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Protection of  
Cultural Property in  
the Event of Armed Conflict

**Four-year cycle  
2017-2020**

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

## GENERAL INFORMATION

1. Region:

State Party:  
**ROMANIA**

### 2. Submission of previous national reports

2.1. 2013-2016 cycle

Yes

No

### 3. Actors involved in the preparation of the national report

3.1. Government institutions responsible for the protection of cultural property

3.2. National Commission for UNESCO

3.3. Military expert

3.4. Independent experts

If other actors have been involved, please indicate them

### 4. National Focal Point

According to paragraph 120 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 consider the Permanent Delegation as a focal point, you are invited to provide the Secretariat with the name and address of a national focal point who will receive all official documents and correspondence related to the national periodic reporting.

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# I. The Hague Convention of 1954

## 1. Article 3 - Safeguarding of cultural property

This Article provides for the obligation of the High Contracting Parties to adopt relevant peacetime safeguarding measures against the foreseeable effects of an armed conflict.

- *Has your State undertaken such measures?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

The relevant national legislation concerning the protection of cultural heritage contains provisions that also account for all emergency situations.

## 2. Article 6 - Use of the distinctive emblem for the marking of cultural property

The 1954 Hague Convention creates a distinctive emblem for the exclusive marking of cultural property, with a view to ensure its recognition, particularly in the event of armed conflict. The marking of cultural property is one of the preparatory measures that can be undertaken in time of peace.

- *Has your State **marked cultural property** by using the distinctive emblem of the Convention?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Romania has partially implemented the relevant provisions of the Convention. Steps are being undertaken for the implementation - at regional and local level - of regulations concerning applying the emblem of the Convention.

## 3. Article 7 - Military measures

This Article provides for the obligations of the High Contracting Parties with regard to the introduction in their regulations or instructions for the use of their armed forces of provisions to ensure compliance with the Convention, as well as to plan or establish within their armed forces, 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 such property. These are obligations to be implemented in time of peace.

- *Has your State introduced provisions in the **regulations and instructions for your armed forces** to ensure compliance with the Convention?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

The Romanian authorities have continued the implementation of preparatory measures adopted in accordance with article 3 of the Convention, with a view to protecting cultural property in the event of armed conflict; these measures have been already presented in the previous reports submitted to the UNESCO Secretariat.

Specific regulations have been adopted and implemented by the Ministry of National Defense concerning the obligations of its civilian and military personnel in regard to all aspects of the IHL, including the protection of cultural property in the event of armed conflict, aiming at:

- the integration of IHL rules in relevant regulations, in military doctrines and manuals, in educational and training programmes;
- raising awareness of the Armed Forces personnel on following and applying the IHL principles / rules;
- reviewing IHL specific items during the training of the Armed Forces personnel set to participate in missions and operations outside the national territory;
- disseminating specific materials on IHL within the Armed Forces.

- *Has your State established **services** or designated specialist personnel within your armed forces to ensure respect for cultural property?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Within the Romanian Armed Forces there is no specialized structure having as main mission the dissemination, observance and implementation of the relevant IHL instruments related to the particular field of protection of cultural property in the event of armed conflict.

The personnel of the military institutions is instructed in the IHL field in the framework of the general process of military instruction, as well as during the instruction activities in view of participating to missions and operations abroad and during these missions and operations. The instruction is ensured by the legal counsellors from the military units and from the structures which participate to missions and operations abroad.

In the framework of these activities, particular attention is given to the main legal aspects related to the protection of cultural property in the event of armed conflict. Please also refer to the previous reports on the implementation of the 1954 Hague Convention submitted to the UNESCO Secretariat by the Romanian authorities.

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

Regulations relating to the protection of cultural property in time of armed conflict must be included into the programmes of military and, if possible, civilian training. The objective is to ensure that the principles of the Convention are known by the whole population, especially the armed forces and personnel engaged in the protection of cultural property.

- *Has your State **disseminated the provisions of the Convention** within the armed forces as well as among target groups and the general public?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Decree no 605 / 26.12.1957 regarding the ratification of the Convention was published in the Romanian Official Journal (Buletinul Oficial) no 06 / 28.01.1958;

The provisions of the Convention and its Protocols have been communicated to the competent authorities charged with the protection of cultural heritage at national, regional and local levels;

The provisions of the Convention and its Protocols have been communicated to the competent authorities in charge of emergency situations at national, regional and local levels;

The dissemination of the international humanitarian law norms within the armed forces and the other structures with responsibilities in this field, as well as within civil society remains one of the most important objectives of the Romanian National Strategy on Implementation of International Humanitarian Law.

Moreover, the Romanian Parliament has adopted Law no. 177/2013, through which it declares the 14th of May as day of international humanitarian law, at national level. In order to mark this day, a series of events were organized in the last years for the dissemination and promotion of IHL.

In accordance with article 25 of the Convention, Romania has adopted different measures, in order to disseminate the relevant provisions of these treaties, such as:

- the integration of the international humanitarian law norms within the specific regulations, the military doctrine and manuals, the training and educational programs; the curricula of the educational institutions belonging to the Ministry of Internal Affairs also contain relevant IHL themes, including the presentation of the 1954 Hague Convention and of its Additional Protocols;
- the instruction of the members of armed forces in order to know, observe and implement the IHL provisions;
- the insertion and study of specific IHL themes during the instruction of the personnel of armed forces participating to missions and operations abroad;
- the coordinated instruction of the officers responsible with the protection of historical monuments from the Territorial Inspectorates for Emergency Situations, through sessions organized by experts within the General Inspectorate for Emergency Situations;
- the presentation of the 1954 Hague Convention and its two Protocols within the framework of the IHL course organized by the Police Academy "Alexandru Ioan Cuza" of Bucharest.

Within the National Defense Ministry, the IHL Centre is the structure charged with managing the activities related to all aspects of the IHL (including the 1954 Hague Convention) .

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

This Article requires that the High Contracting Parties communicate to one another, through the Director-General of the United Nations Educational, Scientific and Cultural Organization, the official translations of the present Convention and of the Regulations for its execution:

**Please submit a copy / copies of such translation(s), in electronic format, if possible, to the Secretariat"**

Please annex an electronic copy of your translation(s) to this report:

Attach the document

Romania has already communicated to the Secretariat the official translation of the 1954 Hague Convention for protection of cultural property in the event of armed conflict.

## 6. Article 28 - Sanctions

This Article provides for the obligations of the 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, regardless of their nationality, who commit or order a breach of the Convention.

- *Has your State **introduced in your domestic legislation** all necessary steps to prosecute and impose penal or disciplinary sanctions against a conduct contrary to the obligations set out in the Convention?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

The New Criminal Code entered into force on February the 1st 2014. The Romanian authorities have established as criminal offences conducts contrary to the obligations set out by the Convention, as follows:

Art. 229 Aggravated theft

(2) If the theft was committed under the following circumstances:

a) on an asset that is part of the cultural heritage;

it shall be punishable by no less than 2 and no more than 7 years of imprisonment.

Art. 253 Destruction

(1) The act of destroying, damaging or making unfit for use of an asset belonging to another, or hindering the taking of measures of preservation or rescue for such an asset, as well as removing the measures taken, shall be punishable by no less than 3 months and no more than 2 years of imprisonment or by a fine.

...

(3) If the act set out in par. (1) concerns assets forming part of the cultural heritage, it shall be punishable by no less than 1 and no more than 5 years of imprisonment.

(4) The act of destroying, damaging or making unfit for use of an asset, committed by arson, explosion or by any such means and, if it endangers human life or other property, shall be punishable by no less than 2 and no more than 7 years of imprisonment.

(5) The stipulations of par. (3) and par. (4) apply even if the asset belongs to the perpetrator.

(6) For the acts set out in par. (1) and par. (2) criminal action shall be initiated based on a prior complaint filed by the victim.

(7) The attempted acts set out in par. (3) and par. (4) shall be punished.

Art. 441 War crimes against property and other rights

The act of a person who, as part of an armed conflict, with or without an international character, robs or, in violation of international law and without it being justified by military necessity, destroys, appropriates or commandeers assets belonging to the enemy side which are under the power of the side the perpetrator is a member of, shall be punishable

by no less than 3 and no more than 10 years of imprisonment and a ban on the exercise of certain rights. (...).

Art. 443 Use of forbidden methods in combat operations

(1) The act of a person who, as part of an armed conflict with or without an international character:

h) makes use of cultural assets protected as such by international humanitarian law, especially

historic monuments, buildings devoted to religious worship, education, art or science, to launch an attack on the enemy side by military means, shall be punishable by no less than 7 and no more than 15 years of imprisonment and a ban on the exercise of certain rights.

Art. 445 Punishing the attempt. The attempt to commit the offenses stipulated in this Title shall be punishable.

## II. Resolution II of the 1954 Conference

- *Has your State established a **National Advisory Committee** in accordance with the wish expressed by the Intergovernmental Conference (1954) in [Resolution II](#)?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

The competences of the Advisory Committee provided in Resolution II of the 1954 Hague Conference are exercised by the National Commission on International Humanitarian Law. According to the Government Decision no. 420/2006 on the creation and organization of the National Commission on International Humanitarian Law, this structure fulfils the attributions provided for the National Advisory Committee by Resolution II of the Conference of 1954. This decision has taken into account the following reasons:

- the competences and the expertise of the National Commission in the field of IHL;
- the composition of the National Commission on International Humanitarian Law;
- avoiding duplication of competences in the field of protection of cultural property in the event of armed conflict, with a potential new structure.

- *In the event that you have established a National Advisory Committee, has it been incorporated into a national commission for the implementation of international humanitarian law?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Not applicable; has been answered above



### III. 1954 (First) Protocol

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

The main purpose of the 1954 Protocol is the protection of cultural property in **or stemming from** occupied territory.

- *Has your State undertaken **measures to implement** these international obligations, including the adoption of relevant legislation?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

There is no provision in the national legislation dealing explicitly with cultural property imported either directly or indirectly from Occupied Territory. However, Law no. 182/2000 on the protection of movable national heritage provides the following, which may be relevant in this context:

Art. 85 – (1) The act of introducing, on the Romanian territory, as well as possessing, selling, organizing exhibitions or performing any operation related to the movement of movable cultural objects or resulted from dismantling of immovable cultural property, which are part of cultural heritage of a foreign state, according to the legislation of that State and which have been illegally exported, shall be punished with imprisonment from six months to three years or with fine.

(2) The objects referred to in paragraph (1) shall be seized and shall be remitted to specialized institutions, with a view to preserving and restituting them to the state whose cultural heritage they belong to.

(3) The attempt shall be punishable.

## IV. The 1999 Second Protocol

*[To be filled in only by the Parties to the 1999 Second Protocol]*

The 1999 Second Protocol supplements the 1954 Hague Convention in many respects. In case the information has already been presented in the context of questions relating to the 1954 Hague Convention, you can directly refer to it.

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

Article 5 of the Second Protocol supplements Article 3 of the Hague Convention by providing concrete examples of preparatory measures to be undertaken in time of peace, such as the preparation of inventories of cultural property or the designation of competent authorities responsible for the safeguarding of cultural property.

- *Has your State undertaken such measures?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Please refer to the information provided in relation to the implementation of Article 3 of the Hague Convention of 1954 and to the previous reports on the implementation of the 1999 Second Protocol submitted by the Romanian authorities.

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

Article 9 of the Second Protocol complements Article 5 of the 1954 Hague Convention by imposing specific obligations on the occupying power. Paragraph 119 of the Guidelines for the Implementation of the 1999 Second Protocol requires Parties that are occupying powers to provide information in their national reports on how the provisions relating to the protection of cultural property in occupied territory are being respected.

- *Do you ensure compliance with the provisions relating to the **protection of cultural property in the context of military occupation?***

YES:  NO:  Not applicable:

You can complete your answer below, taking into account the guidelines in the model report.

### 3. Article 10 - Enhanced protection

The 1999 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).

- *Do you **intend to request the granting** of enhanced protection for cultural property within the next four years or, if appropriate, to submit a **national tentative list** under Article 11 (1) of the 1999 Second Protocol?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

As yet, Romania has not requested the granting of enhanced protection for any cultural property. Romania plans to initiate a process of selection of the cultural property that could benefit of the enhanced protection, taking into account the requirements that need to be fulfilled under article 10 of the Second Protocol. There is no definitive timetable established for this initiative.

#### **MONITORING OF CULTURAL PROPERTY UNDER ENHANCED PROTECTION**

*[If some cultural property in your State benefits from enhanced protection, please also fill in this part of the questionnaire].*

The benefit of enhanced protection implies the continued fulfilment of the conditions provided for in Article 10 of the 1999 Second Protocol.

- *Is a **specific mechanism for monitoring cultural property under enhanced protection** in place? For example, are the measures undertaken to ensure the highest level of protection periodically reviewed to ensure their full adequacy in all circumstances?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Not applicable

Pursuant to paragraph 94 of the Guidelines, a distinctive emblem is created for the exclusive marking of cultural property under enhanced protection.

- *Has your State **marked with the distinctive emblem** cultural property under enhanced protection?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Not applicable

#### **4. Article 15 - Serious violations of the 1999 Second Protocol**

“Article 15 obliges Parties to **establish as criminal** offences in their domestic law offences constituting serious breaches of the Second Protocol, **and to make such offences punishable by** appropriate penalties”.

- *Has your State **implemented this obligation**? If yes, what measures have been undertaken?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Please refer to the content provided in section I.6 above

## 5. Article 16 - Jurisdiction

Pursuant to Article 16 of the Second Protocol, the Parties shall take the necessary legislative measures to establish their jurisdiction over offences set forth in Article 15 of the 1999 Second Protocol in certain cases.

- *Has your State implemented this obligation?* If yes, what measures have been undertaken to grant jurisdiction to your courts over serious offences under the 1999 Second Protocol?

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

### Art. 11 Universality of criminal law

(1) Romanian criminal law also applies to other violations than those stipulated at Art. 10, committed outside Romanian territory by a foreign citizen or a stateless person who is located voluntarily on Romanian territory, in the following cases:

a) an offense was committed that the Romanian State has undertaken to repress on the basis of an international treaty, irrespective of whether it is stipulated by the criminal law of the State on whose territory it was committed;

b) extradition or surrender of the offender has been requested and denied.

(2) The stipulations of par. (1) lett. b) do not apply when, under the law of the state on whose territory the violation was committed, there is a cause to prevent the start of criminal action or the continuing of the criminal trial or the serving of the sentence or when the sentence has been served or when the sentence is considered as having been served.

(3) When the sentence has not been served or has only been served in part, the applicable procedure is that of the law on the recognition of foreign judgments.

### ART. 12 Criminal law and the international treaties

The stipulations of Art. 8 – 11 shall apply unless otherwise required under an international treaty Romania is a party to.

## 6. Article 21 - Measures regarding other violations

The 1999 Second Protocol obliges Parties to adopt legislative, administrative or disciplinary measures as may be necessary to **suppress certain other violations of the Second Protocol**:

a. any use of cultural property in violation of the 1954 Hague Convention or the 1999 Second Protocol;

b. any illicit export, other removal or transfer of ownership of cultural property from occupied territory in violation of the 1954 Hague Convention or the 1999 Second Protocol.

- *Has your State implemented such measures?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Besides the measures mentioned above (section I.6), the Romanian authorities have adopted supplementary measures, in accordance with article 21 of the Second Protocol, in order to prevent the occurrence of behaviours that adversely affect the integrity of cultural heritage.

The following deeds are considered offences, according to Law no. 182/2000 on the protection of movable national heritage:

Art. 82 – The act of degrading, making unfit for use or destroying, by negligence, a classified movable cultural object, shall be considered offence and shall be punished with imprisonment from one month to one year or with fine.

Art. 83 – The act of performing illegal export operations shall be punished with imprisonment from six months to three years or with fine.

(2) If the deed referred to in paragraph 1 has caused the loss of a classified movable cultural object, the punishment shall be imprisonment between one year and five years

(3) The attempt shall be punishable.

Art. 84 – (1) The act of performing, without the right to do so, any export operation of a classified movable cultural object shall be considered offence and shall be punished with imprisonment from one year to five years.

(2) The attempt shall be punishable.

Art. 85 – (1) The act of introducing, on the Romanian territory, as well as possessing, selling, organizing exhibitions or performing any operation related to the movement of movable cultural objects or resulted from dismantling of immovable cultural property, which are part of cultural heritage of a foreign state, according to the legislation of that State and which have been illegally exported shall be punished with imprisonment from six months to three years or with fine.

(2) The objects referred to in paragraph (1) shall be seized and shall be remitted to specialized institutions, with a view to preserving and restituting them to the state whose cultural heritage they belong to.

(3) The attempt shall be punishable.

## 7. Article 30 - Dissemination

Article 30 of the Second Protocol complements Articles 7 and 25 of the 1954 Hague Convention. In this regard, Article 30 it asks the Parties, to endeavour by appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect for cultural property by their entire population, to ensure the dissemination of the 1999 Second Protocol, and to incorporate in their military regulations' guidelines and instructions for the protection of cultural property.

- *Has your State disseminated the provisions of the Convention and the Second Protocol within the armed forces as well as to target groups and the general public?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

Law no 285 / 2006 regarding the ratification of the Second Protocol was published in the Romanian Official Journal (Monitorul Oficial al României) no 621 / 18. 07. 2006;

The provisions of the Convention and its Protocols have been communicated to the competent authorities charged with the protection of cultural heritage at national, regional and local levels;

The provisions of the Convention and its Protocols have been communicated to the competent authorities in charge of emergency situations at national, regional and local levels.

Also, please refer to the content provided in sections I.3 and I.4 above.

#### 8. Article 33 – Assistance of UNESCO

Pursuant to paragraph 151 of the Guidelines for the Implementation of the 1999 Second Protocol, the Parties having activities at bilateral or multilateral level are invited to inform the Committee, in their periodic reports, of their activities in order to share their experiences or good practices.

- *Has your State shared, in particular through the Secretariat of UNESCO, your experiences and good practices in implementation of the 1954 Hague Convention and / or its Protocols?*

YES:  NO:

You can complete your answer below, taking into account the guidelines in the model report.

#### 9. Article 37 - Official translation of the 1999 Second Protocol to the 1954 Hague Convention

Pursuant to Article 37 of the Second Protocol, the Parties shall translate the 1999 Second Protocol into their official language(s) of their countries and shall communicate these official translations to the Director-General.

**Please submit a copy / copies of such translation(s), in electronic format, if possible, to the Secretariat.**

Please annex an electronic copy of your translation(s) to this report.

Romania has already communicated to the Secretariat the official translation of the 1999 Second Protocol.

## V. Other questions relating to the 1954 Hague Convention and its two Protocols

### 1. Ratification of / accession to other international treaties having provisions of the protection of cultural property

- Can you indicate the other international instruments to which your State is a party?

International instruments	Ratification/Accession
1970 UNESCO Convention on the means on Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property	yes
1972 UNESCO Convention on the Protection of the World, Cultural and Natural Heritage	yes
2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage	yes
2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage	yes
2005 UNESCO Convention for the Protection and Promotion of Diversity of Cultural Expressions	yes
Additional Protocol (I) to the Geneva Conventions, 1977	yes
Additional Protocol (II) to the Geneva Conventions, 1977	yes
Additional Protocol (III) to the Geneva Conventions, 2005	yes

### 2. National practice relating to the implementation of the Hague Convention and its two Protocols

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

- Relevant **civil and military administrative regulations**:
- There are a number of resources which are not for public use, therefore they cannot be disclosed; among these:
- IHL\_1 – Manual for the training of the military personnel on IHL (individual, squad, platoon, company), 2005;
- IHL\_2 – Manual for the training of the military personnel on the status of captured persons, 2006;
- IHL\_3 – Manual for the training of the military personnel on IHL (officers, petty officers, military foremen), 2007;

- Ministerial Order no M.S.66 / 2009 on the training of the National Defense Ministry personnel participating in individual missions outside the national territory;
- Ministerial Order no M.S.99 / 2011 on establishing the responsibilities of the central structures on planning, preparing, participating, commanding and supporting the Romanian Armed Forces in missions and operations outside the national territory;
- Ministerial Order no M.S.58 / 2012 approving the Instruction on the Rules of Engagement of the Romanian Armed Forces.

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- **National laws** relating to the protection of cultural property, as well as criminal provisions adopted in the context of the implementation of Article 28 of the Hague Convention and Articles 15, 16 and 21 of the Second Protocol, and case law relating to the protection of cultural property.

<http://legislatie.just.ro/Public/DetaliiDocument/11822>  
<http://legislatie.just.ro/Public/DetaliiDocument/3254>  
<http://legislatie.just.ro: http://legislatie.just.ro/Public/DetaliiDocument/11857>  
<http://legislatie.just.ro/Public/DetaliiDocument/37537>  
<http://legislatie.just.ro/Public/DetaliiDocument/11827>  
<http://legislatie.just.ro:http://legislatie.just.ro/Public/DetaliiDocument/24761>  
<http://legislatie.just.ro/Public/DetaliiDocument/97259>  
<http://legislatie.just.ro/Public/DetaliiDocument/97259>  
<http://legislatie.just.ro/Public/DetaliiDocument/51488>  
<http://legislatie.just.ro/Public/DetaliiDocument/29761>  
<http://legislatie.just.ro/Public/DetaliiDocument/9575>  
<http://legislatie.just.ro/Public/DetaliiDocument/60020>  
<http://legislatie.just.ro/Public/DetaliiDocument/20778>

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- Documents relating to awareness-raising activities (seminar programme, brochures, etc.), as well as any other document (legislative, judicial or administrative) relevant to the dissemination of the 1954 Hague Convention and its 1999 Second Protocol.

<https://www.mae.ro/node/1505>  
[https://www.mae.ro/sites/default/files/file/anul\\_2021/2021\\_pdf/raport\\_diu\\_eng.pdf](https://www.mae.ro/sites/default/files/file/anul_2021/2021_pdf/raport_diu_eng.pdf)

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### 3. Effectiveness of cooperation mechanisms at the national level

- The implementation of the Hague Convention and its two Protocols requires cooperation at the national level between the various authorities (civil, military, etc.). Can you assess the degree of cooperation, at the national level, in your State?

There is no cooperation between the different authorities



There is limited cooperation between the different authorities

There is cooperation between the various authorities, but there are still improvements to be made

There is a perfectly functional cooperation between the different authorities

Other (specify)

## VI. Self-assessment forms

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

### 1. Assessment of the degree of implementation

*[To do this, please use the following rating scale]*

1. Not at all implemented;
2. Partially implemented and the process is at standstill;
3. Partially implemented, the process following its course; and
4. Fully implemented.

Implementation of the safeguarding obligation through the adoption of preparatory measures	3
Military training on regulations for the protection of cultural property	4
Use of the distinctive emblem to mark cultural property	3
Implementation of the obligation to disseminate, through the implementation of awareness-raising activities for target audiences	3
Adoption of relevant criminal legislation	3
<i>For Parties with cultural property under enhanced protection only.</i>	.....
Establishment of a monitoring system for cultural property under enhanced protection at the national level	

### 2. Assessment of the difficulties encountered

*[To do this, please use the following rating scale]*

1. Difficulties are encountered, but there are no plans to seek technical assistance from the UNESCO Secretariat;
2. Difficulties are encountered, nevertheless, it is planned to make use of the technical assistance of the UNESCO Secretariat;
3. Difficulties were encountered, but thanks to the technical assistance of the Secretariat they could be resolved;
4. Difficulties were encountered at first, but they turned into challenges that were overcome; and
5. No difficulties were encountered.

Implementation of the safeguarding obligation through the adoption of preparatory measures	2
Military training on regulations for the protection of cultural property	5
Use of the distinctive emblem to mark cultural property	2
Implementation of the obligation to disseminate, through the implementation of awareness-raising activities for target audiences	2
Adoption of relevant criminal legislation	2
<i>For Parties with cultural property under enhanced protection only.</i>	.....
Establishment of a monitoring system for cultural property under enhanced protection at the national level	

## VII. Enhanced protection mechanism – 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 criteria are cumulatively met:

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

As these conditions are set out in an international treaty, their interpretation cannot be made independently of State practice, which is of fundamental importance under international treaty law. Therefore, 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 consideration the relevant paragraphs of the Guidelines for the Implementation of the Second Protocol.*

- Article 10, paragraph (a) - "The greatest importance for humanity"

Please list the main factors to be undertaken into consideration in determining whether a cultural property is of the greatest importance for humanity?

(immovable property) prior designation as an "outstanding universal value" property, according to the 1972 UNESCO Convention;  
(immovable property) prior designation as a "national and universal value monument", according to the national law on the protection of national monuments (no. 422 / 2001) – group A monument;  
(movable property) prior designation as an "exceptional value item", according to the national law on the protection of movable cultural heritage (no. 182 / 2000) – category "Treasure" of the national movable cultural heritage;  
Other criteria.

- Article 10, paragraph (b) - "The highest level of protection"

Please mention the national authorities to be consulted in determining the choice of measures to be adopted to ensure the highest level of protection for a cultural property for which enhanced protection is requested. What measures can ensure the highest level of protection?

The Ministry of Culture and its relevant Advisory Bodies  
The Ministry of National Defense  
The Ministry of Interior Affairs – The General Inspectorate for Emergency Situations.

- Article 10, paragraph (c) - "Not-used for military purposes"

Please mention the national authorities to be consulted in order to take the decision not to use the proposed cultural property for granting enhanced protection for military purposes or to shield military sites?

Not applicable (please refer to the content provided in section IV.3 above).