

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

The Government of the United States of America and the Government of the Republic of Hungary (hereafter referred to as 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 a dignity and a 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,

Considering that deterioration or disappearance of items of the 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 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

(1) The Parties undertake to support and facilitate the protection and preservation of cultural heritage of national, religious, or ethnic groups (hereafter referred to as "groups") that reside or resided in its territory, including victims of genocide during the Second World War.

(2) The Parties shall continue to preserve the cultural heritage of national, religious, or ethnic groups with all appropriate measures and to effectively prevent every form of discrimination against prejudicial treatment of groups concerning:

(a) the protection and preservation of their cultural heritage;

(b) the right to contribute to the protection and preservation of their cultural heritage;

and

(c) public access thereto.

(3) The term "cultural heritage" for the purposes of this Agreement means 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 take special steps to ensure the protection and preservation of cultural heritage within its territory and shall invite the cooperation of the other Party where assistance is required for this purpose. The other Party will consider steps, within the scope of its laws and regulations, to respond to the request.

ARTICLE 3

The Parties shall cooperate in identifying items of cultural heritage falling within the scope of Article 1, particularly those, which are in danger of deterioration or destruction. Items of special significance may be designated in the lists. Such lists of items of cultural heritage and items of special significance shall be designated by the Commission referred to in Article 4 hereof. The Commission may also designate properties for inclusion in the list at any time.

The Parties shall publicly announce and communicate to competent authorities the lists agreed by the Joint Cultural Heritage Commission.

ARTICLE 4

(1) For purposes of implementing this Agreement the Parties shall establish a Joint Cultural Heritage Commission (hereinafter referred to as "the Joint Commission").

The Joint Commission shall:

- (a) oversee the operations of the lists referred to in Article 3;
- (b) prepare periodic reports concerning the activities of the Joint Commission and activities undertaken under this Agreement; and
- (c) undertake such further functions as may be delegated to it by the Parties.

(2) The Joint Commission shall consist of four representatives two of whom shall be designated by the Government of the United States of America and two of whom shall be designated by the Government of the Republic of Hungary.

(3) Decisions of the Joint Commission shall require the assent of all members.

(4) The Parties shall cooperate in supplying the Joint Commission with access to the items of cultural heritage and information necessary for the execution of its responsibilities.

(5) Each Party through its representatives on the Joint Commission referred to in the second paragraph hereof may request that special arrangements, as appropriate, be worked out under the procedures of the Joint Commission to protect and preserve the cultural heritage defined in Article 1 in cases where the assistance of the other Party is required as referred to in Article 2.

(6) Each Party shall designate an Executive Agent for the implementation of this Agreement.

- (a) The Executive Agent for the Government of the United States of America is the United States Commission for the Preservation of America's Heritage Abroad.
- (b) The Executive Agent for the Government of the Republic of Hungary is the Ministry of Cultural Heritage.
- (c) Either Party may, by diplomatic note to the other, change its Executive Agent.

ARTICLE 5

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 international agreements to which both Parties are parties.

ARTICLE 6

The Parties shall endeavor by mutual accord to resolve problems arising from the interpretation or application of the Agreement.

ARTICLE 7

(1) This Agreement shall enter into force when the Parties notify each other, through diplomatic channels, of the completion of their respective internal legal requirements necessary for the entry into force of this Agreement.

(2) This Agreement shall remain in force until terminated by either Party giving written notice to the other Party through diplomatic channels of its intention to terminate this Agreement, which notice shall be effective six months from the date of delivery.

(3) Unless otherwise agreed by the Parties, the termination of this Agreement shall not affect the completion of any activity undertaken under this Agreement and not completed at the time of the termination of the Agreement.

(4) This Agreement may be amended by mutual written agreement of the Parties.

DONE at Budapest this 15th day of April 2004, in duplicate, in the English and Hungarian languages, each text being equally authentic.



for the government of the
United States of America



for the government of the
Republic of Hungary