

AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF
AMERICA
AND
THE GOVERNMENT OF THE REPUBLIC OF CROATIA
ON
THE PROTECTION AND PRESERVATION
OF CERTAIN CULTURAL PROPERTIES

The Government of the United States of America and the Government of the Republic of Croatia (hereafter referred to as the Parties),

Desirous of successful mutual cooperation in the field of cultural heritage,

Convinced that such an agreement will contribute to the strengthening of numerous contacts between the two states,

Bearing in mind the respect due to fundamental human rights, and seeking to promote understanding, tolerance and friendship among all nations, racial and religious groups,

Convinced that each culture has its dignity and value which must be respected and preserved, and that all cultures form part of the common heritage belonging to all mankind,

Desiring to enhance the protection of cultural heritage and provide access to treasures of national and world culture without discrimination,

Convinced that the deterioration or disappearance of items of cultural heritage constitutes an impoverishment of the heritage of all the nations of the world,

Considering that the protection of cultural heritage can be effective only if organized both nationally and internationally among states working in close cooperation,

Considering the principles of the Helsinki Final Act of the Conference on Security and Cooperation in Europe, and

Desirous of elaborating concrete steps in the furtherance of the principles and purposes of the 1972 Convention for the Protection of the World Cultural and Natural Heritage with respect to certain items of cultural heritage of the victims of genocide,

Have agreed as follows:

ARTICLE 1

Each Party shall co-operate in the protection and preservation of cultural heritage of all national, religious, or ethnic groups (hereafter referred to as "groups") that reside or resided in its territory, including of the victims of genocide during the Second World War.

The term "cultural heritage" for the purposes of this Agreement shall mean places of worship, sites of historical significance, monuments, cemeteries, and memorials to the dead, as well as archival and other authentic and documentary materials relating thereto.

ARTICLE 2

The Parties shall cooperate in identifying items falling within the scope of Article 1, particularly those which are in danger of deterioration or destruction.

ARTICLE 3

The Parties shall ensure that there is no discrimination, in form or in fact, against the cultural heritage of any group referred to in Article 1 or against the nationals of the other Party in the scope and application of its laws and regulations concerning:

- (a) the protection and preservation of their cultural heritage;
- (b) the right to participate in the protection and preservation of their cultural heritage; and
- (c) public access thereto.

ARTICLE 4

In cases in which a group concerned is unable to protect and preserve its cultural heritage, the Party in which the property is located shall endeavor to protect and preserve the property and may invite the cooperation of the other Party.

ARTICLE 5

Properties of cultural heritage that are of special significance shall be designated in a list of items of cultural heritage.

All properties of cultural heritage so designated shall be protected, preserved, and marked in the manner stipulated by valid legal internal regulations of either Party. Public access thereto shall be ensured.

ARTICLE 6

A Joint Cultural Heritage Commission shall hereby be established for the purpose of co-ordinating co-operative activities in accordance with this Agreement.

Each Party shall appoint one or more member(s) to the Commission, who may be assisted by alternates and advisers. Decisions of the Commission shall require the assent of all members. The Parties shall cooperate in supplying the Commission with access to the items of cultural heritage and information necessary for the execution of its responsibilities.

The United States Commission for the Preservation of America's Heritage Abroad shall be the Executive Agent for implementing this Agreement of behalf of the United States, while the Ministry of Culture of the Republic of Croatia shall be the Executive Agent on behalf of Croatia. Either Party may, by diplomatic note to the other, change its Executive Agent.

ARTICLE 7

Nothing in this Agreement shall be construed to relieve either Party of its obligations under the 1972 Convention for the Protection of the World Cultural and Natural Heritage or any other agreement for the protection of cultural heritage.

ARTICLE 8

This Agreement shall be implemented in accordance with the laws and regulations of both countries and the availability of funds.

ARTICLE 9

Disputes concerning the interpretation or application of this Agreement shall be resolved by the Joint Cultural Heritage Commission referred to in Article 6 of this Agreement.

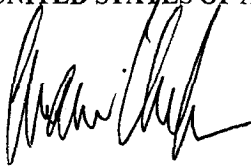
ARTICLE 10

This Agreement shall enter into force upon an exchange of diplomatic notes by which the Parties inform each other about the fulfillment of their respective legal requirements for its entry into force. It may be amended by mutual written agreement of the Parties.

This Agreement shall remain in force until either Party decides to terminate it by giving six months' prior written notice through diplomatic channels to the other Party of its intention to terminate this Agreement.

DONE at Washington DC, in duplicate, this 9th day of FEBRUARY 2005, in the English and Croatian languages, each text being equally authentic.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:



FOR THE GOVERNMENT OF
THE REPUBLIC OF CROATIA:

