

FINAL COMMUNIQUÉ

NATO- Partnership for Peace (PfP) Conference **on Cultural Heritage Protection in Wartime and in State of Emergency**

On the initiative of the Republic of Poland, on 18-21 June 1996, a NATO-PfP conference devoted to "Cultural Heritage Protection in Wartime and in State of Emergency" was held in Cracow.

Participants were from institutions responsible for cultural heritage protection and civil defence, Ministries of Culture, Interior and Defence and armed forces from the following states: Belgium, Canada, Croatia, the Czech Republic, Estonia, Germany, Hungary, Italy, Lithuania, The Netherlands, Norway, Poland, the Russian Federation, the Slovak Republic and the United States of America. International organisations in attendance included NATO, UNESCO, the International Council on Monuments and Sites (ICOMOS), and the International Council of Museums (ICOM).

Discussion of cultural heritage protection in wartime and in state of emergency focused on legal instruments and experience. From plenaries, panel sessions and working group discussions and from practical demonstrations, the Conference recognised the benefits of preparedness and finds that:

1. States' laws, regulations and normative documents relevant to the protection of cultural property should be published, and widely distributed to serve as a common basis for the education of governments, armed forces, institutions and populations.
2. International co-operation and exchange of experiences should be developed on the implementation of the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflicts (1954) and other existing instruments such as the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), including initiatives under the International Committee of the Blue Shield.
3. The Hague Convention and its Protocol and their implementation could be improved on the following points:
 - 3.1 Precise definition of the term "military necessity" and the conditions under which it may be invoked;
 - 3.2 Extension of the term "armed conflict" to include internal civil and armed conflicts, in particular ethnic ones, and provision for the laws and mechanisms for the protection of cultural property also be applied in such cases;
 - 3.3 Inclusion of the concept of a minimum distance of separation of military operations from a cultural property under protection;
 - 3.4 Use of new technology for internationally-recognised marking and signals for cultural properties;

3.5 Inclusion of specific topographic symbols on maps for areas containing of protected cultural properties.

4. The willful damaging or destruction of cultural property during military operations in violation of the Hague Convention of 1954 should be recognised as a war crime subject to international and states' tribunals. The conference also recognised the need for improved mechanisms for the return of cultural properties taken in violation of international law.

Accordingly, the Conference recommends that NATO and its PFP partners, following the Cracow Conference, explore the possibility of further co-operation with UNESCO and with the International Committee of the Blue Shield to improve and promote the implementation of existing instruments, to improve national and local preparedness and response capability through, among others, training, adequate risk analysis taking into account heritage and cultural values, and better communication between responsible authorities, in order to reduce the losses of cultural heritage in the event of emergencies of human or natural origin.

Furthermore:

Participants of the conference expressed their support for the "Appeal for International Aid for Croatian and Bosnia-Herzegovina Monuments Destroyed During the War" issued by the European Conference of Ministers responsible for cultural heritage on 31 May 1996, in Helsinki.

Participants supported the proposal by the Republic of Poland for the establishment, under the patronage of UNESCO, an international centre for the training of civilian and armed forces personnel for the protection of cultural heritage in the context of armed conflicts and all emergency situations.

Participants requested that the papers and proceedings of the conference at least be published in English and widely distributed to organisations in the fields of cultural property conservation, civil defence and armed forces.

Finally, participants thanked the Polish Authorities for hosting the Conference in a city of such great cultural heritage.

This communiqué was adopted by the participants of the conference on 21 June 1996 in Cracow.