultural heritage. UNESCO Roster of Experts and Documents on Syria's Cultural Heritage will include the curriculum vitae of the experts and a list of existing documents and projects related to Syria's cultural heritage.

It should be noted that many of the government's cultural staff are women and women attended the training event and expert meeting.

Government officials indicated they would like UNESCO's involvement in the prevention of the non-state actors from damaging Syria's cultural property and assistance in recovering their cultural objects, whether looted or destroyed.

Learnings

Key learnings from this site visit:
- Protection of cultural property is a challenge during active conflict because of the danger to those trying to protect the property, yet many cultural heritage specialists are prepared to make personal sacrifices to protect it, sometimes risking their own lives.
- Use of Blue Shield can put cultural property at risk when non-state military groups are targeting such objects as a specific military tactic.
- Moving of cultural property to a safe haven outside of the country is not acceptable to many Syrians because they fear their property will not be returned.
- A generic law that protects cultural property, such as the Antiquities Law in Syria is applicable during armed conflict, but is difficult to enforce under such conditions.
- The reasons for not ratifying the 1999 Protocol can be complex in a country dealing with ongoing conflict and may not be a priority. Syria would also like to see the Second Protocol address how to deal with non-state entities that target cultural property.

- The situation in Syria provides an example where there is a clear connection among three different conventions – the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Property, the 1972 World Heritage Convention and the 1954 Convention. This emphasizes the linkages among the different conventions.

Data Collection Methods

The site visit was graciously arranged by the General Directorate of Antiquities and Museums. Time and security constraints did not permit visits outside of Damascus. However, the General Directorate of Antiquities and Museums provided photographs of Aleppo and Palmyra.

Interviews
- H.E. Mrs Lamia Chakkour, Ambassador, Permanent Delegate
- Dr. Nidal Hassan - Secretary General of Syrian National Commission
- Edmond Al Ajji - Engineer at Damascus
- Issam Sukkar - Director of the Mosque in the old city of Damascus
- Elham Mahfouz – Director of the Calligraphy Museum
- Ghada Sleiman – Director of Khan Assaad Bacha
- Einar Bjorgo – Director of the Division for Satellite Analysis and Applied Research, UNITAR

Focus group
- D. Mahmud Hamud - Director General of Antiquities and Museums
- Nazir Awad - Director of Museums
- Ayman Suleiman - Legal Affairs Director
- Lena Kaytfan - Director of World Heritage sites
- Firas Dadwoukh - Director of Cultural Relations

Photo-voice
Old City of Damascus: Citadel, Palace, Mosque, Calligraphy Museum, Khan Assaad Bacha
National Museum

Document review
Syrian Ministry of Culture, Directorate General of Antiquities & Museums (2017) Syrian Archaeological Heritage – Five Years of Crisis 2011 – 2015.

Syrian Arab Republic, Syrian Ministry of Culture, Directorate General of Antiquities & Museums (2000) Antiquities Law – Passed in Legislative Decree #222 of October 26, 1963 with All its Amendments.

UNITAR UNOSAT (2014) Satellite-based Damage Assessment to Cultural Heritage Sites in Syria.

Training of Peacekeepers and National Military in Protection of Cultural Property

Background

Peacekeeping, operations for maintaining international peace and security, are based on three principles: 1) consent of the conflicting parties, 2) impartiality and 3) non-use of force except in self-defence and defence of the mandate.[18] The mandate of each mission varies, but in most cases, the missions work directly with the national armies as the training of peacekeepers for cultural property often involves training of key personnel in the national armies. Today, 42 countries contribute personnel to the UN Peacekeeping troops. This case study looks at five different countries, three of which have Peacekeeping missions and two that provide troops to Peacekeeping missions.

Examples of Countries with UN Peacekeeping Missions

Lebanon
The UNIFIL mandate in Lebanon is to support the peaceful return of effective authority of the Lebanese government to the area.

In 2015, UNIFIL and UNESCO partnered to provide training on the 1954 Convention (to senior officers in UNIFIL and Lebanese armed forces). The agenda included:

- an introduction to the 1954 Convention by the UNESCO
- a presentation of a no-hit list of heritage sites
- the obligations of armed forces in protecting cultural heritage during peace and war time
- information regarding the Blue Shield missions in Mali, Libya and Egypt
- implementation of the 1954 Convention by the Lebanese Army

- the penal aspects of the protection of cultural property
- the relationship between the 1954 Convention and other UNESCO Conventions
- the protection of cultural property with local communities.

Presenters included the UNESCO's National Officer in Lebanon, a UNESCO representative from the Cultural Heritage Protection Treaties Section, local archaeologists, an officer from the Austrian military who has developed a training package for the army, a representative of the Blue Shield, a Brigadier General from the Lebanese army, a representative of the International Committee of the Red Cross and representatives of two local NGOs.

UNIFIL now provides an introduction to the various United Nations conventions as part of its induction training. The 1954 Convention is explicitly mentioned with an overview about the responsibilities and the meaning of the Blue Shield emblem. UNIFIL does not have the time to provide in-depth training. Of the 23 different countries currently providing peacekeepers to southern Lebanon, only three countries provide any training on the 1954 Hague Convention at the national level. It was noted that it would be useful if more countries provided such training to the military.

Lebanese Army

The Lebanese Army, which currently consists of approximately 75,000 troops, has formed a Directorate to provide training and support related to enforcing all UN Conventions including the 1954 Convention. The key elements of its efforts include:

- Training during induction of all new recruits on the various UN conventions.
- A poster that provides directives to all military regarding what they are supposed to do when they see the Blue Shield.

Poster developed by Lebanese Army depicting convention symbols

---

[18] Rush, Laurie W. and Heather Wagner (no date) Cultural Property Protection as a Force Multiplier: Implementation for all Phases of a Military Operation, NATO

- A pocket-sized card that all military are expected to carry with them with the directives.

The induction training also includes reference to gender equality. The Lebanese Army includes women so recruits are advised on harassment and human rights policies. Since there has been no recent conflict, it is difficult to know the impact of these efforts.

Mali

Two types of training are provided on a continued basis for MINUSMA troops and to the National Security forces.

MINUSMA

Training on the 1954 Convention to MINUSMA military is combined with an induction training as an introduction module. It is given weekly most of the time at the MINUSMA camp in Bamako in French, English, Arabic or Bambara. This training is currently led by two trainers (one male and one female) with the participation of a UNESCO National Officer. In some instances, local archaeologists and cultural heritage experts are invited. About 240 training sessions with an attendance range between 10 to 20 people have been trained since February 2013 to ensure that armed groups and security forces can recognize cultural property in times of conflict.

Installation of the Blue Shield panel in Gao. Source: DNCH report on the 1999 Fund in Mali.

The agenda of the training covers:

- General presentation of the country, cultural diversity and components of social organisation, main religions and communication elements.
- Introduction to the 1954 Convention.
- Information about The Blue Shield, and its use during times of conflict.

Trainers are about 60% UNESCO's national and regional experts and 40% cultural heritage experts with an international profile. Other key partners supporting training include the United Nations Office for Coordination of Humanitarian Affairs (OCHA) and the national security forces.

Although a survey to obtain trainees' feedback is administered at the end of each session, with data disaggregated by gender, information about the breakdown of attendees was not made available.

MINUSMA officers affirmed that the training modules are to be reviewed in close cooperation with the UNESCO office in Mali in order to incorporate content of the Integrated Training Service (ITS) around peacekeeping. For example, there will likely be more illustrative tools and visual materials.

Training for the National Security Forces

This is an inclusive training focused on the 1954 Convention and its two Protocols, but also incorporating other UNESCO conventions (1970, 1972 and 2003). To date, four 'training of trainers' workshops on the protection of the Cultural Heritage have been implemented or are planned (November 2016, June 2017, August, 2017, August 2018 and November 2018). UNESCO provides technical expertise, working closely with the Ministry of Culture. Cultural heritage experts are invited to serve as facilitators. Participants are mostly composed of national security forces such as representatives of national armed forces, Security and Police; UNESCO national officers, customs agents, Civil protection unit, Water and Forest Officers, Cultural Missions and DNCH, Ministry of Tourism and crafts, NGO (SAVAMA), and other civilians like journalists. Content includes:

- The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict: Overview, framework and contribution
- Protection of cultural heritage in light of the 1954 Hague Convention: the need to integrate the imperatives of cultural heritage protection at all levels of the chain of command
- National legislative and regulatory framework for the protection and promotion of cultural heritage
- Role of military and security forces in the protection of cultural heritage in the event of armed conflict, and identification of cultural property by the national armed forces: "The Blue Shield"
- Role of UNESCO in the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict
- Training program for international forces in Mali: assessment and perspectives from UNESCO
- Development of a training plan based on the modules taught into the training programs for the armed and security forces.

89

Presenters included the UNESCO's National Officers in Bamako, local experts of cultural heritage, local archaeologists, and officers from the DNCH. The first session led by the DNCH with the participation of UNESCO was held in Gao in August 2017 provided an opportunity for participants to install the "Blue Shield" panel in Gao.

As well, the learnings from these trainings provided information for the design of a training action plan for the National security force and civilians.

Gender equality has been incorporated into both the trainings for military and national security forces through inclusion of both men and women as trainers. Participants are men and women from MINUSMA military, the National security force and civilians.

Zimbabwe
Between September 26 to 28, 2017, with leadership from the UNESCO Regional Cultural Officer, training on the 1954 Convention took place at the South African Development Community (SADC) Regional Peacekeeping Training Centre. Although peacekeeping operations involve three groups - military, police and civilians, it was determined that focusing on the military would have the greatest impact so initially only the military was involved in this training. In addition to the 30 peacekeepers, military attaches from the SADC countries were invited as observers. The training consisted of lecture and a half-day practical exercise in a local museum. The museum was designated as a military target and participants were asked to apply the appropriate procedures in order to protect the museum. Presenters included a consultant to the United States army and the Head of the 1954 Convention Secretariat.

As a result of the collaboration on this training, the SADC training centre has indicated that it would like UNESCO to be involved in all training events to present on the 1954 and other relevant cultural conventions. A second training event is planned for late 2018. As well, UNESCO has been asked to present on training of military in the 1954 convention at the 2018 International Association of Peacekeeping Training Centres Annual Conference in Auckland New Zealand.

Feedback from participants, obtained through an assessment form, indicates that they were very satisfied with the training and gained new knowledge about procedures for protecting cultural property. They were most engaged by and satisfied with the practical information and the experiential learning provided by the museum scenario. The training materials from the Sanremo Institute were found to be too focused on the legal aspects. Future training will focus on the practical aspects of applying the convention and the need to communicate the importance of a level of respect in conflict. It was noted that particularly with the modern conflict in which there are non-States Parties, the engagement of both sides in respecting the rules of war is important. Ideally, every military unit will have training on the culture conventions carried in in cooperation with experts.

Examples of Other Trainings

NATO
The North Atlantic Treaty Organization (NATO) has produced a military training manual *Cultural Property Protection as a Force Multiplier: Implementation for all Phases of a Military Operation[19]*. As noted in the introduction:

> *This document is designed as an introduction for establishment of cultural property protection (CPP) practices as a crosscutting consideration for implementation as organized by the Phases defined in the NATO Crisis Management Process: Phase 1- Indications and Warning; Phase 2- Assessment; Phase 3- Response Options Development; Phase 4-Planning; Phase 5- Execution; Phase 6- Transition. It is also intended to be used in concert with other critical NATO and international documents including: the CIMIC CCOE document, Cultural Property Protection Makes Sense; A Way to Improve Your Mission; the new UNESCO Military Manual, Protection of Cultural etc.*

It makes an argument for the importance of cultural property protection, provides the legal framework and illustrates practical examples from historical and recent military experiences.

---

[19] Rush, Laurie W and Heather Wagner (no date) *Cultural Property Protection as a Force Multiplier: Implementation for all Phases of a Military Operation*, The NATO Science for Peace and Security Programme

The manual further notes:

> *The United Nations Special Report in the Field of Cultural Rights (Bennoune 2015) includes protection of heritage as a fundamental cultural right and articulates concern for threats to heritage during the course of modern conflict. With a more specific focus on military planning, threat analysis and response, Protecting Civilians from Violence incorporates concerns for the risks to cultural property as a component of ethnic cleansing and genocidal behavior.*

The manual addresses the three distinct phases of protection of cultural property: 1) planning during pre-conflict; 2) procedures during conflict; and 3) post-conflict processes as a country transitions into peace. The illustrative examples provide information on what to do and what not to do in order to protect cultural property.

This manual is part of a larger effort of NATO, which includes workshops for NATO troops on the protection of cultural property.

United Kingdom

The UK Army considers a number of factors in relation to the protection of cultural property, as depicted the following diagram:
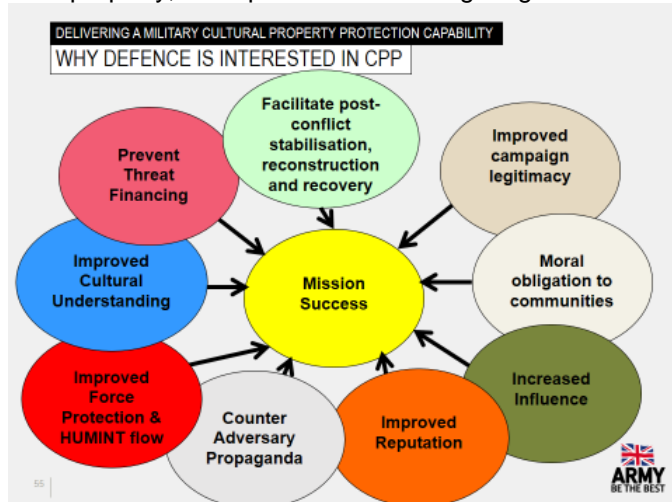
The factors go beyond the 1954 Convention to take into account looting and illicit trafficking. It acknowledges the importance of cultural understanding and the community context.

The UK includes cultural property protection in its military training through workshops for officers, providing explicit instruction on expectations:

1. Military forces are to avoid damage, destruction, looting (DDL) of cultural property (CP). Commanders are to take all reasonable and feasible measures within their powers to prevent or repress such crimes and to submit them, where they occur, to the competent authorities for prosecution, noting that intentional, unlawful attacks on CP constitute war crimes.

2. Military forces are to prohibit, prevent and stop DDL to CP by others, including by Organised Crime Groups (OCG).

3. Commanders are to take all reasonable measures to prohibit the change of use or the alteration of CP, archaeological excavation and the illicit export of CP during military operations. Commanders are to secure CP when in occupation. Commanders are to support the competent authorities to safeguard and preserve CP when in occupation.

4. Commanders must adopt best practices for CPP (Cultural Property Protection).

5. When identifying CP military forces must assume that it is of great importance to the state in which they are operating.

6. CPP is to be placed into military regulations to ensure observance of the CPP laws and Conventions applicable to Armed Forces. Information on CPP must be disseminated widely across the Armed Forces.[20]

They have recently reviewed their individual training, collective training, mission-specific training, and doctrine to determine the need for changes. The UK is looking to accredit its military training with UNESCO.

United States
Although the United States has not ratified the Second Protocol, it does provide training for the Tenth Mountain Division in New York through a consulting archaeologist. There following activities are presented as contributing to the protection of cultural property in times of conflict:
- Mapping of non-military non-lethal target lists
- Provision of three deployable subject-matter experts
- Provision of a civil affairs officer with protection of cultural property as part of the portfolio
- Research into the impact of damaging cultural property, which shows that there is a 30% increase in attacks by improvised explosive devices in situations where damage of cultural property has occurred.

The training focuses on the practical aspects of the 1954 Convention, which has been ratified by the United States. It starts with a statement outlining to participants that what they learn in the training can save their lives. It then goes on to provide a scenario in which a troop has entered a village. The commander notices a blue wall that is distinctly different from other walls in the village. He orders his troops not to attack that wall. Through discussions with village leaders, the commander learns that a sacred object is located behind the wall. Participants are then asked how the villagers would have received them had the troops damaged the sacred object.

The training provides experience with realistic scenarios that are designed to provide knowledge and improve decision-making skills, emphasizing that the wrong decision makes it more likely that they will face a potentially lethal situation.

The United States military trainer has also been involved in training in Zimbabwe and the development of the NATO manual.

Egypt
Egypt published a military training manual in 2016. Working with the Peacekeepers Centre for Excellence, it had its first training in September 2018 in Cairo, opening up attendance to peacekeepers and other African countries. At this point, only offer classroom instruction is offered as the training is still in the early implementation stages.

Support Provided by UNESCO

UNESCO Regional and Local Cultural Officers provided leadership and support for training in Lebanon, Mali and Zimbabwe. The Regional Cultural Officer in Libya indicates that there are plans for training for police and military on the 1954 and 1970 Conventions in February 2019 in Tunis. This is being planned in collaboration with Interpol.

Currently the 1954 Convention Secretariat is developing an approach and materials for training the military in the provisions of the 1954 Convention. The training will focus on information regarding the Convention as well as practical information about how to intervene. At this point, there are a number of draft modules that are being reviewed by experts. The modules will each address different themes and can be selected based on the context and focus of the particular training workshops.

Future training is planned for Georgia, Zimbabwe, Afghanistan, Egypt and Mali, with training in Sanremo Italy for female military personnel from these countries. Gender is considered in all of the workshops through the inclusion of women. The training will also include information about the 1970 Convention on illicit trafficking because looting and trafficking increase in times of conflict. The intent is to produce materials that can be readily modified to fit the specific context where it is being applied.

The consultant preparing these materials noted that there is no consistent information collected about training military in the culture conventions. He recommended that UNESCO consider conducting a baseline study on what

---

[20] Purbrick, Tim (no date) Delivering a Military Cultural Property Protection Capability, PowerPoint presentation

has been done regarding the 1954 Convention and its Protocols, including military training.

Learnings

Some of the learnings emerging from this case study are:

- Training of peacekeepers includes training of local military personnel either as direct participants in the training or as observers. This participation has had an influence on the activities of local military forces.
- Training on the 1954 Convention and its Protocols often includes training on the 1970 Convention on illicit trafficking since both occur during times of conflict.
- The military responds more favourably to practical training with scenarios that allow for application of the learning than to theoretical and legal training.
- Training of military in cultural property protection occurs in countries that have experienced conflict as well as those that have not.
- Training of military in cultural property protection also takes place in countries that have not ratified the Second Protocol.
- Training of military is a way of giving visibility to the 1954 Convention and its Protocols; particularly when it includes military, custodians of cultural heritage and police.

Data Collection Methods

Site Visits to Lebanon and Mali

Interviews
- Albafir Adam – Chief, Civil Affairs, UNFID Lebanon
- General Marwan Eid - Director of International Humanitarian Law and Human Rights - Lebanese Armed Forces
- General Naim Ziade - Founding President of Blue Shield National Committee Lebanon
- Damir Dijakovic – Regional Cultural Advisor, Southern Africa
- Eric Kleijn – Expert CHP Section (CLT)
- Frederik Rosen – Senior researcher, University of Copenhagen
- Laurie Rush – Blue Shield United States
- Lt. Col. Tim Purbrick OBE VR RL FSA
- Joseph Kreidi, National Officer Lebanon

- Adam Diakite Sangare, Training Officer, MINUSMA Office in Bamako
- Ali Daou, Program Officer for Culture, UNESCO Bamako
- Coulibaly Adjaratou Konate, Communication Officer, SAVAMA-DCI
- El Hadj Baba Wangara, Deputy Director, National Direction of Police, Interpol Security Office, National Central Bureau (BCN)
- Gaspar Bilembe, Training Officer, MINUSMA Office in Bamako
- Herve Huot-Marchand, Head of Office, UNESCO Representative
- Zadi Patrick Anderson, Researcher & Consultant for the ICC, Peace Building Specialist and Trainer

Document review

Concept note prepared for SPS Advanced Research Workshop series on Best Practices for Cultural Property Protection in NATO-led Military Operations

Purbrick, Tim (undated PowerPoint) Delivering a Military Cultural Property Protection Capability

Rosen, Frederik (no date) NATO and Cultural Property Embracing New Challenges in the Era of Identity Wars

Rush, Laurie W. and Heather Wagner (no date) Cultural Property Protection as a Force Multiplier: Implementation for all Phases of a Military Operation, NATO

United Kingdom

Background

Prompted by article 17 of the UNSC 2100, which reaffirmed the importance of peacekeeping and condemned the destruction of cultural property in Mali, the United Kingdom (UK) ratified the 1954 Convention and both its Protocols in September 2017. Leading up to the ratification, the UK passed the *Cultural Property (Armed Conflicts) Act 2017* in February 2017 that allowed the organizational structures related to implementation to be developed. This Act is specifically designed to *implement the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and the Protocols to that Convention of 1954 and 1999.*[21] It defines the offences such as damaging or destroying cultural property, which are serious violations of the Second Protocol, and allows for punishment of no more than 30 years imprisonment. The legislation also defines the authorized and unauthorized use of the Blue Shield emblem. It gives authority to the appropriate departments to implement the act:

- the Secretary of State is the appropriate national authority for England;
- the Welsh Ministers are the appropriate national authority for Wales;
- the Scottish Ministers are the appropriate national authority for Scotland;
- the Department for Communities in Northern Ireland is the appropriate national authority for Northern Ireland.

Within England, two departments carry responsibility for implementation: The Department of Defence and Department of Digital, Culture, Media and Sport.

Although the Act does not explicitly refer to the 1970 Convention, it does make provisions for conviction related to dealing in unlawfully exported cultural property.

Prior to ratifying the 1954 Convention and its Protocols, the UK had already carried out a number of activities towards implementing its provisions. The legislation and ratification gives credence to the work that the UK is already doing.

Extent of destruction

The UK has not experienced destruction of cultural property during conflict since World War II, when it sustained heavy civilian casualties and the destruction of cultural property from bombing.

Efforts made to Protect Cultural Property

The UK's efforts to protect cultural property are focused on pre-conflict activities as well as providing support to restore cultural artefacts that have been damaged during conflict. Although the UK does not feel the immediate threat of armed conflict, implementation of the 1954 Convention and its Protocols is still important. The UK's approach to implementation has two foci:

- Planning and preparation, should there be a nuclear, chemical or cyber attack
- Assisting other countries in conflict to implement the Convention and its Protocols

Examples of the implementation activities, all of which began prior to ratification of the Convention and its Protocols, include:

- Drafting the Ministry of Defence's Policy for Cultural Property Protection. The following actions are set out in Protection of Cultural Property Military Manual:

1. *Military forces are to avoid damage, destruction, looting (DDL) of cultural property (CP). Commanders are to take all reasonable and feasible measures within their powers to prevent or repress such crimes and to submit them, where they occur, to the competent authorities for prosecution, noting that intentional, unlawful attacks on CP constitute war crimes.*

2. *Military forces are to prohibit, prevent and stop DDL to CP by others, including by Organised Crime Groups (OCG).*

---

[21] UK Cultural Property (Armed Conflicts) Act 2017

3. *Commanders are to take all reasonable measures to prohibit the change of use or the alteration of CP, archaeological excavation and the illicit export of CP during military operations. Commanders are to secure CP when in occupation.*

4. *Commanders are to support the competent authorities to safeguard and preserve CP when in occupation.*

5. *Commanders must adopt best practices for CPP (Cultural Property Protection)*

6. *When identifying CP military forces must assume that it is of great importance to the state in which they are operating.*

7. *CPP is to be placed into military regulations to ensure observance of the CPP laws and Conventions applicable to Armed Forces. Information on CPP must be disseminated widely across the Armed Forces.[22]*

- Creating a cross-jurisdictional Cultural Protection Property Working group in 2014, responsible for implementation of the 1954 Convention that consists of military, other government departments, academics, non-governmental organizations, custodians of cultural property, police and experts in geo-spatial information.
- Establishing a Cultural Protection Fund to assist countries in conflict in implementing the 1954 Convention with approximately 30 million British pounds allocated from the UK Official Development Assistance, which was established to deliver the 2015 Aid Strategy in developing countries.[23] Small grants from £5000 up to £100,000 and large grants from over £100,000 up to £2 million are available. Projects must be in one or more target countries: Afghanistan, Egypt, Jordan, Lebanon, Libya, Iraq, Occupied Palestinian Territories, Sudan, Syria, Tunisia, Turkey and Yemen and focusing on the protection of cultural heritage at risk due to conflict.

  o Applications must be submitted by one lead applicant organisation with up to eight partner organisations.

  o Lead applicant organisations based outside the target countries must deliver the project in partnership with at least one partner organisation based within the Fund's target countries.
  o Cultural Protection Fund is designed with applications from UK-registered organisations in mind; however, any organisation may apply.
  o All applicants and partners will be required to submit the same level of evidence of legal status and supporting documentation (including Expression of Interest and Application forms) in English in order to enable due diligence to be conducted.
  o Applications must demonstrate intent to benefit one or more of the Fund's 12 target countries as their main aim. If private owners or for-profit organisations are involved in a project, we expect the benefit to the social and economic development of the target country to outweigh any private gain.[24]

The primary activities so far have been training archaeologists in the protection of cultural property related to the following projects:

  o Preservation of the megalithic dolmens of Mengez in the Akkar region of Northern Lebanon
  o Creation of a database of Egyptian and Nubian artefacts currently in circulation on the international art market
  o Rehabilitation of Saint Hilarion Monastery and a Byzantine Church in Jabaliyah in the Gaza Strip
  o Rehabilitation of a significant portion of the historic centres of two cities in Lebanon
  o Conservation and digitization of written and photographic material held in archives in Sudan
  o Restoration of the Mamiuk Façade in Jerusalem[25]

Approximately 30 archaeologists from Iraq have been trained to date. The latest cohort of eight trainees were all women. The fund is in its first year so there is not yet information available on the impact.

---

[22] Purbrick, Lt. Col Tim (no date) Delivery Military Cultural Property Protection Capability
[23] https://www.gov.uk/government/collections/official-development-assistance-oda--2

[24]https://www.britishcouncil.org/arts/culture-development/cultural-protection-fund/apply/eligibility
[25] https://www.britishcouncil.org/arts/culture-development/cultural-protection-fund/projects

- Cooperating with internal and external partners, including INTERPOL and NATO, to gather monitoring data on cultural property that has been destroyed or looted. NATO has developed 30 indicators related to cultural property that its member countries are to report on. Data for these fields still remains to be collected.
- The Victoria and Albert Museum is conducting a risk assessment of its own cultural property in the event of armed conflict. It has developed a Culture in Crisis programme that *brings together those with a shared interest in protecting cultural heritage, providing a forum for sharing information, inspiring and supporting action and raising public awareness.*[26] It will be hosting a conference in November 2018 to look at previous global efforts to protect cultural property in times of conflict and consider what can be done in the current context with non-state actors. It will be an open meeting, with approximately 200 expected participants.
- In November 2017, the Department for Digital, Culture, Media and Sport created a guidance document that provides guidance to civilians responsible for cultural property and the military on:
  - Identifying cultural property with definitions and specific categories
  - Safeguarding cultural property which includes:

    - 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 of adequate in situ protection of such property
    - the designation of competent authorities responsible for the safeguarding of cultural property

The Department of Defence and the Victoria and Albert museum are currently taking steps to implement these guides through developing policies and training.

- Using the Blue Shield emblem with the UK policy indicating *that the cultural emblem may only be used to identify movable cultural property, to identify certain personnel responsible for the protection of cultural property, or in accordance with a permission granted by the appropriate national authority.*[27] It provides permissions for use of the emblem by the Ministry of Defence and for education and training purposes. The UK Blue Shield indicates that they would like see stronger support for displaying the emblem.[28]

In a position paper, the UK Blue Shield expressed concern with the UK policy because the definition of cultural property is too narrow and that steps are not being taken to use the emblem on cultural property within the UK.

UNESCO Contributions

The UK Ministry of Defence has a cooperative relationship with UNESCO. The collaboration between the UNESCO 1954 Convention Secretariat and the UK Department of Defence has further enhanced this relationship. In time, and where agreed by the UK Government, this may lead to UK military cultural property protection (CPP) support to UN peacekeeping operations. The UK hopes to develop and deliver its own Cultural Property Protection Special to Arm course for the UK military CPP unit. It is currently in discussion with UNESCO regarding accreditation of the course.

Learnings

There are opportunities for increased collaboration between UNESCO and the UK:

- The cultural protection fund provides an excellent example of how countries that do not have an immediate threat of armed conflict can provide assistance. UNESCO should present this as a best practice.

---

[26] https://www.vam.ac.uk/info/culture-in-crisis/
[27] Department for Digital, Culture, Media and Sport (November 2017) Protection of cultural property in the event of armed conflict Implementation of the 1954 Hague Convention for

the Protection of Cultural Property in the Event of Armed Conflict, its Protocols and the Cultural Property (Armed Conflicts) Act 2017
[28] UK Blue Shield (February 2018) UK Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict Position Paper

- There is potential for increased collaboration on training of military, police and law enforcement agencies within the UK as well as in other countries.

Data Collection Methods

Interviews

- Karl Jadgis - Department for Digital, Culture, Media and Sport

- Laura Jones – Victoria and Albert Museum

- Lt. Colonel Tim Purbrick – SO1 Cultural Property Protection

- Peter Stone – Vice-President of Blue Shield International

- Ritwik Deo – Department for Digital, Culture, Media and Sport

- Vernon Radley – Victoria and Albert Museum

Documents

Cultural Property (Armed Conflicts) Act 2017.

Department for Digital, Culture, Media and Sport (November 2017) Protection of cultural property in the event of armed conflict Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, its Protocols and the Cultural Property (Armed Conflicts) Act 2017.

Purbrick, Tim (no date) UK Military Cultural Property Protection Brief.

UK Blue Shield (February 2018) UK Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict Position Paper.

H. DECLARATIONS RELATED TO UN SECURITY COUNCIL RESOLUTION 2347

Declaration (date)	International Body	Key Points
Namur Call (24 April 2014	Belgian Chairmanship of the Committee of Ministers of the Council of Europe	• Deplore and condemn and the deliberate destruction of cultural heritage • Decide to initiate discussions with Council of Europe to reinforce European cooperation and UNESCO in including legal instruments to address issue
Cairo Declaration (14 May 2015)	Ministerial Conference of Governments of Egypt, Libya, Sudan, United Arab Emirates, Saudi Arabia, Iraq, Jordan, Lebanon, and Oman	• Recognize the threat of the trafficking, looting and destruction of cultural heritage to security and economic well-being • Set up Task Force and international advisory committee to address issues • Raise awareness and leverage UNESCO and EU partnerships to establish international standards to address
Abu Dhabi Declaration (2 December 2016)	International Conference on Safeguarding Cultural Heritage in Conflict Areas includes over 40 States, International and Private organizations	• Reaffirm determination to safeguard endangered cultural heritage • Support and endorse UNESCO Unite4Heritage campaign and the 2015 Strategy and all its Cultural Conventions • Creation of an international fund for protection of cultural heritage during armed conflict • Creation of international network of safe havens to safeguard cultural heritage endangered during armed conflicts
Final Declaration (15 May 2015)	National Parliaments of the Parliamentary Assembly of the Mediterranean (PAM)	• Concerned with the sharp increase of attacks on tangible and intangible culture heritage • Convinced global cooperation is key to protect • Urge governments to demonstrate political will to take action and safeguard cultural heritage • Create a 'Special Reflection Group on the Protection of the World Cultural Heritage' aimed at raising awareness among all governments, parliaments, civil society organizations and relevant institutions
St. Petersburg Declaration (16 December 2015)	St. Petersburg International Cultural Forum	• Strongly condemn the deliberate destruction of cultural heritage • Recognize the role of the Culture Conventions • Support UNESCOs Unite4Heritage Campaign and 2015 Strategy • Call upon and support UNESCO in increasing efforts to protect culture in times of armed conflict
Milan Declaration (1 August 2015	International conference of the Ministers of Culture	• The Ministers, indicating Culture as a tool for dialogue, solidarity, growth and sustainable development, express their strongest condemnation of the use of violence against the world's cultural heritage and they urge respect and mutual understanding as instruments of dialogue among peoples.

I. Programme Theory of Change
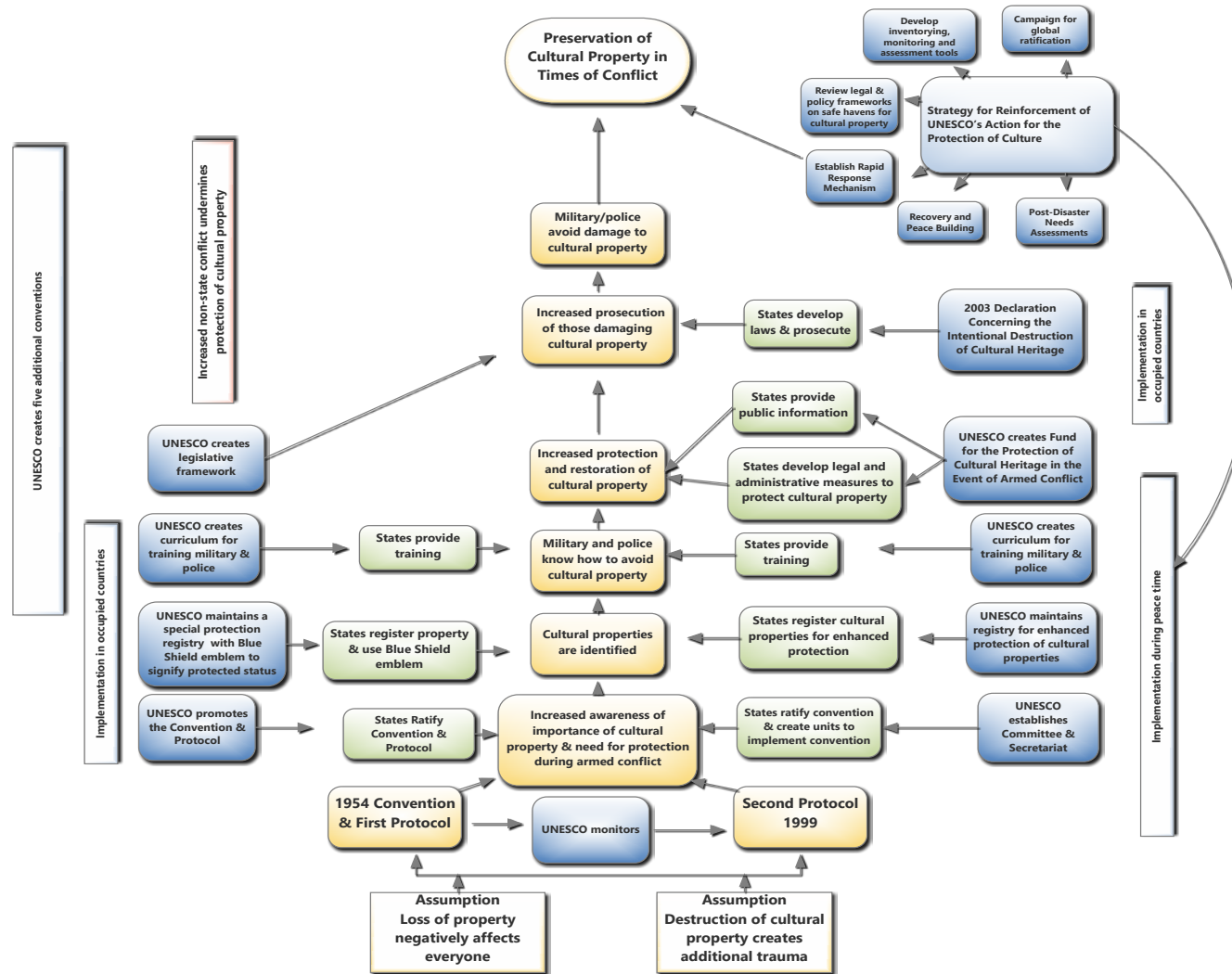
J. Biodata of evaluators

Martha McGuire is a Credentialed Evaluator with over 30 years' experience in program evaluation including cultural programs, health, housing and community services. She has worked with a variety of cultures in Toronto as well as throughout the world. She has been the team leader for over 100 evaluations including for UNESCO, UNDP and UN-Habitat. She worked with UNEG on the revision of their evaluation competencies.

Gideon Koren brings expertise in the legal aspects of preservation of monuments and sites. He served as a member of the ICOMOS world heritage panel (2011-2017) responsible for the evaluation of proposals submitted by States Parties in order to inscribe sites on the world heritage list and evaluation of state of conservation reports, field mission reports, reactive monitoring (in many cases related to damage to sites during armed conflicts) and emergency nomination evaluations within the same panel. He advised ICOMOS on legal aspects of various charters & policy papers including two studies on the Assessment of Movable and Immovable Cultural Properties for Enhanced Protection under the Second Protocol.

Serge Eric Yakeu Djiam is a Credentialed Evaluator (CE) with 15+ years' of experience worldwide. He has led the design and implementation of over 70 country evaluations in complex and humanitarian environments either as individual or in team setting in various locations including very remote areas. He works with stakeholders at multiple levels including Universities such as in UAE University where he served as Visiting Professor, Institute of Environmental Sciences in Cameroun, University of Constantine II in Algeria, University of Montreal in Canada, with government agencies, community-based organisations.

Christine Yip s a seasoned management and research professional. She has held applied research positions at both the University of Toronto's Mowat Centre and London School of Economics Centre for Analysis and Social Exclusion (CASE), where she conducted social policy analysis, developed public research reports and led multi-stakeholder evaluations for a variety of social programs. She has also held management positions at both Accenture and KPMG's consulting practices leading large scale, multi-stakeholder organizational change initiatives. She holds a Master's degree in Industrial and Organizational Psychology from the University of Guelph and Social Policy and Planning from the London School of Economics and Political Science.