



United Nations  
Educational, Scientific and  
Cultural Organization



Convention for the Protection of  
Cultural Property in the Event  
of Armed Conflict

Four-year cycle 2013-2016

Albania

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National report on the implementation of the Hague Convention of 1954  
and its two Protocols (1954 and 1999)

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## I. Hague Convention of 1954

### 1. Article 3 - Safeguarding of cultural property

This article sets out the obligation for High Contracting Parties to adopt in time of peace the appropriate safeguarding measures against the foreseeable effects of an armed conflict.

*Have you adopted such measures?*

Yes. The Article 3 of Hague Convention is fully implemented in determining necessary measures by the governmental institutions. The Ministry of Culture as the main government institution responsible for the protection, conservation, valorization and promotion of cultural heritage in Albania, has undertaken several important initiatives, measures and programs to protect and promote cultural heritage, to strengthen and intensify the regional and international cooperation and to improve the professional capacities of its institutions. During the year 2014-2016, 14 new historic centres and 1 archaeological area have been adopted by decision of the Council of Ministers and 150 protected areas of cultural monuments have been adopted by order of the Minister of Culture.

Pursuant to this approach related to heritage and its values as an integral component that contribute to the sustainable development and cultural tourism the MoC has so far:

- Update the national list of the declared cultural monuments. The Ministry of Defence has been provided with the updated list (including national museums, archaeological parks and areas and cultural monuments)
- Establishment of emergency unit in the Ministry of Culture whom responds to the central headquarter established in the office of Prime Minister.
- The new draft law on cultural heritage prepared by the Ministry of Culture provide a dedicated chapter to emergency "Public Fund for the preservation of cultural material and financing activities in the field"
- Two digital platforms for cultural monuments and archaeological sites GIS WEB are already functioning and available online.
- Identified and cooperated with different stakeholders and partners (local, national and international) with the purpose of implementing successful cultural heritage related projects
- established national bodies to co-ordinate the planning and implementation of measures and projects aiming at conserving and enhancing the cultural heritage and landscape values;
- developed cultural heritage related initiatives adapted to the local context
- implemented awareness-raising activities and programs

Considering cultural heritage as important factors for a sustainable social and economic development, the Ministry of Culture has intensified investments in infrastructure rehabilitation, preservation and promotion of cultural heritage. Improved infrastructure in museums, historic centres and archaeological sites are an ongoing process.

The Ministry of Culture new vision, approach and policy toward cultural heritage, is reflected also in the decision making process related to the fight against illicit trafficking in cultural property and return of cultural property. By Decision no. 312, dated 27.04.2016 the Council of Ministers approved the National Action Plan "For preventing and combating trafficking in movable cultural property", 2016-2018". (Official Gazette of the Republic of Albania no. 75, 2005, 5 May).

The National Center of Cultural Property Inventory, a depending institution of the Ministry of Culture, is implementing the project "Establishing public information centers for the on-line registration of National Cultural Assets". It aims to identify, catalogue, storage and use it by all standards, giving importance to aspects such as the free access to the public and interested institutions for free use, serving also as a national strategy in the fight against illicit trafficking of cultural property.

## 2. Article 7 - Military measures

This article sets out the obligations of High Contracting Parties to introduce into their military regulations or instructions such provisions as may ensure observance of the Convention. As well as the preparation or establishment, within their armed forces, of services or specialist personnel whose purpose will be to secure respect for cultural property and to co-operate with the civilian authorities responsible for safeguarding it. These obligations must be implemented in time of peace.

*Have you introduced into your **military regulations or instructions** such provisions as may ensure observance of the Convention?*

*If this information is available in a previously submitted report, you may refer to it.*

At present (in peace time), focal points (FP) are established and cooperate with central and local government institutions such as the Ministry of Culture and the respective Municipalities where there are Cultural Heritage objects. In cooperation with these institutions, there are defined the locations of the objects and is prepared their list. All Cultural Property objects are displayed on the map designated by the Council of Ministers of the Republic of Albania. This information has become part of the military doctrines, military regulations and military guidelines that are taken into consideration during the operational plans process for their protection in case of armed conflict, in accordance with the Hague Convention.

*Have you established within your armed forces, services whose purpose will be to secure respect for cultural property?*

No answer

## 3. Use of the distinctive emblem to indicate cultural property (Chapter V)

The Hague Convention of 1954 created a distinctive emblem for the exclusive marking of cultural property with the aim of ensuring its recognition, particularly in the event of armed conflict. The marking of cultural property constitutes one of the preparatory measures that may be taken in time of peace.

*Have you **indicated cultural property** through the use of the distinctive emblem of the Convention?*

No. During 2013-2016 the state institutions, under the dependence of the Ministry of Culture, responsible for the management of the declared cultural heritage properties, have updated the content, proposed new designed project of signing, produced new signs for cultural heritage destination. These measures have made possible a revised Interpretive Signage for several cultural heritage monuments, 5 archaeological parks and 3 national museums in Albania.

#### 4. Article 25 – Dissemination of the Convention

The regulations relating to the protection of cultural property in time of war must be incorporated into programmes for military, and where possible, civil training. The aim is to ensure that the principles of the Convention are made known to the whole population, and especially the armed forces and personnel engaged in the protection of cultural property.

*Have you **disseminated the provisions of the Convention** within the armed forces as well as among target groups and the general public?*

In the Curriculum and Training Programs of the Armed Forces Structures it has been mentioned the Article 25 of this Convention. In regard of the civilians, this is the responsibility of the respective civilian structures. Coordination of these structures carried out through the Civilian- Military Cooperation Directorate (CIMIC) at General Staff J-9.

*Within this framework, what **awareness-raising activities** have you organized, and what awareness-raising activities do you plan to organize in the future? Please indicate the target groups for each activity.*

No answer

#### 5. Article 26 (1) – Official translations

The Secretariat has received a certain number of official translations of the Convention and of the Regulations for its execution. For reference, please consult:

[Language versions of the Hague Convention and its 1954 Protocol](#)

*Does your country have its national translation(s) there?*

Yes, attached electronic version of the three documents provided by the National Commission for UNESCO.

#### 6. Article 28 – Sanctions

This article sets out the obligations of High Contracting Parties to take, within the framework of their ordinary criminal jurisdiction, all necessary steps to prosecute and impose penal or disciplinary sanctions upon those persons, of whatever nationality, who commit or order to be committed a breach of the Convention.

*Have you established as criminal offences under your domestic law conduct contrary to the obligations set out by the Convention?*

The awareness of the military personnel related to the importance and protection of these Cultural Heritage Objects is made through training programs. Nevertheless, a specific item in the Penal Code for Armed Forces is not prepared yet. Law no. 9048, dated 7.04.2003, as amended, Article 49 established several fines to impose against the violations against cultural heritage properties found and reported by the responsible state institutions.

Article 49, point 1 stated:

There will be called administrative violations and be fined with the respective penalties the following offences, when they do not make up a penal deed:

The violations referred to Article 7 are fined with a penalty starting from 10.000 to 20.000 Albanian Lek (ALL);

The violations referred to Article 8 are fined with a penalty starting from 30.000 to 50.000 ALL;

The violations referred to Articles 11 and 19, are fined with a penalty starting from 20.000 to 50.000 ALL.

The violations referred to Article 14 are fined with a penalty starting from 100.000 to 500.000 ALL;

The violations referred to Article 16, point 3 and Article 26, point 2, are fined with a penalty starting from 100.000 to 300.000 ALL;

The violations referred to Article 28, point 2 are fined with a penalty starting from 100.000 to 500.000 ALL;

The violations referred to Article 33, point 1 are fined with a penalty starting from 50.000 to 500.0 ALL;

The violations referred to Article 45 are fined with a penalty starting from 10.000 to 50.000 ALL.

The violations referred to Article 33, point 2 are fined with a penalty of 100.000 ALL up to the confiscation of the equipment.

The violations referred to Articles 47 and 48 point 1, are fined with a penalty starting from 1.000.000 to 5.000.000 ALL.

Article 49, point 2 stated "The damage caused on the unique objects of the cultural heritage constitutes a penal act and it is penalized according to the penal legislation"

Law no. No. 7667, dated 12.10.1994 "On the Protection of Movable and Immovable Cultural Property".

## II. Resolution II of the Conference of 1954

*Have you established a **National Advisory Committee** in accordance with the hope expressed by the Conference in its Resolution II?*

No. Cultural heritage management system is mainly the responsibility of the Ministry of Culture and its depending institutions responsible for the protection, conservation, valorization and promotion of cultural heritage. The system is based also in different collegial advisory or decision making bodies covering different issues, aspects and procedures related to cultural heritage as follows:

- Scientific Council of the Institute of Cultural Monuments – consultative body
- The National Restoration Council (NRC) - a decision-making body in the field of restoration, conservation and rehabilitation projects and works implemented in cultural heritage properties and activities directed to architectural heritage.
- The National Archaeological Council (NAC) - a decision-making body in the field of Archaeology and activities directed to archaeological heritage
- The National Commission for Museums (NCM) - a decision-making body in the field of museology
- The Butrint National Park Board - over-arching management body for the national park of Butrint.
- National Board of Archaeological Park
- Coordination Committee of the Management of the historic centres Gjirokastra and Berat” – world heritage property is the over-arching management structure for the property that has responsibility for ensuring parity of management approaches across the property
- Permanent Commission for evaluation of movable cultural heritage privately owned.

### III. 1954 First Protocol

*[To be completed by the High Contracting Parties to the 1954 Protocol only]*

The main objective of the 1954 Protocol is the protection of cultural property in occupied territory. As such, it organizes, among others, a system of:

- ✓ taking into custody;
- ✓ return of illegally exported cultural property; and
- ✓ finally indemnity to the holders in good faith.

□

*Have you adopted **measures to implement** the 1954 First Protocol? In particular, have you adopted national legislation providing for the custody of cultural property imported either directly or indirectly from any occupied territory?*

No answer

*Have you **taken into custody** cultural property imported into your territory from an occupied territory?*

No answer

### IV. 1999 Second Protocol

*[To be completed by the High Contracting Parties to the 1999 Protocol only]*

The 1999 Second Protocol complements the Hague Convention of 1954 in many aspects. If this information has already been presented within the framework of the questions regarding the Hague Convention of 1954, you may refer to it directly.

#### 1. General provisions (Chapter 2)

##### Article 5 - Safeguarding of cultural property

Article 5 of the Second Protocol complements Article 3 of the Hague Convention by providing concrete examples of peacetime preparatory measures, such as the preparations of inventories of cultural property or the designation of competent authorities responsible for the safeguarding of cultural property.

*Have you adopted such measures?*

Yes. The National database of cultural heritage is under the responsibility of the National Centre of Inventorying of Cultural Properties. During 2014-2016 the Ministry of Culture initiated the process for updating of the list of unmovable cultural assets finalized in October 2016. The list is available on the web of the Institute of Cultural Monuments. Both lists are

periodically updated. Moreover two digital platforms for cultural monuments and archaeological sites GIS WEB are also available online.

The state specialized institutions which are responsible for registering and documenting cultural assets are listed as below:

- Institute of Cultural Monuments
- Regional Directorates of National Culture (institutions depending from the Ministry of Culture), responsible for documenting cultural monuments;
- National Centre of Inventorying Cultural Assets, (institutions depending from the Ministry of Culture), responsible for the national digital database;
- Archaeological Service Agency, (institutions depending from the Ministry of Culture responsible for rescue archaeological excavations)
- National Centre for Folk Activities (institutions depending from the Ministry of Culture)
- Institute of Archaeology \_Centre for Albanian Studies (institution depending from the Ministry of Education and Sports) responsible for scientific archaeological excavations and documenting the findings;
- Institute of Cultural Anthropology and Art Studies \_Centre for Albanian Studies (institution depending from the Ministry of Education and Sports), responsible for documenting handicrafts, traditional folk costumes, traditional songs and dances;

General Directorate of State Archives, responsible for the conservation and preservation of written documents (institution depending from the Prime Minister Office).

#### Article 9 - Protection of cultural property in occupied territory

Article 9 of the Second Protocol complements the provisions in Article 5 of the Hague Convention by imposing a number of prohibitive measures on the Occupying Power. Paragraph 102 of the Guidelines for the Implementation of the Second Protocol requests Parties that are an Occupying Power to provide information in their national reports on the way in which the provisions regarding the protection of cultural property in occupied territory are observed.

*Do you ensure compliance with the provisions regarding the **protection of cultural heritage under military occupation**?*

Such provisions are foreseen in Rules of Engagement (RoE) of Military Troops in the mission regarding the protection of Cultural Heritage.

## 2. Enhanced protection (Chapter 3)

The Second Protocol establishes an enhanced protection regime. Enhanced protection is granted by the Committee for the Protection of Cultural Property in the Event of Armed Conflict (composed of 12 Parties). Paragraph 102 of the Guidelines for the Implementation of the Second Protocol requests that Parties express their intention to request the inscription of cultural property on the List of Cultural Property under Enhanced Protection.

*Do you **intend to request** the granting of enhanced protection for cultural property in the next four years or, where applicable, do you have a **national tentative list** within the framework of Article 11 (1) of the Second Protocol?*



Currently, we have a National Preliminary List according to Article 11 (1) for Enhanced Protection. This list is available to all relevant structures for implementation during preparing of operational plans in case of a conflict.

#### MONITORING OF CULTURAL PROPERTY UNDER ENHANCED PROTECTION

*[If certain cultural property(ies) in your State benefit from enhanced protection, please also complete this section of the questionnaire].*

The benefit of enhanced protection implies continued compliance with the conditions set out in Article 10 of the Second Protocol.

*Is there a **specific mechanism in place to monitor cultural property under enhanced protection**? As an example, are the measures adopted to ensure the highest level of protection periodically reviewed so as to ensure they are fully effective in all circumstances?*

In peace time, monitoring of Cultural Property is done by civilian structures. The Armed Forces cooperate and coordinate with them (for any potential changes) through the Civilian Military Co- operation (CIMIC) Structure. The monitoring, managing and their protection are based on: Law no. 90 48, date 07.04.2003 "On Cultural Heritage", as well as Law no. 77, dated 14.02.2013.

Pursuant to paragraph 102 of the Guidelines, the Parties must inform on the use of the distinctive emblem for cultural property under enhanced protection.

*Have you used the new **distinctive emblem adopted by the 2015 Meeting of Parties to mark** cultural property under enhanced protection?*

The new distinctive emblem adopted by the 2015 Meeting of Parties to mark cultural property under enhanced protection is part of Military Regulations which helps for preparing the Operational Plans.

Pursuant to paragraph 65 of the Guidelines for the Implementation of the 1999 Second Protocol, the Parties must notify the Committee of any change affecting the cultural property concerned to meet the criteria set out in Article 10 of the Second Protocol.

Does the Committee need to be **notified of a change** regarding cultural property in your territory benefiting from enhanced protection?

Yes, it's necessary to be notified of a change regarding Cultural property but until now do not have any case for changes. Point of Contacts and coordination among them are working properly.

### 3. Criminal responsibility and jurisdiction (Chapter 4)

#### Article 15 – Serious violations of the Second Protocol

Article 15 requires the Parties to establish as criminal offences under its domestic law a series of behaviours constituting serious violations of the Second Protocol, by punishing them by appropriate penalties.

*What measures have been taken to ensure the **implementation of this obligation**?*

It is not reported or presented any serious violations of the Second Protocol. The measures taken consisted of raising awareness of the convention's respect. No cases of violation of these measures have taken place in the Armed Forces.

#### **Additional information**

Law No. 7895, dated 27.01.1995 Criminal code of the Republic of Albania, as amended, established as criminal offences a series of behaviours constituting serious violations as follows:

Article 138 Theft of works of art and culture: “Stealing works of art and culture is punishable by a fine or up to five years of imprisonment. Stealing works of art and culture that have national importance is punishable by five to ten years of imprisonment”.

Article 138/a Trafficking of works of art and culture (Added by law no. 8733, dated 24.01.2001, article 39): “The illegal import, export, transit, and trade of art and culture works, in order to have material or any other benefits, are sentenced by imprisonment from three to ten years. This very act, when committed in complicity, or more than once, or when it brings about serious consequences, is sentenced by imprisonment from five to fifteen years”.

Article 147 Fraud on works of art and culture (Amended by law no.8733, dated 24.01.2001, article 44): “Theft of property through fraud by presenting a work of art or culture as being original or by an author other than the real one, is punishable by a fine or up to four years of imprisonment”.

Article 160 Destruction of works of culture: “Intentionally destroying or damaging works of culture is punishable by a fine or up to three years of imprisonment. When the criminal act has resulted into the destruction or damaging of works of culture of national importance, it is punishable by a fine or up to eight years of imprisonment”.

Article 176 Smuggling of goods with cultural value: “Importing, exporting or transiting [goods with] national cultural value carried out against the legal provisions related to them is sentenced up to ten years of imprisonment”

Law No. 7895, dated 27.01.1995 Criminal code of the Republic of Albania attached.

#### Article 16 – Jurisdiction

Article 16 requires the Parties to establish the jurisdiction of their courts over serious violations of the 1999 Second Protocol.

*What measures have been taken to confer jurisdiction on your courts over serious violations of the Second Protocol?*

In the context of Article 16, which is related to the fact that the parties decide on the jurisdiction of their courts for serious violations of the Second Protocol of 1999, we may specify that the jurisdiction to adjudicate matters relating to the problem of illegal acts against Cultural Property in Armed Conflicts belongs to the Court of Serious Crimes, as defined in article 75 / a (amended) of the Code of Criminal Procedure. Under Article 75 / a of the Code, the Serious Crimes Tribunal shall adjudicate the offenses provided for in Articles 73, 74, 75, 78 / a, 79, letter "ç", 79 / a, 79 / b, 79 / c, 109, 109 / b, 110 / a, 111, 128 / b, 219, 220, 221, 230, 230, 230, 232, 233, 234, 234, 234, 278 / a, 282 / a, 283 / a, 284 / a, 287 / a, 319, 319 / ç, 333, 333 / a and 334 of the Criminal Code, including cases when they are committed by minors. Among them, Article 75 deals with war crimes.

#### Article 21 – Measures regarding other violations

The Second Protocol also requires the Parties to adopt legislative, administrative or disciplinary measures to prevent the occurrence of behaviours that adversely affect the integrity of cultural heritage.

*Have you adopted such measures?*

During the year 2014-2016, 14 new historic centres and 1 archaeological area have been adopted by decision of the Council of Ministers and 150 protected areas of cultural monuments have been adopted by order of the Minister of Culture.

Law No. 9048, dated 7.04.2003, on Cultural Heritage, as amended Article 49 established several fines to impose against the violations against cultural heritage properties found and reported by the responsible state institutions.

Article 49, point 1 states: "There will be called administrative violations and be fined with the respective penalties the following offences, when they do not make up a penal deed".

The violations referred to Article 7 are fined with a penalty starting from 10.000 to 20.000 (ALL);

The violations referred to Article 8 are fined with a penalty starting from 30.000 to 50.000 ALL; The violations referred to Article 14 are fined with a penalty starting from 100.000 to 500.000 ALL;

The violations referred to Article 28, point 2 are fined with a penalty starting from 100.000 to 500.000 ALL;

The violations referred to Article 33, point 1 are fined with a penalty starting from 50.000 to 500.000 ALL;

The violations referred to Article 33, point 2 are fined with a penalty of 100.000 ALL up to the confiscation of the equipment.

The violations referred to Article 45 are fined with a penalty starting from 10.000 to 50.000 ALL.

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Article 176 Smuggling of goods with cultural value: “Importing, exporting or transiting [goods with] national cultural value carried out against the legal provisions related to them is sentenced up to ten years of imprisonment”.

#### 4. Dissemination of information and international assistance

##### Article 30 – Dissemination

Article 30 complements Articles 7 and 25 of the Hague Convention of 1954. In this regard, it requests the Parties to, among other things, strengthen appreciation and respect for cultural property by their entire population, ensure the dissemination of the Protocol, and incorporate guidelines and instructions on the protection of cultural property in their military regulations.

*Have you **disseminated the provisions of the 1999 Second Protocol** within the armed forces as well as among target groups and the general public?*

- The provisions of the 1999 Second Protocol are incorporated in the Curriculum and Training Programs of Armed Forces,
- Initiatives and programs implemented by the Ministry of Culture at the National level.
  1. The Memorandum of Understanding signed between the Ministry of Culture and the Ministry of Education and Sport expresses the will to promote cultural awareness, expression, creativity and diversity, particularly to the young generation.

Conducted by MoC, the program “Education through culture” aimed at cultural heritage education for the young generation. The program is being implemented by the local institutions responsible for education in cooperation with the institutions responsible for cultural heritage.

The ongoing initiative of the Ministry of Culture, "*Friend of the Monument*" launched in April 2014, put in the spotlight both the monuments and the new generation, which has the opportunity through this initiative to familiarize with the monuments, learn about their history, take care of them and at the same time organize cultural activities. Young pupils and students are involved in this ongoing initiative and encouraged to create and maintain a closer interaction with the history, culture and heritage of their region. They are encouraged through raising awareness on their country's cultural monuments, to develop ideas and cultural activities, projects and other initiatives closely linked cultural heritage assets located in their territory.

“Friend of Monuments” initiative during the years 2014/2015/2016

Statistics

Year: 2014 - 9.677 pupils / 107 schools  
Year 2015 - 12.054 pupils /147 schools  
Year 2016 - 12.900 pupils/167 schools

#### **Disaster Risk Management Training for Heritage Professionals and Disaster Risk Management Practitioners** - November 2017 -

Three offices of Cultural Heritage without Borders in Albania, Bosnia and Herzegovina and Kosovo, organized the “International Training on Disaster Risk Management for Cultural Heritage”. The training hosted 28 professionals from museums, heritage and disaster risk management coming from the Western Balkans, Eastern Europe and the Middle East.

This three-week training was organised within the regional project Balkan Cultural Aid Response for Emergencies (B+CARE). B+CARE is a platform founded in March 2016, in order to inspire, train and coordinate volunteers for the work of preparing and assisting in the event of a cultural emergency. B+CARE is funded by the Prince Claus Fund for Culture and Development from the Netherlands and the Government of Sweden.

Link available

<http://chwb.org/albania/news/chwb-hosts-disaster-risk-management-training-for-heritage-professionals-and-disaster-risk-management-practitioners/>

*Within this framework, what **awareness-raising activities** have you organized, and what awareness-raising activities do you plan to organize in the future? Please indicate the target groups for each activity.*

- **Friend of the Monument**<sup>7</sup> - Ongoing initiative of the Ministry of Culture.  
Target group - Young pupils and students (pre-university and university level).
- **Military / Civil relevant Regulations**

National Laws on the Protection of Cultural Property, as well as the Penal provisions approved in framework of implementation of Article 28 of the Hague Convention and Articles 15, 16 and 21 of the Second Protocol and Judicial cases for the protection of cultural heritage in the armed conflict.

Documents related to awareness-raising activities (workshops, brochures, etc.) likewise any other legislative, legal or administrative documents within the framework of the implementation of the 1954 Hague Convention and the Second Protocol of 1999.

#### Articles 32 – International assistance

Pursuant to paragraph 102 of the Guidelines for the Implementation of the Second Protocol, the Parties are invited to present their activities at bi- or multilateral level, within the framework of technical assistance in order to share their experiences or best practices.

Have you shared, particularly via the Secretariat of UNESCO, your **experiences in the implementation and best practices**?

No answer

## 5. Official translation of the 1999 Second Protocol to the Hague Convention of 1954

Pursuant to Article 37 of the Second Protocol, the Parties shall translate this standard-setting instrument into their official languages and shall communicate these official translations to the Director-General. To date, the Secretariat has received a certain number of official translations of the Second Protocol. For reference, please consult:

### Language versions of the 1999 Second Protocol

Does your country have its national translation(s) there?

Yes.

## V. Miscellaneous questions regarding the Hague Convention of 1954 and its two Protocols

### 1. National focal point

According to paragraph 103 of the Guidelines for the Implementation of the Second Protocol: "*Unless a Party requests otherwise, the presumed focal point would be its Permanent Delegation to UNESCO*". If you do not wish to consider the Permanent Delegation as the focal point, please provide the Secretariat with the name and address of a national focal point that will receive all official documents and correspondence relating to the implementation of the Second Protocol.

Institution:	Email:
Name:	Tel.:
Address:	Fax:

## 2. National practice regarding the implementation of the Hague Convention and its Two Protocols

The Secretariat would be grateful if you would provide it with a copy of the following documents in French and/or English:

- the relevant **administrative civil and military regulations**:

PDF Document  Website 

- the **national laws** on the protection of cultural property, as well as the criminal provisions made within the framework of the implementation of Article 28 of the Hague Convention and Articles 15, 16 and 21 of the Second Protocol, and any case-law on the protection of cultural property in the event of armed conflict.

PDF Document  Website 

- Documents regarding **awareness-raising activities** (seminar schedule, brochures, etc.), as well as **any other relevant documents** (legislative, legal, or administrative) within the framework of the implementation of the Hague Convention of 1954 and its 1999 Second Protocol.

PDF Document  Website 

### 3. The Fund for the Protection of Cultural Property in the Event of Armed Conflict (Article 29 of the Second Protocol)

Have you **contributed to the Fund**?

The contribution with the funds is provided by Ministry of Culture. Fund expenditures are monitored by the National Council for Cultural Heritage and Museums in the Republic of Albania.

If no, do you plan to contribute to the Fund in the Future?

The Ministry of Culture will.



## VI. Self-assessment forms

In order to reflect the status of implementation of the Hague Convention of 1954 and its 1999 Second Protocol in key areas within the summary document of national reports, please complete the two tables below.

### 1. Assessment of the level of implementation

*[Please use the following assessment scale]*

- 1: not implemented;
- 2: partially implemented, the process has come to a standstill;
- 3: partially implemented, the process is ongoing; and,
- 4: fully implemented.

Implementation of the safeguarding obligation through the adoption of preparatory measures	3
Training of military personnel on the regulations relating to the protection of cultural heritage	3
Use of the distinctive emblem to mark cultural property	3
Implementation of the dissemination obligation, through the establishment of awareness-raising activities for target audiences	2
Adoption of relevant criminal legislation	4
<i>For Parties with cultural property under enhanced protection only.</i> Establishment of a system to monitor cultural property under enhanced protection at national level	3

### 2. Assessment of difficulties encountered

*[Please use the following assessment scale]*

- 1: difficulties have been encountered, but there are no plans to request technical assistance from the Secretariat of UNESCO;
- 2: difficulties have been encountered, however there are plans to request technical assistance from the Secretariat of UNESCO;
- 3: difficulties had been encountered, but thanks to the technical assistance of the Secretariat they have been resolved;
- 4: difficulties had initially been encountered, but they turned into challenges that we have overcome; and,
- 5: No difficulties have been encountered.

Implementation of the safeguarding obligation through the adoption of preparatory measures	2
Training of military personnel on the regulations relating to the protection of cultural heritage	4
Use of the distinctive emblem to mark cultural property	5
Implementation of the dissemination obligation, through the establishment of awareness-raising activities for target audiences	3
Adoption of relevant criminal legislation	4
<i>For Parties with cultural property under enhanced protection only.</i> Establishment of a system to monitor cultural property under enhanced protection at national level	2

## VII. Granting of enhanced protection – Opinion Survey

Pursuant to Chapter 3 of the 1999 Second Protocol, enhanced protection is granted by the Committee for the Protection of Cultural Property in the Event of Armed Conflict if three conditions are cumulatively met:

- ✓ The cultural property is of the greatest importance for humanity;
- ✓ The cultural property is protected by adequate domestic legal and administrative measures recognizing its exceptional cultural and historic value and ensuring the highest level of protection; and,
- ✓ The cultural property is not used for military purposes or to shield military sites, and the Party which has control over it has made a declaration that it will not be used for such purposes.

As these conditions are set out within the framework of an international treaty, their full understanding cannot be separated from state practice, which is of fundamental importance with regard to the International Law of treaties. As such, this national report is an opportunity for the national authorities of the Parties to express their views on the conditions under which enhanced protection is granted.

*For each of the conditions set out in Article 10 of the Second Protocol, please answer the following questions, taking into account the relevant paragraphs of the Guidelines for the Implementation of the Second Protocol.*

- Article 10, paragraph (a) – "Greatest importance for humanity"
  
- Article 10, paragraph (b) – "Highest level of protection"

To ensure the highest level of protection it is essential to fully adopt the national and international cultural property package in accordance with the Convention on Cultural properties, coordination and inter-institutional cooperation for their implementation.

- Article 10, paragraph (c) – "Non-use for military purposes"

Please indicate the national authorities to be consulted with a view to taking the decision not to use the cultural property submitted for the granting of enhanced protection for military purposes or to shield military sites.

The non-use of Cultural Property, seeking the military protection, should be done in accordance with the International Law. The decision-making should have the approval of all actors involved.