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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:  
**SLOVENIA**

### 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.

In accordance with Article 3 of the Hague Convention, the envisaged preparatory measures for safeguarding movable and immovable cultural property against the foreseeable effects of an armed conflict are developed, harmonised and appropriately materialised within Defence plans for the Area of protection of cultural heritage. In accordance with the Decision of the Government of the Republic of Slovenia on defining preparations for carrying out preparedness measures, the Ministry of Defense and the Ministry of Culture have agreed on planning and carrying out measures related to evacuation of especially important objects from threatened museums, galleries and archives, as well as closing public cultural institutions to the public in the event of an imminent threat of war.

### 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.

Marking of the cultural monuments in Slovenia is in process. In 2020, we prepared amendments to the Rules on Marking Cultural Monuments (Official Gazette of the Republic of Slovenia, no. 57/11) in order to: - enabled the marking of buildings in which movable cultural monuments are stored (library collections, museum collections and archives) in addition to the marking of immovable cultural monuments, - enable simpler, more thoughtful and cheaper marking with uniform plaques for immovable cultural monuments or buildings in which movable cultural monuments are stored, - enable the new plaques to interfere as little as possible with the material substance of each monument or building. - adapt the new plaques to new ICT technological possibilities and provide access to information to all groups of persons. An updated Handbook – manual with detailed instructions for marking the declared cultural monuments, was prepared. All plaques for marking immovable monument of national importance have also been ordered and by the end of 2020, about 200 plaques out of a total of 300 plaques had been installed.

The process of marking is also carried out by municipalities for immovable monuments of local importance, if they have not already been marked.

### 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 convention has been introduced into military practice. - Implementation of the convention and its protocols lies within the responsibility of the Legal Service and the Slovenian Armed Forces Command. Obtaining information about the convention is an integral part of the military education and training of the Slovenian Armed Forces. In carrying out their regular tasks at home and abroad, the Slovenian Armed Forces adhere to the convention. Members of the Slovenian Armed Forces deployed on a mission are familiarized with their tasks at the location. In particular, this applies to the Slovenian Armed Forces members acting within the KFOR mission (Kosovo), who have a duty to safeguard cultural property with specifically defined status. - Members of the Slovenian Armed Forces are acquainted with the distinctive emblem marking cultural property under protection and the emblem marking cultural property under special protection. - They are informed that in the event of military attack, immovable cultural property is under special protection, that no such property may be used for military purposes and that such property must not be destroyed. - A Defense commander must mark such property distinctively, remove any military targets from its vicinity and, of course, not operate from such a property. - If a property of this kind is used as a military point, an attacker must draw the adversary's attention to the misuse of protected property and afford them reasonable time to vacate the property so that the property does not lose protected status.

- *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.

### 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.

Within the Headquarters of the Slovenian Armed Forces, the bodies for civil-military co-operation are responsible for ensuring the protection of cultural property. These bodies are established at all levels of the Slovenian Armed Forces (tactical, operational, strategic) and, in accordance with documents defining staff procedures, are responsible, together with the operational body, for coordinating operations in the vicinity of targets protected under international military law.

## 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

## 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.

Pursuant to Article 102 of the Penal Code of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, no. 50/12, 54/15, 38/16, 27/17, 23/20 and 91/20), anyone who, in contravention of the rules of international law, orders or commits war crimes during armed conflicts or when carrying out or supporting the policy of the state as part of a large

systematic attack, is subject to a penalty. Such acts include -the misuse of distinctive emblems of cultural property under the Hague Convention and the Second Protocol resulting in the death or serious injury of a person, -intentional attacks on buildings intended for art, cultural or historic monuments, cultural property marked with the distinctive emblem if such facilities are not military targets -use of cultural property under extended protection or their immediate surroundings to support military actions; A war crime is punishable by a minimum of fifteen years imprisonment. Article 104 of the Penal Code specifies the responsibility of military commanders and other superiors for the criminal offence of a war crime, while Article 105 penalizes association with or incitement to commit war crimes.

## 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.

In the implementation of the convention and its protocols, a Working Group for harmonised co-operation of line ministries and other stakeholders is active within a national commission called the Permanent Coordination Group for International Humanitarian Law. The Working group functions as an Advisory Committee as envisaged in Resolution II of the Hague Convention. The Working Group consists of the following line ministries and other stakeholders: representative of Ministry of Culture, Ministry of Defence and Ministry of Foreign Affairs, representative of the museums, representative of the National Commission for UNESCO, representative of Administration of the Republic of Slovenia for Civil Protection and Disaster Relief and representative of University of Ljubljana, Faculty of Law.

- *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.

As mentioned above, the Working Group is incorporated into the Permanent Coordination Group for IHL. The Permanent Coordination Group for IHL is appointed by the Government of the Republic of Slovenia. The purpose of the Permanent Coordination Group for IHL is to monitor, promote, coordinate and manage activities in Slovenia related to the implementation of Slovenia's obligations in the field of international humanitarian law. As an example of good practice, a conference was organised between the Slovenian and German national commission for the implementation of IHL. The first round of consultations took place in 2018 in Ljubljana, Slovenia. The purpose of the conference was to compare Slovenian and German legislation for the implementation of IHL. The conference was attended by members of the Slovenian Committee, members of the German Committee and external experts. At the conference, the Slovenian and the German representatives discussed 10 topics: emblem protection, protection of health care, criminal repression, cultural property protection, cyber warfare, weapons-treaty law, protection of children, protection of journalists and war correspondents and protection of prisoners of war. Due to the good response, a second round of consultations was organized in early 2021.

### 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.

As an EU Member State, Slovenia has its export and/or exit from the EU as well as import arrangements laid down in accordance with EU regulations. Slovenia has also adopted the Return of Unlawfully Removed Cultural-Heritage Objects Act (Official Gazette of the Republic of Slovenia, no. 126/03 and 8/16). Unlawful export and import of objects of special cultural-heritage importance are criminal acts. Slovenia is also party to the UNESCO 1970 Convention related to illicit importation and exportation of cultural property and has adopted measures from the Convention, and UNIDROIT convention. In the case of cultural property, imported from occupied territory, the import control and following procedures, including seizure and custody, are subject to general provisions on police and museums' professional work. For example, Slovenian Police has found and seized three statuettes in a refugee centre. The case has been closed for the possible countries of origin had declared the items are not from their museums or sites and are possible forgery.



## 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.

- Slovenia has set up a register of immovable cultural heritage within the Ministry of Culture; it is accessible through the Internet (<http://gisportal.gov.si/portal/home/>). The register is based on Geographic Information System (GIS) principles and, besides the main descriptive data for each unit, also includes data of geolocation (a centroid and unit area). Almost 30,000 units are entered in the register. - Museums and galleries already have systems for setting up an inventory of their materials. - The Ministry of Culture has defined in its acts the tasks of public institutions in case of an imminent threat of war. The mentioned tasks are the following: \*checking inventory and documentation of cultural monuments \*marking with the Hague Convention emblem \*protecting museums, art galleries and archival material \*moving especially important material from threatened locations. - Tasks of public institutions (museums, galleries and archives) in wartime are the following: \*assessment of damage \*evidencing damage \*preparation of reports on damage suffered \*carrying out emergency salvage measures and prevention of secondary damage to affected cultural heritage \*carrying out urgent restoration interventions \*international activities, etc.

### 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.

Slovenia has never occupied territory of another Party of the 1999 Second Protocol or any other territory. Slovenia supports peace policy. If Slovenia would be in a situation to occupy

a territory, we would be obliged to comply with the provisions of international law, including the protection of cultural heritage.

### 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.

At present, Slovenia has no intention of requesting the granting of enhanced protection.

### 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.

Article 102 of the Slovenian Penal Code mentioned before covers the acts committed in violation of the Second protocol. Pursuant to Article 102 anyone who, in contravention of the rules of international law, orders or commits war crimes during armed conflicts or when carrying out or supporting the policy of the state as part of a large systematic attack, is subject to a penalty. Such acts include - the misuse of distinctive emblems of cultural property under the Hague Convention and the Second Protocol resulting in the death or serious injury of a person, - intentional attacks on buildings intended for art, cultural or historic monuments, cultural property marked with the distinctive emblem if such facilities are not military targets - use of cultural property under extended protection or their immediate surroundings to support military actions; Article 104 specifies the responsibility of the military commanders and other superiors for the criminal offence of a war crime, while Article 105 penalizes association with or incitement to commit war crimes. As an EU Member State, Slovenia has its export and/or exit from the EU as well as import arrangements laid down in accordance with EU regulations. Slovenia has also adopted the Return of Unlawfully Removed Cultural-Heritage Objects Act. Unlawful export and import of objects of special cultural-heritage importance are criminal acts. Article 218 of the Slovenian Penal Code covers illegal Export and Import of Goods of Special Cultural Significance. Pursuant to Article 218 of the Penal Code of the Republic of Slovenia, anyone who, without the permission of the agency responsible, exports goods of special cultural significance to a foreign country or imports the same, contrary to the principles of international law, shall be sentenced to imprisonment for not more than three years. If the goods under the preceding paragraph are of extreme cultural importance, the perpetrator shall be sentenced to imprisonment for not more than five years. Article 219 of the Penal Code of the Republic of Slovenia covers damaging or destroying goods of special cultural significance. Pursuant to Article 219 anyone who unlawfully damages or destroys goods of special cultural significance, shall be sentenced to imprisonment for not more than five years. If the damaged or destroyed goods represent a cultural monument of extreme importance to the Republic of Slovenia, or if the damage caused is of high value, the perpetrator shall be sentenced to imprisonment for not more than eight years.

## 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.

Articles 10 to 14 of the Criminal Code of the Republic of Slovenia determine the application of the Criminal Code: Article 10: A criminal law Act of the Republic of Slovenia shall apply - to any person who commits a criminal offence in the territory of the Republic of Slovenia - to anyone who commits a criminal offence on a domestic vessel regardless of its location at the time of the commission of the act to anyone who commits a criminal offence on a domestic civil aircraft in flight or on a domestic military aircraft regardless of its location at the time of the commission of the act. Article 12: A criminal law Act of the Republic of Slovenia shall be applicable to any citizen of the Republic of Slovenia who commits any criminal offence abroad other than those specified in the preceding Article. Article 13: A criminal law Act of the Republic of Slovenia shall apply - to any foreign citizen who, in a foreign country, commits a criminal offence against the Republic of Slovenia or any of its citizens, even if the offence in question is not referred to in Article 11 of this Code - to any foreign citizen who, in a foreign country, commits a criminal offence against a third country or any of its citizens if he or she has been apprehended in the territory of the Republic of Slovenia but has not been extradited to the foreign country. In such cases, the court shall not impose a sentence on the perpetrator that is more severe than the sentence prescribed by the relevant Act of the country in which the offence was committed. - to anyone who commits a criminal offence abroad that, under the relevant international agreements or general legal principles recognised by the international community, is subject to prosecution, regardless of the location where it was committed.

## 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.

We have adopted special measures in our regulations, for example we have special Inspection for Culture (it includes inspection for cultural heritage). The inspectors can order different measures from returning the state of the object to previous condition or to repair the damage or to order several grades of penalties.

## 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.

- Within the Slovenian Armed Forces, a body for civil-military co-operation together with the Headquarters of the Slovenian Armed Forces and the Force Command of the Slovenian Armed Forces are responsible for dissemination of information on safeguarding cultural property in the event of armed conflict. Obtaining information about the convention is an integral part of the military education and training of the Slovenian Armed Forces. In carrying out their regular tasks at home and abroad, the Slovenian Armed Forces adhere to the convention. - Knowledge of the Second Protocol is tested at the professional examination for curators and restorers by the professional service for protection of cultural heritage within the Ministry of Culture. -Dissemination of knowledge on international humanitarian law is also one of the tasks of the Permanent Coordination Group for IHL. On the occasion of the 70th anniversary of the adoption of the Geneva Conventions and the official Slovenian translation of the Geneva Conventions, a publication on international humanitarian law was published, in which there are two contributions in the field of protection of cultural property in the event of armed conflict. The first article provides an international legal aspect of protection, and the second an overview of Slovenia's implementation of the protection of cultural property in the event of an armed conflict.

## 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.*

## 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	Ratification
1972 UNESCO Convention on the Protection of the World, Cultural and Natural Heritage	Ratification
2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage	Ratification
2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage	Ratification
2005 UNESCO Convention for the Protection and Promotion of Diversity of Cultural Expressions	Ratification
Additional Protocol (I) to the Geneva Conventions, 1977	Ratification
Additional Protocol (II) to the Geneva Conventions, 1977	Ratification
Additional Protocol (III) to the Geneva Conventions, 2005	Ratification

### 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**:

PDF Document                      Website

- **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.

PDF Document                      Website

- 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.

PDF Document

Website

### 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	4
Military training on regulations for the protection of cultural property	3
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	4
<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	4
Military training on regulations for the protection of cultural property	4
Use of the distinctive emblem to mark cultural property	4
Implementation of the obligation to disseminate, through the implementation of awareness-raising activities for target audiences	4
Adoption of relevant criminal legislation	4
<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?

All heritage is in process of evaluation. Special, important heritage is protected by acts from local communes (8082 objects and sites), selected and very important units of heritage get special protection with acts of government (335 objects and sites) for immovable heritage. In special cases even special law can be adopted (Stud farm Lipica).

- 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?

Highest level of protection can be given just to the monuments of state importance and to collections of state museums, galleries and national library. All these object are protected by special Acts, adopted by Government after procedure of selection by experts from each scientific field.

- 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?

For the movabe heritage National Museum is the main consultant. For immovable heritage the main institution is Institute for Protection of Cultural Heritage.