

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

The Polish legal system includes the rules which impose an obligation of safeguarding the cultural property in the event of armed conflict. Those rules were laid down in the Ordinance of the Minister of Culture of 25 August 2004 on the organization and method of protection of cultural heritage in the event of armed conflict and crisis situations (Dz.U. No 12, item 2153). The most important of them include the obligation of the owner or user of cultural property to prepare the protection plan. The protection plan lays down the rules of evacuation of the most valuable cultural property and the obligations of people performing the protection tasks. In time of peace the boxes for evacuation of cultural property are prepared in the institutions where such property is located. The instruction which constitutes one of the annexes to the Ordinance specifies also the emblems used in the plans of the cultural property protection, the rules for marking the objects, the rules for training the personnel assigned to protect cultural property and the ID cards of the personnel responsible for the cultural property protection.

### 2. Article 7. Military measures

The provisions ensuring the observance of the international law standards with regard to the cultural property protection were included in the Decision No 250/MON of the Minister of National Defence of 4 August 2005 on the observance of the rules of cultural property protection in the activities of the Armed Forces of the Republic of Poland (Dz.Urz. MON No 15, item 135). "The instruction on the rules of cultural property protection in the activities of the Armed Forces of the Republic of Poland" is currently implemented in the Armed Forces. The instruction specifies detailed tasks and powers of persons on managerial posts at the Ministry of National Defence and the commanders of different types of Armed Forces with regard to cultural property. The organizational structure of the Ministry of National Defence includes an officer responsible for the compliance with the principles resulting from the international law and concerning the cultural property protection.

### 3. Chapter V. The distinctive emblem

The cultural property in the Republic of Poland is marked with the distinctive emblem specified in the Hague Convention. The rules governing the marking were laid down in the Ordinance of the Minister of Culture of 9 February 2004 on the model of the information emblem placed on immovable cultural property entered into the register of historical cultural property (Dz.U. No 30, item 259).

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

In order to familiarize the soldiers of the Polish Army with the provisions concerning the protection of cultural property in the event of armed conflict, seven training courses were organized for the officers from military units between 2003 and 2007. Specialist training courses on the protection of cultural heritage were also delivered for the subunits preparing to the mission in Iraq and Afghanistan. There was also a specialist training course for subunits to be used as the NATO forces (all national sets were covered by the training – 10 sets).

The Ministry of National Defence prepared the information about the protection of cultural property for the purpose of the training of the Polish Military Contingents. The information was presented in the form of the following publications: Manual of International Humanitarian Law – training material on DVD, "The database of cultural property protected in the Republic of Poland", "The protection of cultural property in time of peace and war in the activities of the Polish Army".

In 2004 the Republic of Poland organized an international conference entitled "Protection of cultural property in the face of threats in war and peace time". The conference was one of the

elements of the celebration of the 50<sup>th</sup> anniversary of the signing of the Convention of 14 May 1954.

The event was held under the patronage of the UNESCO Director-General and the participants of the conference included the representatives of 22 countries.

#### 5. Article 26. Translations reports

The Republic of Poland submitted an official translation of the Convention and the regulations for its execution to the UNESCO Secretariat.

#### 6. Article 28. Sanctions

The Polish law lays down the sanctions for the persons who commit a breach of the Hague Convention during military operations in the Act of 6 June 1997 – the Penal Code (Dz.U. No 88, item 553, as amended), Chapter XVI – crimes against peace, humanity and war crimes.

The introduction of those provisions into the Penal Code fulfills the requirement of Article 28 of the Convention which imposes an obligation on the High Contracting Parties to introduce into their legal system the sanctions for the acts which breach the Convention. The Penal Code allows for prosecuting the perpetrator irrespective of his/her nationality, if the crime was committed on the territory of the Republic of Poland.

Poland submitted an English version of those regulations to the UNESCO Secretariat.

#### 7. First Protocol of 1954

The above regulations were implemented in the internal regulations on the protection of historical objects and buildings (Act of 23 July 2003 on historical objects and buildings and the protection of historical objects and buildings Dz.U. No 62, item 1568, as amended).

#### 8. Resolution II of the Hague Conference of 1954

In accordance with the Resolution II of the Hague Conference of 1954, there is a consultative body functioning in Poland. It was established by the Ordinance of the Council of Ministers of the Republic of Poland of 27 April 2004 on the Polish Consultative Committee (Dz.U. No 102, item 1066). The Polish Consultative Committee is an auxiliary body to the Council of Ministers. It is headed by the Minister of Culture and National Heritage or the undersecretary of state responsible for the protection of historical objects and buildings. The members of the Committee include the representatives of the Minister of National Defence, the Minister of Interior and Administration, the Minister of Foreign Affairs, the Minister of Justice, the Minister of Education and the persons with specialist qualifications in the field of protection and maintenance of cultural property.

#### 9. National reports on the implementation of the Second Protocol of 1999 to the Hague Convention of 1954.

The Republic of Poland is not a party to the Second Protocol to the Hague Convention of 1954. The legal activities aimed at the accession of the Republic of Poland to this international agreement have been initiated.