

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

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

Desirous of successful cooperation in the field of protection of cultural properties,

Convinced that such cooperation will contribute to the strengthening of the numerous contacts between the Parties,

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

Convinced that the dignity of each human being and the value of each culture should be respected, 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 cultures,

Considering that deterioration or destruction of items of cultural heritage constitutes a harmful impoverishment of the heritage of all the nations of the world,

Considering that the protection of cultural heritage can be effective only if based on close cooperation among all states,

Considering the principles of the Helsinki Final Act of the Conference on Security and Cooperation in Europe signed on August 1, 1975, and

Desirous of elaborating steps in furtherance of the principles and purposes of the Convention for the Protection of the World Cultural and Natural Heritage adopted in Paris on November 16, 1972, relating to cultural properties of victims of genocide,

Have agreed as follows:

ARTICLE 1

1. Each Party will endeavor to have its policies and practices, within the framework of prevailing laws and regulations, facilitate the protection and preservation of the cultural heritage of national, religious, or ethnic groups (hereafter referred to as "groups") that reside or resided in its territory, including, in particular, victims of genocide during the Second World War. The Parties may also undertake joint initiatives with a view to ensure protection of sites of cultural heritage that they consider important, which are located in the territory of third countries, and which are approved by the third country.
2. The term "cultural heritage" for the purposes of this Agreement means places of worship, sites of historical significance, cemeteries, and memorials to the dead, as well as archival and other authentic materials relating thereto.

ARTICLE 2

Each Party, within the framework of prevailing laws and regulations, will ensure that the cultural heritage of the groups referred to in Article 1.1 and the nationals of the other Party will be treated without discrimination in the scope and application of the laws and regulations of each Party concerning:

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

ARTICLE 3

The Parties shall cooperate in identifying items of cultural heritage falling within the scope of Article 1.2, particularly those which are in danger of deterioration or destruction.

ARTICLE 4

1. In cases where a group, referred to in Article 1.1, is unable independently to ensure adequate protection and preservation of its cultural heritage, that group may approach the other Party for financial assistance in this regard.
2. The Parties shall also consider the possibility of other forms of activity within the area of protection and preservation of cultural heritage, as provided in national law.

ARTICLE 5

1. A Joint Consultative Cultural Heritage Commission is hereby established, hereafter referred to as "Commission", to which each Party shall nominate no more than five members.
2. The Commission's role will be to express opinions in the area of protection of cultural heritage as defined in Article 1, Section 2. Adoption of opinions by the Commission shall require the assent of all members.
3. Each Party shall bear the costs arising from the participation of the Members it designates and their advisers in the work of the Commission.

ARTICLE 6

1. Cultural heritage sites which have special significance for both Parties, upon the recommendation of the Commission, and in accordance with prevailing laws and regulations, shall be recommended to the appropriate institutions in order to initiate procedures aimed at listing these sites on the register of historic places.
2. Cultural heritage sites listed on the register of historic places shall be protected and marked according to the respective laws of the Parties, within the limits of the financial resources available for these purposes. To the extent possible, the Parties shall ensure public access to these sites.

ARTICLE 7

1. To implement this Agreement, the Parties shall designate Executive Agents.
2. The Executive Agent on the Polish side shall be the Minister of Culture.
3. The Executive Agent on the American side shall be the United States Commission for the Preservation of America's Heritage Abroad.
4. Either Party may, by diplomatic note to the other, change its Executive Agent.

ARTICLE 8

This Agreement shall be implemented by both Parties to the extent to which funds are available to them, and to the extent within which it does not violate the laws and regulations prevailing within the territory of the respective Parties.

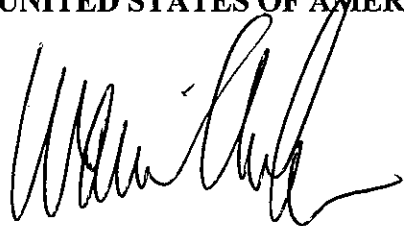
ARTICLE 9

1. This Agreement shall enter into force upon an exchange of notes confirming that each Party has completed the necessary legal requirements under each Party's national laws. The date of entry into force shall be the date of receipt of the final note.

2. This Agreement has been concluded for an indefinite period of time. It may be terminated by either of the Parties via notification. In such instance, the Agreement shall expire six months from the day of receipt of the notification.

Prepared in Washington DC on this 11th day of May 2004, in duplicate, in the English and Polish languages, each text being equally authentic.

**FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:**



**FOR THE GOVERNMENT OF
THE REPUBLIC OF POLAND:**

