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INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF CULTURAL PROPERTY TO ITS COUNTRIES OF ORIGIN OR ITS RESTITUTION IN CASE OF ILLICIT APPROPRIATION

**Fourteenth session
Paris, UNESCO Headquarters
5-6 June 2007**

SECRETARIAT REPORT

INTRODUCTION

The Secretariat reports to the Committee at its fourteenth session on the activities carried out since the thirteenth session and, in particular, on the follow-up to the recommendations adopted by the Committee.

I. PROMOTION OF BILATERAL NEGOTIATIONS

Cases pending before the Committee

1. The Parthenon Marbles

Pursuant to Recommendation No. 1 adopted at the thirteenth session of the Committee (Paris, February 2005), the Director-General has encouraged the holding of meetings between Greece and the United Kingdom and offered the assistance of the Secretariat. Following a proposal by Greece, a meeting of representatives of the Greek Ministry of Culture, the Department of Culture, Media and Sport (DCMS) and the British Museum was held in London on 4 May 2007. Two UNESCO representatives from the secretariat of the Committee participated in the meeting as observers. The aim of the meeting was to follow up the discussions that have been held since 2003, taking into consideration the imminent completion of the Acropolis Museum. The British Museum issued a statement after the meeting underlining the importance of continuing the discussions with Greek colleagues.

2. The Boğazköy Sphinx

In accordance with Recommendation No. 2 adopted by the Committee at its previous session, the Director-General invited Germany and Turkey to continue dialogue with a view to finding a mutually acceptable solution to this issue and offered the assistance of the Secretariat. Letters referring to UNESCO's good offices mandate in the matter and to the Recommendation adopted by the Committee at its thirteenth session were sent to the representatives of Germany and Turkey in August and October 2006. However, to the knowledge of the Secretariat, no meeting has been held between the two parties since the last session of the Committee.

3. The Makonde Mask

A new case has been brought before the Committee by the Republic of Tanzania. On 30 March 2006, the Ministry of National Resources and Tourism of Tanzania wrote to the Director-General informing him of Tanzania's efforts to secure the return of a Makonde mask from the Barbier-Mueller Museum in Switzerland and requesting that the case be brought before the Committee at its next session. The letter included a completed "Standard Form Concerning Requests for Return and Restitution" and documentary support. The restitution request was transmitted by UNESCO to Switzerland on 31 May 2006 with all of the documentation. At the date of issue of this report, no formal reply from the Swiss authorities has been received by the Secretariat. The Committee shall examine the case on the basis of the documentation available at the date of its fourteenth ordinary session.

II. AMENDMENT TO ARTICLE 4 OF THE STATUTES

1. The General Conference of UNESCO adopted, at its 33rd session (Paris, October 2005), 33 C/Resolution 44, which added mediation and conciliation to the mandate of the Committee. This amendment to the Statutes was made following and in accordance with (i) Recommendation No. 3 adopted by the Committee at its thirteenth session, (ii) the 171 EX/Decision 17 and (iii) document 33 C/46, *Strategy to Facilitate the Restitution of Stolen or Illicitly Exported Cultural Property*. Article 4, paragraph 1, of the Statutes, as amended, therefore reads as follows:

"seeking ways and means of facilitating bilateral negotiations for the restitution or return of cultural property to its countries of origin when they are undertaken according to the conditions defined in Article 9. In this connection, the Committee may also submit proposals with a view to mediation or conciliation to the Member States concerned, it being understood that mediation implies the intervention of an outside party to bring the concerned parties to a dispute together and assist them in reaching a solution, while under conciliation, the concerned parties agree to submit their dispute to a constituted organ for investigation and efforts to effect a settlement, provided that any additional, necessary funding shall come from extrabudgetary resources. For the exercise of the mediation and conciliation functions, the Committee may establish appropriate rules of procedure. The outcome of the mediation and conciliation process is not binding on the Member States concerned, so that if it does not lead to the settlement of a problem, it shall remain before the Committee, like any other unresolved question which has been submitted to it".

2. The resolution adopted by the General Conference provides that the Committee may establish appropriate rules of procedures. The Secretariat has consequently drawn up for consideration, discussion and possible adoption by the Committee at its fourteenth session a document entitled "*Draft Rules of Procedure on Mediation and Conciliation in accordance with Article 4, paragraph 1, of the Statutes of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation*".

III. DECLARATION OF PRINCIPLES RELATING TO CULTURAL OBJECTS DISPLACED IN CONNECTION WITH THE SECOND WORLD WAR

1. As a direct result of a Committee's initiative and, in particular, of Recommendation No. 4 adopted at its thirteenth session, the General Conference (Paris, October 2005) adopted 33 C/Resolution 45. This resolution invited the Director-General to submit to the General Conference at its 34th session a *draft declaration of principles relating to cultural objects displaced in connection with the Second World War* (hereinafter "the Draft Declaration") after having convened an intergovernmental meeting to elaborate such a draft.

2. An intergovernmental meeting on the preparation of the draft declaration was held at UNESCO from 19 to 21 July 2006. The meeting used as working basis the draft of the principles adopted “in principle” by the Intergovernmental Committee at its thirteenth session. Following an in-depth debate, the participants adopted at the first reading the draft of principles to be contained in the draft declaration. Owing to time constraints, the preamble was not examined and two of the principles were not adopted. As a result, the participants recommended that a second session be held to enable them to complete their work and that Member States be requested to provide extrabudgetary funds to finance that session.

3. The subsequent Executive Board session adopted 175 EX/Decision 16 which requested the Director-General to examine the issue further and to decide on the most appropriate course of action in order to implement 33 C/Resolution 45. Pursuant to 175 EX/Decision 16, the Director-General consulted the Member States of the Executive Board on 5 December 2006. A majority were in favour of a second session of the intergovernmental meeting, which was accordingly held on 8 and 9 March 2007 with the financial support of China, Lithuania and Switzerland.

4. After two days of discussion, the participants adopted the draft declaration of principles relating to cultural objects displaced in relation to the Second World War. The text was approved by 28 delegations; 3 delegations were against and 2 abstained. Some delegations did not take part in the vote.

IV. THE UNESCO CULTURAL HERITAGE LAWS DATABASE

1. Recommendation No. 5 adopted by the Committee at its twelfth session invited the Director-General and UNESCO Member States to take various actions in support of the expansion of the UNESCO Cultural Heritage Database. The database was launched officially by the Secretariat during the thirteenth session of the Committee. It now has cultural heritage legislation from 65 Member States. The database is currently being upgraded significantly – an improved software with fast and user-friendly search tools, multi-language capabilities, security mechanisms to protect national legislation online and a restricted-access Member States Area - thanks to a generous contribution from the United States of America which has covered the related costs. In order to maximize the database’s usefulness, this extrabudgetary project also aims to encourage submissions to the database through extensive promotion and to assist Member States in producing official translations in English, French and Spanish of their national legislation protecting cultural heritage. The database is accessible at <http://www.unesco.org/culture/natlaws>.

2. UNESCO Member States are strongly encouraged to provide their cultural heritage legislation to the Secretariat for inclusion in the database. To that end, the Director-General issued a circular letter (CL/3694, dated 19 December 2003) and the Assistant Director-General recently sent a reminder (CLT/CH/19.2/179, dated 15 December 2006) to all Member States requesting that the following information be provided officially to UNESCO in **electronic format** (on diskette, CD-ROM or email):

- (i) the relevant legislation currently in force on cultural heritage in general, irrespective of its source (law, decree, order, etc.) and its geographical scope of application (federal or national legislation, and cantons or provinces where appropriate); regular updates of the legislation are expected from the Member States;
- (ii) and/or any import/export certificate currently in force;

- (iii) and/or any available translation of the above-mentioned documents;¹ all States are therefore encouraged to provide official translations in English, French and Spanish, with a view to avoiding errors in the interpretation of their legislation;
- (iv) and/or full contact information (name, address, telephone, fax and email address) on the relevant national authorities responsible for cultural heritage protection;
- (v) and/or the complete Internet address of official websites relating to cultural heritage protection.

3. This information must be accompanied by **official written authorization** from the appropriate national authority so that UNESCO may reproduce the legislation and export and/or import certificates on its website (www.unesco.org/culture/natlaws) and establish a link from the “UNESCO Cultural Heritage Laws Database” website to the official national website, unless such a link is expressly prohibited or undesired.

V. THE FUND OF THE INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF CULTURAL PROPERTY TO ITS COUNTRIES OF ORIGIN OR ITS RESTITUTION IN CASE OF ILLICIT APPROPRIATION (“the Fund”)

1. The Committee at its thirteenth session adopted the “*Procedure to be followed for the Assessment of Projects for the Fund*”. This complements the “*Operational Guidelines for the Fund*” and the “*Sample Project Document and Model for the Presentation of Projects*” that the Committee had adopted at its twelfth session. Pursuant to Recommendation No. 7 adopted at the last session inviting the Director-General to promote the Fund, these documents have been posted online and are reproduced in the Information Kit prepared by the Secretariat on the Committee and on restitution issues.

2. The amount available is €29,000, a contribution made by Greece in 1999. No other voluntary donations have subsequently been made. The Committee may wish to consider, at its fourteenth session, new ways and means of promoting donations to the Fund.

VI. INTERNATIONAL COOPERATION

New States Parties to the 1970 UNESCO and 1995 UNIDROIT Conventions

Since the last session of the Committee, six States Parties have joined the 1970 UNESCO Convention (Afghanistan, New Zealand, Norway, Venezuela, Viet Nam and Zimbabwe), bringing the total number of States Parties to 112. Belgium and Germany have announced that they will ratify this Convention soon. Four States (Afghanistan, Islamic Republic of Iran, New Zealand and Nigeria) have ratified the 1995 UNIDROIT Convention, bringing the total number of States Parties to 28.

UNESCO-WCO Model Export Certificate for Cultural Objects

1. Pursuant to Recommendation No. 6, the Director-General of UNESCO and the Secretary General of the World Customs Organization (WCO) sent a joint letter on 5 July 2005 to their respective Member States recommending that they adopt, in whole or in part, the Model Export

¹ UNESCO’s Member States are strongly encouraged to consider having official translations of their legislation made so that they may be provided to the Secretariat for inclusion in the Database and, when possible, to provide the Secretariat with extrabudgetary funds so that it may assist some Member States with this important translation work.

Certificate for Cultural Objects as their national export certificate. This standard export certificate is meant to serve States as well as customs officials worldwide in combating illicit trafficking in cultural property. In developing the Model Export Certificate for Cultural Objects, comments by Interpol and UNIDROIT were taken into consideration and a comparison was made with the European Union's standard export certificate.

2. The Model Export Certificate and explanatory notes are available electronically on a CD-ROM and on the UNESCO Internet site (www.unesco.org/culture/laws/illicit) in French, English, Spanish, Russian, Arabic and Chinese. A number of UNESCO Member States have indicated their interest in the Model Export Certificate and six of them (Argentina, Syria, Guatemala, Rwanda, Georgia and Egypt) have informed the Secretariat that they are adopting it, in whole or in part.

3. The Secretariat plans to send a questionnaire to Member States of UNESCO and Observer Missions with the view to reviewing with the national authorities the application and use of the Model Certificate.

Cooperation with Interpol, UNIDROIT, the World Customs Organization and the International Council of Museums

1. UNESCO continues fruitful cooperation with Interpol, UNIDROIT, the World Customs Organization and the International Council of Museums in the areas of illicit trafficking in and the return/restitution of cultural objects. Experts/representatives from each are invited to participate in meetings organized by each of these organizations. This contributes to the consolidation of common bases and to the exchange of information on illicit trafficking and on restitution.

2. The Secretariat wishes to underline, among joint and recent operational activities, the convening of the *Interpol Expert Group on Stolen Cultural Property* in Lyon on 14 February 2007 and online discussions on how to combat illicit trafficking. As a result of the online forum, a document containing "Basic Actions" in the **fight against the sale of illicitly trafficked cultural property on the Internet** has been prepared. Member States of UNESCO, Interpol and ICOM will be invited to adopt the document now finalized, translated into six languages and signed by the Secretariats of the three organizations. It will soon be sent to all UNESCO and Interpol Members and to all of ICOM's National Committees.

3. UNESCO co-organized and hosted, on 24 June 2005, the conference "UNESCO and UNIDROIT – Cooperation in the Fight against Illicit Traffic in Cultural Property" celebrating the tenth anniversary of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.

4. In accordance with a framework agreement and with UNESCO's financial support, ICOM continues to publish issues in the "One hundred missing objects" series. The most recent issue focuses on the Arab States ("One Hundred Missing Objects: Looting in Arab Countries"). UNESCO has also supported the translation of the new ICOM Code of Ethics for Museums. By promoting ethical standards of professional practice, ICOM Code of Ethics is an important tool in combating illicit trafficking.

5. UNESCO was associated with ICOM at a press conference for the presentation, on 24 April 2007 at the Musée Guimet (Paris), of the ICOM Red List of Afghanistan Antiquities at Risk. UNESCO has financed the translation of this Red List into the Dari and Pashto languages and copies have been widely disseminated by the UNESCO Office in Kabul.

Promotion of the Object-ID Standard

1. A workshop on the promotion of the Object-ID was organized by the UNESCO Ramallah Office together with Palestinian police and antiquities personnel from 7 to 10 November 2005.

Twenty-eight participants (archaeologists, representatives of different police forces and customs departments) attended the training course. Dissemination of the Object-ID contributes to the strengthening of national capacities to combat illicit trafficking in cultural property through a simple, though valuable, cultural property identification system.

2. UNESCO has made available electronically a “Record Sheet” that can be filled in to facilitate the compilation of Object-ID records. Each of the nine Object-ID information categories, the written description and the photographs that make up the standard is explained briefly, and useful examples are provided. The “Record Sheet” is particularly useful since it can be reproduced or downloaded electronically and the user can simply fill in the blanks.

3. Additionally, a separate record sheet for “Supplementary Useful Information” was developed and included in addition to the Object-ID standard. This optional checklist of “Supplementary Useful Information” is recommended by the J. Paul Getty Foundation, UNESCO and ICOM to assist in further developing the record, if such is deemed necessary or desirable. The new additional Object-ID material is available in Arabic, English, Chinese, French, Spanish and Russian. It can be found in the newly published UNESCO Handbook “*Measures against Illicit Trafficking in Cultural Property*” (available in hardcopy at UNESCO or in UNESDOC on the Internet) and on the Object-ID website maintained by ICOM (<http://icom.museum/object-id/>) under “documents” or <http://icom.museum/object-id/checklist.html>. The value and simplicity of the Object-ID standard has been recognized and promoted since the standard was established, and use of the additional brief descriptions and record sheets is widely recommended.

4. Cooperation between UNESCO, ICOM and Interpol to promote Object-ID continues. UNESCO has recently reprinted the one-page checklist in the six United Nations languages, inserting new contact details that include ICOM, and has provided ICOM with a stock for dissemination. Furthermore, owing to cooperation between UNESCO and ICOM the one-page checklist has been posted online in several additional languages (Czech, German, Hungarian, Italian and Korean). It is available at: <http://icom.museum/object-id/checklist.html>.

Publications

1. The Handbook “*Measures against Illicit Trafficking in Cultural Property*” was published by UNESCO in 2006. It is a concise, yet comprehensive, presentation of legal and practical measures and tools crucial to combating illicit trafficking. It is aimed at a wide audience comprising professionals and the general public. It provides both an overview and valuable details on specific items. For instance, it discusses the role of, and the means of accession to, international conventions, includes basic checklists of matters that national legislation must address and of practical tools that must be employed, explains the UNESCO Cultural Heritage Laws Database and provides relevant resource material. The Handbook is available in Arabic, Chinese, English, French, Spanish and Russian versions from UNESCO and online in UNESDOC.

2. Updated information on the legal protection of cultural heritage (texts of relevant standard-setting instruments, lists of States Parties to Conventions, Members, Statutes and Rules of Procedure for statutory meetings, administrative information on meetings, reports and official documents) are available on the dedicated UNESCO website at www.unesco.org/culture and in the “normative action” section in the left-hand column.

United Nations

1. Resolution 1483 adopted by the United Nations Security Council on 22 May 2003 requests the United Nations Member States to “take appropriate steps to facilitate the safe return to Iraqi institutions of Iraqi cultural property and other items of archaeological, historical, rare scientific, and religious importance illegally removed from the Iraq National Museum, the National Library, and other locations in Iraq since the adoption of resolution 661 (1990) of 6 August 1990, including by

establishing a prohibition on trade in or transfer of such items and items with respect to which reasonable suspicion exists that they have been illegally removed”. It also calls upon UNESCO, Interpol and other international organizations, as appropriate, to assist in the fulfilment of this obligation.

2. On 4 December 2006, the General Assembly of the United Nations unanimously adopted resolution A/61/L.15/Rev. 1 on the “Return or restitution of cultural property to the countries of origin”. The Member States expressed therein their concern about the loss, destruction, illicit trafficking and pillaging of cultural property. The efforts of UNESCO in combating such actions were commended and the strengthening of the mandate of the Committee through the revision of its statutes was recognized. Furthermore, the Member States of the United Nations were invited to consider using the Committee’s new mediation and conciliation functions in restitution cases.

VII. RESTITUTION ISSUES IN CONFLICT AND POST-CONFLICT SITUATIONS

Iraq

To prevent illicit trafficking in cultural property and to facilitate the return of stolen or illicitly exported Iraqi cultural property, UNESCO and Interpol cooperate mainly through the exchange of information, participation in educational activities or the provision of expert advice. During the *First Interpol Expert Group Meeting on Stolen Cultural Property* (Lyon, 17 February 2004), it was decided that a list of experts and institutions in Iraq and worldwide would be compiled and would be available for consultation through Interpol. The list would serve as a reference to enable an assessment of the authenticity and provenance from Iraqi territory of illicitly exported cultural property traced on the art market. The task of compiling the list has now been completed by UNESCO, with the assistance of the Iraqi authorities. The UNESCO Secretariat presented the Iraqi List of Experts, drawn up in cooperation with Iraqi authorities, to the participants in the Interpol Expert Group in February 2007 and handed it over to Interpol.

Afghanistan

1. The “Afghanistan-Museums in Exile” in Bubendorf BL (Switzerland), supported by the Swiss authorities, held in its possession, until recently, a large collection of cultural property from Afghanistan with the ultimate goal of returning them to Afghanistan. Under the auspices of UNESCO and at the request of the Afghan authorities, it has been considered that the situation in Afghanistan – as the Kabul museum is again operational - now permits the return of the objects in question, in that no new threats have emerged. The museum in Bubendorf closed its doors on 14 October 2006 and the return of cultural property (some 1,400 ethnographical and archaeological objects) from the Afghanistan Museum to Afghanistan was effected on 16 March 2007, with the support of Germany in respect of air transport to Kabul.

2. A Catalogue of the National Museum of Afghanistan (1931-1985) was compiled by Ms Francine Tissot and published by UNESCO Publishing in 2006. It is still available from UNESCO.

ANNEX

EXAMPLES OF CULTURAL PROPERTY RETURNED OR RESTITUTED WITHOUT THE COMMITTEE'S INVOLVEMENT

1. The role of the *Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation* is to seek ways and means of facilitating bilateral negotiations for the restitution or return of cultural property.
2. To assist it in its task and pursuant to Recommendation No. 3 adopted at its twelfth session,
 - (i) a list of recent examples of returns and restitutions made through legal adjudication or bilateral negotiations; and
 - (ii) recent cases, wherein a request for return or restitution was satisfied through a voluntary gesture by the holder of the cultural property or pursuant to alternative solutions such as exchanges, loans or the making of replicas, are listed below as a source of inspiration for the Committee.²
3. The cases listed below are selected examples of return or restitution of cultural property. They rest on specific factual circumstances, moral and/or legal grounds and applicable legal rules. Their outcome is therefore not necessarily applicable to other contexts. Furthermore, both the jurisdictional issues and the merits of each dispute are specific to and evolve within each State. All cases are not necessarily of a nature likely to be brought before the Committee – the Committee's Statutes provide that a request for restitution or return may be made solely "concerning any cultural property which has a fundamental significance from the point of view of the spiritual values and cultural heritage of the people of a Member State or Associate Member of UNESCO and which has been lost as a result of colonial or foreign occupation or as a result of illicit appropriation" (Article 3).

I. The Return of the Heidelberg Parthenon fragment

1. On 4 September 2006, the University of Heidelberg, Germany, handed a small piece of marble, roughly 10 cm long, to the Greek Minister of Culture Georgios Voulgarakis. It shows a man's foot exquisitely carved in relief.
2. The piece of marble was formerly part of a slab of the North Frieze of the Parthenon and will in future join the other remains of the slab that are still in Athens, Greece. The Heidelberg marble fragment is the first fragment from the Parthenon sculptures to return to Greece since European collectors removed large sections from the building some 200 years ago.

² The Secretariat is only occasionally informed officially by Member States or other sources of negotiations or legal proceedings in which they are involved or which they have successfully concluded. Most often, information on such cases is received through the media and summaries presented here use quotations from the media. It is therefore difficult to obtain a complete overview of recent developments. The Secretariat takes this opportunity to urge Member States to provide detailed and official information on returns or restitutions. It will be possible to the Secretariat to establish the database, as recommended by the Committee at its twelfth session, only if such information is systematically received in electronic format.

3. The University of Heidelberg's decision to return this fragment of the Parthenon marbles is an important landmark in the recent improving process of international cultural exchange and cooperation between museums and between governments. The decision to return the piece was not taken by the German authorities, but by academics who had carefully weighed the artistic merits of the case. In return, the head of a small statue will be sent to the University of Heidelberg's collection from the collection of a Greek museum.

4. An especially positive aspect of this case is that the marble piece is being returned on the basis of an amicable consensus rather than after legal proceedings.

II. The Getty Museum Restitution Cases

1. It has been agreed that two important Greek artefacts, a gold wreath and a marble statue of a "kore" (a standing young woman, here dated before the fifth century BC), which had been taken abroad by illicit trade, will return to Greece after they had been shown to be stolen goods. Both had until recently been held in the J. Paul Getty Museum in Los Angeles. Greek police had found evidence that the funerary wreath had been dug up by a farmer in 1990 near Serres, in northern Greece, and passed on to the art market through Germany and Switzerland before being sold to the Getty Museum in 1993. Another two items, a sixth century BC Thasian relief and a fourth century BC Boeotian stele, were returned in August 2006 following an amicable agreement after a similar claim.

2. The returns followed a series of claims made by Greece against the Getty Museum, relating to works suspected of having been looted from archaeological sites or having been illegally exported. In return, Greece has agreed to lend other artefacts to the Getty Museum and to allow it to co-host future exhibitions of Greek art.

3. The Getty Museum has also unilaterally agreed to return 26 objects from its antiquities collection to Italy, including 25 that were on a list of 52 objects claimed by the Italian Ministry of Culture. An additional object has thus been determined and should be returned by the Getty.

4. In announcing the return, the Getty Museum stated that it had not knowingly acquired any illegally excavated or exported objects and pointed out that its conservation, public exhibition and publication of all of those objects had demonstrated that it was only interested in pursuing its mission as a museum devoted to the expansion of cultural knowledge.

5. Nevertheless, returns were being undertaken in the light of serious accusations against a former curator of antiquities at the Getty Museum. The curator resigned in October 2006 and is now facing charges of conspiracy to trafficking in looted art in a trial in Italy and may also face charges in Greece. The former curator and an antiquities dealer are being tried jointly for conspiring to excavate and export artefacts illegally from Italy. Several objects with which they had dealt have been linked to a convicted smuggler.

6. As a consequence of the accusations against its acquisition policies, the Getty Museum announced in October 2006 a stricter policy requiring evidence that an item had been in the United States of America by 1970 and that there was no reason to suspect that it had been exported illegally from its country of origin or evidence that the item had been out of its country of origin before 1970 and that it had been imported legally into the United States of America or evidence that the item had been exported legally from its country of origin after 1970 and that it had been imported legally into the United States of America. These requirements will bring the institution's rules into line with the principles of the 1970 UNESCO Convention aimed at preventing illicit movement of cultural property.

III. The Metropolitan Museums return of the Euphronios Krater

1. Reversing its long-standing position, the Metropolitan Museum of Art in New York has decided to return a 2,500-year-old Greek vase, purchased in 1972 for \$1 million, and considered to be one of the world's finest, to the Italian Government.
2. The museum pledged to return the Euphronios krater, as the vase is known, along with fifteen pieces of Hellenistic silver and several other vessels from the Classical era in exchange for long-term loans of other prized antiquities.
3. The Euphronios krater had allegedly been pillaged by tomb looters in Italy. Archaeologists and other officials familiar with the negotiations had stressed the importance of returning the ancient object to the setting in which it had been used and found. They stressed that the vase, standing alone on display, might be aesthetically beautiful, but alongside the other materials found at the site of the excavation, it bore witness to an ancient civilization. In return for the restitution of the Euphronios krater, the Metropolitan Museum of New York has received from Italy a kylix, a drinking cup, dating from the sixth century BC, which will be on loan to the museum until November 2010.

IV. The Pakistan Buddha

1. In early 2007, the Government of the United States of America handed over to Pakistan a stolen statue of a starving Buddha, said to be one of only two ever located, and several other priceless artefacts dating back to the second century BC. The second statue of a starving Buddha is held in a Pakistani museum, according to Pakistani officials who received the artefacts in January 2007 from the authorities of the United States of America.
2. The items had been discovered in two shipments, in which the shipper had misrepresented the country of origin. Both shipments arrived at the Newark Port of Entry in September 2005. Pakistani and American experts worked together on the case and determined that the items had been excavated illegally from sites in the northern part of Pakistan. As some of the items were damaged, it is assumed that the thieves used unsophisticated methods to remove the statues illegally from the archaeological site.

V. The Denver lintel

1. In late 1998, the Denver Art Museum voluntarily returned a carved Maya wooden lintel taken from the Classic period site of El Zotz in the Petén region of Guatemala, 12 miles north-west of Tikal. One of fewer than a dozen such artefacts known to exist, the lintel, dated from the sixth to seventh centuries BC, was stolen from the northernmost pyramid in the site's main plaza between 1966 and 1968.
2. The lintel was purchased by the Denver Art Museum in 1973, when the United States had no law prohibiting the importation of Pre-Columbian art from Guatemala.
3. The lintel, which was received by the Instituto Guatemalteco de Antropología in a repatriation ceremony in November 1998, will be displayed alongside a well-known wooden lintel from Tikal in the Museo Nacional de Arqueología e Etnología in Guatemala City.

VI. Returns by the Museum of Fine Arts, Boston, to Italy

1. The Museum of Fine Arts in Boston reached an amicable agreement with Italy over the return of 13 items, which included a marble statue of the Empress Sabina, dated 136 AD, and some ancient vases.
2. The return was made possible after lengthy negotiations by an agreement signed on 28 September 2006. On 28 November 2006, the Boston museum announced that it was in return to receive a loan from Italy as part of the agreement. The Deputy Prime Minister and Minister of Culture of the Italian Republic subsequently unveiled a 3 m tall statue of Eirene, the goddess of peace, at the museum. It will be displayed at the museum until the autumn of 2009.

VII. Return by the Gallery Belvedere, Vienna, of a painting by Edvard Munch

1. The Government of Austria has decided to return to Marina Mahler, the granddaughter of the composer Gustav Mahler and his wife, Alma, the 1902 painting “Summer Night on the Beach” by Edvard Munch. The painting has been in Austria’s Gallery Belvedere since 1937, when Alma lent the painting to the Austrian National Gallery. In 1938 she had to flee from the Nazis and, until her death in 1964, made unsuccessful attempts to recover the painting.
2. During the Second World War, Alma’s stepfather, Carl Moll, retrieved – without Alma’s knowledge or consent – the painting and sold it back to the Gallery Belvedere for a small sum. Alma’s later attempts to reclaim the painting were rejected by the Republic of Austria on the basis of a court ruling in which the court referred to the sale as a legal and valid ground for doing so.
3. Marina Mahler’s efforts to retrieve the painting under the 1998 Austrian Restitution Act remained unsuccessful, as its restitution was barred by a 1953 court decision, although the Art Restitution Commission had agreed to return the painting on historical and moral grounds. Only after an amendment to the above-mentioned law in 2001 and a subsequent positive decision by Austria’s Minister for Culture could final restitution be made.

VIII. Return of the Aksum Stele to its original site in Ethiopia (called the Aksum Obelisk)

1. In April 2005, the Aksum obelisk was returned to Ethiopia. The obelisk had been in Rome since 1937, when the Italian army took it to Italy.
2. The return was preceded by lengthy negotiations and the signing of two agreements by Italy and Ethiopia in 1956 and 1997. Ethiopia formed a national committee for the return of the obelisk. The committee, working in close cooperation with the International Centre for the Study of the Preservation and Restoration of Monuments (ICCROM), carried out research and technical analyses to prepare for the segmentation and transport of the funeral stele. The return itself was based on an agreement concluded by the two governments on 18 November 2004.
3. During the preparatory work for the elevation of the obelisk, major archaeological discoveries had been made by experts. Vast underground funerary chambers and arcades were found in the vicinity of the original location of the stele, which had already been inscribed in the World Heritage List in 1980. The discovery was made through “non-invasive archaeological prospection” by georadar and electrotomographic methods that did not interfere with the archaeological layers.