

AGREEMENT BETWEEN THE GOVERNMENT  
OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT  
OF UKRAINE ON THE PROTECTION AND PRESERVATION OF  
CULTURAL HERITAGE

The Government of the United States of America and the  
Government of Ukraine,

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

Seeking to promote understanding, tolerance and friendship  
among all nations, racial, or 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,

Considering that destruction or disappearance of items of the  
cultural heritage of any racial, ethnic or religious group  
constitutes an irreparable impoverishment of any nation and mankind  
as a whole,

Reaffirming their determination to take steps to frustrate the  
objectives of those who sought or seek to eradicate the cultural  
heritage,

Seeking to promote knowledge of and respect for world cultures  
and national heritage,

Considering that the protection of cultural heritage can be effective only 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 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 (hereinafter referred to as "Groups") who reside or resided in its territory and were such 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 related archival materials.
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. Such lists may be published jointly or by either Party.

3. Each Party will ensure that there is no discrimination, in form or in fact, against the cultural heritage of any groups 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 authorities and organizations concerned state that the Groups are unable, on their own, to ensure adequate protection and preservation of their 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 a list of properties, publicly announced and communicated to appropriate local agencies. Properties so designated shall be protected, preserved, and marked with a special plaque. Public access thereto shall be assured. The Commission referred to in paragraph 6 may designate properties for

inclusion in the list at any time, which list will be communicated to the Parties through Diplomatic and other channels, as appropriate.

6. (A) A Joint Cultural Heritage Commission is hereby established to oversee the execution of the Agreement. Each Party shall appoint one or more member(s) to the Commission who may be assisted by alternates or advisers. Decisions of the Commission shall require the assent of the members of both Parties. 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 side of the United States of America. The authorities and organizations concerned, which are according to the applicable laws and regulations of Ukraine responsible for the protection of cultural monuments in accordance with this Agreement shall be the Executive Agent for implementing this Agreement on the side of Ukraine. Either Party by diplomatic note to the other Party 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 or 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 6(B).

10. This Agreement shall enter into force upon signature and shall remain in force subject to termination upon one year's written notice by one Party to the other.

DONE at Washington this fourth day of March 1994, in duplicate, in the English and Ukrainian languages, each text being equally authentic.

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FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

*Warren Christopher*

FOR THE GOVERNMENT OF  
UKRAINE:

*B. Nechayenko*