

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

STEERING COMMITTEE FOR CULTURE, HERITAGE AND LANDSCAPE (CDCPP)

COMITE DIRECTEUR DE LA CULTURE, DU PATRIMOINE ET DU PAYSAGE (CDCPP)

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Palais de l'Europe

REVIEW OF THE COUNCIL OF EUROPE CONVENTIONS UNDER THE RESPONSIBILITY OF THE CDCPP CLASSIFICATION BY CONVENTION

PASSAGE EN REVUE DES CONVENTIONS DU CONSEIL DE L'EUROPE PLACEES SOUS LA RESPONSABILITE DU CDCPP CLASSIFICATION PAR CONVENTION

DOCUMENT FOR INFORMATION / *DOCUMENT POUR INFORMATION*

Item 3.2 of the draft Agenda / *Point 3.2 de l'Ordre du Jour*

- The Committee is invited to take note of the survey responses sent by the member States to the Secretariat as part of the review of the Council of Europe Conventions under the responsibility of the CDCPP.
- *Le Comité est invité à prendre note des réponses au questionnaire envoyées par les Etats membres au Secrétariat dans le cadre du passage en revue des Conventions du Conseil de l'Europe sous la responsabilité du CDCPP.*

Review of the Council of Europe Conventions under the responsibility of the Steering Committee for Culture, Heritage and Landscape (CDCPP)

The Terms of Reference of the CDCPP foresee that the Committee shall carry out, at regular intervals, an examination of the Conventions for which it has been given responsibility, namely:

1. *European Cultural Convention (Council of Europe European Treaty Series (CETS) 18)*
2. *European Convention on the Protection of the Archaeological Heritage (CETS 66)*
3. *Convention on the Conservation of European Wildlife and Natural Habitats (CETS 104)*
4. *European Convention on Offences relating to Cultural Property (CETS 119)*
5. *Convention for the Protection of the Architectural Heritage of Europe (CETS 121)*
6. *European Convention on the Protection of the Archaeological Heritage (Revised) (CETS 143)*
7. *European Convention on Cinematographic Co-Production (CETS 147)*
8. *European Landscape Convention (CETS 176)*
9. *European Convention for the Protection of the Audiovisual Heritage (CETS 183)*
10. *Protocol to the European Convention for the Protection of the Audiovisual Heritage, on the Protection of Television Productions (CETS 184)*
11. *Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS 199)*

In accordance with the decision taken by the CDCPP Bureau at its sixth meeting (Strasbourg, 4-5 November 2014) and with a view to following up these Terms of Reference, the Secretariat of the CDCPP sent the following documents to member States on 28 November 2014:

- 1) Reference document for the review of the Council of Europe Conventions under the responsibility of the CDCPP (CDCPP(2014)23); and
- 2) Document for the completion of questionnaire replies for the review of the Council of Europe Conventions under the responsibility of the CDCPP (CDCPP(2014) 23 Addendum).

The members of the CDCPP were thus been invited to complete the questionnaire in English or French for each of the texts mentioned, and to send it back to the CDCPP Secretariat (cdcnp@coe.int) by 31 March 2015.

Questionnaire:

1. Have you signed and/or ratified the Convention/Protocol?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention/Protocol, do you intend to ratify it?

If you do not want to ratify the Convention/Protocol, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention/Protocol?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention/Protocol?

Passage en revue des Conventions du Conseil de l'Europe placées sous la responsabilité du Comité directeur de la Culture, du Patrimoine et du Paysage (CDCPP)

Le mandat du CDCPP prévoit que le Comité procède, à intervalles réguliers, à un examen des Conventions placées sous sa responsabilité, à savoir :

1. *Convention culturelle européenne (Série des traités du Conseil de l'Europe (STCE18)*
2. *Convention européenne pour la protection du patrimoine archéologique (STCE 66)*
3. *Convention relative à la conservation de la vie sauvage et du milieu naturel de l'Europe (STCE 104)*
4. *Convention européenne sur les infractions visant des biens culturels (STCE 119)*
5. *Convention pour la sauvegarde du patrimoine architectural de l'Europe (STCE 121)*
6. *Convention européenne pour la protection du patrimoine archéologique (révisée) (STCE143)*
7. *Convention européenne sur la coproduction cinématographique (STCE 147)*
8. *Convention européenne du paysage (STCE176)*
9. *Convention européenne relative à la protection du patrimoine audiovisuel (STCE 183)*
10. *Protocole à la Convention européenne relative à la protection du patrimoine audiovisuel, sur la protection des productions télévisuelles (STCE 184)*
11. *Convention-cadre du Conseil de l'Europe sur la valeur du patrimoine culturel pour la société (STCE 199)*

Conformément à la décision prise par le Bureau du CDCPP lors de sa 6^e réunion (Strasbourg, 4-5 novembre 2014), et en vue de donner suite à ce mandat, le Secrétariat du CDCPP a, par message du 28 novembre 2014, fait parvenir aux Etats membres, les documents suivants :

- 1) Document de référence concernant le passage en revue des Conventions du Conseil de l'Europe placées sous la responsabilité du CDCPP (CDCPP(2014)23), et
- 2) Document pour compléter les réponses au questionnaire concernant le passage en revue des Conventions du Conseil de l'Europe placées sous la responsabilité du CDCPP (CDPP(2014)23 Addendum).

Les membres du CDCPP ont été ainsi priés de compléter un questionnaire en français ou en anglais portant sur chacun des textes mentionnés, et à le renvoyer au Secrétariat du CDCPP (cdcphp@coe.int) pour le 31 mars 2015.

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention/ Protocole ?

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des déclarations ou réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention/Protocole, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention/Protocole, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention/Protocole ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention/Protocole ?

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1) European Cultural Convention (Council of Europe European Treaty Series (CETS18)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes (ratification 1958).**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations made

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Cultural Convention is a most prominent standard-setting instrument and the underlying basis for a number of cultural policies.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Oui**

If yes, do you encounter any problems in its application? **Non**

2. If you have made declarations or reservations, do you intend to withdraw them?

Pas de réserves

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

La politique en matière de culture en Communauté flamande est imprégnée de l'esprit de la Convention culturelle européenne. Elle est fondée sur le respect de la diversité culturelle et de nombreuses dispositions ont été mises en place afin de la protéger et de la stimuler, aussi bien dans les domaines des arts et du patrimoine que dans les secteurs de l'action socioculturelle et de l'éducation permanente.

En guise d'exemple : des subventions spécifiques visent à stimuler la mobilité des artistes et des œuvres dans tous les secteurs susmentionnés.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since December 1994 and no problems whatsoever have ever been encountered.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

No, our opinion is that the Convention has been an outright success. We also think that it shall raise public awareness through promotions, education and trainings in order to develop mutual understanding among the peoples of Europe and reciprocal appreciation of their cultural diversity as well as to safeguard European culture.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

We do indeed. The Federal Ministry of Culture and Sports gives financial support and recommendations to the projects which are developing mutual understanding among the peoples of Bosnia and Herzegovina and of Europe and promoting cultural heritage of Bosnia and Herzegovina as a Europe's common cultural heritage.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

The Convention was ratified in 1993.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

No we don't have it.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

All actions and policies are in the spirit and goals of the Convention CETS 18.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

We have no reservations.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Practically in all documents produced by the Ministry of Culture in the field of culture and cultural heritage.

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Estonia participates in the activities and networks of Council of Europe in the field of culture with a view to support common values and policies – the Committees of CDCPP, CDMSI, CAHAMA, EPAS, MG-S-ROM (the last four fall into the domain of culture in Estonia) as well as the networks of Compendium, Herein, Eurimages and European Audiovisual Observatory, etc. In addition, Estonia participates actively in more than 15 international organizations and forums in the field of culture, including ones on the European level (for example, Nordic-Baltic Mobility Programme for Culture, European Forum for Architectural Policies, etc). As a member to the European Union, Estonia also participates in the processes and activities coordinated on the European Union level (for example, European Capitals of Culture initiative, European Heritage Label).

Estonian law in the field of cultural heritage is in accordance with the Council of Europe's principles (see p. 4-6, 11 in questionnaire). Estonia organizes European Heritage Days in Estonia.

Estonia has bilateral co-operation agreements and programmes with more than 40 countries (including with 24 that are members to the Council of Europe) with the aim to get better acquainted with one another's culture as well as to promote co-operation. Estonia also has 6 cultural attachés in Europe to promote Estonian language and culture abroad as well as to develop bilateral co-operation.

Estonia has adopted Estonian language development plan (active version 2011-2017, coordinated by the Estonian Ministry of Education and Research) which covers different areas, for example Estonian abroad, and multilingualism, including teaching and studying foreign languages. The Programme of Academic Studies of the Estonian Language and Culture Abroad supports the teaching of Estonian in higher education institutions abroad. For this purpose, Estonian Institute together with Estonian Ministry of Education and Research has created a network of teachers of Estonian language and culture in more than 30 universities across the world, of which 28 universities are in the Council of Europe's member states. Universities also have summer courses for Estonian language and culture in Estonia. Estonian foreign language strategy aims at: stimulating interest among Estonians to study foreign languages; expanding the range of options of studying foreign languages through learning techniques, venues and choice of languages taught; improving the quality of language studies in formal and informal education; ensuring the quality of foreign language teachers training; diversifying opportunities for assessment of language skills.

For Estonia, it is important in general that Estonian culture is visible and active on the international level, both in the form of cultural exchange and co-operation as well as cultural export. Therefore different support programmes and means (for example, programme Estonian culture abroad, Cultural Endowment of Estonia) have been developed to accelerate and support the mobility of Estonian artists.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes, 23 January 1970.**

If yes, do you encounter any problems in its application? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

We consider that the work plans of the respective steering committee (currently the CDCPP) to represent the implementation of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

As the Convention contains few specific obligations, it provides a framework for European cultural cooperation. This spirit is reflected in a number of national measures and policies.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

La France a signé le 19/12/1954 la convention culturelle européenne et l'a ratifiée le 19/03/1955.

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Soixante ans après son entrée en vigueur, la Convention culturelle européenne garde toute sa pertinence et son actualité. Elle affirme en effet que la compréhension mutuelle entre les peuples permet de progresser vers une union plus étroite entre ses membres et qu'à cette fin la culture à un rôle spécifique à jouer. Son Article 1er engage donc les Parties signataires à «sauvegarder leur apport au patrimoine culturel commun et à en encourager le développement».

En ce sens la convention affirme clairement le lien entre les objectifs du Conseil de l'Europe et la culture, lien toujours valide et qui justifie la place que doit conserver le patrimoine et la culture au sein des priorités du Conseil.

Les modalités d'intervention des Parties ainsi que les instruments de la coopération se doivent cependant d'évoluer et de tenir compte des changements considérables de la société européenne depuis la rédaction de la convention, qu'il s'agisse des outils existant (numérique notamment) ou des exigences en matière d'évaluation des politiques publiques.

Ainsi les ministres chargés de la culture du CdE qui se sont réunis en avril 2013 à Moscou ont-ils décidé la mise en place d'indicateurs pour mesurer les répercussions des activités culturelles sur la démocratie et les bénéfices économiques du financement de la culture.

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Les Etats signataires de la convention se sont engagés à sauvegarder son apport au patrimoine commun de l'Europe, à favoriser l'apprentissage des langues et des civilisations tierces sur son territoire et de sa propre langue à l'étranger, de faciliter la mobilité des personnes à cette fin.

La France est très attachée aux objectifs de cette convention. Elle participe ainsi, aux côtés d'autres Etats du Conseil de l'Europe à des itinéraires culturels mettant en valeur la continuité culturelle entre les peuples européens. Elle a rendu obligatoire l'apprentissage de deux langues vivantes au collège et au lycée. En pays tiers elle encourage l'apprentissage de sa langue et de sa culture à travers le réseau des Instituts français et des Alliances françaises.

Le Ministère de la culture et de la communication a mis en place depuis plusieurs années des programmes d'accueil de professionnels étrangers pour des stages de courte ou de moyenne durée qui permettent des échanges entre professionnels du patrimoine et de la culture.

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply.

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Among others: promotion of cultural heritage. In 2015, Germany will host the 39th session of the World Heritage Committee

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has ratified the Convention with Law 4194/1961 (Government Gazette A 166/19.9.1961).

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

At present, there is no consideration of withdrawing the declarations made by Greece.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The European Cultural Centre of Delphi (ECCD) founded in March 1957 represents a unique case of peripheral organization whose aim, according to its founding law, is to "serve international cultural interests" and "develop common cultural principles that will unite the peoples of Europe" through the "publication of studies on European culture, the organization of cultural assemblies and other artistic activities...". Since 1962 the Delphic Centre is placed under the auspices of the Council of Europe, following a decision by the Committee of the Foreign Affairs Ministers of the member states.

President of the Administration Council is Rector (Academy of Paris) Helene Ahrweiler, President of the University of Europe a UNICEF, Goodwill Ambassador for Greece and the first woman President of the University of Sorbonne-I. She is a corresponding member of the British Academy, the Academy of Athens, the Berlin Academy, the Bulgarian Academy, and an associated member of the Royal Academy of Brussels. From February 1989 to August 1991, she was president of the Pompidou Centre. She holds a number of honorary doctorates, and has received numerous decorations from the French government. Moreover, three of the twelve members of the Administration Council of the Delphic Centre are appointed by the Secretary General of the Council of Europe.

ECCD, in the framework of its attempts to promote the Greek language, has included in its cultural activities a series of seminars of continuous training for Secondary School teachers of the European countries, for the teaching of ancient Greek language and culture. The programme also includes teaching of the ancient Greek language by means of computers. The programmes are considered as of major national, European and universal character because the ancient Greek language is a common cultural heritage for the European tradition. The seminars are organised by the E.C.C.D. on an annual base with the participation of about 50 trainees each time. Trainers are university professors of Classical Studies and Research Centres, from both at home and abroad.

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, Hungary ratified the Convention on the 16th of November 1989. It shall be noted that Hungary was the first Eastern European country that was accepted as a Member State by the Council of Europe.

If yes, do you encounter any problems in its application? —

Hungary does not have any problems in its application.

2. If you have made declarations or reservations, do you intend to withdraw them? —

3. If you have not ratified the Convention, do you intend to ratify it?—

If you do not want to ratify the Convention, what are the major reasons for not doing so? —

4. Do you have any suggestions about the implementation of the Convention?

Recently, the Convention's content has a more important message than ever to share, concerning fostering the understanding and acceptance of other nation's culture in particular. This is why Hungary is convinced that public awareness should be raised to a greater extent about this Convention's regulations.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In the spirit of the European Cultural Convention, Hungary became Party to several European conventions.

As for Article 4 of the Convention, Hungary has been particularly committed in the field of collections' mobility, a programme elaborated by the Member States of the European Union, in order to grant access to the widest public to Europe's common cultural heritage.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 19.12.1954, ratified 16.05.1957**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? **None**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Policies and actions in Italy are consistent with the principles, spirit and goals of the European Cultural Convention

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The national legislation is conformed to the terms of convention.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Signé et ratifié**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Elaboration d'une nouvelle législation

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The spirit of the convention is implemented through the Cultural Heritage Act, the Malta Environment and Planning Act, and through Malta Council for Culture and the Arts Act, as well as through various other national legal and policy instruments.

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? - **Yes, Moldova ratified the convention on 24/5/1994.**

If yes, do you encounter any problems in its application?

The Republic of Moldova doesn't encounter important problems in applying CETS 18. However, it is sometimes difficult to implement the main provisions of the European Cultural Conventions due to the lack of financial resources, and therefore the Moldovan authorities can't take full advantage of intercultural exchanges and promote the Moldovan culture abroad.

2. If you have made declarations or reservations, do you intend to withdraw them?

The Republic of Moldova hasn't made any declarations or reservations regarding CETS 18

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Given the fact that this Convention is a general one and refers to various means of promoting European cultural values and the protection of cultural diversity and cultural exchanges, its implementation should depend on more international mobility programs and European projects. Moreover, we consider that there is a vital necessity of financing more language learning programs, and establishing platforms of intercultural dialogue and exchange.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

National institutions have a key role to play and an important responsibility to enhance policies for culture and education, which not only encourage the development of employment-oriented competences, but also promote ethical and political values in line with the main aims of the Council of Europe conventions. Ministry of Culture of the Republic of Moldova has a vast range of actions and policies which correspond to the spirit and goals of the Convention.

The Government of Republic of Moldova has also encouraged mobility for cultural purposes by bilateral and other multilateral programmes/agreements and general measures for freedom of movement.

The Convention set the goal of the peaceful harmony of diverse cultures against a background of apparently stable and distinct national identities, and of political division along a left-right axis. Given the fact that almost 25% of Moldovans are ethnic minorities, there is a predilection for promoting their languages and cultures. In this way, the Russian, Bulgarian and other cultures are very present in Moldova's cultural policies.

The educational policies promote the European languages. There is also a tendency in promoting common cultural events as in other CoE countries, such as the European Heritage Days or the European Night of the Museums. Every year in September, all national cultural institutions take part in the event, with thousands of visitors to hundreds of monuments and sites. The mere opening of the monuments and sites – especially those usually closed to the public has given place to a real programme of cultural action which encourages access to the heritage in all its forms. It increases the

public awareness of cultural heritage, its democratic dimension and the need to protect it. The Days also make an important contribution to the idea of multicultural citizenship.

Republic of Moldova also promotes actions and policies regarding the improvement of its own culture on the European arena.

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Depuis 1994, date à laquelle elle a signé la convention culturelle européenne, la Principauté participe à des projets culturels de dimension européenne tels que la **Journée Européenne du Patrimoine**, qu'elle organise depuis 1996. Cette manifestation qui attire des visiteurs locaux ainsi qu'issus des pays voisins (France ; Italie) connaît chaque année un franc succès. De 25.000 à 30.000 entrées sont enregistrées à chaque édition dans les sites participants.

Des itinéraires transfrontaliers permettant de mettre en avant le patrimoine commun entre la Principauté et les Etats voisins sont également organisés la veille de chaque édition.

Chaque année, la Principauté s'efforce de mettre à jour sa contribution au « **Compendium des politiques culturelles** » afin d'assurer le suivi des informations la concernant.

A plusieurs reprises, des contributions volontaires ont été versées par la Principauté afin de soutenir le développement du programme **HEREIN**.

Enfin, depuis 2013, Monaco est membre **de l'accord partiel élargi sur les itinéraires culturels**.

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

This is one of the eldest CoE conventions. (Still) very useful because of its principles and of great use as an umbrella for cultural activities/initiatives.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes.**

If yes, do you encounter any problems in its application? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them? **N/A**

3. If you have not ratified the Convention, do you intend to ratify it? **N/A**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Norwegian cultural policy is considered to be in line with the spirit and goals of the Convention.

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X? **Yes, it was ratified on 16 Nov. 1989**

If yes, do you encounter any problems in its application? **No, there is no such evidence**

2. If you have made declarations or reservations, do you intend to withdraw them? **Not applicable**

3. If you have not ratified the Convention X, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so? **Not applicable**

4. Do you have any suggestions about the implementation of the Convention X? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X?

It is a very framework document which is basic for the cultural co-operation in Europe. It serves as a suitable reference for any kind of international cultural exchange.

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Portugal became a Member State of the European Council following ratification of the Convention in 1976. Within the terms of this Convention, it is up to Camões – Instituto de Cooperação e da Língua IP, among other responsibilities, to promote, coordinate and conduct Portuguese language courses and other cultural initiatives, as well as to liaise with universities so as to develop systems of assessment and certification of didactic and pedagogical skills for teaching and learning the Portuguese language and culture.

We find that the merging of different Expert Committees into the CDCPP highly compromised coordination between Contracting Parties in what concerns application of the provisions of the present Convention, namely its article 6.

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The goals of the Convention are reflected in the Culture Development Strategy of the Slovak Republic for 2014 – 2020 and have been elaborated in its Action Plan for 2015 – 2017.

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Ratification date (succession): 2. 7. 1992; entry into force: 2. 7. 1992

If yes, do you encounter any problems in its application? No.

2. If you have made declarations or reservations, do you intend to withdraw them? No.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

A new National Programme for Culture 2014 – 2017 (NPC) which was adopted in 2013 by the National Assembly at the proposal of the Government contains development goals and measures which correspond to the spirit and goals of the Convention. It goes in the direction of a full-scale renovation of the Slovenian cultural policy model, in such a way that encourages creativity in all possible ways and gives it a central status within the Slovenian cultural policy, it also stresses the importance of general accessibility to culture, the value of cultural education and importance of cultural diversity.

The new NPC considers a systematic and organised promotion of Slovenian culture abroad with envisaged measures focused on the following: to enhance Slovenian artists' opportunities for international mobility with thematic presentations in targeted and strategic geographical areas; to establish artist-in-residence programmes abroad; to promote Slovenian cultural and creative industries, and to publicise important events and dates.

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire :

6. Avez-vous signé et/ou ratifié la Convention ? **OUI**

Si oui, rencontrez-vous des problèmes quant à son application ? **NON**

7. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

NON, la réserve ci-après devrait être maintenue à long terme : « En raison de la structure fédérative de la Suisse et notamment de la compétence des cantons en matière d'éducation et de culture, telle qu'elle découle de la Constitution fédérale, ladite compétence est réservée quant à l'application de la Convention par la Suisse.

8. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

9. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

10. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

Oui, la politique culturelle de la Confédération est pleinement alignée sur les objectifs de la Convention, notamment en termes de dialogue interculturel et de la protection du patrimoine et de la diversité culturelle. Les échanges culturels et artistiques et la circulation d'objets de valeur culturelle sont notamment facilités par les activités de la Fondation suisse pour la culture Pro Helvetia et par la mise en œuvre de la Convention de l'UNESCO de 1970, caractérisée en Suisse par l'adoption ultérieure de la Loi fédérale sur le transfert international des biens culturels (LTBC, RS 444.1). Pour de plus amples informations, prière de consulter les bases stratégiques de la politique culturelle de la Confédération suisse pour la prochaine période de financement 2016-2020 : <http://www.admin.ch/opc/fr/federal-gazette/2015/461.pdf>

TURKEY / TURQUIE

Answered by Ministry of Culture and Tourism, General Directorate for Cultural Heritage and Museums

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

European Cultural Convention, dated 1954 (CETS 18) was signed and approved by our country; and no annotation was attached.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The foreign researchers who want to carry out scientific studies in the museums of our country, are helped and facilitated and, cooperation with such international organizations in the field of museology as International Council of Museums (ICOM), and European Museum Forum (EMF) are provided in accordance with the provisions of the Convention issued in order to promote the studies in the fields of culture, history and language and to improve the cultural activities between the contracting states .

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed 19/12/1954, ratified 5/5/1955.

If yes, do you encounter any problems in its application?

No. Application started the same date the Convention was ratified.

2. If you have made declarations or reservations, do you intend to withdraw them?

No. Three declarations were made to extend the Convention to include Isle of Man, Gibraltar and Jersey.

3. If you have not ratified the Convention, do you intend to ratify it? N/A

If you do not want to ratify the Convention, what are the major reasons for not doing so? N/A

4. Do you have any suggestions about the implementation of the Convention? No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The UK Department for Culture, Media and Sport (DCMS) supports these objectives through our value of culture program, in which we are bringing together evidence on the social, cultural and economic benefits of culture, and communicating these benefits through Ministerial speeches. We also have a UK City hosting the European Capital of Culture competition in 2023: an initiative that highlights the cultural diversity within Europe and fosters the contribution that culture can make to cities.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

La Convention a été signée et ratifiée le 10 décembre 1962

Si oui, rencontrez-vous des problèmes quant à son application ? **NON**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **AUCUNE RÉSERVE**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

PAS PARTICULIEREMENT

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

LE SAINT-SIÈGE EST UN DEFENSEUR DE LA DIGNITÉ DES PERSONNES HUMAINES, PROMOTEUR DU RESPECT DE LA DIVERSITÉ CULTURELLE ET DU DIALOGUE DES CULTURES. IL NE CESSE DE METTRE LUI-MÊME EN DIALOGUE LA FOI DE L'EVANGILE AVEC LES CULTURES DU MONDE.

2) European Convention on the Protection of the Archaeological Heritage (CETS 66)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Ratification 1974, Denunciation 2014**

If yes, do you encounter any problems in its application?

Denunciation because of ratification of the European Convention on the Protection of the Archaeological Heritage (Revised) in 2015.

2. If you have made declarations or reservations, do you intend to withdraw them?

When ratifying the Convention in 1974 Austria considered that the provisions of Article 6, paragraph 2 (a) were not applicable on its territory whenever, by the acquisition of the objects mentioned in that provision by museums and institutions subject to the control of public authorities, such objects could be saved from decay or destruction and placed under public surveillance or State protection.

Austria denounced the Convention on 27 November 2014, with effect on 28 May 2015.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See European Convention on the Protection of the Archaeological Heritage (Revised)

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, but replaced by European Convention on the Protection of the Archaeological Heritage (Revised) (CETS 143).

If yes, do you encounter any problems in its application? /

2. If you have made declarations or reservations, do you intend to withdraw them? /

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so? /

4. Do you have any suggestions about the implementation of the Convention? /

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since March 1995.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

No, our opinion is that the Convention has been an outright success. However, we would like to see more funds allocated for archaeological heritage in Bosnia and Herzegovina provided by all levels of the Government. Also, it shall raise public awareness of the historical and cultural value of the archaeological heritage and the necessity of its preservation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Federal Ministry of Culture and Sports and the Institute for Protection of Monuments of Federation of Bosnia and Herzegovina regulates the archaeological researches in accordance with the goals of the Convention. All our actions correspond to the spirit and goals of the Convention.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, it was signed in 2001 and ratified in 2004.

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

No we don't have.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes we did - The Law on the protection of cultural heritage and The Book of rules for archaeological excavations.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them?

We have no reservations.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **NO**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

To the Strategies of Culture which are produced by the Ministry of Culture.

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**
2. If you have made declarations or reservations, do you intend to withdraw them?
3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Estonia has ratified the revised convention (see p. 6 in questionnaire).

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

These are being done under the revised convention (see p. 6 in questionnaire).

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Finland did not join the convention, and no need for signing / ratifying the convention was seen, as the convention was revised. In the case of the revised convention (CETS 143), Finland was however among the first four countries to ratify the convention (1994), in order to promote its entry into force (1995).

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See our replies in 6.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui ratifiée le 03/07/1972**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Cette convention sera prise en compte dans le projet de loi sur la création, l'architecture et le patrimoine qui devrait être présenté en 2015

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply.

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

(see: question 6 / CETS 143)

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

If yes, do you encounter any problems in its application? -

2. If you have made declarations or reservations, do you intend to withdraw them? -

3. If you have not ratified the Convention, do you intend to ratify it?

Hungary has ratified the Revised European Convention on the Protection of the Archaeological Heritage in 2000.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Hungary has ratified the Revised European Convention on the Protection of the Archaeological Heritage in 2000.

4. Do you have any suggestions about the implementation of the Convention? -

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention? -

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 16.05.1969, ratified 16.09.1974**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them? **None**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so? //

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

We are now rather focusing rather on the Convention on the Protection of the Archaeological Heritage (Revised) (CETS 143)

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Latvia has ratified European Convention on the Protection of the Archaeological Heritage (Revised) (CETS 143), which covers the issues important for integration in national legislation regarding preservation of archaeological heritage; therefore experts do not see any grounds for ratifying this convention.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Convention has been replaced by the Valletta Convention CETS 143

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X?

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? **Not applicable**

3. If you have not ratified the Convention X, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

*Poland ratified revised *Convention on the Protection of the Archaeological Heritage* (CETS 143) so there is no need to ratify its older version.*

4. Do you have any suggestions about the implementation of the Convention X? **Not applicable**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X? **Not applicable**

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, but it was denounced in 2011 when Portugal ratified the revised Convention.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

Ratified and published in collection of laws No. 344/2001 Coll.

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention , do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? No

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The performance of state administration related to monument protection directly pursues the goals of protection stipulated in the Convention

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Ratification date (succession): 2.7.1992; entry into force: 3.10.1992

If yes, do you encounter any problems in its application?

National and Cultural Heritage Act (Official Gazette of the Socialist Republic of Slovenia, no. 1/1981, 42/1986 and Official Gazette of the Republic of Slovenia, no. 8/1990) covered and implemented Convention's provisions in its entirety – no serious issues have generally been encountered in its application.

Article 16: archaeological sites and objects in public collections as scheduled cultural monuments.

Article 23: national registry/inventory of (archaeological) immovable and movable monuments.

Article 24: obligation to mark (archaeological) monuments in land register.

Article 53: public ownership of archaeological objects, discovered in/on the ground and in the water; obligation to report chance/accidental finds, suspension of (construction) interventions on newly discovered sites.

Article 54: provisions regarding execution and financing of rescue/preventive archaeological research.

Article 55: definition and extent of rescue/preventive archaeological research and decision about the use of the site upon its conclusion.

Article 56: provisions regarding qualified public institutions and/or persons with authorization; public body in charge of issuing permits and the outline of their content.

2. If you have made declarations or reservations, do you intend to withdraw them? No.

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so? /

4. Do you have any suggestions about the implementation of the Convention?

See below (European Convention on the Protection of the Archaeological Heritage (Revised)).

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See below (European Convention on the Protection of the Archaeological Heritage (Revised)).

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes and No. Ratified in 17/3/1975 and Denounced 11/10/1995.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire : *Voir réponses proposées sous Convention révisée*

TURKEY / TURQUIE

Answered by Ministry of Culture and Tourism, General Directorate for Cultural Heritage and Museums

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

European Convention on the Protection of the Archaeological Heritage, dated 1969 (CETS 66) was neither signed nor approved by our country; and no annotation was attached

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In accordance with the related provisions of the Code of Protection of Cultural and Natural Properties numbered 2863, illegal excavations were subjected to serious penal sanctioning; and with the same Code, it was declared that the right of publication would be taken from the directorship of excavation and transferred to our Ministry if the scientific excavation findings were not published within 5 years by the directorship of excavation in accordance with the provisions of the Convention issued to prevent illegal excavations in the contracting countries, museums' rejecting the archaeological findings brought from other countries illegally, recording the information about the archaeological findings and conducting studies for dissemination via scientific publications. Also, in accordance with the Clause 2 (a) of the Article 4 of the Convention, our Directorate General continues its national museum inventory work. In respect of the cultural properties which are of foreign origin brought to our museums without any document authorizing their export or purchase, proceedings are started in accordance with the provisions of Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, of which our country is a party, dated 1970.

UNITED KINGDOM / ROYAUME UNI

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed 6/5/1969, ratified 8/12/1972

If yes, do you encounter any problems in its application?

No. Entry in to force 9/3/1973.

2. If you have made declarations or reservations, do you intend to withdraw them?

No. One declaration extended the Convention to include Jersey and the Isle of Man.

3. If you have not ratified the Convention, do you intend to ratify it? N/A

If you do not want to ratify the Convention, what are the major reasons for not doing so? N/A

4. Do you have any suggestions about the implementation of the Convention? No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Relevant UK legislation and policy includes:

- the Ancient Monuments and Archaeological Areas Act 1979 and the Treasure Act 1996;
- the National Planning Policy Framework (2012), National Policy Statements (various), the National Planning Policy for Waste (2014) and the Marine Policy Statement (2011);
- Environmental stewardship schemes.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

La Convention a été signée et ratifiée le 17 mai 1972, et dénoncée le 6 mai 1999.

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

3) Convention on the Conservation of European Wildlife and Natural Habitats (CETS 104)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes (ratification 1983).**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

Austria did not make any declarations or reservations

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Intensify implementation in Non-EU- countries, which are signatory states of the Bern convention

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Actions or policies correspond mainly to the EU-Nature Directives - FFH- and Birds-Directive - or to MoUs or resolutions within CMS

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

The main problem in their application is that the provisions of the Convention are not fully incorporated into the RS legislation. The Nature Protection Law (Official Gazette of RS, No. 20/14) only in part accepted the provisions of the aforementioned Conventions and they are applied in this sense. In addition, one of the most important issues concerning the application is the lack of human, material and technical capacities.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Devising effective ways of raising awareness of the importance of cultural and natural heritage for the operation and sustainability of the whole society, especially in government and public institutions whose decisions and actions affect the heritage protection. Also, the sanctions for violation of heritage protection legislation should be applied consistently, so adequate proposals would contribute to better implementation of protection in this regard, and thus the provisions of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Nature Protection Law (Official Gazette of RS, No. 20/14) only in part accepted the provisions of the aforementioned Conventions and they are applied in this sense. The Ministry of Spatial Planning, Civil Engineering and Ecology, through a range of its activities, developed a GAP analysis of the compliance of the Nature Protection Law with the EU legislation. In addition, there were activities in the past that are related to:

- identification of proposals of potential areas of European importance as a base to develop the National Ecological Network;
- development of a database of evaluated areas;
- preparation of legislation proposals to protect habitats and species of European importance;

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

We signed the Convention on 3rd November 1999 and ratified on 3rd July 2000; the Convention entered into force on 1st November 2000.

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

Reservations are contained in the instrument of ratification deposited on 3rd July 2000:
Pursuant to the provisions of paragraph 1 of the Article 22, the Republic of Croatia made the following reservations relating to Articles 5, 6 and 7 of the Convention:
Appendix I

- *Salvinia natans*: protection not to be implemented on fish farms.
- *Trapa natans*: protection not to be implemented on fish farms.
- *Rheum rhaponticum*.

Appendix II

To be considered a species mentioned in Appendix III:

- *Felis silvestris*
- *Ursus arctos*
- *Vipera ammodytes*

Appendix III

- *Paracentrotus lividus*

From the date of the entry of the Republic of Croatia into the European Union, species *Felis silvestris*, *Ursus arctos* and *Vipera ammodytes* are strictly protected in accordance with the EU Council Directive 92/43/EEC of 21st May 1992 on the conservation of natural habitats and of wild fauna and flora. In this regard, Croatia plans to withdraw the reservation for these species.

3. If you have not ratified the Convention, do you intend to ratify it?

The Republic of Croatia ratified the Convention on 3rd July 2000.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Republic of Croatia implemented actions and policies outlined in the EU Council Directive 92/43/EEC of 21st May 1992 on the conservation of natural habitats and of wild fauna and flora and the EU Directive 2009/147/EC of the European Parliament and of the Council of 30th November 2009 on the conservation of wild birds, which corresponds to the spirit and goals of the Bern Convention.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application?

Due to unfortunate mistake Estonia did not apply for reservations stated in the article 22 of the convention when joining the convention. We do have some exceptions from the Habitats Directive 92/43 to the species of *Castor fiber*, *Canis lupus*, *Ursus arctos*, *Lynx lynx* and *Lampetra planeri*. As annexes of Habitats Directive and Bern Convention do not require the same protection measures to the same species, the main conflict for Estonia is the protection of wolves (*Canis lupus*). In the Habitats Directive Estonian wolves population is in the annex V, which allows the species to be managed and exploited in a sustainable manner. In the Bern convention the wolves are in annex II as a strictly protected species, which means we can use only derogations to manage the population.

2. If you have made declarations or reservations, do you intend to withdraw them? **NO**

3. If you have not ratified the Convention, do you intend to ratify it?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Estonian Nature Conservation Policies are in agreement with the Bern Convention. Also the implementation of Habitats and Birds Directive as well as international agreements like Convention of Biological Diversity, Convention of Migratory Species and Ramsar Convention of Wetlands support the implementation of Bern Convention.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, 21 March 1986, took effect 1 April 1986

If yes, do you encounter any problems in its application?

No, but required a long and political preparation of a legislative proposal to the government.

2. If you have made declarations or reservations, do you intend to withdraw them?

At this moment no, but in practice the wolf and bear are protected according to the Hunting Act and the goshawk based on the Nature Conservation Act. The tundra vole and the viper are still unprotected.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The synergy with the habitat and bird directive in particular in the implementation and derogation reports.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, the spirit and goals of the convention are observed in the nature conservation and hunting act and other legislation related to the environment.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has ratified the Convention with Law 1135/1983 (Government Gazette 32/A/1983).

If yes, do you encounter any problems in its application?

So far, we do not encounter any problems in implementing the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

At present, there is no consideration of withdrawing the reservations made by Greece.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention has been adopted by the European Union by Directives 92/43 CEE and 2009/147 EC. Greece, as a member of the EU takes a series of actions and implements relevant policies in the abovementioned framework among which the classification of Natura 2000 sites as protected areas (Law 3937/2011, Government Gazette 60/A/31.3.2011).

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? Signed 19.09.1979, ratified 11.02.1982

If yes, do you encounter any problems in its application?

Competence on this is not anymore in the remit of the Ministry for cultural heritage, cultural activities and tourism, but rather falls under the Ministry for environment

2. If you have made declarations or reservations, do you intend to withdraw them? None

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention) was ratified by Saeima on 17. December 1996 and instrument of ratification deposited on 23 January 1997

If yes, do you encounter any problems in its application?

No serious problems in Bern Convention application.

2. If you have made declarations or reservations, do you intend to withdraw them?

Reservations contained in the instrument of ratification, deposited on 23 January 1997 in pursuance of paragraph 1 of Article 22 of the Bern Convention, the Republic of Latvia reserved the right not to apply the provisions of the Bern Convention in respect of the several species (Appendices I, II, III) and methods (Appendix IV)

No withdraw

3. If you have not ratified the Convention, do you intend to ratify it? **N/A**

If you do not want to ratify the Convention, what are the major reasons for not doing so? **N/A**

4. Do you have any suggestions about the implementation of the Convention?

No specific suggestions for well functional agreement.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

EU nature protection policy "Birds" and "Habitats" Directives correspond to spirit and goals of the Bern Convention. Natura 2000 network. Species Management Plans. Ecological networks. Habitats Reporting.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Signé et ratifié**

Si oui, rencontrez-vous des problèmes quant à son application ? **NON**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Création de zones protégées

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

Malta applies the Bern Convention, together with other multilateral environmental agreements, including EU legislation, on matters regarding wildlife and natural habitats, also through their transposition in national legislation. While generally these are applied as per obligations, some concerns do prevail; these are general matters which are widely known and are related mostly to financial and human resources limitations; limitations in scientific expertise in certain fields; limited scientific knowledge; decentralised data/information; uptake of certain objectives through other sectoral policies. Nonetheless, efforts to increase awareness have been considered, while platforms exist at the national level to bridge gaps and promote consensus on key issues amongst all stakeholders.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Not applicable.**

If you do not want to ratify the Convention, what are the major reasons for not doing so? **Not applicable.**

4. Do you have any suggestions about the implementation of the Convention?

Malta welcomes the synergies being considered with other regional legislation (e.g. with the EU Nature Directives when considering site designation and derogation reporting) and any future initiatives in this regard.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, Malta implements various actions and policies in this regard. For information reference is made to Malta's National Biodiversity Strategy and Action Plan (<https://www.cbd.int/doc/world/mt/mt-nbsap-01-en.pdf>), and Malta's Fifth National Report submitted to the Secretariat of the Convention on Biological Diversity (<https://www.cbd.int/doc/world/mt/mt-nr-05-en.pdf>); as well as to the websites of the Ministry for Sustainable Development, the Environment and Climate Change (<https://environment.gov.mt/en/Pages/mdsec%20main.aspx>), the Wild Birds Regulation Unit (<https://environment.gov.mt/en/Pages/WBRU/Wild-Birds-Regulation-Unit.aspx>) and the Malta Environment and Planning Authority (<http://www.mepa.org.mt/biodiversity>; <http://www.mepa.org.mt/impnatareas>).

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Moldova has ratified the Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 1979) by Decision no. 1546 - XII of 06.23.93 of the Moldovan Parliament.

If yes, do you encounter any problems in its application?

A major impediment to the implementation of the Convention is the lack of financial resources and limited institutional framework.

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Over the next six years the Republic of Moldova should harmonize national legislation to the provisions of the Directive 2009/147/EC on the conservation of wild birds and Directive 92/43/EC on the conservation of natural habitats and of wild fauna and flora as amended by Directive 97/62/EC, 2006/105/EC and Regulation (EC) 1882/2003.

The following provisions shall be applicable:

- assessment of bird species requiring special conservation measures and regularly occurring migratory species;
- identification and designation of special protection areas for bird species (art. 4.1);
- establishment of special conservation measures to protect regularly occurring migratory species (art. 4.2);
- establishment of a general system of protection for all wild bird species of which the hunted species are a special subset and prohibition of certain types of capture/killing (art. 5, 6, 7, 8, 9.1 and 9.2);
- preparation of inventory of sites, designation of these sites and establishment of the priorities for their management (including completion of the inventory of potential Emerald sites and establishment of protection and management measures for these sites) (art. 4);
- establishment of measures required for the protection of such sites (art. 6);
- establishment of a system to monitor conservation status of habitats and species (art. 11);
- establishment of a strict species protection regime for species listed in Annex IV as relevant for the Republic of Moldova (art. 12);
- establishment of a mechanism to promote education and general information to the public (art. 22) ;

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

I. Currently, the Republic of Moldova is participating in the implementation of two joint projects in the Danube Delta and the Lower Prut River Region.

The three-year project “Climate proofing of the Danube Delta through integrated land and water management” is implemented with the support of the International Commission for the Protection of the Danube River (ICPDR). The premise of the project is that the common approach for solving a common problem will be more effective than the individual targeted efforts of each country. After all, nature does not recognize borders and the Danube Delta represents an integrated ecosystem, albeit divided by law between the three countries.

The project goal is to lay the foundations for timely and thorough adaptation of Ukrainian, Moldovan and Romanian territories of the Danube Delta region to the conditions of the changing climate. The adaptation to the new environmental conditions must be integral and systematic and must happen at all levels, including administration, local business, municipalities and ecosystems.

A comprehensive study of the possible impact of climate change on the Danube Delta has been carried out. Based on the findings, a trans-boundary Climate Change Adaptation Strategy for the Danube Delta is developed to achieve the goal of the project. The two documents will help the governments and environmental organizations in the three countries to comprehend the general picture of the expected changes and the necessary activities to adapt the region to them. Thus, the foundations of a complex solution will be established, which will be more effective than separate actions for climate adaptation.

One of the effective adaptation measures may be the restoration of the wetlands in the Danube Delta which have been significantly destroyed in the past 50 years. Wetlands represent a natural buffer system, which can adapt to changes and mitigate the impact of severe weather conditions. They help water purification, increase soil fertility, act as “kindergartens” for juveniles of valuable fish stocks and help the regulation of the water levels of the Danube. The project includes a model restoration of wetlands within the Ukrainian part of the Danube Delta.

The training of qualified staff is an important part of the project. Thematic trainings will be carried out which will help the local administration, municipal governors, businesses, farmers and fishermen to understand the possible meaning of climate change for the region and how the new environmental conditions may become beneficial.

An extensive awareness raising campaign about climate change adaptation, which will be carried out in 20 settlements of the region, will demonstrate to local people ways to solve climate related issues for the benefit of the region.

The Project „Consolidation of the nature protected areas’ network for biodiversity protection and sustainable development in the Danube Delta (DD) and Lower Prut River Region (LPRR) – PAN Nature ” is financed by EU under Joint Operational Programme Romania – Ukraine – Republic of Moldova 2007- 2013.

The Overall objective(s) of the project is to reduce the loss of biodiversity and to improve the local people’s livelihoods through introducing an integrated approach to the management of natural resources in the transboundary DD and LPRR, and strengthening community involvement in the sustainable development of the region.

Specific objectives of the project:

- To improve institutional framework for the transboundary management of protected areas in the region by fostering activities of the Joint Trilateral Commission (JTC);
- To assist MD with establishing a Biosphere Reserve in the Lower Prut area;
- To extend protected areas in the UA part of the DD and make a pilot rehabilitation of degraded wetland ecosystems;
- To strengthen cooperation in the management of “DD” Cross-Border Biosphere Reserve (RO/UA);
- To set up a joint fire prevention and warning system in the “DD” Cross-Border Biosphere Reserve .

II. Also, the Republic of Moldova is participating in the implementation European Union – Council of Europe Joint Programme for the preparation of the Emerald Network of Nature Protection Sites, phase II.

The current project provides assistance to seven target countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, the Russian Federation and Ukraine) in assessing their natural resources, in identifying species and habitats to protect and in selecting the potential sites suitable for ensuring the long-term survival of the species protected by the Bern Convention.

This project proposal builds on the results achieved during the Council of Europe/European Union Joint Programme called “Support for the implementation of the Convention on Biological Diversity Programme of Work on Protected Areas in the EU Neighborhood Policy East area and Russia: extension of the implementation of the EU’s NATURA 2000 principles through the Emerald Network”, successfully implemented in the period 2009-2012 (DCI-ENV/2008/149-825).

Its overall objectives were to extend the philosophy and methodology of Natura 2000 to 7 target countries from Central and Eastern Europe and the South Caucasus, promoting the Bern Convention and EU’s environmental principles in the field of habitats and species protection out of the borders of the European Union and helping these countries meeting internationally agreed commitments. The project also helped the target countries foster the exchange of information on key challenges and best practices in implementing the CBD Programme of Work on Protected Areas as well as their obligations under the Bern Convention.

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention?

The Convention was ratified by Norway 27 May 1986.

If yes, do you encounter any problems in its application?

No major problems.

2. If you have made declarations or reservations, do you intend to withdraw them?

Some reservations have been made. We do not intend to withdraw them.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

We consider this an important Convention and it is important to keep up the activities under the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, i.e. the following:

Norwegian Nature Diversity Act

Convention on Biological Diversity

Furthermore, a National Biodiversity Strategy Action Plan is currently being developed.

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X?

If yes, do you encounter any problems in its application?

Signed on 24 March 1995, ratified on 13 Sept. 1995.

The application of Berne Convention does not encounter major problems. Its provisions are in line with EU legislation – the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds and the Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

2. If you have made declarations or reservations, do you intend to withdraw them?

Poland made reservations to the Appendixes I, II and III, which are partially invalid now. However, with regard to the present state of play – Poland fully implements the provisions of the Convention – there is no need to amend the act of ratification.

3. If you have not ratified the Convention X, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Not applicable

4. Do you have any suggestions about the implementation of the Convention X?

The implementation of the Convention should still be supported by the Secretariat of the Convention. In this regard Poland is considering enhancing the works of this body through a financial contribution.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X?

The Convention was Fully implemented to the national law – the Act of 16 April 2004 on the protection of nature and other acts.

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Slovenia signed the Convention in 1998 and ratified in 1999.

If yes, do you encounter any problems in its application?

Not really, as the implementation is very close to implementation of the Bird and Habitat Directive, as well as the Convention of Biological Diversity. However, there are some difficulties regarding effective monitoring and management due to existing financial and human resources, but they are common for all international instruments in this field.

2. If you have made declarations or reservations, do you intend to withdraw them?

When signing the Bern Convention Slovenia placed a reservation concerning provisions of Art. 6 for wolf (*Canis lupus*) and brown bear (*Ursus arctos*). Actually, Slovenia is implementing by national legislation strict protection of both species and thus in reality complying Art. 6 of the Convention. There is an intention to withdraw the reservation.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Any actions that would raise the profile of the topic covered by the Convention, to get public, political and financial support for better implementation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, on several areas, in particular: conservation and management of large carnivores (brown bear, wolf, lynx), European diploma for protected areas (Triglav National Park), invasive alien species, ecological network (Natura 2000), regular co-operation with the Secretariat of the Convention.

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZELAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **OUI**

Si oui, rencontrez-vous des problèmes quant à son application ?

OUI, la stricte protection du loup imposée par la Convention pose problème : en 2004 et 2006 déjà, la Suisse a demandé faire passer le loup de la liste des « espèces de faune strictement protégées » (annexe II de la Convention de Berne) à celle des « espèces de faune protégées » (annexe III). Cette demande a été rejetée par le Comité permanent de la Convention de Berne dans sa séance annuelle à Strasbourg. La Suisse s'est appuyée sur l'article 9 de la Convention pour autoriser le tir de plusieurs loups appartenant à la population alpine (France, Italie, Suisse) qui avaient causé d'importants dégâts au bétail.

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

TURKEY / TURQUIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application?

Generally speaking, implementation of Bern Convention is achieved by national legislation. Land Hunting Law is fully compatible with the convention and it has strong sanctions. However, sometimes violations can be seen, though rarely.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Case-file system of the Bern Convention can be revised.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

As mentioned above, implementation of Land Hunting Law is compatible with the goals of the Convention.

Next year, Turkey will launch its Species Conservation Strategy, which is also in line with the spirit of the Convention.

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed 19/9/1979. Ratified 28/5/1982

If yes, do you encounter any problems in its application?

No. Entry in to force 1/9/1982.

2. If you have made declarations or reservations, do you intend to withdraw them?

No. Reservations made at the time of deposit in respect of the prohibitions listed in Appendix IV. Objection 25/2/1988 to the inclusion in Appendix II of the two species *Coenagrion mercurial* and *Euphydras aurinia* as protected species.

Three declarations extended the Convention to the Isle of Man, Cyprus and Jersey.

3. If you have not ratified the Convention, do you intend to ratify it? N/A

If you do not want to ratify the Convention, what are the major reasons for not doing so? N/A

4. Do you have any suggestions about the implementation of the Convention? No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In 1979 the Convention was the forerunner and major influence on subsequent instruments of like content, in particular the EU Directives. Domestic nature conservation legislation is in place to enable the UK to discharge its obligations under the EU Habitats and Wild Birds Directives which often require similar, if not stronger actions to conserve species and habitats. Bern has the additional benefit of bringing in other non-EU European states and a small number of African range states bordering the Mediterranean giving a wider geographical coverage for conservation action.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

LE SAINT-SIEGE S'IMPLIQUE DANS TOUT CE QUI PEUT CONTRIBUER À LA PRISE DE CONSCIENCE ET L'EDUCATION AU NECESSAIRE RESPECT DE LA NATURE.

4) The European Convention on Offenses relating to Cultural Property (CETS 119)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Presently, no intention**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Austria shares the concerns of protection of cultural heritage against unlawful losses. A number of legal acts refer to this challenge (Heritage Protection Law (BGBl I 170/1999), Federal Law to Return Cultural Objects Unlawfully Removed (Federal Law Gazette I No. 67/1998 as amended), EU Directive 93 / 7 / EEC).

Currently, Austria is in the process of ratifying the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

No, Bosnia and Herzegovina has not ratified the Convention yet.

2. If you have made declarations or reservations, do you intend to withdraw them? -

3. If you have not ratified the Convention, do you intend to ratify it?

Federal Ministry of Culture and Sports has an opinion that Bosnia and Herzegovina shall ratify the Convention, especially as it is based on the concept of common responsibility and solidarity in the protection of European cultural heritage and aims to protect cultural property against criminal activities. Activities for ratification have to be undertaken by the state level authority.

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention? -

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No, we did not ratify this Convention.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We find it overcome and obsolete

4. Do you have any suggestions about the implementation of the Convention? **NO**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Estonian cultural heritage policy and criminal law is satisfactory on the subject. The relevant legislation is: Heritage Conservation Act, which together with Law Enforcement Act and Penal Code covers the subject on domestic level. Additionally, there are Intra-Community Transport, Export and Import of Cultural Objects Act, and Act on the Return of Cultural Objects Unlawfully Removed from the Territory of a Member State of the European Union in effect (based on EU directive). Estonia has also ratified the Hague convention and its 2 protocols.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See answer in p. 3.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has neither signed nor ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

As no Member State has so far ratified the Convention, it has not yet entered into force. Therefore, Germany does not intend to sign the Convention at present.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has signed the Convention since its opening (Delphi, 1985) but has not proceeded to its ratification.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Hungary has not signed and/or ratified the Convention yet.

If yes, do you encounter any problems in its application? —

2. If you have made declarations or reservations, do you intend to withdraw them? —

3. If you have not ratified the Convention, do you intend to ratify it?

Yes, however it must be taken into consideration that the Convention has never come into force.

We are considering the ratification of the Convention because it is an excellently drafted one by governmental experts and widely applicable for criminal offences relating to cultural properties.

On behalf of Hungary, the ratification of the Convention would be reasonable as we have become Party to all universal conventions on the international protection of cultural property.

If you do not want to ratify the Convention, what are the major reasons for not doing so? —

4. Do you have any suggestions about the implementation of the Convention?

Considering that it was drafted in 1985, we think that the Convention was ahead of its time and because of that it should be looked at anew in view of subsequent developments (e.g. harmonizing with other Conventions established later on). It would be particularly welcome if the Council of Europe and governmental experts would revise the text of the Convention and would encourage Member States to elaborate necessary legal and professional measures in favor of its efficient implementation. Raising public awareness would be amongst these measures.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? Signed 30/7/1985, but never ratified

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? No

If you do not want to ratify the Convention, what are the major reasons for not doing so?

The convention is now obsolete; work on the subject is being done in the framework of UNESCO, UNO, UNODC, Unidroit etc

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, based on other conventions and policy frameworks.

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **Only Signature.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Probably not**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We don't ascribe importance to this Convention.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

La ratification pourra se faire après la mise en place d'une nouvelle législation

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **The matter is currently being examined**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The convention may require re-drafting so as to be more focused, avoid duplication with or be in conflict with other international instruments (UNESCO Convention 1970; UNIDROIT 1995 and DIRECTIVE 2014/60/EU (formerly Council Directive 93/7/EEC). Certain aspects of the convention may in fact already be reflected in national legislation of a number of member states of the Council of Europe

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Several aspects of the spirit of the convention are reflected in national legislation (the Criminal Code Laws of Malta), the Cultural Heritage Act and in the transposed EU directive DIRECTIVE 2014/60/EU (formerly Council Directive 93/7/EEC)

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970)

UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995)

Relevant EU legislation

POLAND / POLOGNE

Questionnaire

1. Have you signed and/or ratified the Convention X? **No**

If yes, do you encounter any problems in its application? **Not applicable**

2. If you have made declarations or reservations, do you intend to withdraw them? **Not applicable**

3. If you have not ratified the Convention X, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

There is no intention to ratify it. We find this legal act irrelevant as Poland ratified two UNESCO conventions - The Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and the Second Protocol and the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) which fully cover the issues referred in 1985 European Convention. Poland as a member of the Council of Europe since 1989 was not present at the negotiations which were conducted around this convention.

4. Do you have any suggestions about the implementation of the Convention X? **Not applicable**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X? **Not applicable**

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention?

Portugal just signed this Convention, it was not ratified.

2. If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Not at the moment.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Sweden welcomes international cooperation considering offences relating to cultural property. However, some notions in parts of the Convention are problematic as they do not correspond to notions in the Swedish legal system.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Non, il ne s'agit pas d'une priorité pour la politique culturelle de la Confédération suisse

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

La Convention date de 1985, n'a été signée que par 6 Etats, et n'est à ce jour pas en vigueur, le minimum de 3 ratifications n'étant pas atteint.

Par ailleurs, l'essentiel du contenu de cette Convention est déjà traité de manière efficace par l'adoption de la Suisse de la Loi fédérale sur le transfert international des biens culturels et de son ordonnance d'application, en vigueur depuis 2005 (LTBC, RS 444.1 et OTBC, RS 444.11). La LTBC représente la législation d'application directe en droit suisse de la Convention de l'UNESCO de 1970 concernant les mesures à prendre pour interdire et empêcher l'importation, l'exportation, et le transfert illicites de propriété des biens culturels.

Dans ce contexte, il n'y a actuellement pas de nécessité pour la Suisse de ratifier la Convention, sous réserve d'une évolution de la situation. La ratification de cette dernière par d'autres « États-marché », par exemple, exigerait une nouvelle appréciation de la situation afin d'assurer la compatibilité des dispositions prises par la Suisse avec les standards internationaux.

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Envisager d'entériner la caducité de cette Convention

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Oui, cf. réponse à la question 3.

TURKEY / TURQUIE

Answered by Ministry of Culture and Tourism, General Directorate for Cultural Heritage and Museums

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

European Convention on Offences Relating to Cultural Property, dated 1985 CETS 119 was signed, but not approved by our country; and no annotation was attached

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Proceedings are started in accordance with the provisions of UNESCO Convention stated in Article 2 above, in accordance with the provisions of the Convention issued in order to make a request for the return of cultural properties taken out of the contracting countries illegally, to evaluate the request and to determine the rights and obligations of the related countries in the legal proceeding regarding crime

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them? **N/A**

3. If you have not ratified the Convention, do you intend to ratify it?

The UK Government currently have no plans to ratify this convention.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No.**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

UK legislation and policy includes:

- The Dealing in Cultural Objects (Offences) Act. This makes it an offence to deal in cultural property illegally removed from a monument or building or structure of historical, architectural or archaeological interest. The law applies equally inside and outside the UK and to removals contrary to foreign as well as UK laws.
- The Return of Cultural Objects Regulations 1994. These implement Council Directive 93/7/EEC. This provides a mechanism whereby one EU Member State may request the return from another EU Member State of a cultural object illegally exported on or after 1 January 1993.
- The UK has ratified the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970.
- The UK has ratified the 1990 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (CETS 141), which includes provisions relating to international confiscation requests.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

5) Convention for the Protection of the Architectural Heritage of Europe (CETS 121)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 1985 (not followed by ratification)**

If yes, do you encounter any problems in its application? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them?

When signing the Convention the Republic of Austria, according to Article 25, paragraph 1 of the Convention for the Protection of the Architectural Heritage of Europe, declared that it reserves the right not to comply in whole with the provisions of Article 4, paragraphs c) and d).

3. If you have not ratified the Convention, do you intend to ratify it? **Yes. Discussions have started.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In general, the Austrian Heritage Protection Law covers the spirit and goals of the Convention. Austria is committed to the promotion of policies for the conservation and enhancement of Europe's heritage.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 21/10/1985; Ratified 17/9/1992.**

If yes, do you encounter any problems in its application?

Although Flemish legislation is strongly embedded in this convention, certain themes remain challenging in practice:

- **The tuning of architectural heritage policy with other heritage (eg. landscape) and environmental policies;**
- **The tuning of architectural heritage with modern use (reallocation);**
- **The (broad) accessibility of important architectural heritage sites ; Involving the (general) public ;**
- **The valorization of the economic value of architectural heritage;**
- **Maintaining the necessary architectural heritage conservation craftsmanship.**

2. If you have made declarations or reservations, do you intend to withdraw them? /

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so? /

4. Do you have any suggestions about the implementation of the Convention? /

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

New general (immovable) heritage decree 12/7/2013 has entered into force on 1/1/2015.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since April 1995.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Reply from the Federal Ministry of Culture and Sports

No, our opinion is that the Convention has been an outright success. However, we would like to see more funds allocated for architectural heritage in Bosnia and Herzegovina provided by all levels of the Government. Also, it shall raise public awareness of the historical and cultural value of the architectural heritage and the necessity of its protection.

Reply from the Ministry of Education and Culture of the Republic of Srpska

Devising effective ways of raising awareness of the importance of cultural and natural heritage for the operation and sustainability of the whole society, especially in government and public institutions whose decisions and actions affect the heritage protection. Also, the sanctions for violation of heritage protection legislation should be applied consistently, so adequate proposals would contribute to better implementation of protection in this regard, and thus the provisions of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Reply from the Federal Ministry of Culture and Sports

The Institute for Protection of Monuments of Federation of Bosnia and Herzegovina within the Federal Ministry of Culture and Sports is safeguarding and realising the goals of the Convention taking necessary measures to protect the architectural heritage at the territory of Federation of Bosnia and Herzegovina. Thus, all our regulatory plans and conservation policies are aligned with the principles of the Convention.

Reply from the Ministry of Education and Culture of the Republic of Srpska

Many activities in the field of cultural, historical and natural heritage implemented by the Institute are in the spirit of the Convention and pursue its goals. The policies and activities the Institute implements mostly correspond to the principles and objectives of the Conventions concerned, and many are in some way incorporated into the national legislation for the protection of cultural and natural heritage.

The prescribed legal measures are in accordance with the provisions of the Convention in terms of specifying conditions and measures of protection, banning demolition and preventing destruction of properties under protection, monitoring activities on cultural property under protection and the like. Funds for the preservation of cultural and natural heritage are ensured from public funds, i.e. the state budget, but are insufficient, with the tendency of permanent reduction. Also, laws do not sufficiently encourage private initiative for the preservation and restoration of this heritage.

Given that the Institute is one of the few institutions of this type whose activities include protection both cultural and natural heritage, the measures implemented with regard to the cultural property under protection, whenever possible, include the protection of the natural environment of the monument, both because of its better protection and because of the improvement of environmental protection in general.

Most deviations from the provisions of the Convention are related to sanctioning non-compliance with the protection measures prescribed. The existing laws and control systems should be stricter, and it often happens, especially in attractive urban areas, that the investors or owners somehow manage to impose solutions that are more favourable to them.

Spatial planning documentation, in principle, addresses also property under protection, but urban planners should, however, act more conscientiously and be better educated in this regard.

A lot of work is being done in the area of information and training, but this would also have to improve. The problem is, among other things, that a small number of experts are directed to the protection of heritage, so the small number of people is employed in the field of protection. Also, with respect to all financial constraints, there is little possibility that experts have specialized trainings for all segments necessary for protection. The public heritage presentation is organized in accordance with the needs and capabilities of a particular audience. The Institute was specifically working with school age children for a few years, through lectures and exhibitions. For example, marking the European Heritage Days was one year focused on the direct involvement of primary school students with the education and guidance of the Institute experts.

To the extent that it is, above all, financially possible, there is cooperation of our experts with experts from other parts of Europe, both in joint projects and through information, education and exchange of experience. However, collaborative projects almost always refer to the projects implemented in the territory of the Republic of Srpska (RS), never vice versa.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes the Convention was signed and we ratified it on 27th January 1993.

If yes, do you encounter any problems in its application?

The Convention is already included in The Law on the protection of cultural heritage.

2. If you have made declarations or reservations, do you intend to withdraw them? No.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We are in the process of preparing the new law on the protection of cultural heritage in which we will also implement the mentioned convention.

4. Do you have any suggestions about the implementation of the Convention?

No we don't have.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

No.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

We have no reservations

3. If you have not ratified the Convention, do you intend to ratify it? NO

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We have ratified the revised convention

4. Do you have any suggestions about the implementation of the Convention? NO

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention is implemented via Heritage Conservation Act, Planning Act and Building Act, and also reflected in Estonian Architectural Policy and in Environmental Impact Assessment and Environmental Management System Act.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Date of signature November 15, 1990; date of ratification October 17, 1991; Entry into force February 1, 1992.

If yes, do you encounter any problems in its application?

The Convention provides good basis for the application of national legislation.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The implementation of the Convention for the Protection of the Architectural Heritage should be processed and developed in the spirit of the Landscape Convention and the Faro Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Current legal and administrative systems comply with the Convention. Taking care of the cultural environment and architectural heritage is primarily based on town planning and building guidance i.e. the Land Use and Building Act. It is complemented by the Act on the Protection of Buildings. The protection of Church buildings is provided for by the Church Act. The cultural environment is extensively also referred to in other legislation such as the evaluation of environmental effects, Nature Conservation Act, Forest Act, Water Act, road legislations and Land Extraction Act. They include statutes aimed at the protection and preservation of beauty and cultural values.

Resolution on the cultural environment strategy was approved by the Finnish Government in its plenary session on 20 March 2014. It was complemented with an implementation plan in February 2015. Both the strategy and action plan include elements that correspond to the spirit and goals of the Convention.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Ratifiée le 13/03/1987**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Cette convention sera prise en compte dans le projet de loi sur la création, l'architecture et le patrimoine qui devrait être présenté en 2015

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has ratified the Convention with Law 2039/1992 (Government Gazette 61/A/13.4.1992).

If yes, do you encounter any problems in its application?

The fact that the Convention comprises of certain generalized terms, definitions or proposals, makes it hard for the parties to implement specific actions in accordance with the Convention, since its content raises various interpretations. It would be probably more effective to provide a more strict and precise frame for the implementation of the conservation policies, the ancillary measures and the information and training.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

a) To envisage legal frameworks in the light of national and international changes in national law and practice, measures which could be taken with a view to facilitating the protection of the architectural heritage and in accordance with the Granada convention.

b) The competent state bodies should ensure that all organizations involved in the protection of architectural heritage record and monitor the application of the procedures and principles provided by the Convention.

c) Active participation in European projects and international partnership in order to contribute to integration of all countries that have signed the convention, dissemination of cultural heritage and alignment to the newest technologies, methods, practices and standards in this field.

d) To implement exchange programs of expertise on the protection of architectural heritage. Exchanges can be undertaken in many and various levels and domains (university students and professors, executives of Ministries of Culture etc.).

e) To provide opportunities and organize activities (seminars, educational programs, dissemination of information) in order to inform the public and to activate it in order to participate in the protection of cultural heritage

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Hellenic Ministry of Culture, Education and Religious Affairs in accordance with the Articles of the Convention proposes solutions for the protection of architectural heritage from natural and human provoked disasters and evaluates submitted studies based on the principles of the convention. It also implements appropriate supervision to the ongoing restoration and conservation projects in various regions of Greek territory.

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes.**

If yes, do you encounter any problems in its application?

Hungary does not face any problems in the application of the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them? -

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Hungary has no further suggestions about the implementation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Granada Treaty is implemented through the 2001 Act LXIV on the protection of cultural heritage; the 393/2012. Government decree on the protection of archaeological and built heritage and the 199/2014. Government decree on the foundation document of the Gyula Forster National Centre for Cultural Heritage Management.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 03.10.1985, ratified 31.05.1989.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them? **None**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

National legislation is conformed to the terms of Convention.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? -- --

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Signé**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

La ratification pourra se faire après la mise en place d'une nouvelle législation

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

L'élaboration de la nouvelle loi sur la protection du patrimoine tient compte de la convention.

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed and Ratified**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Implementation is through (i) National legislation: the Malta Planning and Development Act and the Cultural Heritage Act; (ii) national policy documents: the Structure Plan for the Maltese islands, Local Plans and related policy guidance instruments which among other matters regulate the protection of the cultural heritage.

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them? **NO**

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention? -

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See Herein database

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The spirit and goals of the Convention are fully reflected in the major acts with relevance for Cultural Heritage: The Plan and Building Act (planning at the municipal level) and the Cultural Heritage Act.

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X?

If yes, do you encounter any problems in its application?

It was signed on 18 March 2010 and ratified in 22 Nov. 2011. We don't have any problems with its application

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention X, do you intend to ratify it? **Not applicable**

If you do not want to ratify the Convention, what are the major reasons for not doing so? **Not applicable**

4. Do you have any suggestions about the implementation of the Convention X?

The implementation of the Convention does not encounter any problems as the Polish domestic law is compliant with its provisions.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X?

The actions and policies taken towards the protection of architectural heritage in Poland keeps the standards established by the convention.

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

There isn't always a protection zone in the surrounding area that takes into consideration its setting. These areas are often threatened by age, decay and neglect.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Integrated conservation requires legal, administrative, financial and technical support considering that restoration, and even maintenance of the architectural heritage, should be entitled to financial benefits and incentives, including tax benefits, and technical support from the official authorities.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

Ratified and published in collection of laws No. 369/2001 Coll.

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The performance of state administration related to monument protection directly pursues the goals of protection stipulated in the Convention

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Ratification date (succession): 2.7.1992; entry into force: 1. 11. 1992

If yes, do you encounter any problems in its application?

Cultural Heritage Protection Act (Official Gazette of the Republic of Slovenia, no. 7/1999) followed and replaced by Cultural Heritage Protection Act (Official Gazette of the Republic of Slovenia, nos. 16/2008, 123/2008, 8/2011, 30/2011, 90/2012 and 111/13) covered and implemented Convention's provisions in its entirety. Some of provisions of the Convention there are the part of other legislation as Construction Act Official Gazette of the Republic of Slovenia, no. 102/04 – UPB, 14/05, 126/07, 108/09, 57/12, and 110/13) or Spatial Planning Act (Official Gazette of the Republic of Slovenia, no. 33/07, 70/08 – ZVO-1B, 108/09, 80/10 – ZUPUDPP, 57/12, 57/12 – ZUPUDPP-A, (109/12) and 76/14).

Cultural Heritage Protection Act:

Article 3: definition and types of monuments.

Article 4: rights and obligations associated with heritage.

Article 5: protection of rights of owners.

Articles 9: national registry immovable and movable heritage and monuments.

Article 13: obligation to mark monuments in land register.

Article 28-29: protection approval for works and protection conditions.

Article 31: conditions and terms for the removal of heritage and issuing permits.

Article 37: the owner of heritage shall have the right to free explanations, advice and instructions from the competent organization.

Article 40: if the protection and revitalisation of the monument require extraordinary costs which exceed the normal costs and such costs are not proportionate to the abilities of the owner, the State, region, or municipality may, to such extent as is possible, allocate public funds for these purposes.

Article 63: allows compulsory purchase of a protected property.

Article 73: a heritage protection strategy (hereinafter referred to as: strategy) shall, on the basis of the estimation of a threat being posed to the heritage and its development opportunities, determine the objectives, directions and measures for the integrated conservation of heritage which is the subject of public interest.

Article 74: in preparing the plan, the producer shall take account of protection and include protection measures therein.

Article 76: guidelines for the spatial plan shall aim at determining the guidelines, basic grounds and conditions for protection and conservation in the spatial plan.

Article 109: the supervision of the implementation of the provisions of this Act and the regulations issued on the basis thereof, as well as other acts which refer to protection, shall be carried out by an inspector competent for heritage.

Spatial Planning Act:

Article 9: In spatial planning, spatial arrangements and interventions are directed and planned in a way that provides the preservation and renewal of areas and buildings of the existing cultural heritage, urban heritage in particular.

Article 14: Spatial arrangements are planned with spatial planning documents.

Construction Act:

Article 3: Construction of the new building, reconstruction of the building and removal of the object can be initiated on the basis of the final building permit.

2. If you have made declarations or reservations, do you intend to withdraw them? **No.**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Despite of provisions of the Convention and legislation there is a problem about destruction of monuments, which is often a result of not maintaining of buildings by their owners as well as a consequence of the weather and other conditions. There is no opportunity to get the scheme for the demolition or alteration of monuments or a scheme affecting their surroundings.

There is even no provision in the reduction of building waste. It should be stimulated the renovation of buildings instead of destruction the monuments and making new constructions with new material.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See above: articles 3, 31, 40, 73, 74, 76.

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes. In 2014 the parliament decided on a proposition to implement new policy goals for culture environment and The Historic Environment Act (1988:950) was revised.

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **OUI**

Si oui, rencontrez-vous des problèmes quant à son application ?

Non, aucun problème particulier

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

Non, pas de réserves

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Non, si ce n'est d'envisager une meilleure sensibilisation/information au sujet de cette Convention, qui demeure globalement mal connue

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Oui, en premier lieu les politiques fédérale et cantonales en faveur du patrimoine archéologique (protection / sauvegarde / financements publics / sensibilisation). Pour plus d'informations voir : <http://www.bak.admin.ch/kulturerbe/04273/index.html?lang=fr>

TURKEY / TURQUIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

Convention for the Protection of the Architectural Heritage of Europe, dated 1985 (CETS 121) was signed and approved by our country; but no annotation was attached

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In accordance with the provisions of the Convention issued for the studies which are required for protecting the architectural heritage of contracting countries, there are required provisions regarding the protection of urban and archaeological sites in the Code of Protection of Cultural and Natural Properties numbered 2863, monumental buildings and archaeological sites having a rapid increase recently are regulated as the related units of the museum directorships and are taken under active supervision and maintenance

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed 3/10/1985. Ratified 13/11/1987.

If yes, do you encounter any problems in its application?

No. Entry in to force 1/3/1988.

2. If you have made declarations or reservations, do you intend to withdraw them?

No. Two declarations, one ratifying the Convention in respect of the United Kingdom of Great Britain and Northern Ireland, Jersey, Guernsey and the Isle of Man, and the second to extend the Convention to include Gibraltar.

3. If you have not ratified the Convention, do you intend to ratify it? N/A

If you do not want to ratify the Convention, what are the major reasons for not doing so? N/A

4. Do you have any suggestions about the implementation of the Convention? No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Relevant legislation and policy includes:

- the Planning (Listed Buildings and Conservation Areas) Act 1990;
- the National Planning Policy Framework (2012), and National Policy Statements (various);
- Environmental stewardship schemes.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

6) European Convention on the Protection of the Archaeological Heritage (Revised) (CETS 143)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Ratification 23/1/2015 (entry into force 24/7/2015)**

If yes, do you encounter any problems in its application? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them? **No declarations or reservations made.**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Conservation and enhancement of the archaeological heritage is among the central goals of heritage protection as well as planning policies.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 30/1/2002; Ratified 8/10/2010.**

If yes, do you encounter any problems in its application?

Although Flemish legislation is strongly embedded in this convention, certain themes remain challenging in practice:

- **(Archaeological) responsibilities of property owners;**
- **(Financial) engagement of public and private developers.**

2. If you have made declarations or reservations, do you intend to withdraw them? /

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

New general (immovable) heritage decree 12/7/2013 has entered into force on 1/1/2015.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since June 2011.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Reply from the Federal Ministry of Culture and Sports

We would like to see more funds allocated for archaeological heritage in Bosnia and Herzegovina provided by all levels of the Government. Also, it shall develop public awareness about value of the archaeological heritage and the necessity of its preservation. Then, it shall improve the understanding of urban and regional planning policies. And, it shall raise awareness through promotion, education and trainings about landscape policies.

Reply from the Ministry of Education and Culture of the Republic of Srpska

Devising effective ways of raising awareness of the importance of cultural and natural heritage for the operation and sustainability of the whole society, especially in government and public institutions whose decisions and actions affect the heritage protection. Also, the sanctions for violation of heritage protection legislation should be applied consistently, so adequate proposals would contribute to better implementation of protection in this regard, and thus the provisions of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Reply from the Federal Ministry of Culture and Sports

The Federal Ministry of Culture and Sports and the Institute for Protection of Monuments of Federation of Bosnia and Herzegovina regulates the archaeological researches in accordance with the goals of the Convention. All our actions correspond to the spirit and goals of the Convention.

Reply from the Ministry of Education and Culture of the Republic of Srpska

Many activities in the field of cultural, historical and natural heritage implemented by the Institute are in the spirit of the Convention and pursue its goals. The policies and activities the Institute implements mostly correspond to the principles and objectives of the Conventions concerned, and many are in some way incorporated in national legislation for the protection of cultural and natural heritage.

Identification of the heritage and protection measures in domestic legislation are similarly regulated as in the provisions of the Convention. These provisions are correctly defined in the Convention and provide a good framework for the effective protection of the archaeological heritage.

The provisions on the need for compliance of archaeology and development plans are important for the preservation of this kind of heritage, but their application is often a problem in practice. This requires that the heritage protection is set to a much higher level than it is now, as well as an extremely high degree of coordination of various institutions and individuals and private companies working on development plans, which is difficult to implement in practice. Some progress on the harmonization of the archaeological heritage protection and the development plan needs is made, in terms of consultation of planners with protection services, and the inclusion of property under protection in the planning documents. Also, during earthworks, civil engineering, etc., the investors and contractors usually seek expert opinions of the Institute. However, there is not a fully functional system of control in order to ask for these opinions every time, and random finds will not be reported every time to the relevant departments and the works will not be suspended.

Collection and dissemination of scientific information takes place based on the principles of the Convention as far as possible under the local working conditions, given the absence of adequate research institutes, laboratories, etc.

Although, much effort has been invested to stop this phenomenon, illegal traffic of property under protection, particularly archaeological material, is very difficult to control. The question is how are the customs and border services staffed or trained to recognize the suspicious materials. In addition, the constant archaeological supervision during all earth and construction work is not possible due to the small number of archaeologists in Bosnia and Herzegovina, and therefore the control of any possible findings.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes we signed this Convention in 2001 and ratified in 2004.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them? No.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so? No

4. Do you have any suggestions about the implementation of the Convention? No

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes we implemented the Law on the protection of cultural heritage and the Book of rules for archaeological excavations.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them?

We have no reservations

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **NO**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The strategy of culture and cultural policies produced by the Ministry of Culture

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **NO**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention is implemented via Heritage Conservation Act. Other legislation on this matter is Planning Act, and Environmental Impact Assessment and Environmental Management System Act. For dissemination of scientific information a peer-reviewed periodical with international editorial board "Archaeological fieldwork in Estonia" is published yearly.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Date of signature and ratification September 15, 1994. Entry into force May 25 1995.

If yes, do you encounter any problems in its application?

The Convention provides a good basis for the application of national legislation.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The implementation of the Convention for the Protection of the Archaeological Heritage should be processed and developed in the spirit of the Landscape Convention and the Faro Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Current legal and administrative systems comply with the Convention. Antiquities are protected in Finland under [the Antiquities Act](#) (295/63). The Antiquities Act protects automatically without separate measures antiquities which are within definition the act and prohibits action that might endanger the preservation of the relic. The Antiquities Act orders that the planner of public land-use projects or town plans must examine the effects of the plan on antiquities. According to the act, the party responsible for a public or a large private project is required to fund the research work caused by the project. If a fixed archaeological relic is found in excavation work, the act orders that the work is to be discontinued and that the National Board of Antiquities or the provincial museum is to be informed of the matter.

Under the Antiquities Act the National Board of Antiquities can grant permission for the study of fixed remains and underwater relics. Receiving a research permit requires that the project is led by a qualified archaeologist.

The National Board of Antiquities maintains the national register of ancient monuments and sites protected by the Antiquities Act. The Board develops its digital services on cultural environment, including archaeological heritage. The main focus will be on improving digital access to information e.g. through a user-friendly map service.

The National Board of Antiquities cooperates with metal detector societies, organizes seminars and gives them advice on correct procedures. The finders of chance discoveries must report of their findings to the National Board of Antiquities or the provincial museum. From 2014 onwards, the

European Heritage Days in Finland cover also archaeological heritage and landscape. Earlier the Days concentrated on the built heritage.

In 2013 the quality guidelines for archaeological fieldwork in Finland came into force. The aim of the guidelines is to standardize the practices of archaeological fieldwork and to facilitate the assessment of their quality.

Resolution on the cultural environment strategy was approved by the Finnish Government in its plenary session on 20 March 2014. It was complemented with an implementation plan in February 2015. Both the strategy and action plan include elements that correspond to the spirit and goals of the Convention. The actions include for example a reassessment and revision of the Antiquities Act.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Ratifiée le 10/07/1995**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Cette convention sera prise en compte dans le projet de loi sur la création, l'architecture et le patrimoine, prévue en 2015.

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply.

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has ratified the Convention with Law 3378/2005 (Government Gazette 203/A/19.8.2005).

If yes, do you encounter any problems in its application?

- a) The balance between protection of cultural heritage and development, especially in areas of intense tourism or building activity, is a challenge for the authorities that are responsible for the preservation and enhancement of the archaeological heritage. However, especially from the last decade onwards, a significant increase of public awareness in the protection and the preservation of the cultural heritage can be attested. Therefore, the threat to the archaeological heritage, caused by development activities and over-exploitation of land is gradually being reduced.
- b) Illicit excavations and illegal trafficking of antiquities, despite the appropriate legislative framework being in force and the great efforts made by all the competent state bodies, is still remaining a threat for Greek cultural heritage.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Given the fact that the approaches of archaeological heritage management continue to develop and evolve, there is an inevitable need for addressing the new challenges that emerge such as further protection of the cultural environment and the integrated conservation of the archaeological heritage at all stages of urban and spatial planning, environmental and development plans.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The main law for the protection of archaeological heritage (Law 3028/02 "On the Protection of Antiquities and Cultural Heritage in general"), although it has entered into force before the ratification of the Convention is totally in line with its principles and provisions. Some examples of measures and policies which correspond to the Convention's spirit are: a) Strict terms of protection are enforced through a system of zones b) infringements relating to the protection of cultural heritage (such as theft, damage to monuments, illegal excavation, etc.) are defined in detail and sanctions have been introduced c) the law defines the prerequisites for conducting archaeological research, including excavation, undertaken by the state archaeological service, academic institutions and foreign archaeological schools established in Greece and stipulates the obligation of all researchers for the timely publication of their research d) the protection of monuments, archaeological and historic sites is included among the objectives at all stages of town and country planning, environmental and development plans or plans of equivalent effect e) the scope of the law covers cultural heritage of all periods, from prehistory to the present, wherever they are situated, on land or underwater f)

the notion of protection is broadened to cover, apart from physical preservation and conservation, the identification, research, documentation, access, and social, aesthetic and educational valorization of cultural heritage g) clear terms are defined regarding the rewards offered to those bringing hitherto unknown monuments to the attention of the competent state bodies h) measures are taken to strengthen control of legal provenance of cultural objects imported to the country or declared as part of private collections i) all monuments, movable and immovable, should be recorded and documented in the National Archive of Monuments j) the cost for excavation, conservation and publication of finds revealed in the course of major public projects should be covered by the owner of the work.

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

Hungary does not face any problems in the application of the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Hungary has no further suggestions about the implementation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Valletta Treaty is implemented through the 2001 Act LXIV on the protection of cultural heritage; the 393/2012. Government decree on the protection of archaeological and built heritage and the 199/2014. Government decree on the foundation document of the Gyula Forster National Centre for Cultural Heritage Management.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 03.10.1985**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Yes, the ratification process is ongoing. The ratification was already approved by the Chamber of deputies, and it is now with the Senate, which is expected to approve it soon.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed in 28.02.2003., ratified in 29.07.2003, entered into force 30.01.2004.

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

On 23 January 2013, amendments to the Law on Protection of Cultural Monuments entered into force, which provide for substantial changes in the procedures governing protection of archaeological heritage.

From 23 January 2013, artefacts found in archaeological sites under ground, above ground or under water (dating from 17th century or earlier) belong to the state. The amendments of the Law define more precisely the existing notification procedure used for newly found objects that may have historical, scientific, artistic or other cultural value. The notification period is shortened – the Inspection shall be informed about a find in writing not later than five days after the finding, to enable faster assessment of the archaeological importance of the site and reduce the threat of destruction of the site.

In the future, artefacts found in archaeological sites will be stored in public museums due to their value, to ensure that they are preserved and available to the public. The Law also prohibits removal of artefacts owned by the state outside the Republic of Latvia.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? -- --

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Signé**

Si oui, rencontrez-vous des problèmes quant à son application ?

La législation actuelle n'en tient pas compte

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

La ratification pourra se faire après l'élaboration d'une nouvelle loi sur le patrimoine.

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

La nouvelle loi tiendra compte de la convention.

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

In situ conservation of deposits and other archaeological remains remain paramount as these remains constitute the archaeological archive of present and future generations. Also important for intergenerational concerns is the protection and measured study of ancient human remains from an archaeo-osteological perspective, trace element and isotope study perspective, and from an ancient DNA perspective. These aspects are critical for the story of human evolution. The publication of excavation results should be emphasized in some form, although these are included in the main body of the convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Implementation is through (i) National legislation: the Malta Planning and Development Act and especially the Cultural Heritage Act; (ii) national policy documents: the Structure Plan for the Maltese islands, Local Plans and related policy guidance instruments which among other matters regulate the protection of the cultural heritage. The Superintendence of Cultural Heritage (Cultural Heritage Act) regulates inventories, heritage protection, excavation, frontier control, etc.

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes, Moldova ratified the convention on 21/12/2001**

If yes, do you encounter any problems in its application?

Legal implementation of the Convention began in 2010 when was adopted by the Parliament the Law about protection of archaeological heritage nr. 218, 17.09.2010. As we can see the implementation of the Convention was started much later than it came into force.

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

For the implementation of the convention it will be very useful to focus on article 12, Mutual technical and scientific assistance and the exchanges of experts, specialists from all signatory States in order to contribute to a better implementation of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

2010 - Moldovan Parliament adopted the Law on protection of archaeological heritage.

2010 - Ministry of Culture adopted the Regulation of organization and functioning of the National Archaeological Commission

2012 - Moldovan Government adopted the Regulation on organization and functioning of the National Archaeological Agency

2013 April - Ministry of Culture of Moldova adopted the Code of Ethics for archaeologists; Regulation on archaeological research and expertise; Regulation on Register of Archaeologists; the Regulation on the National Archaeological Record and National Archaeological Register; Regulation on the recording and classification of archaeological heritage

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Le Musée d'Anthropologie Préhistorique de Monaco, fondé en 1902 par le Prince Albert 1^{er}, a pour missions de présenter les collections recueillies lors de campagnes de fouilles menées depuis la fin du XIX^{ème} siècle mais aussi de poursuivre les recherches scientifiques sur ces collections et de publier un bulletin annuel.

Des campagnes de fouilles sont également menées par les équipes du Musée sur le territoire monégasque, dans sa proche région ainsi qu'à l'étranger, notamment en Mongolie et en Croatie.

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them? **NO**

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention? -

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The convention is implemented in the Monuments and Historic Buildings Act and the Archaeological Heritage Management Act.

Local authorities are generally responsible for implementing policy on archaeology, but sometimes this role is reserved for central government or the provincial authorities. Central government is responsible in the case of national scheduled monuments and historic buildings.

Archaeological heritage management has undergone radical change since the early 1990s.

- Archaeology has been decentralised. Local and provincial authorities are responsible for ensuring that archaeological interests are taken into account in spatial planning.
- Commercial consultancies, local authorities and universities now perform research, including in the field.

- The role of the Agency is now to provide arm's length services. We work on the basis of the 'Malta motto', preserving the sources of Europe's collective memory and academic research.

Planning archaeology

In September 2007 the Malta Convention was formally implemented in the Netherlands when parliament approved a new Archaeological Heritage Management Act (Wet op de archeologische monumentenzorg, or Wamz). This new act followed the Malta Convention in that it stipulated that archaeological heritage management should be an integral part of the spatial planning process, and that the 'disturber' would be held accountable for the costs. The Wamz is not based on European regulations, nor does it include any quantitative guidelines.

The link between archaeological heritage management and spatial planning has resulted in a largely decentralized field, while the liberalization of excavation licences has encouraged the establishment of private excavation companies. To comply with the principle 'the disturber pays' the Dutch government has introduced a system of funding that is project-based.

The Dutch Ministry of Education, Culture and Science commissioned an evaluation of the Act in 2011. The main research question was to be whether or not the Wet op de archeologische monumentenzorg (Wamz) and its associated secondary legislation Besluit archeologische monumentenzorg (Bamz) were effectively and efficiently improving the protection of archaeological heritage.

The Wet op de archeologische monumentenzorg has indeed improved the protection of the soil archive, mainly because spatial planning procedures increasingly take archaeology into account. Many new policy instruments for spatial planning are currently being developed, and it is important to ensure that once these new regulations have taken effect archaeology will remain a prominent element in the spatial planning process. The report will address the effectiveness of the archaeology sector, pointed out problems or deficiencies, and concluded with some recommendations to increase the protection of archaeological heritage.

The Act is in revision and is foreseen to be replaced by a Cultural heritage Act and an Environmental Act in the coming years.

Please see also the Dutch section in Herein

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

A new guidance clarifying the provisions related to the financing of archaeological operations in public and private development schemes is about to be published (cf. Article 6)

A process has recently been started, where the aim is to strengthen the knowledge production in the management of the archaeological heritage (cf. Article 6 and 7)

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X? **It was signed in 1992 and ratified in 1996**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention X, do you intend to ratify it? **Not applicable**

If you do not want to ratify the Convention, what are the major reasons for not doing so? **Not applicable**

4. Do you have any suggestions about the implementation of the Convention X?

No. The implementation of the Convention does not encounter any problems as the Polish domestic law is mostly compliant with its provisions

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X?

In reference to the provisions of the Convention in 2009 Poland adopted legislation on financial participation of the State in archeological researches prior to the construction works and big scale investments.

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

The main problems found have to do with lack of public awareness, namely in what concerns spatial planning and the role of archaeology in planning policies.

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it?

Not applicable.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Not applicable.

4. Do you have any suggestions about the implementation of the Convention?

A magazine was launched in 1998, "Revista Portuguesa de Arqueologia", aimed primarily at publishing part of the results or brief final reports on archaeological works. Besides, a monographic series called "Archaeological Works" publishes monographs, namely final reports of research projects, university theses and congress minutes. These publications are widely disseminated across the country and beyond borders, as their articles are available online and can be found in many libraries both in Portugal and abroad through an efficient system of interlibrary exchange.

A multidisciplinary research centre for studying the past (current Archaeoscience Laboratory) was established in 2000 for enhancing scientific research in archaeological heritage.

Funding for programmed research, including scientific merit assessment, was secured in 1998 through a Financing Programme opened to the whole archaeological community (PNTA/ National Plan of Archaeological Works).

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

Ratified and published in collection of laws No. 344/2001 Coll.

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The performance of state administration related to monument protection directly pursues the goals of protection stipulated in the Convention

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signature: 15. 11. 1996; ratification: 7.5.1999; entry into force: 8.11.1999.

If yes, do you encounter any problems in its application?

Cultural Heritage Protection Act (Official Gazette of the Republic of Slovenia, no. 7/1999) followed and replaced by Cultural Heritage Protection Act (Official Gazzette of the Republic of Slovenia, nos. 16/2008, 123/2008, 8/2011, 30/2011, 90/2012 and 111/13) covered and implemented Convention's provisions in its entirety.

Article 3: definition of archaeological remains, sites and finds, which include war relics older than 50 years and discovered in archeological context.

Article 6: provisions regarding (state) ownership of archaeological finds.

Articles 9, 66-67: national registry of (archaeological) immovable and movable heritage and monuments.

Article 13: obligation to mark (archaeological) monuments in land register.

Article 26: obligation to report chance/accidental remains and finds.

Article 26a: provisions regarding the financial reward for accidentally discovered archaeological finds of special or exceptional importance.

Article 27: decree on suspension of interventions on newly discovered sites and investigation in archaeological heritage properties of remains and finds, issued by Regional Offices of the Institute for the protection of Cultural Heritage of Slovenia.

Article 28-29: provisions regarding the imposing of the investor of intervention into the registered archeological site or monument to fulfill the obligation to finance (conduct) archaeological research.

Article 31: conditions and terms for the execution of archaeological research and issuing permits for the archaeological research/investigations.

Article 32: conditions for search for archaeological remains and the use of the technical means (metal detectors) for that purpose; supported by the Rules on the search for archaeological remains and on technical means for this purpose (Official Gazette of the Republic of Slovenia, no. 49/2014).

Article 33: obligations regarding the contents and time limits of reporting, conservation and archiving of research results (finds and documentation) and standards of archaeological research; supported by the Rules on Archaeological Research (Official Gazette of the Republic of Slovenia, no. 3/2013).

Article 34: provisions regarding the obligation of investors to finance research before interventions in registered archaeological sites (and monuments) and extent of state subventions/grants for preliminary archeological research to the private owners and public bodies; supported by Rules for awarding state grants for preliminary archaeological research (Official Gazette of the Republic of Slovenia, no. 39/2014)

Article 53: obligation to possess the certificate of origin for holders of archaeological finds and procedures for research and scheduling finds without such certificate in state/municipal museum.

Articles 74 and 80: protection measures for unscheduled archaeological remains in spatial planning procedure; preliminary archaeological research imposed also for the areas without or outside registered sites.

Article 85: organization and tasks of the public service (Centre for preventive archaeology within the Institute for the protection of Cultural Heritage of Slovenia) in the field of preliminary archaeological interventions.

Article 89: obligation of the public museums curators/custodians to check upon the origin of (archaeological) objects before acquisition and report illegal cases to the Inspectorate in charge of cultural heritage.

Article 135: Abolition scheme for the holders of archaeological finds without certificate of origin (provision expired in 2009).

2. If you have made declarations or reservations, do you intend to withdraw them? **No.**

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so? /

4. Do you have any suggestions about the implementation of the Convention? /

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See above: articles 3, 26a, 32, 34, 74, 80, 135.

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

There might be a need to revise the convention in order to harmonize it to the spirit of the Landscape Convention and the Faro Convention to the perceptions by and participation of people.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes. In 2014 the parliament decided on a proposition to implement new policy goals for culture environment and The Historic Environment Act (1988:950) was revised.

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **OUI**

Si oui, rencontrez-vous des problèmes quant à son application ?

Non, pas de problème particulier. Dans le contexte d'un Etat fédéral tel que la Suisse, certaines actions seraient néanmoins nécessaires pour améliorer la mise en œuvre de la Convention dans les législations cantonales, qui sont les principales entités responsables de l'archéologie dans le cadre de la politique culturelle suisse.

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

Non, pas de réserves

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Non, si ce n'est d'envisager une meilleure sensibilisation/information au sujet de cette Convention, qui demeure globalement mal connue

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Oui, en premier lieu les politiques fédérale et cantonales dans le secteur de l'archéologie, en matière de protection, sauvegarde, financements publics, sensibilisation et lutte contre le trafic illicite (voir à ce sujet la réponse relative à la Convention STCE 119)

TURKEY / TURQUIE

Answered by Ministry of Culture and Tourism, General Directorate for Cultural Heritage and Museums

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

European Convention on the Protection of the Archaeological Heritage (Revised), dated 1992 (CETS 143) was signed, approved by our country; but no annotation was attached.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Proceedings are started in accordance with the provisions of the Law stated in the previous articles and the subordinate legislation introduced related to the Law and also UNESCO Conventions, an increasing number of workshops are carried out in museums especially for the youngsters in accordance with the provisions of the Convention issued for the studies which are required for uncovering and protecting the archaeological heritage properly in the contracting countries, issuance of the scientific publications about the heritage, taking required precautions in order to avoid illegal ways, collaborating for restitution of illegal monuments, doing studies in order to provide public education with the purpose of improving protective conscious, organizing international scientific meetings and researches, exchanging specialist etc.

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed 16/1/1992. Ratified 19/9/2000.

If yes, do you encounter any problems in its application?

No. Entry in to force 20/3/2001.

2. If you have made declarations or reservations, do you intend to withdraw them?

No. One declaration ratified the Convention in respect of the United Kingdom of Great Britain and Northern Ireland, Jersey and the Isle of Man.

3. If you have not ratified the Convention, do you intend to ratify it? N/A

If you do not want to ratify the Convention, what are the major reasons for not doing so? N/A

4. Do you have any suggestions about the implementation of the Convention? No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Relevant legislation and policy includes:

- the Ancient Monuments and Archaeological Areas Act 1979 and the Treasure Act 1996;
- the National Planning Policy Framework (2012), National Policy Statements (various), the National Planning Policy for Waste (2014) and the Marine Policy Statement (2011);
- Environmental stewardship schemes.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

La convention a été signée et ratifiée le 6 mai 1999.

Si oui, rencontrez-vous des problèmes quant à son application ? **NON**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **AUCUNE RÉSERVE**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

PAS PARTICULIEREMENT

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

LE SAINT-SIEGE A PUBLIÉ, A L'INTENTION DES EGLISES LOCALES, DES TEXTES D'ORIENTATION SUR L'INVENTORIAGE ET LE CATALOGAGE DES BIENS CULTURELS DE L'EGLISE, LES BIBLIOTHEQUES ET LA FORMATION DES FUTURS PRETRES À LA PROTECTION DU PATRIMOINE ECCLESIASTIQUE.

7) European Convention on Cinematographic Co-Production (CETS 147)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Ratification 1994 (entry into force 1995)**

If yes, do you encounter any problems in its application?

The Convention is a useful and important tool. More than twenty years after the adoption of the Convention, the landscape of European film production has profoundly changed though. Austria therefore actively contributes to the intended Revision of this Convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Oui, la Belgique a signé la Convention le 19 février 1998 ; elle l'a ratifiée en date du 25 août 2004 ; celle-ci est entrée en vigueur le 1er décembre 2004 ; les autorités compétentes sont le VAF pour la Communauté flamande, le CCA pour la Communauté française et le gouvernement pour la Communauté germanophone.

If yes, do you encounter any problems in its application?

Aucun problème rencontré

2. If you have made declarations or reservations, do you intend to withdraw them?

Pas de réserve déposée

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

La Convention nécessite plusieurs aménagements au vu de l'évolution du paysage audiovisuel européen depuis 1992 ; ces aménagements ont fait l'objet de propositions discutées au sein du Fonds Eurimages du Conseil de l'Europe, le fonds européen de soutien à la coproduction cinématographique du COE, qui compte actuellement 36 états membres; d'autre part la Belgique (FWB – Communauté française de la Belgique) a fait partie des experts invités à travailler à la révision de la Convention ; ces experts ont été réunis à deux reprises en 2014, pour des travaux à présenter fin mars 2015 au COE

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

En ce qui concerne la Communauté flamande, l'accord de coopération entre le Fonds Audiovisuel de Flandre (VAF) et le Fonds néerlandais pour le film a pour but de stimuler des coproductions entre des producteurs néerlandais et flamands

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since July 2009 and no problems whatsoever have ever been encountered.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

No, our opinion is that the Convention has been an outright success. However, we would like to see the Convention opened to non-European countries in the foreseeable future. Our opinion is that the European coproduction model enshrined in the Convention can be successfully exported overseas and that small countries such as ours who lack the political weight to pursue bilateral coproduction treaties across the globe, which includes many other countries in Europe besides us, stand to benefit greatly from new markets that could open for us this way.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

We do indeed. Our film support mechanisms, namely Film Fund Sarajevo, regularly support minority coproduction under the Convention. We are keen members of Eurimages and a large majority of feature films produced in our country are made as European coproduction. Federal Ministry of Culture and Sports supports the biggest coproduction market in our region, CineLink, part of the Sarajevo Film Festival, which is one of the pillars of cooperation in the field of cinema in South East Europe.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes

If yes, do you encounter any problems in its application?

Yes. It relates to minimum and maximum percentages necessary for the official coproduction status for multilateral and bilateral co-productions produced under the Convention that are highly unfavourable for smaller countries i.e. an impediment for producers from these countries co-producing on bigger budget productions, originating from bigger countries.

But this issue has already been successfully addressed through the work on the revision of the European Convention carried out by the CPP-CINE and its experts' working group of which Croatia was a member.

2. If you have made declarations or reservations, do you intend to withdraw them? N/A.

3. If you have not ratified the Convention, do you intend to ratify it? N/A.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The Republic of Croatia is fully supportive of the changes i.e. revised Convention, as proposed by the CPP-CINE.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

YES. The national film fund – Croatian Audiovisual Centre (HAVC) actively supports minority-coproductions since 2010. There is a separate selective scheme for minority co-productions with 4 (four) yearly submission deadlines, not only for feature-length fiction but also for documentaries and shorts and earmarked funding for them which amounts to roughly to 16% of the overall annual budget of the centre for production. On the top of that nearly 2/3 of all feature length fiction films funded through the national scheme eventually end as co-productions with Croatia as a majority co-producer. Last, but not least, Croatia has been a member of Eurimages since 2004 and has greatly benefited from the Fund, thank, in equal measures to the pro-active co-production policy of the national film fund and the stable legal framework offered by the Convention.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **YES**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Estonia participates at the ECCC revision Working Group.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

YES

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

We warmly welcome the ongoing amendment process of the convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

We find the proposed amendments by the expert group to the convention very good.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **OUI, ratifiée par la France le 9/11/2001**

Si oui, rencontrez-vous des problèmes quant à son application ?

Non. En revanche, le projet de révision de cette convention, qui doit être examiné par le CPP-CINE les 30 et 31 mars 2015, nous apparaît préoccupant dans la mesure où il assouplit de manière systématique les modalités d'admission au régime de la coproduction (abaissement du seuil minimum de participation du coproducteur minoritaire, extension de la possibilité d'admettre des coproductions purement financières...). En outre, l'intérêt de l'ouverture de la convention à des pays extra-européens ne nous paraît pas suffisamment étayé.

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **NON**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

Voir supra concernant le projet de révision de la convention.

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Le système français d'aide à la production est globalement très ouvert aux coproductions. La France compte 55 accords bilatéraux de coproduction et, chaque année, coproduit plus de 100 longs métrages (106 en 2014). L'Aide aux cinémas du monde, co-gérée par le CNC et l'Institut français, dispose d'un budget annuel de 6 M€ et soutient environ 50 longs métrages coproduits. En outre, plusieurs fonds bilatéraux de co-développement de projets ont été mis en place pour favoriser en amont l'émergence de coproductions artistiques.

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it

2. If you have made declarations or reservations, do you intend to withdraw them?

Germany has made a declaration and does not intend to withdraw it.

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has ratified the Convention with Law 3004/2002 (Government Gazette A 76/8.4.2002)

If yes, do you encounter any problems in its application?

Greece has not encountered any problems in the application of the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The Convention in question is being revised and Greece is among the countries participating in this process.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Greek Film Centre is a founding member of the SouthEastern Europe Cinema Network, a Regional Cooperation organisation of 11 Southeastern European countries. It was founded in 2001 with the aim to encourage the development of European cinematographic co-productions and has so far been quite successful.

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, Hungary both signed and ratified the Convention.

If yes, do you encounter any problems in its application?

The lack of a common website with up to date contact data of the national authorities raises some difficulties in the consultation process (Article 5, paragraph 1 and Appendix I of the Convention).

It seems that according to the Convention (Article 5, paragraph 2) a single approval shall be issued by the national authorities. However in practice national authorities tend to issue a provisional and final approval. This practice does not seem to be in line with the provisions of the Convention and causes uncertainties in its application.

Experience shows that the co-producers usually fail to keep the deadline for the submission of the application under Appendix I of the Convention. This leads to a delay in the communication with other national authorities.

Often the lack of communication between the co-producers also raises a few problems. In case of a default of a co-producer, the authority concerned by a production is first notified about the film and its details by receiving the opinion of the other competent authority.

It also seems that in practice the communication between the competent national authorities is restricted solely to the exchange of information instead of giving their approvals.

The lack of the regulation regarding the exact content of the certificates to be issued by national authorities also causes some problems in the application of the Convention.

Experience also shows that there is a growing number of financial co-productions where the minimum participation of the minority producer is lower than 10 %.

2. If you have made declarations or reservations, do you intend to withdraw them?

Hungary intends to modify the declaration dated 24 October 1996, which stated in accordance with Article 5 of Chapter II of the Convention, that the competent authority in Hungary was the Ministry of Culture and Education. Since the 1st of January of 2012 it is the National Media and Infocommunications Authority of Hungary (NMIAH) which is responsible for the application of the Convention in Hungary. The modification of the declaration is as follows:

"In accordance with Article 5 of Chapter II of the Convention, the National Media and Infocommunications Authority of Hungary (location: 1015 Budapest, Ostrom u. 23-25.) is designated as competent authority mentioned in paragraph 2 of Article 5. "

3. If you have not ratified the Convention, do you intend to ratify it?

N/A (see question 1)

If you do not want to ratify the Convention, what are the major reasons for not doing so?

N/A (see question 1)

4. Do you have any suggestions about the implementation of the Convention?

We propose the creation of a common website with access to up to date contact data of the national authorities (see section 1 a) above).

We suggest establishing a Secretary which would be responsible for coordinating the implementation of the Convention such as updating the addresses of the competent authorities, collecting data from the national authorities and forwarding them to the relevant supporting bodies such as Eurimages.

We would also like to suggest the harmonisation of the practice with the text of the Convention by (i) reinforcing the practice of issuing a single approval, or (ii) regulating the two types of approvals (provisional as well as final approval) (see section 1 b) above).

The regulation of the consequences for cases when a co-producer fails to keep the deadline for the submission of the application under Appendix I of the Convention (see section 1 c) above).

Regulation of the exact content of the certificates to be issued by national authorities (such as the name of the co-producing companies, the proportions of contributions from each co-producer, the goal of issuing the certificate), e.g. by adding the form of the certificate as an Annex to the Convention (see section 1 e) above).

Finally, we would also like to propose to complete the provisions regarding sound negatives and internegatives (Article 7 of the Convention) with a list of relevant digital technologies.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Act II of 2004 on Motion Picture (Motion Picture Act) regulates two types of procedures which goals are similar to the Convention's.

Direct state subsidy shall be provided subject to the classification of the film according to the rate of Hungarian participation. Only those films are eligible for direct subsidies which are classified into the category of either „Hungarian film” or „film with Hungarian participation”. In this procedure similar documents are requested from the applicants as listed in Appendix I of the Convention (the list of authors, artistic and technical staff involved in the making of the film, film's budget, time schedule of making the film, financing plan, film's script, proof of purchase of the copyright, co-production agreement etc.)

Before receiving the indirect state subsidy, the NMIAH must establish the eligibility for the use of the subsidy to be granted for film production at the film producer's or the film production company's request. On establishing eligibility for subsidy, the NMIAH shall examine the planned film budget as well as the service value affected by the subsidy, and check compliance of the film with the cultural requirements set forth in Annex No. 2. of the Motion Picture Act.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? Signed 29.10.199, ratified 14.02.1997

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

The institutional framework changed since then, as competence is now with MiBACT DG Cinema

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Not applicable

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes.** **27.09.1993.**

If yes, do you encounter any problems in its application?

Not really, however, it is widely agreed on the necessity of modernising the Convention in line with industry practice and recent technological developments

2. If you have made declarations or reservations, do you intend to withdraw them?

We have not made any declarations or reservations

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Our opinion is generally in line with the proposals being presented by the working group/committee composed of experts appointed by the member states to revise the Convention (CPP-CINE) in the upcoming PLENARY MEETING OF THE PARTIES TO THE EUROPEAN CONVENTION ON CINEMATOGRAPHIC CO-PRODUCTION (CPP-CINE) that will take place in Strasbourg on 30-31 March, 2015

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The National Film Centre of Latvia fosters international co-productions through specific selective and automatic support programmes that have resulted in a higher number of international co-productions with the participation of Latvian production companies and Latvian film professionals

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application? -- --

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Not in near future.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We don't ascribe importance to this Convention.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

Avez-vous signé et/ou ratifié la Convention ? **Signé et ratifié**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Le gouvernement soutient financièrement la coproduction cinématographique

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Malta is engaging in funded projects through which the convention can be implemented.

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes, Moldova ratified the convention on 27/9/2011**

If yes, do you encounter any problems in its application?

The aims of the Convention are to promote the development of European multilateral cinematographic co-production, to safeguard creation and freedom of expression and defend the cultural diversity of the European member countries. This is to be achieved by reinforcing cinematographic co-production through a set of common rules intended to decrease restrictions and encourage European cooperation in the field.

2. If you have made declarations or reservations, do you intend to withdraw them?

Yes, Moldova has made a Declaration contained in the instrument of ratification deposited on 27 September 2011 -

In accordance with Article 5, paragraph 5, of the Convention, the competent national authority designated by Moldova is the Ministry of Culture of the Republic of Moldova.

The Declaration will not be withdrawn.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

In the framework of the CDCPP mandate for 2014-15, it was decided that the revision of the Convention would be carried out by a committee composed of experts appointed by the States party to the Convention (CPP-CINE). Moldova is part of the committee. The Ministry of Culture has also agreed on the recommendations of the Report "Evaluation and Proposed Revisions of the European Convention on Cinematographic Co-production", as follows:

- Revisiting the points system in order to recognize the increasing importance of directors, new forms of creative expression and the importance of non-European performing talent to the more ambitious projects.
- Changing the level of minimum financial participations from 10% to 5% (for multilateral co-productions) and from 20% to 10% for bilateral co-productions.
- Changing the maximum financial participation to 80% from 70%.
- Create a new system of data gathering in order to establish a range of metrics about the level of co-production activity and the success with audiences of the films that are made.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The new Law on Cinematography No. 116 adopted on July 3, 2014, was developed in the spirit of this Convention and in full coordination with the Recommendation CM/Rec(2009)7 of the Committee of Ministers to member states on national film policies and the diversity of cultural expressions.

The new law governs the conduct of activities in the field of cinematography (creation, coproduction, production, financing, distribution and exploitation of films), support for the development of the film industry and also management of the national cinematography heritage.

This Law aims at: developing cinematography field as part of the national culture by providing financial, technical and legal support from the behalf of the state; supporting the development of the film industry in the Republic of Moldova through training and retraining of specialists in the field; defining formation and use of financial resources necessary for the production, distribution, exploitation and archiving of the national films; organizing and functioning of the National Cinematography Centre as a public institution with responsibilities in the field; affirming the national cultural identity and that of the national minorities in the Republic of Moldova through film production and their promotion in the world-wide values circuit; protection, development and putting into value of the national cinematographic heritage; promotion of a fair and transparent competitive system of access to public financial resources envisaged for the cinematography; encouraging private initiative in the field of cinematography; regulating activity of the economic agents in the field of cinematography; fostering cinematographic cooperation at the European and international level.

Article 3 of the Law defines state policy in the field of cinematography and the principles of its implementation by the National Centre of Cinematography, as a public institution empowered to implement state policies in the field of cinematography.

Articles 10-17 of the Law refer to the financing of cinematographic activities from the state budget and also from the activities of the National Centre of Cinematography. As for the financing of cinematographic production, the share of the state in national film production may not exceed 50% of the film's production estimate. Financial support for the international co-productions is at least 20% from the Moldovan side for bilateral co-productions and at least 10% for multilateral productions, complying with the conditions stipulated in the Regulation on financing cinematography.

The new Law on Cinematography aimed at updating legislative norms, introducing certain provisions that harmonize with the new policies in the field, substituting ambiguous, outdated notions and formulations, liquidation of tax evasion and piracy in cinematography. At the same time, the Law also changes the system of financing and management of cinematography from the state command model (full funding from the budget) to partial financing at the maximum rate of 50% from the budget, what lays the foundation for self-sufficient cinematographic industry, as compared to the cinematography 100% subsidized by the state.

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

We consider the Convention as an important framework to promote the development of international cinematographic co-productions. The technological, economic and financial evolution of the film industry since the opening for signature of the European Convention on Cinematographic Co-production in 1992, necessitates a revision in order to ensure its continues relevance and effectiveness. Therefor we agreed to the revision of the Convention as was decided at the plenary meeting in May 2012 of CDCPP and that the revision should be carried out by a committee of experts appointed by the 43 State Parties to the Convention (CPP-Cine). We expect the recommendation from CPP-Cine for extermination to the meeting of CDCPP in June 2015 and subsequent submission to the Committee of Ministers of the Council of Europe

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it? **N/A**

If you do not want to ratify the Convention, what are the major reasons for not doing so? **N/A**

4. Do you have any suggestions about the implementation of the Convention? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Netherlands Film Fund runs several effective support schemes to enhance development, production and distribution of film productions and since five years has a strong emphasis to stimulate international co-productions. As a result the Netherlands have participated both as a majority and minority partner in many cinematographic coproduction's which have been presented at different international film festivals and have crossed borders both theatrical and non-theatrical. The Netherlands recently signed a bilateral international coproduction treaty with Germany, with the aim to further facilitate international collaboration and coproduction between the two countries. It's conditions are more suitable for the specific collaboration between Dutch and German filmmakers than the current European Convention on Cinematographic Co-Production.

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No serious problems**

2. If you have made declarations or reservations, do you intend to withdraw them?

Norway has no reservations or declarations. Norway has one Reservation, concerning Article 9 (1.a). It is not considered to withdraw it.

Norway also has one Declaration, concerning Article 5 (competent Authority). No intention to withdraw it.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X?

Yes. It was signed on 25 May 1995 and ratified on 30.Dec. 2002

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention X, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Not applicable

4. Do you have any suggestions about the implementation of the Convention X? No

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X?

It constitutes a base for bilateral and multilateral agreements for film co-productions.

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes.**

If yes, do you encounter any problems in its application?

No, except for the 10% threshold.

2. If you have made declarations or reservations, do you intend to withdraw them?

Depends of the final text of the revised Convention

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

No. One expert has taken part in the Evaluation of the European Convention on Cinematographic Co-production made by a consultant.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

National film production includes very often European coproductions. The national film agency (ICA – Instituto do Cinema e Audiovisual) has a programme for financial support of minority coproductions.

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **Yes**

The provision of Article 6, paragraph 1 stipulates that in the case of multilateral co-production, the contribution of a co-producer may not be less than 10 % or more than 70 % of the total production costs of the cinematographic work. The wording of this provision is contradictory since it essentially prevents tripartite co-production where the contribution of the majority producer is 70% in compliance with the Convention, and the contributions of each of the two minority co-producers is 10% (also in compliance with the Convention).

Annex I – The procedure for submitting a request stipulates that a request for the granting of the status of co-production must be submitted not later than two months prior to the beginning of the shooting of the film. However, this procedure does not in any way ensure legitimate possibilities for changes in co-production work or the procedural assessment of the co-production nature of the film after its completion. The “ex post” assessment is necessary or even essential for the actual co-production character of the work. The present requirement of the Eurimages fund for the issuance of definitive co-production statuses is a case in point. In terms of adhering to and assessing the co-production character of the work, it is fully legitimate, but in the current wording of the Convention it has no legal or procedural basis.

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention, do you intend to ratify it? We have ratified the Convention.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Article 6, paragraph 1: increase the maximum contribution of a co-producer to the total costs for film production from 70% to 80%.

Annex I: adjust the process of confirming the co-production character of a film also upon its completion while permitting the submission of an application for acknowledging the co-production character anytime throughout the process of implementation of the work, since the formal binding of application submissions to a period of two months prior to the beginning of shooting has no logical justification with respect to practice in film implementation and the gradual forming of co-production relations and possible changes in shares of individual co-production partners.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention's principles are fully implemented in the relevant legislation of the Slovak Republic. The audio-visual fund created a separate support scheme for film work with the minority contribution of a Slovak co-producer.

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed: 17/2/2003, Ratified: 28/11/2003, Entry into force: 1/3/2004.

If yes, do you encounter any problems in its application?

No, although there were some issues regarding the understanding and the application of the general balance article.

2. If you have made declarations or reservations, do you intend to withdraw them? No.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

It will be discussed at the upcoming meeting regarding the Revision of the convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **OUI**

Si oui, rencontrez-vous des problèmes quant à son application ? **NON**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

NON, la « réserve » ci-après devrait être maintenue à long terme.

Conformément à l'article 5, paragraphe 5, de la Convention, l'autorité compétente en Suisse est :
Le Département fédéral de l'Intérieur
Office fédéral de la culture
Section du cinéma
CH-3003 Berne.

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ? **NON**

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Oui, la Suisse mène une politique active en matière d'encouragement des coproductions cinématographiques. Elle a à cet effet notamment conclu des accords de coproduction bilatéraux avec tous ses pays voisins (un accord trilatéral avec l'Allemagne et l'Autriche) ainsi qu'avec la Communauté française de Belgique, le Canada et le Luxembourg.
<http://www.bak.admin.ch/film/03614/04431/index.html?lang=fr>

TURKEY / TURQUIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

The convention has been ratified by the law numbered 5115 on the Approval of the Ratification of the European Convention on Cinematographic Co-production. There have been no difficulties of implementing the procedures of the Convention in the process of the bilateral agreements and co-productions with other countries.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

There have been problems in implementing the following provision in the Appendix 1 of the Convention: "The competent authority of the Party with the minority financial participation shall not give its approval until the opinion of the Party with majority financial participation has been received." We request the countries with the majority financial participation to implement this provision carefully.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The draft law on direct support mechanism for co-productions has been prepared and it is ready to be enacted this year.

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed 5/11/1992. Ratified 9/12/1993.

If yes, do you encounter any problems in its application?

In principle ok but have some issues that prevent third party co-producers and would like to see TV included. This is being reviewed at the moment.

2. If you have made declarations or reservations, do you intend to withdraw them?

No. One declaration naming the UK competent authority for co-production status assignment.

3. If you have not ratified the Convention, do you intend to ratify it? N/A

If you do not want to ratify the Convention, what are the major reasons for not doing so? N/A

4. Do you have any suggestions about the implementation of the Convention?

Would want to see more flexibility in the use of post-production in Europe but outside of the co-producing countries.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention? No.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

La Convention a été signée le 10 février 1993.

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

8) European Landscape Convention (CETS 176)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Yes, discussions have already started

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

One of the most striking elements of the Convention is its holistic approach to the development of landscape policies, not only comprising the aspects of agriculture, ecology, economy/tourism, regional policy and biodiversity but also addressing aspects of social life, aesthetics, culture and education in landscape issues. The spirit and goal of the Convention are covered by a number of laws in Austria, on a national as well as on a regional level (Federal States – Bundesländer).

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 20/10/2000; Ratified 28/10/2004.**

If yes, do you encounter any problems in its application?

Although Flemish legislation is strongly embedded in this convention, certain themes remain challenging in practice:

- **The bigger scope of the convention (eg.. bringing into focus degraded landscapes);**
- **Improving procedures for the participation of the general public ;**
- **Integration of landscape in a broader range of relevant policies ;**
- **Broader use of landscape quality objectives.**

2. If you have made declarations or reservations, do you intend to withdraw them? /

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

New general (immovable) heritage decree 12/7/2013 has entered into force on 1/1/2015.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since May 2012 and no problems whatsoever have ever been encountered.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Yes, it shall improve the understanding of landscapes in general and shall improve monitoring of changes and trends. Also, it shall raise awareness through promotion, education and trainings about landscape policies.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The implementation procedures of the European Landscape Convention in Bosnia and Herzegovina are combination of the regulatory implementation and voluntary. Therefore, we have published publications which correspond to the spirit and goals of the Convention: State of the Environment in FBiH (2010), National Report on Biodiversity and Landscape Protection, National Strategy and Action Plan for Biodiversity and landscape Protection, Campaign of the Federal Ministry of Environment "Clean Environment – Clean Conscience".

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them? **No.**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Difficulties relating to the linking of different sectors and ministries that include landscape issues required to find a new model of cooperation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes. Landscape is integrated into many laws and strategies:

The Law on the Protection and Preservation of Cultural Heritage, Law on Nature Protection, Law on Environmental Protection, Physical Planning strategy, the Strategy for the Protection of Biological and Landscape Diversity, Strategy on the sustainable use of cultural heritage etc.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**
2. If you have made declarations or reservations, do you intend to withdraw them?
3. If you have not ratified the Convention, do you intend to ratify it? **YES**
4. Do you have any suggestions about the implementation of the Convention?
5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention is implemented through:

- Nature Conservation Act
- Heritage Conservation Act
- Environmental Impact Assessment and Environmental Management System Act
- Planning Act

The spirit of the Convention is reflected in:

- Estonian Environmental Strategy 2030
- Nature Conservation Development Plan 2020
- Rural Development Programme for ESTONIA 2014–2020
- Estonian Architectural Policy 2002
- Thematic Development Plan „Rural architecture and landscape“ 2012–2015
- Thematic Development Plan “Sacred natural sites. Research and maintenance” 2015–2020
- Planning activities on all levels: local, regional and national

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes, ratified on 16 December 2005, Entry into force on 1 April 2006.**

If yes, do you encounter any problems in its application?

The Convention provides a good basis for the application of national legislation.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

We are satisfied with the leadership and high quality work of the CoE in its efforts to promote and monitor the implementation of the convention. In this respect, facilitating international cooperation through exchange and dissemination of best practices is important.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The first national Cultural Environment Strategy (2014–2020) and its implementation plan lay the foundation to the implementation of the European Landscape Convention. Currently, there is no separate landscape policy/strategy, as this is covered by the Cultural Environment Strategy.

Cultural Environment Strategy 2014–2020:

<http://www.ym.fi/en->

[US/Land_use_and_building/Programmes_and_strategies/Cultural_environment_strategy](http://www.ym.fi/en-US/Land_use_and_building/Programmes_and_strategies/Cultural_environment_strategy)

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ? Sans objet

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ? **Non**

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

- atlas de paysages pour l'identification, la caractérisation et la qualification des paysages,
- observatoires photographiques du paysage
- plans de paysage pour l'identification des objectifs de qualité paysagère et la mise en œuvre de moyens pour les atteindre
- ateliers transfrontaliers
- Grand Prix National du Paysage, en lien avec le Prix du paysage du Conseil de l'Europe
- Plan d'action relatif à la reconquête des paysages et à la place de la nature en ville, annoncé en septembre 2015 : <http://www.developpement-durable.gouv.fr/Communication-relative-a-la.html>

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has neither signed nor ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

Germany does not intend to sign the Convention at present. Due to limited financial and human resources at the federal level, but also with regards to the Länder, the German Government considers it particularly important to focus on those projects on the international level that are expected to provide an impetus for significant improvements in environmental protection and nature conservation in Germany and other Member States. In our view, this is currently not to be expected within the framework of the European Landscape Convention.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece ratified the Convention with Law 3827/2010 (Government Gazette A 30/25.2.2010)

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The opportunity to implement a global policy for landscape was provided by the ratification of the European Convention for Landscape.

In this context, taking into account the evaluation / revision of the Regional Plans for Territorial Development in the 12 Regions of Greece, which was in progress, it was foreseen to integrate in that revision the landscape dimension (Ministry of Environment, Energy and Climate Change, 2011). The objective of this effort is to include in the new (revised) regional plans an integral and specific approach on landscape matters. In this way, in every region "landscapes of great importance" will be identified, for which there will be designed actions, by way of priority, for their development and management.

More specifically, the Regional Plans will incorporate a certain amount of estimates and proposals about landscape and will result in a) the identification of landscape zones, b) the establishment of policies concerning the protection, development and sustainable management of the landscapes of the entire region, c) the formulation of priorities for the objectives of the landscape quality for every landscape zone, in order to ensure that the whole development project is compatible with the realization of these objectives, d) the orientations aiming to reduce the pressures that modify the landscape and e) the recommendations of management policies and measures to be adopted at local level (local plan of urbanism, of agglomeration, etc.).

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes, Hungary ratified the Convention in 2007.**

If yes, do you encounter any problems in its application?

Hungary does not face any problems in the application of the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them? –

3. If you have not ratified the Convention, do you intend to ratify it? –

If you do not want to ratify the Convention, what are the major reasons for not doing so? –

4. Do you have any suggestions about the implementation of the Convention? –

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Integrating landscape aspects into strategies, concepts and plans:

National Basic Plan for Nature Conservation within the National Program for Environmental Protection determines the task of creating the Cadaster of Hungarian Landscapes.

National Development 2030 - Concept of National and Regional Development integrated several landscape aspects: declare as a goal that the protection of the landscape should become an integral part of public awareness and our social values, preserving favourable landscape characteristics, and slowing down or stopping unfavourable changes in the structure and character of the landscape. Among others, it identified the areas of intervention preservation of biodiversity and landscape diversity.

The Act No. XXVI of 2003 on the National Spatial Plan regulates the land-use and provides the legal framework of spatial planning. It is defining the rules for land use based on the environmental conditions in harmony with the regional development goals, and providing a coordinated order of the various technical infrastructure networks.

The first phase of the spatial plan is a situation analysis, which explores, identifies and evaluates the landscape characteristics, the evolution of the spatial structure, the land-use changes. It includes a special chapter on nature conservation and landscape protection as well as defining of landscape loading and landscape loadability.

The spatial structure plan indirectly serves the landscape protection by the top-down hierarchy of plans. There is the National Spatial Plan (NSP, in Hungarian: OTTrT) with a scale of 1:500 000 on the top of the hierarchy which determines spatial structure of the country in order to ensure balanced regional development.

The spatial plan primarily ensures the protection of natural, landscape and cultural heritage values through rules of zones. The protection of landscape values is ensured by the restrictive rules of area for development, placement of buildings and open pit mines. The various regional zones of the spatial plans serve directly or indirectly the landscape

protection (e.g. Areas of High Importance Landscape Zone, Zone of National Ecological Network, zone of World Heritage Sites and sites being on the Tentative List for World Heritage Sites).

Integrating landscape aspects into laws:

The cultural heritage aspects of the Florence Treaty are implemented through the 2001 Act LXIV on the protection of cultural heritage and the 393/2012. government decree on the protection archaeological and built heritage (the landscape protection of historic monument and archeological values; definitions of historic landscape, historic monument area and monument protection area; historic gardens; cemeteries; list of national memorial sites).

The 5/2012. (II. 7.) NEFMI decree declared the famous Tokaj-Hegyalja wine region as historic landscape, so the territory as a whole was given the same protection as any other listed national monument (buildings, for example) in the country. This is the only one landscape in Hungary which has this kind of legal, cultural heritage protection.

The Act. No. LIII. of 1996 on Nature Conservation in Hungary prescribes that landscape protection measure have to be included in the spatial and development plans.

The Act on World Heritage prescribes the preparation of management plans of World Heritage sites in Hungary, in order to ensure integrated protection of World Heritage sites (cultural landscapes, archeological sites, historic monuments and nature protection areas).

Hungary participates in the European Union action for the European Heritage Label. The Ministerial decree 52/2013. (VII. 15.) prescribes the national pre-selection process based on which Hungary transmits the application forms of two Hungarian heritage sites to the European Commission. The 'sites' might mean monuments, natural, underwater, archaeological, industrial or urban sites, cultural landscapes, places of remembrance, cultural goods and objects and intangible heritage associated with a place, including contemporary heritage;

Organizing the Hungarian Landscape Award Program:

The Hungarian landscape award programs were carried out on national level in 2008-2009, 2010-2011, 2012-2013 and 2014-2015, according to the Resolution CM/Res(2008)3 on the Rules governing the Landscape Award of the Council of Europe.

In 2012 the Minister responsible for nature conservation raised the status of the selection procedure in Hungary by establishing the Hungarian Landscape Award by the 14/2012 (VI. 25.) VM decree of the minister of rural development. The Hungarian Landscape Award conferred first in 2013.

The Hungarian Landscape Award is granted on a public ceremony organized in connection with the Earth Day. The plaque of Hungarian Landscape Award is a 30 cm x 42 cm, bronze made plate decorated with stylized Hungarian landscape and the logo of nature conservation.

Organizing conferences and exhibitions related to European Landscape Convention.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, ratified. (Law n.14/2006, published in the Gazzetta Ufficiale N. 16 del 20 Gennaio 2006) – “Ratifica ed esecuzione della Convenzione Europea sul Paesaggio, fatta a Firenze il 20 ottobre 2000”.

If yes, do you encounter any problems in its application?

La culture du paysage en Italie a évolué jusqu'à maintenant avec une notion de paysage a une dimension esthétique forte : les paysages dignes de protection spéciale sont ces parties du territoire caractérisées par des valeurs esthétiques, naturel ou culturel. Les catégories de classification du Code du patrimoine culturel et paysager (normes de référence pour les activités du Ministère) ont une vision encore lié à des valeurs sensiblement esthétiques, mais les contenus du préambule et toutes les définitions relatives au paysage dans la partie du Code relatives à la planification du paysage sont parfaitement conformes à l'esprit de la Convention européenne du paysage.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Il serait approprié que la Convention consacre une plus grande attention aux questions d'identité et au lien entre les gens et leurs lieux, les lieux d'appartenance, ainsi que les nouveaux lieux de résidence, en particulier en relation avec les différents groupes ethniques qui peuvent trouver dans la réalité actuelle éléments évocateurs de ceux d'origine. Ces éléments peuvent également être le résultat d'une conception qualifiée architecturale et paysagère contemporaine.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Oui, toutes les activités qui concernent le paysage, explicitement ou implicitement, constituent des actions pour atteindre la mise en œuvre des principes de la Convention:

- dans les évaluations des interventions de transformation du territoire, en donnant des instructions ou des directives relatives à la protection des valeurs du paysage;
- dans les activités de 'co-planification' avec les autorités locales, ou la traduction des demandes qui viennent du territoire sur l'utilisation des territoires sont traduits en termes de compatibilité avec les exigences de la protection des valeurs du paysage;
- avec la participation active aux initiatives publiques de diffusion et de sensibilisation aux niveaux national et local en ce qui concerne la protection et l'amélioration du paysage;
- avec la participation des représentants du MiBACT au travail conjoint avec d'autres organismes gouvernementaux engagés dans des politiques de développement, à la fois en matière de questions juridiques-administrative ou pour l'élaboration des plans et des projets;
- avec une campagne de publicité et de diffusion de la Convention à l'occasion de la participation italienne dans le Prix du paysage du Conseil de l'Europe (prévue par la Convention elle-même). Nous avons fait l'expérience de ce que la procédure adoptée par le Ministère à l'occasion du Prix, toujours plus affinée pour garantir une croissance dans la participation, s'avère un instrument optimal en premier lieu pour la divulgation des principes

de la Convention, mais aussi pour connaître les modalités diverses par lesquelles les différentes communautés locales entrent en relation avec le paysage, et comment sur les années évolue et se développe la culture du Paysage. Pour cette fin, le MiBACT a créé un site Web spécifique (www.premiopaesaggio.it) avec toutes les informations concernant l'initiative, les différentes étapes relatives à la conduite de la procédure et avec tous les projets soumis qui ont été proposés comme candidat italien. Cette information se réfère à tous les quatre sessions tenues le prix (à savoir depuis la première session 2008-2009).

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the European Landscape Convention?

If yes, do you encounter any problems in its application?

Latvia has ratified the European Landscape Convention (ELC) in the year 2007. But activities on the landscape policy were carried out prior to ratification, for example, protection status has been assigned for nine protected landscape areas. They were established due to the outstanding natural as well as cultural values and cover 2.6% of the country's territory.

Therefore the main challenge at the moment is landscape management improvement, emphasizing landscape assessment and planning - a elaboration of a methodology for landscape assessment, to perform the integrated landscape inventory at the national, regional and local level, as well as development of landscape management plans for the areas of high landscape value and produce a Landscape Catalogue as it has been done by many other countries.

However a new approach on the landscape assessment in Latvia is needed: an elaboration of a methodology for landscape assessment, emphasizing the role of society, is very important for Latvia.

2. If you have made declarations or reservations, do you intend to withdraw them? **Not applicable**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so? **Not applicable**

4. Do you have any suggestions about the implementation of the Convention?

In order to implement activities and measures of the Convention, international cooperation and knowledge on experiences of other countries is and will be very important.

Example: Existing situation in landscape inventory, assessment and planning varies in Latvia highly from the region to region and from the municipality to municipality. One of 5 planning regions in Latvia – Vidzeme, Sigulda municipality and some other municipalities participate in international projects on landscape management, but the overall capacity at regional and local level is insufficient.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Since ELC came into force, landscape management, planning and development issues are being emphasized increasingly:

Landscapes have been recognized as one of the most valuable component of the Latvian cultural and natural capitals. It is underlined by the main development planning document for the country - Sustainable Development Strategy of Latvia up to 2030 (hereinafter – Strategy). It defines that outstanding nature, landscape and cultural heritage areas are the spaces of national interests that need to be supported by the state. The Strategy settles these main tasks to be fulfilled:

Integration of landscape planning and nature protection in sectoral policies, legislation and spatial development planning.

Identification of typical and unique landscapes and development of proposals for landscape management and monitoring.

Education and involvement of the general public in the management of natural and cultural landscapes.

In order to implement ELC and the Strategy, Ministry of Environmental Protection and Regional Development elaborated the Landscape Policy Strategy, which was approved by the Government in August 2013. This strategy was developed in close cooperation with other ministries, universities, planning regions and non-governmental organizations. There was a Working Group established and the information on the development of Strategy was placed on ministry's website to ensure public participation.

For the Northvidzeme Biosphere Reserve and National Park Rāzna Landscape ecology plans have been elaborated in the years 2008-2009. These plans include recommendations for local spatial plans.

2009-2011 in the Northvidzeme Biosphere Reserve the unknown cultural heritage values in a rural landscape, particularly forests were revealed and mapped, thus important information was delivered for local planners and society.

The Permanent European Conference for the Study of Rural Landscape (PECSRL) was hosted in the year 2010 by the University of Latvia and supported by the Ministry of Environmental Protection and Regional Development.

The national selection of tenders for Landscape award of the Council of Europe was organized in the years 2012 and 2014. In the year 2012 two and in the year 2014 four municipalities took part on this selection.

A workshop for municipalities and landscape planning experts was organized in the year 2014.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application? -- --

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Probably not in near term.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

The ratification is in evaluation.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

Avez-vous signé et/ou ratifié la Convention ? **Signé et ratifié**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Protection de paysages par voie législative ; création de parcs naturels.

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed but not ratified**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Government of Malta is currently examining ratification

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Implementation is through (i) National legislation: the Malta Planning and Development Act and especially the Cultural Heritage Act; (ii) national policy documents: the Structure Plan for the Maltese islands, Local Plans and related policy guidance instruments which among other matters regulate the protection of the cultural heritage. The Superintendence of Cultural Heritage (Cultural Heritage Act) regulates inventories, heritage protection, excavation, frontier control, etc.

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? – Yes, Law 536 of 12.10.2001

If yes, do you encounter any problems in its application? - No

2. If you have made declarations or reservations, do you intend to withdraw them? – We did not.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? – No

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

We developed a project of law on landscape.

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

See question 5

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The following measures have been taken to implement the European Landscape Convention (ELC) in the Netherlands:

- A Government Adviser on Landscape and Water has been appointed to provide solicited and unsolicited advice to agencies and all levels of government about the consequences of spatial development for the landscape.
- In its National Policy Strategy for Infrastructure and Spatial Planning, the government identified twenty national landscapes which together reflect the diversity and landscape heritage of the Netherlands. Provincial authorities are responsible for the conservation of these national landscapes.
- The government has specific responsibility for landscapes protected under the World Heritage Convention and which UNESCO has chosen to include on the provisional World Heritage list. This of course also applies to the Wadden Sea, as a UNESCO World Natural Heritage Site, and to other sites under the responsibility of the central government, primarily large bodies of water.
- When the government is involved in making decisions about major projects and spatial planning, consequences for the landscape are always considered. In several cases advice is sought from the Government Adviser on Landscape and Water.
- The government published its vision on nature policy in 2014. The main premise of the government's vision is that nature should be embedded in society, and should be combined with other societal values and interests. These combinations strengthen the natural and landscape quality of the environment. The intention to involve members of the public with nature conservation and landscape is also consistent with the ideas of the ELC.

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, signed 20. Oct. 2000 and ratified 23. Oct. 2001

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them?

Norway has no reservations or declarations

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

It is important to continue the biennial Conferences of the Council of Europe on the European Landscape Convention and to organize the workshops for the implementation of the Convention. The Council Europe's Landscape Award, joint working groups and preparation of thematic reports are also important. C.f. the proposed work program from the 8th Conference

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Planning and Building Act 2008 has explicitly prescribed the inclusion of landscape as defined in the European Landscape Convention to be a factor to be taken into account in planning and planning tasks under the Act.

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X?

Yes, it was signed on 21 Dec. 2001 and ratified on 29 Sept. 2004

If yes, do you encounter any problems in its application?

The Convention comprises wide range of issues referred to various branches of human activity. Therefore, the competences are divided – there is no single body responsible for implementation of the Convention. E.g., on central level the domain of the Ministry of Infrastructure and Development is spatial planning, while the Ministry of Environment deals with matters referred to the areas of nature and landscape of special value. The cultural landscapes are within the competence of the Ministry of Culture and National Heritage. Moreover, on the local level the Marshal of each Voivodship supervises protected landscapes, while local governments are responsible for spatial planning. This state of play – split of competences and ineffective system of spatial planning makes it difficult to implement the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them? **No**

3. If you have not ratified the Convention X, do you intend to ratify it? **Not applicable**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Not applicable

4. Do you have any suggestions about the implementation of the Convention X?

Implementation of the Convention needs further coordination of activities, so better engagement of various stakeholders could bring positive results.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X?

The National Spatial Development Concept 2030 (NSDC 2030), which was adopted by the Council of Ministers on 13th of December 2011, is the most important national strategic document that addresses the spatial management of the country. It refers to the activities connected with protection of the landscape, both natural and cultural. The document acknowledges the implementation of the provisions of the Convention to the national legislation and their execution. Therefore, there are ongoing works in the Parliament dedicated to the draft law enhancing the tools for protection of the landscape. In reference to Art. 6C of the Convention it proposes a landscape audit on voivodship level aimed at identification, characteristics and evaluation of the landscapes and further delimitation of the most valuable among them. Additionally, it is worth mentioning that on a basis of binding law there are protected areas dedicated to the protection of the landscape, i.e. landscape parks and areas of protected landscape. Under the law of 3 October 2013 on making access to the information on the environment and its protection there is an obligation to measure the impact of planned activities on the landscape.

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signed in October 2000. Ratified March 2004

If yes, do you encounter any problems in its application?

Some of the major problems result from the severe budget restrictions that have been in force in the last years that also have had implications on the availability of human resources. These restrictions have had as a consequence the impossibility to develop necessary baseline studies, such as those necessary to define landscape quality objectives for the landscape units already defined, the updating of the study "Contribution to the identification and characterization of landscapes in mainland Portugal", the general monitoring of landscapes or the identification of derelict or degraded landscapes as well as the "National Programme for Landscape Rehabilitation and Enhancement" that was part of one of the Specific Objectives of the Action Plan of the National Spatial Development Policies Programme of 2007. It also limited the possibility of widespread awareness-raising activities. Also, while it is easier to raise awareness about the need and importance to protect outstanding landscapes, it is more difficult to raise awareness about the need for and the importance to take adequate measures and actions for the management of everyday landscapes. The same happens in relation to the slow degradation of landscape.

It is also appointed as problems:

- General acknowledgment of landscape both as a palimpsest and an evolution entity
- Assessment of landscape quality: procedures and methodologies
- Inserting the landscape quality assessment on the general project impact evaluation and on planning procedures and methodologies

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Implement as soon as possible its information system (ELCIS), continue with the ELC Conference and with the workshops because they are opportunities and a way to exchange information (technical and about policies) not only between the Member states but as well as with civil society (NGOs, experts, professional and stakeholder organizations, universities, etc). The Conference and the workshops are also opportunities for wider awareness-raising about landscape issues.

The permanent up-dating of the ELCIS will be an important "open" information source for anyone interested in landscape issues.

The Landscape Award is an important tool for promoting the implementation of the Convention, namely through examples of good quality and sustainable landscape interventions, nevertheless needing a more strong and wide publicity (both by the Member states and the Council of Europe).

There is a need to continue producing "focused"/thematic technical reports and issue papers related to the diverse issues/articles of the Convention, namely, for example, the management of everyday landscapes, the monitoring of their changes as well as the issues related to the definition of landscape quality objectives. The issue of indicators related to landscape quality, changes and sustainability is an important one that needs wide and expert based reflection, involving both researchers and experts of the administration and professionals working with landscape planning

management, protection and rehabilitation. These documents are important because they are both "guidance papers" and a source of inspiration and information for landscape policies and interventions in the spirit of the Convention (for responsible authorities, civil society and experts).

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, although with the limitations and budget restrictions already mentioned.

Thane protection and enhancement of landscape is mentioned in the Portuguese Constitution as a duty of the State with the participation of the population. Several sectorial policies, plans, programmes and strategies (for example, forestry, nature conservation, cultural heritage, tourism) as well as more trans-sectorial policies (spatial and urban development policy) or strategies (National Sustainable Development Strategy) include and mention the management, enhancement and protection of landscape among their goals. As well the operational programmes co-financed by the EU Structural Funds have contemplated the possibility, and been used to co-finance studies and actions addressing landscape issues.

The National Spatial Development Policies Programme and all the Regional Spatial Development Plans (both adopted or pending approval) as well several Municipal Spatial Master Plans include and deal with landscape issues (for example the first Municipal Landscape Protected Area was created by the initiative of, and adopted by the competent local authority, in 2012).

The National Landscape Award was created in 2012, the same year that was organized its first session.

Awareness-raising actions have been taking place, organized both by the different levels of administration, by universities and civil society (as an example, as a result of a group of civil society interested persons, an association was created, "Associação Tagus Universalis/ATUP", with the goal of proposing a classification of the cultural landscape of the Tejo River. Based on voluntary work by association members and university researchers, it produced a methodology for the definition and characterization of that landscape, involving also the local populations and local authorities through a wide consultation and public participation process).

As well, several municipalities participated in european projects, co-financed by the EU territorial cooperation programmes.

As examples of specific publications, we can mention the studies "Contribution to the identification and characterization of landscapes in mainland Portugal" (2004) and "Book of the Azores Landscapes" (2005), both co-financed by the INTERREG IIC - South Western Europe, and more recently, the technical guidance paper "The landscape in the Municipal Spatial Master Plans' revision: Guidelines for the implementation of the European Landscape Convention at the local level" and the study "Landscape multi-functionality in the Lower Vouga Lagoon: a contribution to climate change adaptation" (this last one co-financed by INTERREG IVC).

The recent Framework Act on Land, and Spatial and Urban Development Public Policy, adopted by Parliament in May 2014, that replaces the former Framework Act on Spatial and Urban Development of 1998, continues to include references to the landscape.

A draft proposal for a pilot-project to prepare landscape quality objectives for a border region is being prepared in order to be proposed to Spain.

A draft proposal for a National Policy on Architecture and Landscape was prepared and the object of public consultation in 2014, awaiting approval by the Government.

The special protection zones previewed on the Portuguese Cultural Heritage Protection Law and the day by day practice of it, has an important connection with the Convention spirit and goals applied both to the rural and urban landscapes

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signature: 7. 3. 2001 Ratification: 15. 7. 2003.

If yes, do you encounter any problems in its application?

Slovenia signed and ratified the Convention because it is already largely complied the provisions of the Convention and wanted to upgrade its activities on this issue. The development, protection and management of landscapes are defined by documents in the field of spatial planning, nature conservation, protection of the cultural heritage and rural development. In November 2012 Biotechnical Faculty in Ljubljana organized the Slovenian Landscape Policy Conference. The conference was intended as an initiative with starting points for landscape policy preparation. The purpose was to stimulate a debate about the landscape and its instruments. A very effective instrument for example is the European Landscape Award; in which Slovenia participated for the third time. Unfortunately now we do not have enacted independent landscape documents in the Slovenian legal system but we focused research on landscape at the national level. We have a lack of public awareness about the importance of landscape quality of the living environment and we have no permanent framework for consultation between ministries on landscape matters.

2. If you have made declarations or reservations, do you intend to withdraw them?

A number of mechanisms fall under the remit of different sector, therefore, we need to increase better systemic solutions for inter-ministerial coordination. The sectorial approach must be upgraded through consensus which involves all interested parties related to landscape development.

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so? /

4. Do you have any suggestions about the implementation of the Convention?

In future, more attention must be devoted to the inclusion of landscape content into spatial planning. Landscape planning must become a part of the spatial planning system. Residents must be integrated into decision making about landscape development. Namely, people have represented the most significant link in the chain of landscape development factors already in the past and continue to do so today.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In April 2015, which is the month intendant to Landscape Architecture, the Slovenian Association of Landscape Architects will be organized many different events and consultations about the landscape and its instruments. At the level of the ministries we will set up a working group to implement the Convention. And we carried out a project which aims is to define the landscape diversity and landscape features that are important for biodiversity conservation.

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

The convention constitutes an important implement to enable a dynamic discussion and to add landscape perspective to a wide range of policy areas. Still, the landscape perspective is one of many when it comes to planning and processes.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes. In 2014 the parliament decided on a proposition to implement new national goals for cultural environment. The goals reflect the spirit and goals of the Convention.

The goals and spirit of the implementation is part of the constant on going planning processes, where different perspectives are added. Regional authorities take initiatives to support the ELC-perspective to be part of local and regional planning processes. The Swedish National Heritage Board has also produced information materials to inform the civil society and the public sector about the landscape perspective.

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **OUI**

Si oui, rencontrez-vous des problèmes quant à son application ? **NON**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ? **NON**

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

La Suisse dispose de plusieurs bases légales liées au paysage dont une loi spécifique (la loi de protection de la nature et du paysage), ainsi que de plusieurs autres bases légales et instruments sur ce thème. Nous pouvons citer comme exemple le Fond suisse pour le paysage qui finance des pratiques de gestion des paysages ainsi que la Stratégie du paysage fédérale et le Concept paysage suisse qui donne les directives pour des bonnes pratiques dans la gestion et la qualité du paysage.

En plus de toutes les bases légales, instruments et initiatives déjà en place lors de la ratification de la Convention, en Suisse on a assisté au développement d'une série de nouveaux éléments dans le domaine des politiques liés au paysage :

- a. Dans les instruments, la politique agricole suisse a mis en place des contributions liées à la qualité du paysage pour les agriculteurs à partir de 2014 : c'est-à-dire un instrument de soutien financier de la qualité paysagère sur la surface agricole grâce à un changement de l'Ordonnance sur les paiements directs de l'agriculture.
- b. Depuis 2007, la loi sur la protection de la nature et du paysage prévoit la création de parcs naturels régionaux et parcs nationaux. Les parcs couvrent aujourd'hui environ le 15 % de la surface du pays et ont inscrit dans leur Charte des objectifs sur le maintien et la valorisation des valeurs paysagères. Les parcs sont des initiatives régionales basées sur le principe de l'autodétermination et du bottom up.
- c. La Suisse a vécu aussi une initiative populaire qui a amené à un changement de la Constitution : les habitations secondaires devront être limitées à 20% des habitations totales dans toutes les communes. Cela surtout dans le but de préserver la qualité du paysage dans les régions de montagne.
- d. La nouvelle loi fédérale sur l'aménagement du territoire a été acceptée. Elle définit une limitation de la surface construite et un soutien de la densification des agglomérations.
- e. La Stratégie sur la Biodiversité a été acceptée par le Conseil fédéral, le plan d'action est en élaboration. Il contiendra des mesures liées au paysage.

Au niveau du travail de communication la Confédération a lancé aussi des mesures :

- f. Tout d'abord il y a eu l'information publique sur l'état du paysage en suisse en 2010 et 2013 (grâce aux résultats du système de monitoring du paysage LABES).
- g. La Confédération suisse a aussi organisé plusieurs séminaires et des forums pour les cantons et les spécialistes sur la sensibilisation de la population aux thèmes liés au paysage.

Au niveau de la recherche, la Suisse :

- h. compte plus de 30 institutions qui ont des activités dans le domaine du paysage, mais pour le moment il n'existe pas un programme national de recherche spécifique sur ce thème.
- i. Par contre l'Office fédéral de l'environnement met à disposition des moyens financiers limités pour des publications.
- j. Un important programme de recherche sur le paysage a été lancé par un institut de recherche national (le WSL) : il touche le paysage et s'intitule « plus de place pour l'Homme et la Nature ».

TURKEY / TURQUIE

Answered by Ministry of Forest and Water Affairs, General Directorate of National Parks and Nature Conservation

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

Yes, we encounter some problems in its application. In our country, there are not any legal arrangements concerning landscape directly.

2. If you have made declarations or reservations, do you intend to withdraw them?

We made several declarations, but we do not intend to withdraw them.

3. If you have not ratified the Convention, do you intend to ratify it? N/A.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

We think it is important that it should be supported or encouraged for making bilateral or multilateral projects by the parties.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, we implement some actions or policies which correspond to the spirit and goals of the Convention. First of all, we are working on the planning, protecting and managing of the landscape. Secondly, we are working concerning projects which are related to the landscape directly. One of them is the project of preparing "Yeşilırmak Watershed Basin Landscape Map"

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes. Signed 21/2/2006. Ratified 21/11/2006.**

If yes, do you encounter any problems in its application? **No. Entry in to force 1/3/2007.**

2. If you have made declarations or reservations, do you intend to withdraw them?

No. One declaration to apply Convention to Great Britain and Northern Ireland.

3. If you have not ratified the Convention, do you intend to ratify it? **N/A**

If you do not want to ratify the Convention, what are the major reasons for not doing so? **N/A**

4. Do you have any suggestions about the implementation of the Convention? **No.**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The triennial report on progress was last submitted by the UK to the Council of Europe in November 2012. This details the actions that have been taken to support delivery of the Convention objectives throughout the UK. It is available on the Council of Europe website.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

9) European Convention for the Protection of the Audiovisual Heritage (CETS 183)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 2002 (not followed by ratification)**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We still are preparing the basis for implementation of the main issue, which is the depot legal. At the moment Austria cannot guarantee an obligatory legal deposit, due to budgetary reasons. According to the Film Funding Act (cf. item 3) there is already such an obligation. This however does not yet exist for films funded on basis of the Arts Funding Act.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Ministry maintains a regular dialogue with the two national film archives. There are a number of activities going on. "Filmarchiv Austria" and "Österreichisches Filmmuseum" are involved in technical, legal as well as theoretical developments/activities/debates concerning the realization of long term preservation (as well as the access to) of digitized/digital born material.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Non**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Non**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

La Cinémathèque royale de Belgique est une institution biculturelle qui constitue et conserve une collection de films possédant un intérêt esthétique, technique et historique permanent pour les deux communautés linguistiques. Elle assure la consultation de ces films. La Cinémathèque royale reçoit une reproduction de tous les films qui reçoivent des subventions du Fonds Audiovisuels de Flandre (VAF). En Flandre, le VIAA (l'institution flamande pour l'archivage) a élaboré une stratégie pour la conservation et la numérisation des films dans les organisations culturelles, en coopération avec la Cinémathèque royale. En 2015, le VIAA commencera de mettre cette stratégie en pratique. Concernant les productions télévisuelles, les archives télévisuelles et radiophoniques de la VRT (radio et télévision publiques néerlandophones) font partie du patrimoine audiovisuel flamand. Pour le moment la VRT est responsable pour la conservation, la numérisation et l'annotation. Dans le futur, le VIAA endossera ces tâches.

En matière de protection du patrimoine audiovisuel la Cinémathèque de la Fédération Wallonie Bruxelles (FWB) (Communauté Française de la Belgique) procède à la numérisation de ses collections. La priorité est donnée aux films sur lesquels la Cinémathèque dispose de droits en tant que producteur ou coproducteur et les films dont l'état de dégradation nécessite une préservation numérique. Depuis 2009 la Cinémathèque a entamé la numérisation, à des fins de conservation, des films belges contemporains (essentiellement les documentaires et l'ensemble des films soutenus par la Commission de sélection des films). Enfin, les collections et fonds d'archives de la Cinémathèque sont accessibles au prêt ou à la consultation sur place.

En matière de protection des productions audiovisuelles, la FWB participe au capital de la Sonuma au même titre que la Région Wallone et la RTBF. Cette société est chargée de la préservation, la numérisation et la commercialisation du fonds d'archives télévisuelles et radiophoniques de la RTBF. Le modèle d'archivage appliqué respecte les normes internationales en vigueur sur la base d'échange d'expériences déjà menées dans les pays voisins, notamment avec l'INA en France. La FWB s'est également impliquée dans la sauvegarde des archives des télévisions locales en prévoyant un travail d'indexation des archives et la numérisation de celles-ci par la Sonuma.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since May 2012.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Yes, we would like to see more promotions, consultations and trainings about systematic storage of audiovisual works in film archives, where the latest conservation and restoration technology can be used for long-term prevention of deterioration. That's very important for the Cinematography of Bosnia and Herzegovina.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Reply from the Federal Ministry of Culture and Sports

We do indeed. The Federal Ministry of Culture and Sports gives financial support to the institutions which are responsible for systematic storage of audiovisual works in the Federation of Bosnia and Herzegovina as well as conservation and restoration works for prevention of deterioration.

Reply from the Ministry of Education and Culture of the Republic of Srpska

The RS Cinematheque is a republican cultural institution whose primary activity is film archives - collects, permanently preserves and professionally processes films and film material and accompanying film material: photos, posters, advertisements, documents, old cinematography items; in order to make them available to researchers, students, citizens; cooperates with related institutions in the country and abroad; exchanges films and film material.

The RS Cinematheque Film Fund possesses now a significant collection of 35 and 16 mm films (over 1000 titles), in both the Yugoslavian and international productions, mainly from the recent period (second half of the 20th century). The RS Cinematheque Film Fund also includes hundreds of 16 and 35 mm documentaries, made in the former Yugoslavia from 1945 to 1991, and about 300 film negatives, different archival film material, newsreels, a large collection of beta video records, SVHS and VHS video records, digital records, sound and tape recordings, etc. A complete archive film material created during the work of "Srna Film" 1992 – 2008 makes a significant portion of the Fund, as well as overall documentary production of the first production company in RS.

The RS Cinematheque also owns an impressive collection of valuable museum exhibits of film techniques and accompanying film material (posters, photographs, catalogs, brochures, etc.).

When it comes to the RS Cinematheque, the audio-visual heritage is still preserved within the limits of usual, traditional protection. The RS Cinematheque, as film archives, still preserves filmstrip and videos in the traditional way, and this also applies to the presentation of the film material.

Our institution has not yet begun the digitization because, besides legal standards, necessary technical and human resources are not ensured. At present, the digitalization is not possible due to our economic situation. We constantly consider and discuss the digitization of audiovisual heritage as something necessary but very difficult to achieve.

The RS Cinematheque, among other things, participates in seminars on "Balkan's Memory" concerning the digitization and presentation of audio-visual heritage, organized by INA (Institut national de l'audiovisuel, France). We do not see a possibility that this extremely important work becomes reality soon in our film archive in the current difficult economic situation – we neither possess the necessary equipment nor professional staff necessary for this job.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

The Croatian Parliament ratified Convention on 20th April 2007 by the *Law on Ratification of the European Convention for protection of Audiovisual Heritage*.

If yes, do you encounter any problems in its application?

The protection of audiovisual records as archival material was provided since 1976 thru the *Laws on Archives and Archival Institutions* till now, so there is no problem in application of most of the points of the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

The Republic Croatia hasn't made any declarations or reservations on this Convention.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Estonia is not considering ratification at this stage.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Further analysis is required on national level.

4. Do you have any suggestions about the implementation of the Convention?

Further analysis is required on national level.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Estonian Film Archives is a member to the International Federation of Film Archives (FIAP) and follows its policies. On local level, the work of Estonian Film Archives is regulated by the Archives Act which guarantees the preservation of audiovisual heritage as well as access to it, including in the Estonian Film Archives database FIS (www.filmi.arhiiv.ee/fis).

The Estonian Film Institute holds the rights of the collections of the film studio "Tallinnfilm". Since the film base materials are held in the Estonian Film Archives, the Estonian Film Institute follows its recommendations for the preservation of these materials.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

In Finland there is an Act on the legal deposit and preservation of cultural materials. This Act comes into force on the first of January 2008. This Act repeals the Legal Deposit Act of the 12th of June 1980 (420/1980) and the Film Archiving Act (576/1984) of 27 July 1984 with subsequent amendments.

The Act applies to:

(1) printed materials and electronic documents produced in Finland which are intended for distribution to the public;

(2) printed materials and electronic documents produced abroad which are intended for distribution to the public in Finland or which have been specially adapted for distribution to the public in Finland;

(3) online materials on servers located in Finland and other online materials which are intended to be available to the public in Finland;

(4) television and radio programming and programmes contained in them which form part of an original television or radio programming by a television or radio broadcaster under Section 7(1) of the Act on Television and Radio Operations (744/1998) or by a television or radio broadcaster which has submitted a notification under Section 7b of said Act, or by the Finnish Broadcasting Company;

(5) films made by a Finnish producer which are intended for public screening in Finland, and advertising and other information materials thereof; and

(6) films made by a foreign producer which are intended for public screening and advertising and other information materials thereof if there is an agreement on the deposit of the film and other materials.

2. This Act does not apply to documents available online which come under the Archives Act (831/1994), with the exception of publications intended to be available to the public. Nor does this Act apply to a film which comes under the Archives Act.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes we do. It is the duty of the National Audiovisual Institute to store films, television and radio programming.

The owner of the original material of a film made by a Finnish producer, except for films made solely for television, shall deposit the original material or material technically corresponding to it, within five years of the completion of the film, with the National Audiovisual Institute or in some other storage facility repository which is approved by the Institute for the purpose. The provisions of this subsection concerning the owner shall correspondingly apply to a person otherwise authorised to decide on the deposit use of the material.

The television and radio programming to be stored recorded shall constitute a representative and diverse varied sample of television and radio programming transmitted to the public at different times. The owner of the original material of a television or radio programme made by a Finnish producer for transmission on television or radio shall deposit the original material or material technically corresponding to it within 90 days of the first transmission, with the National Audiovisual Institute or another storage facility approved by the Institute for the purpose. The provisions of this subsection concerning the owner shall correspondingly apply to a person otherwise authorised to control the use of the material. The National Audiovisual Institute may agree with a domestic producer on the deposit of other material relating to a television or radio programme.

The Ministry of Education and Culture shall adopt, on the proposal of the National Audiovisual Institute, a plan for regarding the extent of the storage recording of television and radio programming and the procedures for the deposit of television and radio programmes. The plan shall take into consideration the technical and economic resources available to the National Audiovisual Institute, the needs of research and cultural historical archiving in accordance with the purpose of the Act, in the purpose of the act and of cultural historical archiving, as well as equitable treatment of producers.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

Oui. La convention a été ratifiée par la loi n° 2006-785 du 5 juillet 2006 autorisant l'approbation de la convention européenne relative à la protection du patrimoine audiovisuel et de son protocole sur la protection des productions télévisuelles

Si oui, rencontrez-vous des problèmes quant à son application ?

Problématique de la conservation des données numériques pour les films natifs numériques

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Le code du patrimoine précise que les œuvres audiovisuelles font l'objet d'un dépôt obligatoire, dénommé dépôt légal, dès lors qu'elles sont mises à la disposition d'un public. Conformément aux dispositions de la convention, le code du patrimoine identifie précisément les personnes responsables du dépôt et les institutions publiques depositaires.

Le code a été modifié en 2009 pour tenir compte des dispositions de la convention du Conseil de l'Europe et soumettre au dépôt légal les documents cinématographiques, quel que soit leur support et indépendamment de leur mise à disposition du public, dès lors qu'ils sont destinés à être diffusés dans les salles de spectacles cinématographiques. Les documents cinématographiques réalisés sous forme de fichiers numériques doivent être déposés en deux exemplaires : un exemplaire numérique et un exemplaire sur support photochimique. Ce double dépôt se justifie dans la mesure où les techniques de conservation de la pellicule photochimique sont maîtrisées et offrent de meilleures garanties de conservation à très long terme. Un accompagnement financier est néanmoins prévu en faveur des films à petit budget pour la prise en charge éventuelle des coûts résultant des obligations liées au dépôt légal sur support photochimique.

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply.

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has signed the European Convention for the Protection of the Audiovisual Heritage but has not proceeded to its ratification due to the lack of adequate legal framework. The latter is being assessed by the services of the Hellenic Ministry of Culture in order to be promoted for legal processing and evaluation.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

The possible ratification of the Convention is under consideration.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

As part of the national policy on preserving audiovisual heritage a short outline of the regulation and Laws are: a) Law No. 3905 "Support and Development of Cinematographic Art and other provisions", b) Decision No. 23048/5.12.2011 (FEK B' 2788) of Greece Prime Minister and Minister of Finances and c) Law No. 4315/2014 Acts of contribution in land and money - Town Planning expropriation and other provisions. (Government Gazette 269 / 24.12.2014), Article 26: Archive for the Preservation of Film Heritage.

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes, Hungary ratified the Convention on the 27th of July 2005. The adaptation of the Convention is in accordance with Hungarian legal regulations.

If yes, do you encounter any problems in its application? No.

2. If you have made declarations or reservations, do you intend to withdraw them? —

3. If you have not ratified the Convention, do you intend to ratify it? —

If you do not want to ratify the Convention, what are the major reasons for not doing so? —

4. Do you have any suggestions about the implementation of the Convention? No.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention? —

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Yes**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Implementation of the Convention Article 7 and 9 requires additional financial and human resources for National Archives of Latvia

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Yes, there is legal deposit for moving image material which received public funding

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application? -- --

2. If you have made declarations or reservations, do you intend to withdraw them? -- --

3. If you have not ratified the Convention, do you intend to ratify it? **Not in near term**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We don't ascribe importance to this Convention.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Signé**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

La ratification peut être envisagée

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Le Luxembourg a créé un centre national audiovisuel oeuvrant pour la protection du patrimoine audiovisuel.

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention?

No. Government is currently examining possibility of signing and ratification

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

The ratification of the Convention is being discussed now by national institutions.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Créée en 1997, l'association des **Archives Audiovisuelles de la Principauté**, présidée par le Directeur des Affaires Culturelles, a pour mission de collecter, préserver, archiver et mettre en valeur la **mémoire audiovisuelle de Monaco**, à savoir :

- Tous les sons et toutes les images, fixes ou animés, professionnels ou à caractère amateur, ayant trait de près ou de loin à la Principauté de Monaco ;
- Tous documents liés à cette mémoire ;
- Tous les films ou documents audiovisuels dont les archives se trouveraient dépositaires.

Elle a également pour mission de favoriser la production audiovisuelle au travers de projets fondés sur l'utilisation des archives et d'encourager et **sensibiliser le public** à la nécessité de la conservation et à l'utilisation du film comme ressource éducative, historique et culturelle.

Les **collections, dons et dépôts** représentent plus de 1500 documents (courts et longs métrages, fictions, documentaires, reportages, publicités, émissions radiophoniques, captations de spectacles et de fêtes, films de familles et d'amateurs).

L'association assure l'**indexation** des documents archivés grâce à une base de données multimédias. Elle est également en charge de l'archivage des enregistrements effectués par la chaîne de télévision locale et assure la diffusion du patrimoine audiovisuel de la Principauté sous le label « Monaco en films » depuis 1998.

Le libre accès à ces documents est assuré

La loi n° 1.313 du 29 juin 2006 sur le **dépôt légal** prévoit que les documents audiovisuels réalisés en tout ou en partie en Principauté doivent faire l'objet d'un dépôt obligatoire.

L'organisme dépositaire est la bibliothèque communale qui gère le dépôt légal pour le compte de l'Etat. Elle délègue cependant aux Archives Audiovisuelles les missions de conservation, de restauration et de mise à disposition des documents audiovisuels.

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

The Netherlands have fundamental objections against the introduction of a LEGAL DEPOSIT for audiovisual heritage.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Netherlands are very active where the conservation of our audiovisual heritage is concerned, both for cinematographic material and for other audiovisual heritage, such as television programs.

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

The current convention is to some degree outdated.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

(CETS 147 is under revision!)

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Already signed, not ratified yet.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention? **YES**

If yes, do you encounter any problems in its application? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them? **NO**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **NO**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention is implemented in and executed through Audio-visual Act No. 343/2007 Coll. the depositing obligation of the producers of Slovak cinematographic works, other Slovak audio-visual works and Slovak sound and visual recordings of audio-visual value was introduced in compliance with the Convention with effect as of 1 January 2008. The Slovak Film Institute was delegated to perform the tasks of legal depository; it also carries out supervision over voluntary depository bodies. The statutory depository obligation enables the legal depository to participate in creating a network of archives of the European audio-visual heritage. It also protects the Slovak audio-visual heritage against destruction, loss or damage, which corresponds to the spirit of the Convention. The statutory depositing obligation is complemented by the acquisition of Slovak cinematographic works for archive (research) purposes as far as the activities of the statutory depository as film archives are concerned.

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Not for the moment.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ? **NON**

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

La convention est organisée autour du principe du dépôt légal obligatoire pour les images en mouvement, produites ou coproduites et mises à la disposition du public dans chaque Etat Partie. Par dépôt légal, on entend non seulement l'obligation de déposer un exemplaire de référence auprès d'un organisme d'archives désigné à cet effet par les Parties, mais aussi celle de conserver et, le cas échéant, de restaurer le matériel cinématographique. A ces deux obligations s'ajoute celle de mettre le matériel cinématographique à la disposition des chercheurs et des scientifiques dans le respect des réglementations internationales et nationales en matière de droits d'auteur. Il n'existe cependant en Suisse aucune législation fédérale instituant un dépôt légal au niveau national : seuls certains films, soutenus par la Confédération au stade de la réalisation (voir réponse 5 ci-après), font l'objet d'une obligation de dépôt.

En raison de ce défaut de bases légales et du manque de moyens financiers, la Suisse n'envisage pas à ce stade d'adhérer à la convention.

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Oui, les films soutenus par la Confédération suisse au stade de la réalisation, représentant environ 50% de la production cinématographique suisse chaque année, font l'objet d'un dépôt légal auprès de la Cinémathèque suisse conformément à l'article 6 de l'Ordonnance du DFI sur l'encouragement du cinéma (OECin). Pour plus d'informations : <http://www.cinematheque.ch/i/collections/depot-de-films/depot-de-films-ofc-cineforum/>

La Confédération soutient également l'association MEMORIAV pour la sauvegarde de la mémoire audiovisuelle suisse à hauteur d'environ 3 millions de CHF / an sur des projets de restauration ou pour leur expertise en matière de restauration audiovisuelle. Le portail Memobase présente l'ensemble des fonds audiovisuels conservés sur la base de cette expertise.

TURKEY / TURQUIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

The Convention was signed on February 4, 2004 but it has not been ratified yet.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

We expect the countries party to the Convention to enable us to share the films available in their archives which were produced by Turkish producers/directors

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In order to create a national recollection of cinema and in order to store our films and to present them to the public in an audio-visual center using modern technology, the project of "Film Archive and Cinema Museum of Turkey" comprising a film archive, a cinema museum, a cinematographic library, a restoration laboratory and a prestigious movie theatre was added to the lodgment program of 2014 and a real estate in Ankara was allocated to our Ministry. The project work is under way.

The Directorate General of Cinema has started a project to restore the 35mm Turkish movies in bad condition in the archives and to digitize them in order to present them properly to the public and to make the Turkish Cinema well-known by young generations.

Accordingly, transactions to purchase a 35mm film scanner and the necessary technical equipment are in progress. A film restoration team has been organized in our Directorate General and the members of the team have been learning about film restoration and digitisation.

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them? **N/A**

3. If you have not ratified the Convention, do you intend to ratify it?

The UK Government currently have no plans to ratify this convention.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No.**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

All films in receipt of lottery funding from the British Film Institute (BFI) are contractually required to deposit materials with the BFI National Archive.

The BFI National Archive operations are funded through the Grant in Aid received each year from Her Majesty's Government. In addition, in 2006 the BFI received a significant one off grant from the Department for Culture, Media and Sport (DCMS) in order to construct a Master Film Store at Gaydon in Warwickshire. This has enabled the BFI to conserve endangered film material on both nitrate and safety stock in temperature and humidity controlled conditions. The BFI carries out restoration work in association with its public programme but much of this work is subject to securing funding from private sponsors.

The DCMS Secretary of State has also approved the use of lottery monies to embark on an ambitious digitisation programme of materials held in both the BFI National Archive and the publicly funded Regional Film Archives.

The BFI has promoted voluntary deposit of film materials in the Archive for 80 years. This includes ancillary material such as posters, designs, scripts etc. Each deposit is received under a Deposit Agreement.

Material from the BFI National Archive is available to the public through a range of platforms and services. This includes regular use – where viewing copies exist – at the BFI Southbank and other suitably equipped cinemas; through a network of Mediatheques across the regions and nations of the UK.

The BFI National Archive was a founding member of FIAF (The International Federation of Film Archives) in 1938 and works with colleagues across the world in developing and implementing common standards and exchanging information/metadata.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

10) Protocol to the European Convention for the Protection of the Audio-visual Heritage, on the Protection of Television Productions (CETS 184)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 2002 (not followed by ratification)**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

When signing the Convention Austria declared that in accordance with Article 5, paragraph 5, of the Convention, the competent authority in Austria is

**Federal Ministry for Economic Affairs
Bundesministerium für wirtschaftliche Angelegenheiten
Abt. Präs. 9
Stubenring 1
A-1011
Wien**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

It is planned to open the archive of the Austrian Broadcasting Corporation ORF to the public via a VoD channel and – in cooperation with the Austrian Film Archive - via viewing booths for single users.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

cf. réponses sous 9 - CETS 183)

Communauté flamande : Concernant les productions télévisuelles, les archives télévisuelles et radiophoniques de la VRT font partie du patrimoine audiovisuel flamand. La VRT est responsable pour la conservation, la numérisation et l'annotation. Dans le futur, le VIAA va réaliser ces tâches.

Communauté française : En matière de protection des productions audiovisuelles, la FWB participe au capital de la Sonuma au même titre que la Région Wallone et la RTBF. Cette société est chargée de la préservation, la numérisation et la commercialisation du fonds d'archives télévisuelles et radiophoniques de la RTBF. Le modèle d'archivage appliqué respecte les normes internationales en vigueur sur la base d'échange d'expériences déjà menées dans les pays voisins, notamment avec l'INA en France. La FWB s'est également impliquée dans la sauvegarde des archives des télévisions locales en prévoyant un travail d'indexation des archives et la numérisation de celles-ci par la Sonuma.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

No, Bosnia and Herzegovina has not ratified the Convention yet.

2. If you have made declarations or reservations, do you intend to withdraw them? -

3. If you have not ratified the Convention, do you intend to ratify it?

Activities for ratification have to be undertaken by the state level authority.

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention? -

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention? -

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

The Republic of Croatia hasn't made any declarations or reservations on Convention.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Estonia is not considering ratification at this stage.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Further analysis is required on national level.

4. Do you have any suggestions about the implementation of the Convention?

Further analysis is required on national level.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Estonian Public Broadcasting saves all the broadcasts as well as preserves them for 30 days starting from the moment of broadcasting. Permanent preservation is foreseen for the broadcasts that have been listed in a respective list that is coordinated by the Estonian Public Broadcast's council on evaluating the preservation of broadcasts' records and confirmed by the board. Also the broadcasts' base materials, films, photos, news clips, chronicles, etc are preserved.

There has been some discussion as well as some preliminary work has been done to start to collect compulsory copies from other companies who offer media services on the basis of broadcast permission. The environment where the files with metadata could be loaded is yet to be developed.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

See our reply above, no. 9.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See our reply above, no. 9.

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ?

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has signed and ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations apply.

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

If yes, do you encounter any problems in its application? —

2. If you have made declarations or reservations, do you intend to withdraw them? —

3. If you have not ratified the Convention, do you intend to ratify it?

Hungary has not brought a final decision yet about the possibility or necessity of the ratification of the Protocol.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Established on 1st January 2006 on the basis of Act CXXXVII of 2004, the National Audiovisual Archive of Hungary (NAVA) is the legal deposit archive of the Hungarian national broadcasters. The scope of its collections includes the programmes of the national public service and private broadcasters produced in or relating to Hungary, and in addition, any other audiovisual content which facilitates the preservation of audiovisual content as part of cultural heritage. Pursuant to the law, NAVA provides online, free of charge access to its database. The programmes themselves in their entirety can be viewed at the so-called 'NAVA centres' located in libraries, cultural institutions, schools, etc.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Electronic Mass Media Law has the following provisions:

Article 68. Archives of the Public Electronic Mass Media (Video and Audio Library)

(1) The audio and audiovisual works and phonograms of cultural and historical value produced by the public electronic mass media, or for the programmes thereof, shall be regarded as part of the national cultural heritage and a constituent part of the Latvian National Archive Fund, which is supervised, preserved and utilised in accordance with the relevant laws and regulations.

(2) If within the framework of the State Archives, it is intended to copy materials held in the archives of the public electronic mass media with a view to their storage under heightened security, the Archives shall cover the technical costs of copying. At least two copies shall be made of programmes of special cultural and historical significance; they shall be intended only for storage and the use or publishing of these copies in any form is not permitted.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application? -- --

2. If you have made declarations or reservations, do you intend to withdraw them? -- --

3. If you have not ratified the Convention, do you intend to ratify it? **Not in the near term.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We don't ascribe importance to this Convention.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

Le protocole relève de la compétence de plusieurs ministères.

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

La ratification n'est pas prévue pour l'instant.

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ? **Problèmes de compétence.**

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention?

No. Government is currently examining possibility of signing and ratification

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

The ratification of the Convention is being discussed now by national institutions.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Oui**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

Cf. supra 9-

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

See answer under nr. 9 European Convention for the Protection of the Audiovisual Heritage.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

See answer under nr. 9.

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Already Signed, not ratified yet.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention? **YES**

If yes, do you encounter any problems in its application? **NO**

2. If you have made declarations or reservations, do you intend to withdraw them? **NO**

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **NO**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The protocol is implemented in and executed through Audio-visual Act No. 343/2007 Coll. The depositing obligation for Slovak television broadcasters as producers of television programmes was introduced in compliance with the Protocol with effect as of 1 January 2008. The depositing obligation pertains to all programmes produced in Slovakia that are not a news, political-journalist, entertainment, musical or musical-entertainment programmes. The depositing obligations only pertain to other programmes produced in Slovakia if they are of audio-visual value. The Slovak Film Institute was delegated to perform the tasks of the legal depository; it also carries out supervision over voluntary depository bodies and Radio and Television of Slovakia, which is the legal depository in relation to its own programmes. The statutory depository obligation enables the legal depository to participate in creating a network of archives of the European audio-visual heritage. It also protects the Slovak audio-visual heritage against destruction, loss or damage, which corresponds to the spirit of the Protocol.

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **NO**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? **Not for the moment**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ? **NON**

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

Voir également réponse relative à la STCE 183. Concernant les productions télévisuelles, la mise en œuvre de l'article 21 de la Loi fédérale sur la radio et la télévision (LRTV, RS 784.40), qui prévoit un devoir d'archivage pour les émissions de radio et télévision, est actuellement encore en cours. De ce fait et en raison du manque de moyens financiers, la Suisse n'envisage pas d'adhésion à ce stade.

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

L'article 21 de la Loi fédérale sur la radio et la télévision (LRTV, RS 784.40) prévoit un dépôt légal pour les productions télévisuelles.

TURKEY / TURQUIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes we have signed the Convention on 4 February 2004.

If yes, do you encounter any problems in its application?

Since the Convention has not ratified yet, we have not started its application.

2. If you have made declarations or reservations, do you intend to withdraw them?

Since the Convention has not ratified yet, we have not started its application.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The Convention, particularly the definitions need to be revised in comply with the rapidly developing digital media technology

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention? No

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them? **N/A**

3. If you have not ratified the Convention, do you intend to ratify it?

The UK Government currently have no plans to ratify this convention.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Ratification should pose no obvious issues given that currently the UK meets all of the obligations associated with this Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Since the 1990 Broadcasting Act there has been an obligation for the deposit of television transmitted by the commercial public service broadcasters (ITV, Channel 4 and since 1998, Five) with the National Television Archive.

In addition, the BFI has had an agreement with the British Broadcasting Corporation (BBC) since 1990 to act as the access archive for all BBC transmissions from that year. The BBC itself maintains a very well-resourced Archive of its own productions.

The UK currently complies with all the provisions of the Convention in relation to its public service broadcasting channels. The emergence of the numerous satellite channels including those now making significant investments in UK production are not currently archived by the BFI National Archive but should be given their growing importance in British cultural life.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

11) Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS 199)

AUSTRIA / AUTRICHE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Ratification 23/1/2015 (entry into force 1/5/2015)

If yes, do you encounter any problems in its application? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations or reservations made

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The complementarity of the Convention with other Conventions by the Council of Europe and other international organizations such as UNESCO could be highlighted to explore potential synergies in the implementation

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Being a very young member of the Convention Austria has presently started an analysis of possibilities and challenges offered by the Convention. Later this year some awareness-raising activities among the stakeholders are planned.

The approach of involving local and regional authorities, grassroots associations, universities and professional organizations in enhancing cultural diversity and intercultural dialogue is among the guidelines also of the Council of Europe Cultural Routes who could be further encouraged to make use of the spirit and goals of the Faro Convention.

BELGIUM / BELGIQUE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Signed (B) 25/06/2012; Ratified at Flemish level only.

If yes, do you encounter any problems in its application?

Implementation is a shared responsibility of 2 government entities: the department Culture, Youth, Media en Sport (movable and immaterial heritage) on the one hand, the agency that deals with Immovable Heritage on the other (Flanders Heritage Agency). Although Flemish legislation is strongly embedded in this convention, certain themes remain challenging in practice:

The (democratic) rights and responsibilities relating to cultural heritage;

The concept of 'heritage communities'.

2. If you have made declarations or reservations, do you intend to withdraw them? /

3. If you have not ratified the Convention, do you intend to ratify it? /

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

New general (immovable) heritage decree 12/7/2013 has entered into force on 1/1/2015.
Cultural Heritage Flemish Parliament Act (06/07/2012)

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Yes, Bosnia and Herzegovina has ratified the Convention. It has been in use regularly since June 2011.

2. If you have made declarations or reservations, do you intend to withdraw them?

No declarations and reservations were made from our side.

3. If you have not ratified the Convention, do you intend to ratify it? -

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Reply from the Federal Ministry of Culture and Sports

Yes, it shall more improve the public perception of heritage both as a resource for human development, the enhancement of cultural diversity and the promotion of intercultural dialogue, and as part of an economic development model based on the principles of sustainable resource use. Thus, it shall raise public awareness through promotions, education and trainings.

Reply from the Ministry of Education and Culture of the Republic of Srpska

Devising effective ways of raising awareness of the importance of cultural and natural heritage for the operation and sustainability of the whole society, especially in government and public institutions whose decisions and actions affect the heritage protection. Also, the sanctions for violation of heritage protection legislation should be applied consistently, so adequate proposals would contribute to better implementation of protection in this regard, and thus the provisions of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

Reply from the Federal Ministry of Culture and Sports

We do indeed. The Federal Ministry of Culture and Sports gives letters of recommendations and financial supports to the projects which are presenting heritage as a resource for human development, the enhancement of cultural diversity and intercultural dialogue as well as fostering the citizen's right to participate in cultural life.

Reply from the Ministry of Education and Culture of the Republic of Srpska

The Institute, as a republic administrative organization in charge of protection of cultural heritage, tries to operate in the spirit of the Convention. The policies and activities the Institute implements mostly correspond to the principles and objectives of the Conventions concerned, and many are in some way incorporated into the national legislation for the protection of cultural and natural heritage.

The definitions of cultural heritage, the principles of identification and conservation, as understood and applied by the Institute, are in line with the provisions of the Convention. The same can be noted when it comes to cultural heritage and dialogue, as well as the environment, heritage and quality of life.

The main problem of the application is insufficient compatibility of cultural heritage protection interests with the interests of economic development. Difficult economic conditions have led to the society hardly recognizing cultural heritage, as well as other segments of culture, as an important factor in sustainable development goals. This is directly reflected in the sustainable use of cultural heritage. In most cases, when implementing projects in which cultural heritage is used in accordance with the current legislation and the provisions of the relevant heritage protection service, potential private investors generally believe that the initial investment is too high and the period when it becomes profitable too long.

The provisions of the Convention relating to public accountability, accessibility and democratic participation are idealistic. The experience suggests that the implementation of these ideas depends on the overall situation of society, as well as current needs and interests of individuals and the society as a whole. Private and public interests are usually totally opposed when it comes to the use of cultural heritage.

The Institute seeks in its work to devise activities that include the participation of students in the protection of cultural heritage, from education in the form of lectures, workshops and exhibitions, to seminars and student works on cultural heritage. The Institute works, to the extent possible, on the application of digital technologies in the protection of and access to heritage through the development of digital databases, development and regular update of the Institute website.

CROATIA / CROATIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

No, but we are trying to implement the Convention through Local Development Pilot Projection in our legislative, the new Law on the protection of Cultural heritage

2. If you have made declarations or reservations, do you intend to withdraw them? **No.**

3. If you have not ratified the Convention, do you intend to ratify it? **No**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

All actions and policies are in the spirit and goals of the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Probably yes, in longer time

If you do not want to ratify the Convention, what are the major reasons for not doing so?

We did not achieve the agreement in the internal discussion; the convention has a general character

4. Do you have any suggestions about the implementation of the Convention? **No**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

We are implementing documents of the similar character to the Strategies of Culture

ESTONIA / ESTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**
2. If you have made declarations or reservations, do you intend to withdraw them?
3. If you have not ratified the Convention, do you intend to ratify it? **YES**
4. Do you have any suggestions about the implementation of the Convention?
5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

In 2013, Estonia celebrated National Year of Heritage. The campaign's slogan — "There is no heritage without an heir" — hints at its mission: introducing everyone in Estonia to the national and European heritage that is his or her birth right. It was a unique massive and comprehensive awareness-raising campaign that touched a significant part of people in Estonia: more than 10% of the population was involved in more than 400 events. The project was launched in the spirit of the Faro Convention promoting heritage in its diversity: tangible, intangible and digital heritage; granting equal importance to listed and non-listed monuments, landscapes, traditional skills, memory, collections in the museums, archives, libraries etc; respecting human creation regardless of age, gender, ethnicity or profession; and strengthening the intercultural dialogue. The project targeted the participatory approach to the heritage.

FINLAND / FINLANDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

The ratification of the Faro Convention is one of the actions of the national Cultural Environment Strategy (2014–2020; March 2014) and its implementation plan (February 2015). As a step towards the ratification, Finland launched a project to pave way for the ratification of the Convention in the spring of 2014. The aim is to ratify the Convention by 2016.

Cultural Environment Strategy 2014–2020:

http://www.ym.fi/en-US/Land_use_and_building/Programmes_and_strategies/Cultural_environment_strategy

Faro project website <http://www.faronsopimus.org>;

Information on the CoE website:

http://www.coe.int/t/dg4/cultureheritage/heritage/Identities/finland_en.asp

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The current Faro Action Plan provides a good basis for the implementation of the Convention. The implementation will benefit from continuous exchange of experience, examples and good practice between the state parties and other stakeholders, also those who have introduced activities that refer to the Convention but have not signed the Convention.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The first national Cultural Environment Strategy 2014–2020 corresponds to the spirit and goals of the Faro Convention. For example, one of the strategy's goals for 2020 is as follows: "Cultural environment policies are directed towards citizens and communities. The business sector, public sector, civil society actors and citizens of the area are involved extensively in enhancing the cultural environment. People are aware of their own opportunities to participate and they are able to make use of them."

Cultural Environment Strategy 2014–2020:

http://www.ym.fi/en-US/Land_use_and_building/Programmes_and_strategies/Cultural_environment_strategy

FRANCE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

La mission juridique du Conseil d'Etat auprès du Secrétariat général du ministère de la culture et de la communication a estimé que la ratification de la convention comportait en l'état un aléa constitutionnel eu égard à la notion de « communauté patrimoniale » qu'elle introduit et à la définition du patrimoine culturel qu'elle donne.

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

GERMANY / ALLEMAGNE

Questionnaire:

1. Have you signed and/or ratified the Convention? If yes, do you encounter any problems in its application?

Germany has neither signed nor ratified it.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it? If you do not want to ratify the Convention, what are the major reasons for not doing so?

Germany attaches high importance to cultural heritage, in Germany and worldwide. Important matters regulated by the Convention are already covered by other international conventions (including the UNESCO World Heritage Convention, UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, European Framework Convention for the Protection of National Minorities, European Charter for Regional or Minority Languages, etc.). An accession to the Convention would potentially lead to extensive administrative obligations (e.g. monitoring mechanisms), which would outweigh the concrete benefits in terms of cultural policies. Moreover, so far only 17 of the 47 Member States of the Council have ratified the Convention. Therefore, Germany does not intend to sign the Convention at present.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

GREECE / GRECE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Greece has not signed the Council of Europe Framework Convention on the Value of Cultural Heritage for Society.

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

HUNGARY / HONGRIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

Hungary does not face any problems in the application of the Convention.

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Hungary has no further suggestions about the implementation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The cultural heritage aspects of the Faro Treaty are implemented through the 2001 Act LXIV on the protection of cultural heritage and the 393/2012. government decree on the protection of archaeological and built heritage.

ITALY / ITALIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Signed 27.02.2013**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Yes. The Convention has to be ratified by Parliamentary vote and this might take up to a couple of years. Attempts to have the Convention ratified skipping the Parliamentary passage were unsuccessful, as the definition of cultural heritage included in the Convention doesn't entirely correspond to the definition given in the Italian National Code on the Cultural and Landscape Heritage (Law 42/2004). For this and other reasons, the Parliament is in charge of the ratification.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

As a framework convention, Faro cannot be directly implemented in the national legal framework. It rather changes the attitudes and the understanding of the cultural sector towards cultural heritage and heritage communities, even in countries that are not planning to sign implement the Framework convention itself. This is slowly producing an evolution that might, over time, prove deeper than the changes introduced by law. Given the spirit of this particular convention, awareness-raising and other initiatives mobilizing a wide range of stakeholders and interested people could contribute to its implementation.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

As mentioned above, the spirit of the Convention is slowly being implemented and producing a change in a wide range of public policies. As an example, the EU Council adopted Council conclusions on participatory governance of cultural heritage under Italian presidency.

LATVIA / LETTONIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Convention is widely used and made reference to in order to facilitate necessary amendments and actions according to national legislation and other declarative documents.

LIECHTEINSTEIN

Questionnaire:

1. Have you signed and/or ratified the Convention? **No**

If yes, do you encounter any problems in its application? -- --

2. If you have made declarations or reservations, do you intend to withdraw them? -- --

3. If you have not ratified the Convention, do you intend to ratify it? **Probably not in the near future.**

If you do not want to ratify the Convention, what are the major reasons for not doing so?

The ratification is in evaluation.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

LUXEMBOURG

Questionnaire :

Avez-vous signé et/ou ratifié la Convention ? **Signé et ratifié**

Si oui, rencontrez-vous des problèmes quant à son application ? **Non**

Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ? **Pas de réserve**

Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

Il faudrait davantage sensibiliser le public européen. Cette question a d'ailleurs été évoquée lors de la dernière réunion du CDCPP

Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

MALTA / MALTE

Questionnaire:

1. Have you signed and/or ratified the Convention?

No. Government is examining possibility of signing and ratification

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

Government is examining ratification.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The convention's spirit is implemented through the Cultural Heritage Act, as stated in the Act's preamble, and through (i) regulations inventories, heritage protection, excavation regulation, frontier control, etc. (ii) National Strategy Document on Cultural Heritage. The State of the Heritage Report serves as a background document for national periodical reporting on the state of the heritage.

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDAVIE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes, 1.12.2008**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

Yes.

The Republic of Moldova declares that, until the full re-establishment of its territorial integrity, the provisions of the Convention will be applied only on the territory controlled effectively by the authorities of the Republic of Moldova.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

The goals of the convention are very extensive, specific actions for implementations are usually more intense at the beginning of each action. An important number of activities and projects were realized with the participation of civil societies and different associations. Local initiatives are very important but small communes sometimes don't have enough experts and money for all goals. Minorities groups need special support and measures for their presentation and protection of all kinds of heritage.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

During these period Moldova supports actions in different fields from legislation, promotion, to restoration and participation of people in protecting and all other activities. Starting from 2009, the first step was to prepare a new law for protection of specific fields of heritage. All the main goals and principle from the Convention are now logically included in the laws and decision of the Government. Local and civil societies have an active role in promoting the value of the heritage, as well as, in preparing legislation and in use of monuments.

Ministry for Culture supports joint projects in local communities, especially between young generation and old people. A special attention is given to the ONGs. Ministry also supports activities of cultural groups, communities and linking of functions and people.

MONACO

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **Non**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?

THE NETHERLANDS / PAYS BAS

Questionnaire:

1. Have you signed and/or ratified the Convention? **NO**

If yes, do you encounter any problems in its application? -

2. If you have made declarations or reservations, do you intend to withdraw them? -

3. If you have not ratified the Convention, do you intend to ratify it?

There are no concrete plans in that direction

If you do not want to ratify the Convention, what are the major reasons for not doing so? -

4. Do you have any suggestions about the implementation of the Convention?

Exchanging of (best) practices is important

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The definition of cultural heritage from the Faro Convention is used as the definition of cultural heritage in a proposal for a new cultural heritage Act. Many aspects of the Faro Convention are part and parcel of the Dutch cultural heritage policy.

NORWAY / NORVEGE

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application? **No**

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

When Norway ratified the Faro convention, it was with the understanding that most of the recommendations in the Convention already are implemented in Norwegian practices. In the last White Paper on cultural heritage, reference is explicitly made to the Faro convention. Minorities' heritage should possibly be better protected in Norway in order to fully comply with the spirit of Faro.....

POLAND / POLOGNE

Questionnaire:

1. Have you signed and/or ratified the Convention X? **No**

If yes, do you encounter any problems in its application? **Not applicable**

2. If you have made declarations or reservations, do you intend to withdraw them? **Not applicable**

3. If you have not ratified the Convention X, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

Poland has already started preparatory works aiming at the ratification of the Convention. The procedure might be accomplished by the end of 2015.

4. Do you have any suggestions about the implementation of the Convention X? **Not applicable**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention X? **Not applicable**

PORTUGAL

Questionnaire:

1. Have you signed and/or ratified the Convention? **Yes**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The Faro Framework Convention is based on the fact that knowledge and heritage use are part of the citizens rights to participate in cultural life such as is defined in the Universal Declaration of Human Rights.

The Faro Convention is an innovative instrument where for the first time the cultural heritage is recognised as a dynamic reality involving monuments, traditions and contemporary creation.

This Convention refers to the cultural heritage as being a resource for human development, enhancement of cultural diversity and promotion of intercultural dialogue. It is part of an economic development model based on the principles of sustainable use of resources.

This Convention is consistent with the growing importance of cultural values for territorial identity, landscape nature and the environmental dimensions of cultural heritage. The administration has developed a national strategy for bringing the cultural heritage closer to the communities, this being more visible at the local level. Heritage related institutes had to go through a major reshuffle so as to be adjusted to the signs of the times.

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUIE

Questionnaire:

1. Have you signed or ratified the Convention?

Ratified and published in collection of laws No. 325/2013 Coll.

If yes, do you encounter any problems in its application? No

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

The performance of state administration related to monument protection directly pursues the goals of protection stipulated in the Convention

The goals of the Convention are reflected in the Culture Development Strategy of the Slovak Republic for 2014 – 2020 and have been elaborated in its Action Plan for 2015 – 2017.

SLOVENIA / SLOVENIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

Yes. Signature: 19/1/2006, ratification: 17/9/2008, entry into force: 1/6/2011.

If yes, do you encounter any problems in its application?

The goals of the convention are very extensive. Different concrete actions for implementations are usually more intense at the beginning of each action; it is hard to maintain their advantages on long term scale. A huge part of activities were organized with the support of civil initiatives, different associations. Local initiatives are very important and spread; small communes sometimes don't have enough experts and money for all goals. One of the long term actions with a lot of support are Days of Heritage (each September), we have traditional days of open doors in museums (February 8, December 3, June 21). On long term scale heritage is more and more implemented in different strategies, mainly connected tourism.

2. If you have made declarations or reservations, do you intend to withdraw them? No

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

Smaller language and ethnical groups need special support and measures for their more comprehensive presentation and protection of all kinds of heritage and their way of life.

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

- Slovenia supports actions in different fields from legislation, promotion, to restoration and participation of people in protecting and all other activities. First step was preparation of new law for protection of heritage. All the main goals from the Convention are logically summarised in general law and decrees. Local and civil societies have an active part in preparing legislation (they are invited to give their opinion for each decree, they can propose protection) and in use of monuments, movable, unmovable and immaterial heritage. All newly declared monuments have special regulations to be open for general public without entrance fee at least several times a year. We have special measures for minorities, for handicapped and other special groups.
- Any protected immovable heritage can be inscribed in special register only with the support and active part of producer, bearer of these activities.
- Ministry for Culture supports joint activities: cultural activities in local communities, especially between children, young generation and old people. Ministry also supports activities of cultural groups, communities and linking of functions and people.
- We can mention very developed activities as are different Cultural routes and Heritage trails. Slovenia has at least five very spread international networks (Transromanica, Gothicmed, Via Sancti Martini, Route of Roma culture and Route of St. Cyril and Method are just some of them). You can also find local heritage trails (communities of Litija, Ptuj, Velike Lašče,

Žirovnica), trails of Baraga, Slomšek, Jurčič, Gradnik and many others. Some are connected with Wine routes, more with footpaths from one part of Slovenia to another.

- We have very good, wide spread activities for children, from kinder-gardens to the end of secondary schools. Ministry for culture organise special fair, called Cultural bazaar each year. Cultural institutions, from museums to theatres, cultural associations and individuals present their activities, new programmes for children there. Similar but less large fair is organised for older people. All main museums and galleries have special programmes for children, for schools, for handicapped.

SWEDEN / SUÈDE

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

3. If you have not ratified the Convention, do you intend to ratify it?

A report targeting conditions and consequences of a ratification has recently been sent out for comments. The outcome of the remittance will be the basis for future decision.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

The process of establish conditions and consequences of a ratification is still work in progress.

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

SWITZERLAND / SUISSE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Actuellement, une ratification de cette Convention ne s'inscrit pas dans l'agenda politique de la Confédération.

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

Lors de son établissement, la Suisse a émis certaines réserves quant à la nécessité d'établir une telle Convention et a souligné le besoin de veiller à la cohérence entre ce nouvel instrument et les textes existants, notamment au sein de l'UNESCO. De ce fait, la Suisse estimait d'une part qu'une déclaration aurait été suffisante et adaptée à l'atteinte des objectifs fixés ; et d'autre part qu'une discussion de fonds préalable sur l'utilité de ce texte et sa relation aux instruments existants était indispensable.

Cette position avait alors été expliquée par le fait que l'article 6, lettre c, enlève tout effet directement applicable à cet instrument, et que la formulation de plusieurs dispositions demeure générale et peu contraignante. De ce fait, la convention-cadre risquait de ne pas déployer les effets escomptés et de porter atteinte à la sécurité juridique. Une déclaration aurait par ailleurs eu l'avantage de ne pas établir de nouveaux mécanismes de suivi devant être financés par les Etats membres (et qui peuvent s'avérer très coûteux pour un pays fédéraliste comme la Suisse).

Le renforcement et l'amélioration de la mise en œuvre des Conventions en vigueur déjà ratifiées demeurent à ce titre prioritaire sur l'adoption d'instruments additionnels du point de vue de la Suisse.

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention ?

En 2016-2020, la Confédération développera notamment une stratégie de soutien à la culture contemporaine du bâti afin de permettre la création d'un habitat de qualité qui soit bénéfique à la vie en société. Coordonnée par l'Office fédéral de la culture suisse, elle sera développée en collaboration avec divers services concernés, tels que les offices en charges de l'aménagement du territoire, de l'environnement, de l'énergie, des transports, etc. ainsi qu'avec les régions, les experts externes et les hautes écoles. Pour de plus amples informations, prière de consulter les bases stratégiques de la politique culturelle de la Confédération suisse pour la prochaine période de financement 2016-2020 : <http://www.admin.ch/opc/fr/federal-gazette/2015/461.pdf>

TURKEY / TURQUIE

Questionnaire:

1. Have you signed and/or ratified the Convention?

If yes, do you encounter any problems in its application?

2. If you have made declarations or reservations, do you intend to withdraw them?

Council of Europe Framework Convention on the Value of Cultural Heritage for Society dated 2005 was neither signed nor approved by our country; but no annotation was attached.

3. If you have not ratified the Convention, do you intend to ratify it?

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention?

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

This Convention was approved and put into effect in only 16 countries out of 47 European Council members. England, France, Germany, Denmark, Finland, Russia, Holland, Poland, the Czech Republic, Switzerland and Greece are among the countries which did not sign the Convention. The aim of this Convention is to preserve the cultural heritage and diversity through societies' adoption of such heritage and diversity. Therefore, to ensure that, in accordance with the general provisions of the Convention – which have been arranged in accordance with the establishment and the operation of a control unit monitoring the implementation process in the signatory countries – opportunities of cheaper entrance fees or free entrances to museums for the public have been widened to a great extent over the last few years

UNITED KINGDOM / ROYAUME-UNI

Questionnaire:

1. Have you signed and/or ratified the Convention? **No.**

2. If you have made declarations or reservations, do you intend to withdraw them? **N/A**

3. If you have not ratified the Convention, do you intend to ratify it?

The UK Government currently have no plans to ratify this convention.

If you do not want to ratify the Convention, what are the major reasons for not doing so?

4. Do you have any suggestions about the implementation of the Convention? **No.**

5. Do you implement any actions or policies which correspond to the spirit and goals of the Convention?

State Party status for the World Heritage Convention.

HOLY SEE / SAINT SIEGE

Questionnaire :

1. Avez-vous signé et/ou ratifié la Convention ? **NON**

Si oui, rencontrez-vous des problèmes quant à son application ?

2. Si vous avez procédé à des réserves, avez-vous l'intention de les retirer ?

3. Si vous n'avez pas ratifié la Convention, avez-vous l'intention de la ratifier ?

Si vous ne souhaitez pas ratifier la Convention, quels sont les problèmes majeurs s'opposant à sa ratification ?

4. Avez-vous des suggestions à formuler quant à la mise en œuvre de la Convention ?

5. Mettez-vous en place des actions ou politiques correspondant à l'esprit et aux objectifs de la Convention?