

ภาคผนวก ข

Protocol to the Convention for the Protection of Cultural Property in the Event  
of Armed conflict 1954

*Signed at The Hague, 14 May 1954*

*Entry into force, 7 August 1956*

The High Contracting Parties are agreed as follows :

**I**

1. Each High Contracting Party undertakes to prevent the exportation, from a territory occupied by it during an armed conflict, of cultural property as defined in Article 1 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed at The Hague on 14 May, 1954.
2. Each High Contracting Party undertakes to take into its custody cultural property imported into its territory either directly or indirectly from any occupied territory. This shall either be effected automatically upon the importation of the property or, failing this, at the request of the authorities of that territory.
3. Each High Contracting Party undertakes to return, at the close of hostilities, to the competent authorities of the territory previously occupied, cultural property which is in its territory, if such property has been exported in contravention of the principle laid down in the first paragraph. Such property shall never be retained as war reparations.
4. The High Contracting Party whose obligation it was to prevent the exportation of cultural property from the territory occupied by it, shall pay an indemnity to the holders in good faith of any cultural property which has to be returned in accordance with the preceding paragraph.

## **II**

5. Cultural property coming from the territory of a High Contracting Party and deposited by it in the territory of another High Contracting Party for the purpose of protecting such property against the dangers of an armed conflict, shall be returned by the latter, at the end of hostilities, to the competent authorities of the territory from which it came.

## **III**

6. The present Protocol shall bear the date of 14 May, 1954 and, until the date of 31 December, 1954, shall remain open for signature by all States invited to the Conference which met at The Hague from 21 April, 1954 to 14 May, 1954.

7. (a) The present Protocol shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

(b) The instruments of ratification shall be deposited with the Director General of the United Nations Educational, Scientific and Cultural Organization.

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

9. The States referred to in paragraphs 6 and 8 may declare, at the time of signature, ratification or accession, that they will not be bound by the provisions of Section I or by those of Section II of the present Protocol.

10. (a) The present Protocol shall enter into force three months after five instruments of ratification have been deposited.

(b) Thereafter, it shall enter into force, for each High Contracting Party, three months after the deposit of its instrument of ratification or accession.

(c) The situations referred to in Articles 18 and 19 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed at The Hague on 14 May, 1954, shall give immediate effect to ratifications and accessions deposited by the Parties to the conflict either before or after the beginning of hostilities or occupation. In such cases, the Director-General of the United Nations Educational, Scientific and Cultural Organization shall transmit the communications' referred to in paragraph 14 by the speediest method.

11. (a) Each State Party to the Protocol on the date of its entry into force shall take all necessary measures to ensure its effective application within a period of six months after such entry into force.

(b) This period shall be six months from the date of deposit of the instruments of ratification or accession for any State which deposits its instrument of ratification or accession after the date of the entry into force of the Protocol.

12. Any High Contracting Party may, at the time of ratification or accession, or at any time thereafter, declare by notification addressed to the Director General of the United Nations Educational, Scientific and Cultural Organization, that the present Protocol shall extend to all or any of the territories for whose international relations it is responsible. The said notification shall take effect three months after the date of its receipt.

13. (a) Each High Contracting Party may denounce the present Protocol, on its own

behalf, or on behalf of any territory for whose international relations it is responsible.

(b) The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

(c) The denunciation shall take effect one year after receipt of the instrument of denunciation. However, if, on the expiry of this period, the denouncing Party is involved in an armed conflict, the denunciation shall not take effect until the end of hostilities, or until the operations of repatriating cultural property are completed, whichever is the later.

14. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States referred to in paragraphs 6 and 8, as well as the United Nations, of the deposit of all the instruments of ratification, accession or acceptance provided for in paragraphs 7, 8 and 15 and the notifications and denunciations provided for respectively in paragraphs 12 and 13.

15. (a) The present Protocol may be revised if revision is requested by more than one-third of the High Contracting Parties.

(b) The Director-General of the United Nations Educational, Scientific and Cultural Organization shall convene a Conference for this purpose.

c) Amendments to the present Protocol shall enter into force only after they have been unanimously adopted by the High Contracting Parties represented at the Conference and accepted by each of the High Contracting Parties.

(d) Acceptance by the High Contracting Parties of amendments to the present Protocol, which have been adopted by the Conference mentioned in sub-paragraphs (b) and (c),

shall be effected by the deposit of a formal instrument with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

(e) After the entry into force of amendments to the present Protocol, only the text of the said Protocol thus amended shall remain open for ratification or accession.

In accordance with Article 102 of the Charter of the United Nations, the present Protocol shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

IN FAITH WHEREOF the undersigned, duly authorized, have signed the present Protocol.

Done at The Hague, this fourteenth day of May, 1954, in English, French, Russian and Spanish, the four texts being equally authoritative, in a single copy which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in paragraphs 6 and 8 as well as to the United Nations.

Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954.<sup>1</sup>

	States	Date of deposit of instrument	Type of instrument
1	Egypt	17/08/1955	Ratification
2	San Marino	09/02/1956	Ratification
3	Myanmar	10/02/1956	Ratification
4	Mexico	07/05/1956	Ratification
5	Poland	06/08/1956	Ratification
6	Hungary	16/08/1956	Accession
7	Russian Federation	04/01/1957	Ratification
8	Ukraine	06/02/1957	Ratification
9	Belarus	07/05/1957	Ratification
10	France	07/06/1957	Ratification
11	Jordan	02/10/1957	Ratification
12	Libyan Arab Jamahiriya	19/11/1957	Ratification
13	Cuba	26/11/1957	Ratification
14	Monaco	10/12/1957	Ratification
15	Holy See	24/02/1958	Accession
16	Syrian Arab Republic	06/03/1958	Ratification
17	Romania	21/03/1958	Ratification
18	Israel	01/04/1958	Accession
19	Thailand	02/05/1958	Accession
20	Italy	09/05/1958	Ratification
21	India	16/06/1958	Ratification
22	Brazil	12/09/1958	Ratification
23	Bulgaria	09/10/1958	Accession

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<sup>1</sup> UNESCO, List of States Parties of Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954, Retrieved February 3, 2009, from [http://portal.unesco.org/culture/en/ev.php-URL\\_ID=35744&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/culture/en/ev.php-URL_ID=35744&URL_DO=DO_TOPIC&URL_SECTION=201.html)

24	Netherlands	14/10/1958	Ratification
25	Pakistan	27/03/1959	Accession
26	Iran (Islamic Republic of)	22/06/1959	Ratification
27	Nicaragua	25/11/1959	Ratification
28	Liechtenstein	28/04/1960	Accession
29	Lebanon	01/06/1960	Ratification
30	Ghana	25/07/1960	Accession
31	Belgium	16/09/1960	Ratification
32	Malaysia	12/12/1960	Accession
33	Albania	20/12/1960	Accession
34	Ecuador	08/02/1961	Ratification
35	Democratic Republic of the Congo	18/04/1961	Accession
36	Mali	18/05/1961	Accession
37	Nigeria	05/06/1961	Accession
38	Norway	19/09/1961	Ratification
39	Luxembourg	29/09/1961	Ratification
40	Cameroon	12/10/1961	Accession
41	Madagascar	03/11/1961	Accession
42	Gabon	04/12/1961	Accession
43	Guinea	11/12/1961	Accession
44	Cambodia	04/04/1962	Accession
45	Switzerland	15/05/1962	Accession
46	Austria	25/03/1964	Ratification
47	Cyprus	09/09/1964	Accession
48	Turkey	15/12/1965	Accession
49	Indonesia	26/07/1967	Ratification
50	Germany	11/08/1967	Ratification
51	Iraq	21/12/1967	Ratification
52	Morocco	30/08/1968	Accession
53	Yemen	06/02/1970	Accession
54	Kuwait	17/02/1970	Accession
55	Niger	06/12/1976	Accession
56	Tunisia	28/01/1981	Accession

57	Greece	09/02/1981	Ratification
58	Sweden	22/01/1985	Accession
59	Burkina Faso	04/02/1987	Accession
60	Senegal	17/06/1987	Accession
61	Peru	21/07/1989	Accession
62	Spain	26/06/1992	Accession
63	Croatia	06/07/1992	Notification of succession
64	Tajikistan	28/08/1992	Notification of succession
65	Georgia	04/11/1992	Notification of succession
66	Slovenia	05/11/1992	Notification of succession
67	Czech Republic	26/03/1993	Notification of succession
68	Slovakia	31/03/1993	Notification of succession
69	Bosnia and Herzegovina	12/07/1993	Notification of succession
70	Armenia	05/09/1993	Notification of succession
71	Azerbaijan	20/09/1993	Accession
72	Guatemala	19/05/1994	Accession
73	Finland	16/09/1994	Accession
74	Kazakhstan	14/03/1997	Notification of succession
75	The former Yugoslav Republic of Macedonia	30/04/1997	Notification of succession
76	Costa Rica	03/06/1998	Accession
77	Colombia	18/06/1998	Accession
78	Lithuania	27/07/1998	Accession
79	Uruguay	24/09/1999	Ratification
80	Republic of Moldova	09/12/1999	Accession
81	China	05/01/2000	Accession
82	Panama	08/03/2001	Accession
83	Serbia	11/09/2001	Notification of succession
84	Dominican Republic	21/03/2002	Accession
85	El Salvador	27/03/2002	Accession
86	Honduras	25/10/2002	Accession
87	Denmark	26/03/2003	Ratification
88	Latvia	19/12/2003	Accession
89	Paraguay	09/11/2004	Accession



90	Estonia	17/01/2005	Accession
91	Portugal	18/02/2005	Accession
92	Canada	29/11/2005	Accession
93	Bangladesh	23/06/2006	Accession
94	Montenegro	26/04/2007	Notification of succession
95	Argentina	10/05/2007	Accession
96	Japan	10/09/2007	Ratification
97	Saudi Arabia	06/11/2007	Accession
98	Bahrain	26/08/2008	Accession
99	Chile	11/09/2008	Accession
100	Barbados	02/10/2008	Accession

*\*This Protocol entered into force on 7 August 1956. It subsequently entered into force for each State three months after the date of deposit of that State's instrument, except in cases of notifications of succession, where the entry into force occurred on the date on which the State assumed responsibility for conducting its international relations.*