

## MODEL LEGISLATION ON PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT

(presented by Dr. Ana Elizabeth Villalta Vizcarra)

### I. MANDATE

Taking into account resolution AG/RES. 2650 (XLI-O/11), adopted at the fourth plenary session, held in San Salvador, El Salvador, on June 7, 2011, of the forty-first regular session of the General Assembly of the Organization of American States (OAS), which resolution is entitled “Promotion of and Respect for International Humanitarian Law,” and which refers to the rich legacy of cultural assets in the Hemisphere recognized by UNESCO as world heritage, which would benefit from the protection systems of international humanitarian law; and that, in that resolution, the OAS General Assembly resolves, in operative paragraphs 1 and 4.d:

1. *To urge the member states and the parties engaged in armed conflict to honor and fulfill their obligations under international humanitarian law, including those pertaining to safeguarding the life, well-being, and dignity of protected persons and property, and the proper treatment of prisoners of war.*
4. *To urge the member states to adopt such legislative or other measures as may be necessary to meet their legal obligations under the treaties on international humanitarian law to which they are party, including:*
  - d. *To adopt provisions to guarantee protection of cultural property from the effects of armed conflict, which may include preventive measures related to the preparation of inventories, the planning of emergency measures, and the appointment of competent authorities.*

and in operative paragraph 12 resolves:

*To request the Inter-American Juridical Committee (CJI), to propose model laws to support the efforts made by member states to fulfill obligations under international humanitarian law treaties, with an emphasis on protection of cultural property in the event of armed conflict, and to report on the progress made to the General Assembly at its forty-second and forty-third regular sessions, respectively;*

Taking into account that the Inter-American Juridical Committee, at its 79<sup>th</sup> regular session, held from August 1 to 6, 2011, in Rio de Janeiro, Brazil, adopted resolution CJI/RES. 182 (LXXXIX-O/11), entitled “Agenda for the Eightieth Regular Session of the Inter-American Juridical Committee,” which was to be held in Mexico City, Dr. Freddy Castillo Castellanos and the undersigned were appointed rapporteurs for the topic “Model legislation on protection of cultural property in the event of armed conflict.” As rapporteur for the topic, I place this report before the Inter-American Juridical Committee at its 80<sup>th</sup> regular session.

Also taking into account that resolution AG/RES. 2722 (XLII-O/12), “Promotion of and Respect for International Humanitarian Law,” adopted at the forty-second regular session of the General Assembly of the Organization of American States (OAS), held in Cochabamba, Bolivia, gave the Inter-American Juridical Committee the following mandate: “To ask the Committee to report on progress made

in developing model legislation to support efforts undertaken by the member states to implement their obligations under treaties on the subject of international humanitarian law, with emphasis on protecting cultural goods in the event of armed conflict.”

In consideration whereof, I offer the following report to this 81<sup>st</sup> regular session of the CJI.

## **II. BACKGROUND**

International humanitarian law (IHL) is the collection of legal provisions, most of them enshrined in the 1949 Geneva Conventions and their additional protocols of 1977, the aim of which is to protect persons not participating in hostilities or who have decided no longer to participate in a conflict. The various provisions of international humanitarian law are intended to prevent and limit human suffering in times of armed conflict. Their fulfillment is compulsory both for governments and armies participating in a conflict and for the various armed opposition groups or any other participant in a conflict. International humanitarian law limits the use of methods of war and of means used in conflicts.

International humanitarian law essentially is contained in the four 1949 Geneva Conventions, and in their additional protocols, but there are also other treaties governing various aspects of these matters, and many of their provisions may be of relevance for this topic. Those instruments are: the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two protocols; the 1972 Biological Weapons Convention; the 1980 Convention on the Use of Certain Conventional Weapons and its five protocols; the 1993 Chemical Weapons Convention; the 1997 Ottawa Treaty (Mine Ban Treaty); the 2008 Convention on Cluster Munitions; and the Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict. The current practice of states is to accept many provisions of international humanitarian as customary law.

International humanitarian law distinguishes between international and non-international armed conflict. In international armed conflict, at least two states are involved. Non-international armed conflict involves, within a single state, regular armed forces and armed dissident groups, or more than one armed group; in these conflicts in particular, common Article 3 of the four 1949 Geneva Conventions and the Additional Protocol II of 1977 applies.

International humanitarian law provides for the use of certain distinctive emblems to identify protected persons, property, and places, mainly the emblems of the Red Cross and Red Crescent, as well as specific distinctive emblems for cultural property and civil protection.

## **III. PROTECTION OF CULTURAL PROPERTY**

The topic of this report is the protection of cultural property in cases of armed conflict through development of model legislation. We need to determine what is meant by cultural property. It is defined in Article 1 of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, as follows:

*For the purposes of the present Convention, 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, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above; (b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a); (c) centers containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as ‘centers containing monuments.’*

We should also refer to the principal instruments of international humanitarian law that protect cultural property in the event of armed conflict: the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which is the main treaty of international humanitarian law for

the protection of such property, and which includes Regulations for Execution, as well as the two Additional Protocols, of 1954 and 1999. There also are other instruments containing provisions on the protection of cultural property in cases of armed conflict: Additional Protocols I (particularly Articles 38, 53, and 85) and II (especially Article 16) of 1977 to the four 1949 Geneva Conventions, and the 1998 Rome Statute establishing the International Criminal Court.

The Hague Peace Conferences of 1899 and 1907 played a decisive role in the development of the protection of cultural property at times of war, and were based on the 1874 Brussels Conference on arms limitations. The chief purpose of the First Conference held in The Hague on May 15 to July 31, 1899, was to discuss peace and disarmament and to adopt a Convention for the peaceful settlement of international disputes addressing not only arbitration but also other peaceful conflict settlement mechanisms. It adopted rules on the laws and customs of war on land and established the international court of arbitration, embracing the use of good offices, mediation, and arbitration to prevent armed conflicts between nations. It also created a permanent mechanism for the establishment of arbitration tribunals, which was the forerunner of the Permanent Court of Arbitration.

The Second Hague Peace Conference, which took place from June 15 to October 18, 1907, reviewed the 1899 Convention and the rules for the arbitration procedure. It adopted 13 international conventions, of which IV and IX covered the laws and customs of war on land. These also contained provisions governing the protection of cultural property, as did Article 5 of the same Conference. The meeting also received a joint proposal for the creation of a Permanent Court of International Justice.

Both Conferences placed a ban on attacking “open cities” and the obligation of taking the steps necessary, to the extent that was possible, to respect buildings dedicated to worship, the arts, science, and charity, historical monuments, hospitals, and places occupied by the sick and injured, with the exception of those buildings also designed for military purposes. They also included two kinds of responsibility: individual criminal responsibility, for individuals who seized or destroyed cultural property, and the states’ liability for indemnifying the damage caused by their armed forces.

These conventions were unable to prevent the destruction of countless cultural assets during the First World War, despite playing a prohibitive role as part of customary international law. It therefore became necessary to adopt an instrument to specifically regulate the protection of cultural property during wartime: thus, on April 15, 1935, the Treaty of Washington on the Protection of Artistic and Scientific Institutions and Historic Monuments, known as the “Roerich Pact,” to be observed at times of both peace and war, was signed. This treaty created a distinctive sign for protected historical and institutional monuments, covering only cultural assets in the form of buildings, and it enshrined the neutrality of the historical monuments, museums, and institutions set down on a list by the contracting governments.

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict is virtually the first universal instrument establishing a regime to protect such property and was the culmination of great effort. It was the first coherent set of legal provisions enshrined entirely for the protection of cultural property, and introduced the concept of cultural property, thus protecting all property that constitutes, in essence, the manifestation of the culture of a particular people and that, by virtue of its importance, should be preserved from the effects of war. The other instruments cited broaden the scope of application or reinforce the protection regime it established. All such property enjoys general protection, and some of it special protection aimed at its preservation, because it constitutes cultural heritage that is part of the identity of each people.

Therefore, the Additional Protocol of 1954 provides a protection regime for situations in which the territory of a state is occupied by another state. Its Additional Protocol of 1999 allows states parties to complete and reinforce the system established in 1954, instituting a system of enhanced protection for cultural property of the greatest importance to humanity, provides also for individual criminal responsibility, stipulates new precautionary measures concerning attacks, and against the effects of attacks, and creates more effective institutions to ensure monitoring of compliance with the cultural

property protection regime, such as the creation of a Committee of Experts and a Fund, to be used by states in implementing their obligations arising from that instrument.

The Additional Protocols of 1977 to the four 1949 Geneva Conventions establish provisions on the protection of cultural property in times of armed conflict, whether international or non-international, prohibit the transformation of cultural property into military targets, and prohibit acts of hostility against them; infractions, under certain conditions, can constitute war crimes.

Article 8, “War Crimes,” section 2.ix, of the 1998 Rome Statute establishing the International Criminal Court makes it possible to prosecute persons presumed, in the event of armed conflict, whether international or non-international, to have directed deliberate attacks against civilian property and buildings devoted to religious observance, education, arts, sciences, or charity, monuments, hospitals, and places where the infirm and wounded are gathered, as long as those buildings are not military targets. Under Article 5 of the Rome Statute, the Court has competence over the following crimes: (a) the crime of genocide, (b) crimes against humanity, (c) war crimes, and (d) the crime of aggression.

Accordingly, a model law should harmonize the application of all legal provisions set forth in all those instruments to safeguard cultural property in the Hemisphere.

We must consider as well that cultural property is to be protected at all times, both in peace and in war. To that end, governments provide means of identification and preservation and specialized personnel tasked with classifying and safeguarding the property. Governments must take all preventive and preparatory measures in times of peace, so as to be able to protect cultural property in the event of armed conflict, whether international or non-international. It would be advisable to establish the necessary ties between civilian and military protection systems and the various responsible entities to ensure understanding of and compliance with the specific rules designed for application during armed conflicts.

In addition, other treaties also exist that regulate the protection of cultural property at times of armed conflict. These include: the 1970 Paris Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage; the 1976 Convention of San Salvador on the Protection of the Archeological, Historical, and Artistic Heritage of the American Nations; the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (“the Rome Convention”); and the 2005 Study of Customary International Humanitarian Law prepared by the International Committee of the Red Cross (ICRC), Rules 38 to 41.

#### **IV. RATIFICATION OF THE MAIN IHL CONVENTIONS ON THIS TOPIC BY THE MEMBER STATES OF THE INTER-AMERICAN SYSTEM**

The four Geneva Conventions of 1949 have been ratified by all the nations of the Americas: that is, 35 states. Their Additional Protocol I of 1977 has been ratified by 34 of the region’s states; Additional Protocol II of 1977 by 33 of the region’s states; and the Additional Protocol of 2005 by 15 of the region’s states.

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict has been ratified by 22 states in the Hemisphere. Its Additional Protocol of 1954 has been ratified by 19 of the region’s states, and its Additional Protocol of 1999 has been ratified by 18.

The 1998 Rome Statute creating the International Criminal Court has been ratified by 28 states of the Americas.

The 1972 Biological Weapons Convention has been ratified by 33 states in the Hemisphere.

The 1980 Convention on the Use of Certain Conventional Weapons has been ratified by 24 states in the region; its Additional Protocol I of 1980 has been ratified by 24; Additional Protocol II of 1980 by 18; Additional Protocol III of 1980 by 24; Additional Protocol IV of 1985 by 22; and Additional Protocol V of 2003 by 16.

The 1993 Chemical Weapons Convention has been ratified by 35 of the region's states.

The 1997 Ottawa Mine Ban Treaty has been ratified by 33 states in the region.

The 2008 Convention on Cluster Munitions has been ratified by 15 of the region's states.

The 2000 Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict has been ratified by 26 states in the region.

## **V. ABOUT THE MODEL LEGISLATION**

Consequently, the model law to be implemented should provide clear rules as to the general and enhanced protection of cultural property. It protects many objects in a general way and protects in an especially intense way a very few objects of exceptional importance. All cultural property referred to in Article 1 of the 1954 Convention enjoys general protection, to which the authorities of the country where it is located are subject. So we need domestic regulatory provisions to oblige such authorities to take specific measures of protection and compliance, and to allow governments to identify the property in question with the protective emblem. This too could be taken up in the model legislation.

Accordingly, the general protection mostly involves imposing on the contracting state an obligation to safeguard, requiring it to prepare beforehand, in peacetime, for the protection of such property by taking the necessary measures to that end, adopting legislative or administrative measures for its protection.

The general principle of protection of cultural property in the event of armed conflict is based on the obligation to safeguard and respect such property. Therefore, safeguarding such property involves a set of measures that must be taken in peacetime to ensure the best possible material conditions for its protection. This is where the model legislation could make a contribution.

We must consider as well that the responsibility to protect cultural property belongs to both parties to a conflict, that is, both to the party who controls the cultural property and to its adversary. The only possible justification for removing the obligation to respect cultural property is the concept of "imperative military necessity," which should be clearly defined in the model legislation and in line with the international standards set by the applicable instruments.

As for enhanced protection, property protected under this regime is more limited and the conditions for enjoyment of such protection are more difficult to meet, since it is given immunity against all acts of hostility and all use, including the use of its immediate proximity. Here, no exception for imperative military necessity is provided.

Property subject to enhanced protection must meet the following conditions: (1) it must be at a sufficient distance from a major industrial center or from any important military target; and (2) it must not be used for military purposes. Nevertheless, if a state party pledges not to make any use of the object in question in the event of armed conflict, enhanced protection of the cultural property may be granted.

Enhanced protection may be granted solely to property registered in the International List of Cultural Property under Enhanced Protection. The List accords the status of enhanced protection granted by the 1954 Hague Convention.

Also necessary are national enacting measures to ensure that cultural property is safeguarded and respected. These measures, which would need to be governed by the model legislation, are:

- a. Measures concerning identification and inventory. Identification is the decision, taken by a national authority, that an object, a building, or a site shall be deemed cultural property worthy of protection. The inventory is the list of all property protected, made available to the entities responsible for its protection, that is, the civilian and military authorities, specialized organizations, and other interested institutions. State-based practices in terms

of marking or identification of cultural property have not been very successful, so this could be regulated in the model legislation.

- b. Measures concerning the distinctive emblem—since all cultural property under general protection or enhanced protection is marked with a distinctive emblem for one or the other.
- c. Measures concerning the identity card. Persons tasked with protecting cultural property carry an identity card bearing the appropriate distinctive emblem, i.e., specifying whether the cultural property is under general protection or enhanced protection, and also providing the person's given names and surnames, date of birth, title or rank, function, photograph, signature, and fingerprints, and the embossed stamp of the competent authorities. This identity card could be harmonized for all the states of the Hemisphere in the model legislation.
- d. Measures supporting the International List of Cultural Property under Enhanced Protection. Refuges, centers containing monuments, and other immovable property under enhanced protection should be recorded in the List, which is kept by the Director General of UNESCO. To that end, the national authority should indicate the location of the property and certify that it meets the established criteria for such protection.
- e. Measures concerning dissemination. It is necessary to translate the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, its Additional Protocols, and its Regulations for Execution. These should be disseminated in the four official languages of that Convention—that is, in English, French, Spanish, and Russian—as well as in the official languages of the Organization of American States (English, French, Spanish, and Portuguese), so that the principles contained therein are known by the population as a whole. These measures also have not been well implemented at the state level, although significant efforts are being made to comply with this duty to disseminate and instruct.
- f. As for measures concerning criminal sanctions, these are necessary to enforce the provisions of these instruments. Violations will be punished at the national level with criminal or disciplinary sanctions, which should also be included in the model legislation.

In order to monitor compliance with the provisions of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, Article 26, section two, thereof provides: *“The High Contracting Parties ... at least once every four years, ... shall forward to the Director-General a report giving whatever information they think suitable concerning any measures being taken, prepared or contemplated by their respective administrations in fulfillment of the present Convention and of the Regulations for its execution.”*

They established thereby an international mechanism to monitor compliance by states, based on the reporting system. Still, practice at the state level also has had little success in the presentation of such reports, and they have not always given a strict account of measures taken in compliance with each provision of the 1954 Hague Convention. Perhaps a body should be created to monitor and oversee these reports. This is another point that could be developed in the model legislation.

The 1999 Additional Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict establishes measures to improve its application and efficacy, as well as a series of innovations that reinforce the protection of such property. For example, it provides that the scope of application is armed conflict, whether international or non-international, since most conflicts now are non-international and require protection of cultural property. The 1999 Protocol sets forth better guidance on protective measures states should take in peacetime against the devastating effects of future hostilities in the states.

Therefore, states should take preventive measures in times of peace, such as inventories; planning of emergency measures; preparations for possible evacuation of cultural property; dissemination of all these measures; and designation of competent authorities tasked with safeguarding such property. This prevention work could also be developed in the model legislation.

Part of the enhanced protection regime established in the 1999 Additional Protocol to the 1954 Hague Convention is the obligation to respect cultural property under such protection and the registry of such property in the new International List of Cultural Property under Enhanced Protection. The following requirements must be met: (a) it must be cultural heritage of the greatest importance for humanity; (b) it must be protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection; (c) it must not be used for military purposes or to shield military sites and a declaration must have been made by the party which has control over the cultural property, confirming that it will not be so used. The use for military purposes of property included in this List would constitute a serious violation of this Protocol and the state responsible for the infraction would be subject to the corresponding sanction. This too could be regulated in the model legislation.

Considering all these international instruments of international humanitarian law on the protection of cultural property in the event of armed conflict, which establish a series of protective measures, some of them preventive measures to be taken in peacetime; that the 1999 Protocol to the 1954 Hague Convention also establishes an enhanced protection regime; and that the outcome of state efforts at compliance with these obligations has not been entirely satisfactory, it would be advisable to implement these principal obligations in a model law to enable countries of the Hemisphere to better comply with the obligations stemming from these instruments, particularly in the areas cited in this first rapporteur's report.

Further study on whether the obligation of states to protect cultural property could extend beyond armed conflict would be advisable—that is, whether this obligation to protect could extend to violent situations other than armed conflict, whether international or non-international. Such violent situations presently affect many states of the American Hemisphere, outnumbering sporadic and isolated acts of violence.

The topic of protection of cultural property in situations of armed conflict is so important to the states of the Hemisphere that a regional seminar of national commissions of international humanitarian law on the protection of cultural property in the event of armed conflict was held recently, in El Salvador, on December 1 and 2, 2011, with the participation of the International Committee of the Red Cross (ICRC).

At that seminar, the undersigned, with the agreement of the Chair of the Inter-American Juridical Committee (CJI), participated, in her capacity as a member of the Committee, in Module 1, on the topic of international obligations for the protection of cultural property in the event of armed conflict: the 1954 Hague Convention and its two Protocols, of 1954 and 1999. She spoke on model legislation on the protection of cultural property in the event of armed conflict.

With the elements previously mentioned, taken from the instruments of international humanitarian law and from instruments specifically governing the protection of cultural property during armed conflict, there are obligations and situations that could be developed in a model law; accordingly, this report presents a model law for the protection of cultural property at times of armed conflict that could be adopted by the member states of the Inter-American system. It reads as follows:

## **VI. MODEL LEGISLATION ON THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT**

I. Considering the importance of respecting and upholding international humanitarian law (IHL), both conventional and customary, at all times;

II. Considering the substantial progress that has been made with the protection of cultural property since the Hague Peace Conferences of 1899 and 1907, the adoption of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, of its Regulations for Execution, and of its Additional Protocols of 1954 and 1999, with the creation of a regime of specific protection for such assets in the conviction that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind;

III. Considering the need to adopt an appropriate legal framework for minimizing losses of cultural property at times of armed conflict, and for implementing, in times of peace, the measures necessary in order to ensure general, special, and enhanced protection to strengthen respect for cultural assets both during armed conflicts and after hostilities have concluded;

IV. Considering the importance of states undertaking dissemination efforts to ensure that the rules for the protection of cultural assets are known and respected at times of peace, during armed conflicts, and in other situations of violence, natural disasters, and in combating the illicit trafficking of cultural property;

V. Considering the importance of including the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Additional Protocols in the training of military and public security personnel and in training programs for the population in general, in order to ensure respect for and the protection of cultural property.

The adoption of the following “**Model Law on the Protection of Cultural Property in the Event of Armed Conflict**” is therefore proposed.

Article 1. States agree to adopt, in times of peace, the administrative or legislative safeguard measures necessary for the protection of cultural property during armed conflicts, as a preventive undertaking.

Article 2. States agree to mark their cultural assets as promptly as possible, using the corresponding protective sign or emblem.

Article 3. States shall provide cultural properties with Special Protection, which they shall enjoy during all acts of hostility, provided that they are located at an adequate distance from large industrial centers or any important military targets and that they are not used for military purposes. States agree to make no use of the property in question, in the event of an armed conflict, so that the Special Protection may be afforded.

The obligation of respecting cultural property may be restricted by “imperative military need,” pursuant to Article 4, paragraph 2, of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and Article 6 of that Convention’s Second Additional Protocol of 1999.

Article 4. Cultural assets subject to Special Protection shall be recorded in the International Register of Cultural Property Under Special Protection.

Article 5. States shall take the steps necessary for the identification and inventorying of their cultural property. These measures shall be known to states’ corresponding national authorities, which shall prepare the list of all protected property in order to make it available to all the agencies responsible for their protection.

Article 6. States shall adopt the administrative measures necessary related to the Distinctive Emblem for Cultural Assets, be they subject to General, Special, or Enhanced Protection. Similarly, individuals responsible for the protection of cultural property shall be provided with Identification Cards, which shall bear the corresponding Distinctive Emblem.

Article 7. States shall adopt the measures necessary to enable the dissemination of these rules in the official languages of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and in the official languages of the Organization of American States (OAS).

Article 8. States shall adopt, in their domestic laws, provisions governing criminal sanctions or disciplinary measures for violating the terms of this Model Law.

Article 9. States shall adopt the measures necessary for the creation of a body covering the entire American Hemisphere for controlling and overseeing the presentation of reports pursuant to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Article 10. States shall adopt the necessary preventive measures in times of peace, such as the following: the preparation of inventories, the planning of emergency measures, and preparations for the possible relocation of cultural property.

Article 11. States shall take the administrative measures necessary to register their Cultural Property under Enhanced Protection on the corresponding list of cultural assets in accordance with the requirements set in the 1999 Additional Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. For this purpose, they shall appoint a representative who shall request the registering of said assets.

Article 12. States shall ensure that the obligations related to the protection of cultural property at times of armed conflict are set down in the military Manuals, Regulations, and Rules of Procedure kept for the purpose by the Armed Forces, for their cultural property protection training exercises.

Article 13. States shall take the steps necessary to ensure coordination between the authorities responsible for combating the illicit trafficking of cultural assets, to which end they shall join their efforts in preparing inventories and databases, so they may be shared by all the region's authorities.

Article 14. States may take the administrative measures necessary to access and contribute to the Fund for the Protection of Cultural Property in the Event of Armed Conflict, created by Article 29 of the 1999 Additional Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Article 15. The provisions enshrined in this Model Law shall be interpreted in accordance with international standards and with the domestic law of the states.