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

~ 70TH ANNIVERSARY ~

14 May 1954 – 14 May 2024

Information Pack
Protection cannot be effective unless both national and international measures have been taken to organize it in time of peace.

- Preamble, 1954 Hague Convention -

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INTRODUCTION

This year is the 70th Anniversary of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which was created on the 14 May 1954. It is also the 25th Anniversary of its Second Protocol, which was opened for signature on 24 March 1999. Today, these treaties are the most important and widely recognised pieces of international law protecting cultural property in conflict.

The Blue Shield Movements has its roots and founding in the 1954 Hague Convention – in 1955, R.J. Wilhelm, of the Legal Department of the International Committee of the Red Cross, asserted:

“In the future the Red Cross should be no longer alone in its campaign against indiscriminate methods of warfare; in any case, it should be able to count among its most faithful allies all those who worked to establish the Convention for the Protection of Cultural Property, and all those who consider it to be a valuable acquisition. May all the efforts pursued, both under the Red Cross and under the Blue and White Shield, be mutually upheld in order that the aim in view may be more easily attained”1.

Founded in 1996, today, the Blue Shield Movement works around the world to protect all types of threatened cultural heritage in conflict, but also in crisis, unrest, and following disaster. This anniversary is an opportunity to raise awareness about the Convention and its obligations, to push for ratification in countries which are not yet party to these vital laws, and to showcase the work and importance of the Blue Shield Movement as we reflect on 70 years of successes and challenges of the Convention, and look towards the future.

This Information Pack is aimed at Blue Shield National Committees. It provides information about the 1954 Hague Convention and its Protocols – what they are, and why they matter? How are they linked to the Blue Shield? What are the obligations on States Parties to help protect heritage in conflict? To do this, we have chosen to use small amounts of legal language, and provided a glossary, to help you understand the details. (“The Hague Convention” is a confusing term - many international Conventions were signed in the Hague: it is the 1954 Hague Convention that deals with cultural property protection). It also has some ideas for events, so you can commemorate the anniversary with us, along with hashtags for social media, and sources of more information. There is also a draft Press Release for National Committees to personalise and use on the 70th Anniversary.

We hope you find it useful – please do contact the Blue Shield Secretariat for more information!

Damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world.

- Preamble, 1954 Hague Convention -

PART I:
INTRODUCING THE 1954 HAGUE CONVENTION AND THE BLUE SHIELD
The 1954 Hague Convention -
What Is It and Why Does It Matter?

The history of warfare is entwined with a history of heritage damage, the burning, destruction, and loss of buildings, books, manuscripts, artefacts, and things of beauty.

Why do we feel more pain looking at the image of the destroyed bridge than the image of massacred people? Perhaps because we see our own mortality in the collapse of the bridge. We expect people to die; we count on our lives to end. The destruction of a monument to civilisation is something else. The bridge in all its beauty and grace was built to outlive us; it was an attempt to grasp eternity … A dead woman is one of us – but the bridge is all of us forever.

Slavenka Drulić on the destruction of the Stari Most Bridge, Mostar, 1993.

Following the devastation of two World Wars, the international community came together to write the Convention for the Protection of Cultural Property in the Event of Armed Conflict, and its First Protocol. These were opened for signature on 14 May 1954. They were updated with a Second Protocol, which opened for signature on 24 March 1999, making this year the 70th anniversary of the Convention and its First Protocol, and the 25th anniversary of the Second Protocol.

The 1954 Hague Convention and its Protocols are the major pieces of international legislation focused solely on the protection of cultural property in armed conflict. They are part of international humanitarian law (“IHL“), a branch of law which seeks to protect people (and their property) who are not engaged in conflict, and to regulate the means and methods of warfare. The 1954 Hague Convention was founded on the core principles, stated at the start in the Preamble that:

Damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world.

The preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection.

Protection cannot be effective unless both national and international measures have been taken to organize it in time of peace.

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Damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world.

- Preamble, 1954 Hague Convention -

(Top) Reconstruction of the Stari Most Bridge, following its destruction, 08 November 1993 (below).
(Mark Ahsmann, 2013, CC BY-SA 3.0, via Wikimedia Commons / Public Domain).
The 1954 Hague Convention calls for the safeguarding and respect of cultural property of great importance to the cultural heritage of every people, meaning all the communities in the states that have signed it (Article 1). Together, States Parties agree that they are:

**determined to take all possible steps to protect cultural property (Preamble),**

a promise that is as important today as it was 70 years ago. The Blue Shield knows that cultural heritage – tangible and intangible – is important. It is a vital expression of the culture that makes up unique communities and its loss during conflict and disaster can be catastrophic. It can also have serious effects on military missions, and an increasing number of armed forces around the world actively work to protect cultural property when deployed.

As of January 2024, more than two-thirds of the world have agreed to abide by the principles of the 1954 Hague Convention - it has been ratified by 135 countries (of 1983), the First Protocol by 112, and the Second Protocol by 86. Some parts of the Convention are so widely accepted that today they are considered international customary law, binding on all parties in all conflicts.

The Blue Shield Movement has its roots in the 1954 Hague Convention, and today it is a worldwide organisation. The Blue Shield is committed to the protection of the world’s tangible and intangible cultural heritage in the event of crisis, conflict, and disaster, working in partnership with others across the heritage, humanitarian, and uniformed sectors. We want to bring cultural heritage protection and the 1954 Hague Convention to the forefront of the international agenda, as well as at regional, national, and local levels, where communities are at the cultural front line of the action. It is not only the lawyers who have a role to play in implementing the 1954 Hague Convention. We are all responsible for safeguarding our past for the generations to come. This anniversary is an opportunity for us to:

**Commemorate and promote the 1954 Hague Convention to better protect our cultural heritage.**

**Raise awareness of Blue Shield’s work implementing the 1954 Hague Convention around the world**

**Reflect over 70 years of work...**

...and look forward to the next 70 years.

**Promote the value of cultural heritage as a vital element of the peace and security of communities.**

As we mark this anniversary, we will not only be looking back over the past, and what the Convention has achieved for the protection of cultural property, but also taking stock of where we are now, in these unprecedented times of change. But most of all, we will be looking to the future, to the next 70 years. How we are meeting the challenges of the future, and what do we hope we will be able to achieve to safeguard cultural property and natural heritage around the world for future generations?

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3 The maximum number of state ratifications that a multilateral treaty can have is 198; this total consists of all 193 UN member states; both UN observer states, the Holy See (Vatican City) and the State of Palestine; as well as the Cook Islands, Niue, and Kosovo (member states of eight, five, and two UN specialized agencies respectively).
The preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection.

- Preamble, 1954 Hague Convention -

SIGNATORY STATES PARTIES – THE CONVENTION (1954)  

As of 1 January 2024. The full list of States Parties to the Convention and Protocols can be found in Part III: About the Hague Convention.
The preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection.

- Preamble, 1954 Hague Convention -

SIGNATORY STATES PARTIES – THE CONVENTION AND FIRST PROTOCOL (1954)
The preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection.

- Preamble, 1954 Hague Convention -

The preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection.

- Preamble, 1954 Hague Convention -
Philosophers and military strategists have argued for at least 2000 years against unnecessary damage and destruction of heritage, particularly religious heritage. Islamic law has contained prohibitions against attacking non-military targets and monasteries (a type of religious heritage) since the 7th century. In Europe, however, it was not until the 17th century that cultural property was first included in international treaties. Although some draft laws proposed cultural protection, it was not widely recognised until the Hague Conventions of 1899 and 1907. These were the first internationally agreed treaties which regulated the conduct of warfare, and explicitly included the protection of historic monuments, works of art, scientific collections, and religious buildings.

In 1918 the Netherlands Archaeological Society wrote an influential report recognising the need for military restraint towards significant places and recommending legislating protective measures for the first time. Sadly, it was not until 1935 the first international treaty focused exclusively on the protection of cultural property in conflict was adopted – the Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments (also called the Washington Pact or Roerich Pact). It received little attention, signed by only 10 countries in the Americas.

Two World Wars and the Spanish Civil War demonstrated existing laws were inadequate in the face of advancing technology and changes in warfare. In 1954, the international community agreed the text of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, together with a First Protocol, which both opened for signature on 14 May 1954, and entered into force on 7 August 1956. The Convention focused on measures to protect cultural property, requirements of military restraint, and international oversight procedures, whilst the Protocol focused on the return of illegally exported objects.

By the 1990s, increasing internal conflicts and criminal breaches of the Convention, a failure to implement the Convention and perception of problems in it (such as a lack of clarity in some terms, and the slow pace of activity, and political agendas of states parties to the Convention), and advances in international law, led to a UNESCO-sponsored review. It found that the Convention and Protocol were still entirely valid and realistic as international law, and remain applicable and relevant.

However, the report also acknowledged the challenges the Convention faced. Rather than create a new law, the international community decided to update the Convention. On 26 March 1999, a Second Protocol was opened for signature, entering into force on 9 March 2004, bringing its protection into the twenty-first century.

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5 Boylan 1993, p7.
Cultural property has suffered grave damage during recent armed conflicts and that, by reason of the developments in the technique of warfare, it is in increasing danger of destruction

- Preamble, 1954 Hague Convention -

Kaiser Wilhelm Memorial Church, Berlin, damaged in World War II. No 5 Army Film & Photographic Unit, Hewitt C H (Sergeant). Photograph BU 8686 from the collections of the Imperial War Museums. Public domain, via Wikimedia Commons
The term ‘cultural property’ shall cover, irrespective of origin or ownership: (a) movable or immovable property of great importance to the cultural heritage of every people

- Article 1 – Definition of cultural property –

WHAT IS IT WE ARE PROTECTING?

The 1954 Hague Convention considers

that the preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection

- Preamble -

However, only a small subset of that heritage (called cultural property) is actually protected under the Convention. According to Article 1, only

movable or immovable property of great importance to the cultural heritage of every people

is protected as cultural property. As examples, this can include religious or secular buildings; archaeological sites; monuments; museum, gallery, archive, and library collections, or individual pieces; and the places intended to display or store them. It does not matter who owns them: private pieces have as much protection as public pieces. “Every people” means the communities within each country – each community should indicate what is of great importance to them, but ultimately it is up to the state to decide. Some states have picked only a few very special places (less than fifty), whilst others have listed thousands. Some have not picked any at all. (Even if a state has not officially listed which places are of great importance, the 1954 Hague Convention is clear that they are still protected in conflict). A limited number of places “of very great importance” can be placed under Special Protection, and States Parties who have ratified the 1999 Second Protocol can placed cultural property “of the greatest importance to humanity” under Enhanced Protection, granting them greater immunity from conflict.

However, cultural protection is not only about safeguarding places and objects, it is also about preserving the things that ordinary people and communities identify with and cherish as part of their identity. This is why we need to listen to local communities and involve them in all discussions and decisions about the protection of their cultural heritage.

Memorial to the Fallen Brothers,
San Salvado, El Salvador, marked with the distinctive emblem of the Convention – the blue and white shield – to indicate it is a protected monument.

© Maxu rm, CC BY-SA 3.0, via Wikimedia Commons.
The term `cultural property' shall cover, irrespective of origin or ownership: (a) movable or immovable property of great importance to the cultural heritage of every people

- Article 1 – Definition of cultural property –

Tomb of Askia (Mali). First marked with the distinctive emblem of the Convention, the blue shield (left), and now under Enhanced Protection, indicated by blue shield with a red border

© top: Thierry Joffroy, CRA-terre, via UNESCO
© bottom: M Samake.

(The distinctive emblem is a protective symbol used during armed conflicts and its use is restricted by law. See Obligations).
The term `cultural property' shall cover, irrespective of origin or ownership: (a) movable or immovable property of great importance to the cultural heritage of every people

- Article 1 – Definition of cultural property –

Archaeology Museum, Poland (marked with a blue shield emblem by the door) © E Cunliffe
Novi Sad Library, Serbia (marked with a blue shield emblem by the door) © D Mitchell.
Barabastollen (Oberriedstollen) archival refuge under Special Protection, Germany, marked with the triple blue shield on the door, and in the tiles on the floor outside it © Bundesamt für Bevölkerungsschutz und Katastrophenhilfe, CC BY-SA 4.0, via Wikimedia Commons.
The term `cultural property' shall cover, irrespective of origin or ownership: (a) movable or immovable property of great importance to the cultural heritage of every people

- Article 1 – Definition of cultural property –
The term ‘cultural property’ shall cover, irrespective of origin or ownership: (a) movable or immovable property of great importance to the cultural heritage of every people

- Article 1 – Definition of cultural property –

Although intangible heritage — music, song, dance, poetry, and art — is not protected under the 1954 Hague Convention, it is often protected under other Conventions, such as the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. However, it may have physical manifestations, such as instruments, or archives relating to songs, which can be protected under the Hague Convention. It is important to remember that when people are displaced because of conflict or disasters, they have to leave their immovable cultural property behind, but their intangible heritage may go with them. It should be protected as much as the communities it is a part of. Keeping their culture and heritage alive in new surroundings is as much a part of the work of the Blue Shield as protecting physical places.


Sumerian mudhif façade, carved into a gypsum trough from Uruk, c 3,200 BC, part of the World Heritage site The Ahwar of Southern Iraq: Refuge of Biodiversity and the Relict Landscape of the Mesopotamian Cities, By Hassan Al-Jarrah - Treball propi, CC BY-SA 4.0. via Wikimedia Commons
It’s a great privilege to represent the Blue Shield at this landmark time. The organisation has gone from strength to strength and it’s a testimony to the vision and hard work of people around the world. Only when heritage professionals work in partnership with governments, local communities, the humanitarian sector, and those in uniform can heritage truly be protected during crisis. That was the vision of our founders, and one we are proud to continue today.

- Peter Stone, President of the Blue Shield -

BLUE SHIELD AND THE 1954 HAGUE CONVENTION

The Blue Shield was first conceived long before the 1954 Hague Convention. In Geneva in 1915, Mr Vetter of Berne and Mr Mauriaud of Geneva suggested setting up an international body called ‘La Croix d’Or’ (the ‘Gold Cross’), inspired by the Red Cross. Their ideas eventually became the internationally recognised 1954 Hague Convention, signed by countries around the world, but the idea of the need for an organisation to undertake the work of the Hague Convention, as the Red Cross supports the Geneva Conventions, would not be forgotten. When the Committee of Experts met to draft the 1954 Hague Convention, the Director-General of UNESCO, Luther Evans⁶ stated in his opening speech on July 21, 1953:

*It is our object today, Gentlemen, to lay the foundations of what I may call the Red Cross of cultural property, and have it accepted by all States and by public opinion.*

Inspired by the recently drafted Geneva Conventions (which were just five years old) the drafters of the Hague Convention created an emblem, a blue and white shield designed by the Polish representative, Professor Jan Zachwatowicz, to indicate protected places and objects - and people engaged in the protection of cultural property.

However, it wasn’t until 1996 that four international heritage organisations recognised the need for greater cooperation to protect threatened cultural heritage: the International Council on Archives (ICA), the International Council of Museums (ICOM), the International Council on Monuments and Sites (ICOMOS), and the International Federation of Library Associations and Institutions (IFLA). Together, on 6 June in 1996, they founded the International Committee of the Blue Shield (ICBS), with a vision for national committees worldwide.

The representing signatories at the 25th anniversary of the Blue Shield (2021)

*Patrick Boylan*, then Vice-President of ICOM; *Dinu Bumbaru*, then member of the International Executive Committee of ICOMOS; *George Mackenzie*, then ICA Deputy Secretary-General; *Marie-Thérèse Varlamoff*, then Director of IFLA Preservation and Conservation Core Activity, IFLA.

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⁶ Quoted in Wilhelm 1955, p79.
The International Committee of the Blue Shield (ICBS) covers museums and archives, historic sites and libraries. It brings together the knowledge, experience and international networks of four expert organizations [which] represent an unrivalled body of expertise to advise and assist in responding to events such as war.

- Marie-Thérèse Varlamoff and George MacKenzie -

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BLUE SHIELD – NATIONAL COMMITTEES AROUND THE WORLD

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7 Archives and Libraries in Times of War: The Role of IFLA and ICA within ICBS (International Committee of the Blue Shield), p150
[States Parties] undertake, in particular, to include the study [of the Convention] in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population.

- Convention Article 25 -

The 1999 Second Protocol envisaged a clear role for civil society within the Hague Convention system, recognising the ICBS as an official advisory body to the international Committee for the Protection of Cultural Property in the Event of Armed Conflict (Article 27.3), with stated roles and responsibilities. Today, we are simply called the Blue Shield, a non-governmental, non-profit, international organisation, working to protect all cultural heritage (including significant natural areas and intangible heritage) in conflict and disaster. The Movement is composed of national committees operating across the world, coordinated by an International Board. Members include the founding organisations, governments, emergency services, armed forces, academics, and all those with responsibility for heritage protection in crisis.

Blue Shield International Board 2023-2026. Clockwise left to right: Peter G. Stone (President); Joanne Farchakh Bajjaly (Elected, Lebanon); Medea Ekner (ICOM); Hamady Gaye (Elected, Senegal); Emilie Gagnet Leumas (ICA); Anna Puhr (Elected, Austria); Sharon Memis (IFLA); Klaus Weschenfelder (Elected, Germany); Michał Wosiński (ICOMOS).
[States Parties] undertake, in particular, to include the study [of the Convention] in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population.

- Convention Article 25 -

PART II:
COMMENORATING THE ANNIVERSARY
[States Parties] undertake, in particular, to include the study [of the Convention] in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population.

- Convention Article 25 -

WHAT ARE WE DOING FOR THE ANNIVERSARY?

Blue Shield International is participating in events throughout the year. We’ll let you know about them as soon as details are available.

We can’t do it alone – we want to commemorate the anniversary with you!

The anniversary of the 1954 Hague Convention is an occasion to celebrate how far international law has come in protecting cultural heritage and recognising the important links it has to communities and their safety, security, and wellbeing! But as conflicts around the world continue to dominate the headlines, we have more work still to do. Blue Shield has its roots in the 1954 Hague Convention – since our founding we have grown so much and now have 31 committees around the world, dedicated to protecting heritage. This anniversary is an opportunity to raise awareness of the Convention, of how states can implement it - and to raise awareness of the work of the Blue Shield around the world in supporting the protection of cultural property in conflict and crisis.

→ Find out how your country implements the Convention!

There are two main sources of information on implementation:

- Read the Periodic Report your country submits to UNESCO -> https://en.unesco.org/node/343239
- Talk to your Ministry of Culture, and your Ministry of Defence.
  (If you’re not sure who to speak to, see the advice in the Blue Shield National Committee Training Course8 on communicating with Ministries of Defence).

→ Be an advocate!

Advocate for the importance of the Convention! It’s not enough to wait for a conflict and then worry about protection – by then it’s going to be too late. Look at the obligations in Part III: About the 1954 Hague Convention. If you think more could be done in your country, then look at the advice for National Committees on implementing the Convention in the Blue Shield National Committee Training Course. Encourage your state party to start planning, even if it feels like conflict will never happen in your country. Remember, many of the measures the Convention recommends are just as useful in disaster.

Tell local, regional, and national authorities about Blue Shield and how you can help, and why protecting heritage in crisis matters!

8 National Committees should contact the Blue Shield International Secretariat for access.
blueshield.international@theblueshield.org
[States Parties] undertake, in particular, to include the study [of the Convention] in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population.

- Convention Article 25 -

Advise governments and civil society on the funding that is available to assist them in implementing the Convention:

- States Parties to the 1999 Second Protocol can apply to the **Fund for the Protection of Cultural Property in the Event of Armed Conflict** for financial and technical assistance for measures to protect cultural property during armed conflict, or for immediate recovery after the end of hostilities. This includes preparatory safeguarding measures, and education and training programmes. [https://en.unesco.org/protecting-heritage/International-fund](https://en.unesco.org/protecting-heritage/International-fund)
- The British Cultural Protection Fund supports organisations in the safeguarding, recording, conservation and restoration of heritage in their target countries: [https://www.britishcouncil.org/arts/culture-development/cultural-protection-fund](https://www.britishcouncil.org/arts/culture-development/cultural-protection-fund)
- ALIPH Foundation supports emergency projects that provide rapid measures aimed at protecting heritage that is under serious threat of destruction or deterioration: [https://www.aliph-foundation.org/en/our-grants](https://www.aliph-foundation.org/en/our-grants)
- Cultural Emergency Response provide emergency grant mechanism that provides quick and flexible support in immediate response to disaster or conflict for the rescue, stabilization, or evacuation of heritage under threat to prevent further damage. They also aim to support the development and sustainability of regional capacities and infrastructures: [https://www.culturalemergency.org/how-we-help](https://www.culturalemergency.org/how-we-help)

Spread information about the anniversary in your national press, on social media, and on your website, and use it to tell everyone about the 1954 Hague Convention and your work as a member of the Blue Shield.

→ **Not a signatory of the Convention or its Protocols?**

Check out this advice on the UNESCO website: [https://en.unesco.org/node/349864](https://en.unesco.org/node/349864)

National Committees should remember that the Blue Shield National Committee Training Course Block 2 contains modules on lobbying for ratification! (Contact the Secretariat for the link).

→ **Get involved!**

We’d like to make a page on the Blue Shield International website to bring together all the events that are happening globally, to give everyone a chance to get involved. If you know of an event, send us the details! Run your own events and tell us all about them so we can tell the world!
[States Parties] undertake, in particular, to include the study [of the Convention] in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population.

- Convention Article 25 -

ORGANISING EVENTS – IDEAS AND TIPS

HOST A TALK: to raise awareness of the Convention
• What is the Convention and how is it implemented in your country?
• Showcase the work of the Blue Shield in supporting the 1954 Hague Convention
• Show your Ministry that ratification matters (Blue Shield International is happy to help)
• Engage with partners - Blue Shield can be the icebreaker! Presentations, interviews, panel discussions, Q&A, or a “fireside chat” – how are others implementing the Convention?
• Go global - live stream on Zoom, Google Meet, TEAMS, etc.

CREATE AN EXHIBITION of implementation efforts
• Host a poster session or an exhibition from countries round the world (in person or online)
• Showcase sites in your country with blue shield emblems

WRITE A BLOG
• Interview key people and Share testimonials

CREATE A PODCAST to make your voice heard

MAKE A FACT SHEET about the 1954 Hague Convention in your country

ENGAGE YOUR FOLLOWERS:
• See what people know about the Convention!
• Give everyone an opportunity to get involved
• Encourage presenters and attendees to share ongoing discussions widely
• Hold a post-event get together - there are some great virtual platforms for social interactions if you can’t meet in person
• Create chat rooms for online discussions

Engage with all types of cultural heritage, the people who manage it – and the people who use and love it
[States Parties] undertake, in particular, to include the study [of the Convention] in their programmes of military and, if possible, civilian training, so that its principles are made known to the whole population.

- Convention Article 25 -

MAKE THE MOST OF IT: Leverage social media to share your event moments and memories
- Use Twitter to develop understanding of the 1954 Hague Convention in your country
- Use Facebook to share information
- Use Clubhouse to talk live to your followers and give the floor to them

BE ENGAGING: Ask your followers to share what the 1954 Hague Convention means to them
- What do they think is “of great importance”?
- Share sites with blue shields on them to raise awareness
- Introduce your Blue Shield Committee. Let people see the faces protecting cultural property in crisis!
- Tell people about your work - and the next steps?

BE SMART: Update your website with posters and visual aids
- Broadcast events on social media

HASHTAGS: #1954HagueConvention #culturalpropertyprotection #CPP #ProtectHeritage
#HagueConvention70

Make sure to share your events with us!
PRESS RELEASE FOR NATIONAL COMMITTEES

Convention for the Protection of Cultural Property in the Event of Armed Conflict - 70th Anniversary

This year, Blue Shield is commemorating the 70th anniversary of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, which was signed in the Hague on 14 May 1954. After the extensive damage to cultural heritage following the horrifying wars in the first half of the twentieth century, the international community came together to write an international treaty, determined that efforts to protect it would be normalised in international law. The Convention is supplemented by the First Protocol in 1954 and the Second Protocol in 1999. Today it is part of international humanitarian law – the body of law that protects civilians and their property during conflict.

The Blue Shield Movement has its foundations in the 1954 Hague Convention, which envisaged people who would advocate for and act to protect cultural property – a cultural Red Cross. The Movement was eventually founded in 1996, and was recognised in international law in the Second Protocol as an eminent professional organisation to advise on the protection of cultural property in armed conflict. Today it is a global movement working nationally and internationally with our partners to protect heritage of all types in conflict and disaster, advocating for international law. We believe that the protection of people and the protection of their cultural heritage are indivisibly intertwined, and are linked to community wellbeing. We are organising national and international events with our governments, heritage, humanitarian, and military partners around the world.

Professor Peter Stone, President of the Blue Shield Movement and UNESCO Chair in Cultural Property Protection and Peace at Newcastle University, UK, said:
Despite the 1954 Hague Convention, over the last 70 years we have continued to witness the destruction of cultural heritage around the world in armed conflict, and we are more aware than ever of the devastating impact this has on communities. Blue Shield knows that the destruction of cultural heritage impacts community wellbeing, security, and stability for generations, and can have a critical impact on the success of a mission and safety of troops in a conflict. This 70th anniversary is a call to arms for member states of UNESCO, the Blue Shield Movement, and advocates of cultural property protection to finally turn the aspiration of those who drafted the Convention, who witnessed two World Wars and vowed that the destruction should not happen again, into reality.

Today the Convention is signed by 135 countries – two-thirds of the world agree on the importance of protecting cultural property in conflict. They all agree that (in the Preamble to the Convention)

- “Damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world”.
- “The preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection”.
- And that they are “determined to take all possible steps” to protect cultural property.

The Convention tasks the States who ratify it to prepare protective measures in peace and to practice restraint during conflict and prevent looting (safeguarding and respect), to create specialist military units and to carry out civilian and military training.

This anniversary is an opportunity to look at the successes of the Convention, and to look at the challenges that lie ahead. Thousands of sites across the world are marked with the emblems of the Convention to help identify them in conflict - the blue and white shield of general protection, the triple shield of special protection, and the red bordered shield of enhanced protection. Armed forces round the world are routinely practicing cultural property protection – Blue Shield has formal agreements with NATO and various UN Peacekeeping forces to provide training – and excessive and unnecessary cultural destruction is considered a war crime, prosecutable at the International Criminal Court. But as conflict continues to threaten communities around the world, there is much more to be done, and many states have taken no actions at all.

This year is filled with events that look at the achievements of the Convention, mark the work of the Blue Shield Movement as a leading heritage NGO committed to the protection of the world’s tangible and intangible cultural property, when threatened by crisis – and look to challenges in the future.

For more information please contact:
Professor Peter G Stone
President, The Blue Shield
Blueshield.international@theblueshield.org

The Blue Shield is an international advisory body to the Committee for the Protection of Cultural Property in the Event of Armed Conflict. It has 31 national committees (with more under construction) across the world, and an international board. The Blue Shield is “committed to the protection of the world’s cultural property, and is concerned with the protection of cultural and natural heritage, tangible and intangible, in the event of armed conflict, natural- or human-made disaster”. See https://theblueshield.org/
The protection of cultural property shall comprise the safeguarding of and respect for such property
- Article 2 – Protection of cultural property -

PART III:
ABOUT THE 1954 HAGUE CONVENTION
The protection of cultural property shall comprise the safeguarding of and respect for such property
- Article 2 – Protection of cultural property -

**OBLIGATIONS**

The Convention applies primarily to the States Parties – also called High Contracting Parties, or HCPs – who have signed it. It establishes that the protection of cultural property has two strands – safeguarding and respect (C. A.2). There are also obligations if one State Party to the Convention is occupying the territory of another State; and respect applies to all parties to the conflict. The Convention’s obligations are supported by a system of international oversight called Control (found in the Regulations for the Execution of the Convention). For various reasons, the Control system has never been used, and it was supplanted in the Second Protocol by quiet diplomacy between warring parties, and the the international Committee for the Protection of Cultural Property in the Event of Armed Conflict which (amongst other duties) monitors the implementation of the Protocol and damage to cultural property.

**When does it apply?**

- Provisions that apply in peace, like preparation of safeguarding measures, always apply to HCPs to the Convention (CA.18, SPA.3.1).
- The whole of the Convention applies to all HCPs in an international conflict whenever a conflict involves at least two of them (CA.18.1). The Second Protocol always applies to all HCPs during conflicts.
- If a party to the conflict has not signed the Convention or Second Protocol, they may declare at any time that they chose to be bound by it (CA.18.3, 19.2, SPA.3.2).
- The Convention applies if the territory of a HCP is partly or completely occupied (CA. 18.2).
- If the conflict is internal (a non-international armed conflict), all parties in the conflict must obey the provisions of respect (CA.19).

**Safeguarding**

HCPs must put measures in place in peacetime to safeguard important cultural property. Obligatory measures include:

- Raising awareness and carrying out specialist training on the Convention’s obligations (CA.7.1, 25, SPA.30).
- Creating and training a specialist military unit/personnel whose role is to secure respect and work with the civilian authorities (CA.7.2).

Recommended measures include:

- Nominating a competent authority to oversee the implementation of the Convention and Protocols (SPA.5). (This should not just be the responsibility of the culture sector, but must be undertaken in partnership with the Ministry of Defence).
- Identifying and inventorying important cultural property (CA.6, SPA.5).
- Preparing protective measures to mitigate fire or structural collapse for buildings, and objects that cannot be moved (SPA.5).

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9 A = Article  C = Convention  FP = First Protocol  SP = Second Protocol  HCP = High Contracting Party
The protection of cultural property shall comprise the safeguarding of and respect for such property
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Safeguarding measures, planned in advance and applied during war. The sandbagged structure used
to protect the statue of Eros in Piccadilly Circus in London, 1939, and the statue in 2016. ©
Photograph H 694 from the collections of the Imperial War Museums, public domain via Wikimedia
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Identification of the British Army Cultural Property Protection Unit, a specialist military unit whose
role is to secure respect and work with the civilian authorities, Convention Article 7 © R. Curtis.
Safeguarding measures (protective in situ measures), Ukraine, 2023, Convention Article 3 / Second
Protocol Article 5 © M de-Gruchy
The protection of cultural property shall comprise the safeguarding of and respect for such property
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- Preparing refuges for moveable cultural property, and making plans to evacuate items to them (C. Chapter III).
- If cultural property is taken abroad for its protection, the HCP who holds it must return it within 6 months of the end of hostilities (FPA.5).
- Authorising and training personnel to protect cultural property (CA.15, 17).
- Practicing civil-military cooperation (CA.7.2, 25).
- Placing particularly important sites under special protection (C. Chapter I) and (if the state has signed the Second Protocol) under enhanced protection (SP. Chapter III).
- Placing the distinctive emblem (the blue and white shield) to facilitate identification of protected places, objects, and people (CA.6, 16, 17, RegulationsA.20).
  - If a site is under special protection, it is compulsory to place three blue shields of sites on it in the pattern shown below (CA.6, 16, 17, RegulationsA.20).
- Enhanced protection is indicated by a single blue shield with a red border (in the Operational Guidelines for the Second Protocol)

Even if no safeguarding measures have been put in place, cultural property is still protected, and HCPs must respect it (CA.4.5).

Archaeological Monuments of Xochicalco, Mexico, under Special Protection, and marked with the triple blue shield emblem, Convention Chapter II © Hdaniel, CC BY-SA 2.0, via Flickr.

The Historical Monuments of Mtskheta, Georgia, under Enhanced Protection – Svetitstkhoveli Cathedral, marked with the blue shield with the red border, Second Protocol Chapter III © E Cunliffe.

**Respect and Other Conflict Obligations**

To respect cultural property, HCPs must
- not use cultural property or its immediate surroundings for purposes that may cause it to be damaged in conflict. They must also not direct acts of hostility against it. (CA.4.1).
The protection of cultural property shall comprise the safeguarding of and respect for such property
- Article 2 – Protection of cultural property -

- This obligation may be waived if imperative military necessity requires it (CA.4.2). Military necessity is defined in SPA.6.
- If the cultural property is under special protection, then the military necessity for using the site must be unavoidable (CA.11.2). It may not be attacked unless it has been taken into use.
- If the cultural property is under enhanced protection it is a war crime to use it, or its immediate surroundings, or to use it to shield military sites (SPA.10.3, 12, 15.b). It may not be attacked unless it has been taken into use (and the military restrictions are still very strict) (SPA.13).
- Prevent looting, pillage, and vandalism, and may not requisition any moveable cultural property (CA.4.3). Reprisals against cultural property are prohibited (CA.4.4).

- Authorised cultural property personnel must be respected, and should always be allowed to carry out their duties as far as the situation allows (CA.15).
- HCPs should take precautions during fighting, including trying to verify whether military objectives are cultural property, minimising damage from attacks, and not using excessive force (SPA.7).
- HCPs should evacuate movable objects away from military objectives or put protective measures in place (SPA.8a)
- HCPs should avoid locating military objectives near cultural property (SPA.8b).

Training evacuation (Second Protocol Article 8) at the Krems University Summer School 2018 © DUK/Fuchs/P. Fox
Field training for National Guard evacuating protected objects, Georgia © Blue Shield Georgia

Occupation

- An HCP occupying some or all of another HCP’s territory must support the competent national authorities of the occupied country to safeguard and preserve cultural property if possible (CA.5.1).
The protection of cultural property shall comprise the safeguarding of and respect for such property

- Article 2 – Protection of cultural property -

- If cultural property was damaged during military operations and the competent national authorities cannot repair it, the Occupying Power must ensure preservation (CA.5.2).
- HCPs must prevent:
  - cultural property being exported from a territory they are occupying (FPA.1), as well as all removal or transfer of ownership (SPA.9.1a).
  - archaeological excavation (unless essential for preservation) (SPA.9.1b).
  - alteration to, or change of use of, cultural property intended to conceal, alter, or destroy cultural, scientific, or historical evidence (SPA.9.1c).
- HCPs carrying out essential preservation works in occupied territories must do them with the competent national authorities whenever possible (CA5.2, SPA9.2).
- If cultural property from an occupied area is imported into the territory of a HCP, the authorities must take it into custody (FPA.2).
- When hostilities are over, the seized illegally exported cultural property must be returned to the competent authorities of the territory it came from (FPA.3).
- If the occupying HCP failed to prevent the exportation, and another HCP seizes it and returns it, the occupier must pay an indemnity in good faith to the owner (FPA.4).

Judicial Measures

- HCPs must establish legislative, administrative or disciplinary measures for criminal offences in their national laws for breaches of the Convention, and should prosecute people (of any nationality) who commit crimes (CA. 28, SPA.21).
  - SPA.15 lists specific crimes, including attacking (not damaging) cultural property, and looting.
- HCPs have jurisdiction over crimes, and a responsibility to prosecute them, when (SPA.16):
  - offences are committed on their territory;
  - over their own nationals;
  - alleged offenders are present in their territory.

International Organisations

- UNESCO may offer its services to all parties in any conflict (CA.19.3), including hosting meetings to resolve disputes on applying the Convention (CA.22).
- Any High Contracting Party may ask UNESCO for technical assistance in protecting cultural property, and it may make proposals to the High Contracting Parties on how to do this (CA.23, SPA.33).
- UNESCO supports the international Committee for the Protection of Cultural Property in the Event of Armed Conflict (SPA.28), who oversee the Second Protocol, and implement their decisions.
- Eminent professional organisations, such as Blue Shield International, ICCROM, and ICRC, may act as advisors to the international Committee (SPA.27.3), and may recommend properties to be placed enhanced protection (SPA.11.3).
The protection of cultural property shall comprise the safeguarding of and respect for such property
- Article 2 – Protection of cultural property -
The present Convention shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

- Convention Article 31 -

**KEY CONCEPTS**

**Signature, Ratification, and Accession**

When states Parties (i.e., governments) agree to become bound by a treaty (like the 1954 Hague Convention), they are called **High Contracting Parties**, and **become party** to the obligations in it. For an international treaty to take effect it must become part of the **national** law (also called **domestic** law) of the country that has signed it. Some parts of the 1954 Hague Convention are so widely accepted that they are considered to be customary international law, and are binding on all people, whether they are party to the Convention or not.

1) When an international treaty is written, it is **opened for signature**: all governments are offered the chance to sign it before it takes effect. Signing a treaty indicates that the government intends to make it part of their national law and (until that point) obliges that government to refrain, in good faith, from acts that would defeat the purpose of the treaty. However, it is not legally binding.

2) The next step is to **ratify** the treaty. **Ratification** is the act through which a state indicates its consent to be bound to a treaty. It usually requires approval of the **instruments of ratification** (i.e., legal signed documents relating to the treaty prepared by the government) from a national parliament or crown, but each country has a slightly different process for how this is achieved.

3) For some countries, the treaty will require **implementing legislation**: national legislation will be drafted that will set out how the treaty will be implemented under national law. For example, what penalties are there for breaking it? How will it interact with other, existing laws?

4) Once the signature period is closed, the treaty **enters into force** – this is the date when it takes effect and becomes active. At this point, the treaty is an active part of international and domestic law.

5) If states parties wish to become party to an international treaty after it has entered into force, the state can no longer sign it – instead it declares it will **accede** to a treaty. This process is called **accession** (or **adherence**) and it has the same legal effect as ratification. The national process – requiring parliamentary approval and possible implementing legislation – is the same as it is for signature and ratification.

6) The signed treaty is sent to the **depository** that administers the international treaty: for the 1954 Hague Convention and its Protocols, that is UNESCO. The depositary collects the ratifications of all states, keeping all parties informed of the situation. Once they have been accepted and registered by the depository, that country has ratified the treaty.
The present Convention shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.
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### RATIFICATIONS\(^{10}\)

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\(^{10}\) (as of 1 January 2024)
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The present Convention shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

- Convention Article 31 -

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MANAGING THE CONVENTIONS

Managing the 1954 Hague Convention

The Convention is owned and managed by the States that are party to it, that is, the States that have ratified it. States Parties meet to study problems concerning the application of the Convention and its Regulations for execution, and to make any necessary recommendations (CA.27). At first, meetings were held infrequently, but since 2007 they have been hosted at the UNESCO offices in Paris every other year. Records and papers of the meetings can be found here: https://en.unesco.org/node/341799

Managing the 1999 Second Protocol

The 1999 Second Protocol has two governing bodies. A meeting of the Parties is convened every two years. It:

- Elects the Members of the Committee for the Protection of Cultural Property in the Event of Armed Conflict;
- Endorses the Guidelines developed by the Committee;
- Provides 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;
- Considers the report on the implementation of the 1999 Second Protocol submitted by the Committee;
- Discusses any issue related to the application of the 1999 Second Protocol, and to make recommendations, as appropriate.

Records and papers of the meetings can be found here: https://en.unesco.org/node/342857

Established by the 1999 Second Protocol, the Committee for the Protection of Cultural Property in the Event of Armed Conflict works to promote and implement the 1999 Second Protocol. The Committee meets once a year normally, but can host extra sessions whenever it deems necessary. It is composed of twelve elected States Parties to the 1999 Second Protocol. The Committee has the following functions (SPA.27):

- To develop Guidelines for the Implementation of the 1999 Second Protocol;
- To grant, suspend or cancel enhanced protection for cultural property and to establish, maintain and promote the List of Cultural Property under Enhanced Protection;
- To monitor and supervise the implementation of the 1999 Second Protocol and promote the identification of cultural property under enhanced protection;
- To consider and comment on reports of the States Parties to the 1999 Second Protocol, to seek clarifications as required, and prepare its own report on the implementation of the 1999 Second Protocol for the Meeting of its Parties;
The purpose of the meeting will be to study problems concerning the application of the Convention and of the Regulations for its execution, and to formulate recommendations.

- Convention Article 27 -

- To receive and consider requests for international assistance;
- To determine the use of the Fund for the Protection of Cultural Property in the Event of Armed Conflict;
- To perform any other function which may be assigned to it by the Meeting of the Parties to the 1999 Second Protocol.

HCPs are encouraged to give technical assistance of all kinds, through the Committee, to those Parties or parties to the conflict who request it.

Records and papers of the meetings can be found here: https://en.unesco.org/node/341724

Although it is often thought that UNESCO owns the Convention, this is not the case. UNESCO provide HCPs with technical assistance in organizing the protection of their cultural property, or in connection with problems arising out of the application of the Convention or the Regulations for its execution (CA.23). The Secretariat also provide administrative support to the HCPs to host the meetings, and under SPA.28, it has the responsibility for the implementation of the decisions of the Committee. It is up to States Parties or the Committee to decide how to interpret the Convention and its Protocols.
Parties shall endeavour by appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect for cultural property by their entire population.

- Second Protocol Article 30(1) -

RESOURCES AND FURTHER INFORMATION

Text of the Convention and Protocols


Full text available at: https://en.unesco.org/protecting-heritage/convention-and-protocols/first-protocol


Implementing the Convention

Periodic Reports of the States Parties: https://en.unesco.org/node/343239

International Register of Cultural Property under Special Protection: https://en.unesco.org/node/341352


International List of Cultural Property under Enhanced Protection: https://en.unesco.org/node/341353

Cultural property under enhanced protection. UNESCO Brochure: https://unesdoc.unesco.org/ark:/48223/pf0000368300

Manuals and Guidance Documents

Ratification advice on the UNESCO website: https://en.unesco.org/node/349864


Parties shall endeavour by appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect for cultural property by their entire population.

- Second Protocol Article 30(1) -

https://unesdoc.unesco.org/ark:/48223/pf0000260071

Distinctive Marking of Cultural Property. UNESCO & BSI:
https://unesdoc.unesco.org/ark:/48223/pf0000380180?posInSet=1&queryId=efd06f07-0013-4363-b46a-fed82913ab96

More about the 1954 Hague Convention and its Protocols and how to implement it can be found in the Blue Shield National Committee Training Course. Contact the Secretariat for the link.

Commentaries on the Conventions and Cultural Property Protection Law

https://unesdoc.unesco.org/ark:/48223/pf0000100159?posInSet=1&queryId=215c7223-0681-41b6-ad0c-752f78851d23


https://unesdoc.unesco.org/ark:/48223/pf0000186496?posInSet=17&queryId=ba885c83-cce6-4214-9808-duedae35c415

Synergies With Other UNESCO Conventions

https://unesdoc.unesco.org/ark:/48223/pf0000379955_eng

About Blue Shield

What is the Blue Shield? (video and factsheet): https://theblueshield.org/about-us/what-is-the-blue-shield/

About the Blue Shield: 25th Anniversary Communication Pack: https://theblueshield.org/anniversary-communication-pack/

25th Anniversary Panel Discussion with the founders – “The creation of the Blue Shield”
https://theblueshield.org/panel-the-creation-of-the-blue-shield/

Interviews with the Founders: https://theblueshield.org/meet-the-founders-interviews-with-the-blue-shield-founding-members/
Download the Hague Convention Anniversary Logos, this pack, and other information at: https://theblueshield.org/download/the-1954-hague-convention-blue-shield-emblems-of-protection/

Contact: blueshield.international@theblueshield.org