

A G R E E M E N T

FOR THE PROTECTION AND PRESERVATION
OF CERTAIN CULTURAL PROPERTIES BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF ROMANIA

The Government of the United States of America and the
Government of Romania

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

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

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

Considering that deterioration or disappearance of
of the cultural heritage constitutes a irrecoverable impoverish-
ment of the heritage of all the nations of the world,

Reaffirming their condemnation of genocide and their
determination to take steps to frustrate the objectives of
those who sought to eradicate the culture and heritage of its
victims,

Desiring to honor the memories of those victims and to
promote knowledge of and respect for their culture and heritage

Considering that the protection of cultural heritage can be more effective if organized both nationally and internationally among states working in close cooperation, 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 the cultural heritage of the victims of genocide during the Second World War,

Have agreed as follows:

1. Each Party will take appropriate steps to protect and preserve the cultural heritage of all national, religious, or ethnic groups that reside or resided in its territory and were the victims of the Second World War. 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 material relating thereto.

2. The Parties shall cooperate in identifying lists of appropriate items falling within the scope of paragraph 1, particularly those which are in danger of deterioration or destruction. Either Party may publish such lists.

3. Each Party will ensure that there is no discrimination in form or in fact, against the cultural heritage of any group referred to in paragraph 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 contribute to the protection and preservation of their cultural heritage; and
- (c) public access thereto.

4. In cases where the group concerned, referred to in paragraph 1, is unable, on its own, to ensure adequate protection and preservation of its cultural heritage, each Party shall take special steps to ensure such protection and preservation within its territory and shall invite the cooperation of the other Party and its nationals where assistance is required for this purpose.

5. Properties referred to in paragraph 4 that are of special significance shall be designated in the list of properties annexed to this Agreement, publicly announced and communicated to local jurisdictions. All properties so designated shall be protected, preserved, and marked with a special plaque. Public access thereto shall be assured. The list of properties forms an integral part of this Agreement. The Commission referred to in paragraph 6 may designate properties for inclusion in the list at any time.

6 (A) A Joint Cultural Heritage Commission is hereby established to oversee the operations of the lists referred to in paragraph 2 and 5, and to perform such other functions as are delegated to it by the Parties. Each Party shall appoint one member of the Commission, who may be assisted by alternates and advisers. Decisions of the Commission shall require the assent of both members. The Parties shall cooperate in supplying the Commission with access to properties and information necessary for the execution of its responsibilities.

(B) The Commission for the Preservation of America's Heritage Abroad shall be the Executive Agent for implementing this Agreement on the American side. The Ministry of Foreign Affairs shall be the Executive Agent for implementing this Agreement on the Romanian side. Either Party by diplomatic note to the other may change its Executive Agent.

7. Nothing in this Agreement shall be construed to relieve either Party of its obligations under the 1972 Convention

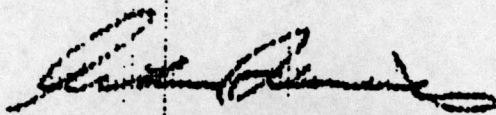
for the Protection of the World Cultural and Natural Heritage
any other agreement for protection of cultural heritage.

8. This Agreement shall be subject to the laws and
regulations of both countries and the availability of funds.

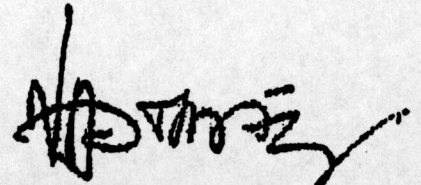
9. Disputes concerning the interpretation or application
of this Agreement shall be submitted to the Agents referred to
in paragraph 5 (B).

10. This Agreement shall provisionally apply upon signature
and shall enter into force upon the exchange of notes by which
Parties shall inform each other about the fulfilment of their
respective constitutional requirements for entering into
international agreements. It shall remain in force subject to
termination upon one year's written notice by one Party to the
other.

Done this 8th day of July 1992, in
duplicate, in the English and Romanian languages, each text
being equally authentic.



FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA



FOR THE GOVERNMENT OF
ROMANIA