



Ministerie van Onderwijs, Cultuur en
Wetenschap

Cooperation between Law Enforcement Agencies in the Netherlands in relation to the Protection of Cultural Heritage

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sr inspector



Cultural Heritage Inspectorate: Tasks

- Central authority for European and UNESCO legislation (1970, 1954) on the protection of cultural heritage and for Sanction measures Iraq and Syria
- Authorization of export licences
- Inspection of collections of the state and of objects which are irreplaceable and indispensable for Dutch cultural heritage
- Inspection of archaeological objects/monuments
- Inspection of governmental archives/records
- Cooperation with Dutch Customs and Police
- Cooperation with relevant (inter)national organizations



Legal Framework

Heritage Act (1 July 2016)

Included in this Act, a.o.:

- Council Directive 2014/60/EU (return of cultural objects)
- Council Regulation No. 116/2009 (export of cultural goods)
< *new EU legislation on the import of cultural goods into the EU* >
- Cultural Property (Return from Occupied Territory) Act (2007)
- 1970 UNESCO Convention on the Illicit Import, Export and Transfer of Ownership of Cultural Property (Implementation) Act (2009)

Iraq Sanctions Order (II) (2004) and Syria Sanctions Order (2012)
UNSC Resolution 2347/2017, (Mali Sanctions Order 2017)



> 20 years cooperation with Customs

Since 1995 cooperation with Dutch Customs (formally since 2000, Agreement between the Ministries of Finance and Culture: policy and enforcement)

- Policy and Executive level
- Special contact persons
- Exchange of information
- Training/education
- Risk analysis
- Pilot projects

>> Effective and efficient





Cultural Heritage Agency
Ministry of Education, Culture and Science

Covenant

on cooperation between the Ministry of Education, Culture and Science and the Ministry of Finance in the execution of statutory tasks in the policy area of the Ministry of Education, Culture and Science by Customs

2018



Ministry of Education, Culture and
Science

Import and Export of Cultural Objects





Export licences

Cf. Council Regulation No 116/2009
(and UNESCO-WCO model)

Concurrence:

Directive 2014/60/EU

UNESCO 1970 and 1954

Sanction Orders Iraq and Syria

Administrative handling:

Central Licensing Office

Digitized procedure

Authorization: CHI

Control: every Customs office NL

EUROPESE GEMEENSCHAP		UITVOER VAN CULTUURGOEDEREN (Vo (EG) Nr. 2011/92)	
2	1. Exporteur Naam Adres Woonplaats	A. Identificatienummer 6000 0000	B. Vervaldatum 28-02-2007
	Inspectie Cultuurbezit, namens deze Belastingdienst/Douane Noord Centrale dienst voor in- en uitvoer Postbus/P.O. Box: 30003 9700 RD GRONINGEN (NEDERLAND) Tel. +31 50 523 21 82		
3	3. Omschrijving van de goederen Violoncello vervaardigd door Francesco Goffriller in 1723. Kenmerken: -lengte corpus - 72.5 cm. -breedte corpus (boven) - 26.5/35.5 cm. -breedte corpus (midden) - 28.5/25.5 cm. -breedte corpus (onder) - 43.5/43 cm. -mensuurlengte - 68.4 cm -borst breedte tussen mensuurkerken - 15.5 cm. -lak - oranje-bruin. -achterblad - esdoorn. -voorblad - "resonanshout"	3. Codesnummer van de goederen 9796 9000	4. Foto van het object
	De houder van deze vergoeding is verplicht ervoor te zorgen dat, zodra beschikbaar dat voor deze vergoeding geen gebruik meer kan of zal worden gemaakt, deze terstond aan de Belastingdienst/Douane Noord/Centrale dienst voor in- en uitvoer wordt teruggezonden.		C. In te vullen door de houder van de vergoeding Datoem 18 februari 2004 Dienstopdraken CENTRALE DIENST VOOR IN- EN UITVOER CDU



Some figures on export licences

Average export licences: ca 350 annually
(def. ca. 100, temp. ca. 250)

Main categories: antiques, paintings, archaeological objects

Main destinations: USA, Japan, Switzerland, Russia, Singapore

Applicants: heritage institutions vs. art trade: 1 : 2,5

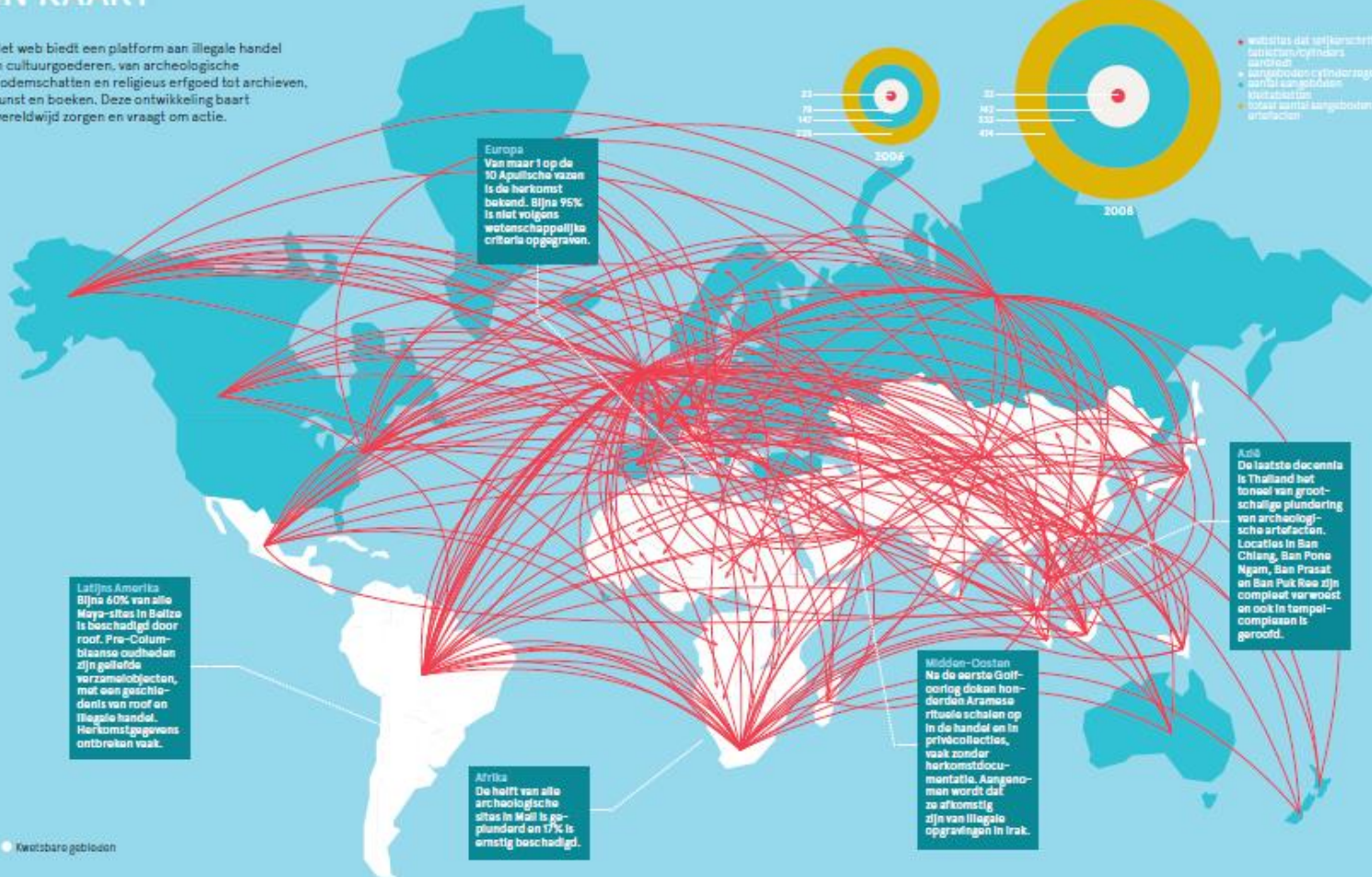


ILLEGALE HANDEL IN KAART

Het web biedt een platform aan illegale handel in cultuurobjecten, van archeologische bodemschatten en religieus erfgoed tot archieven, kunst en boeken. Deze ontwikkeling baart wereldwijd zorgen en vraagt om actie.

AANTAL IRAAKSE ARTEFACTEN TE KOOP AANBODEN VIA HET INTERNET

Nog steeds worden cultuurobjecten uit Irak wereldwijd te koop aangeboden die na 4 augustus 1990 het land hebben verlaten zonder toestemming van de Iraakse autoriteiten.



Europa
Van maar 1 op de 10 Apolische vazen is de herkomst bekend. Bijna 95% is niet volgens wetenschappelijke criteria opgegraven.

Latijns Amerika
Bijna 60% van alle Maya-stelen in Belize is beschadigd door roof. Pre-Columbianse oudheden zijn gewilde verzamelobjecten, met een geschiedenis van roof en illegale handel. Herkomstgegevens ontbreken vaak.

Afrika
De helft van alle archeologische sites in Mali is geplunderd en 17% is ernstig beschadigd.

Midden-Oosten
Na de eerste Golfoorlog deden honderden Aramese rituele schalen op in de handel en in privécollecties, vaak zonder herkomstdocumentatie. Aangenomen wordt dat ze afkomstig zijn van illegale opgravingen in Irak.

Asia
De laatste decennia is Thailand het toneel van grootschalige plundering van archeologische artefacten. Locaties in Ban Chiang, Ban Pong Ngam, Ban Prasat en Ban Puk Ree zijn compleet verwoest en ook in tempelcomplexen is geroofd.

● Kwetsbare gebieden



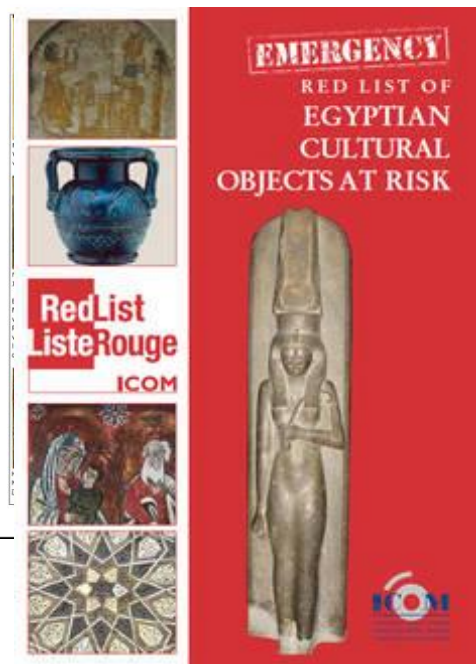
Risk Analysis

- Countries at risk
- Vulnerable cultural heritage
- Alerts UNESCO
- Alerts EU member states
- Alerts Interpol
- Red List ICOM
- Research studies

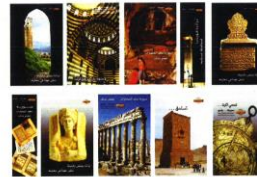




Information and training



Informatie over cultuurogoederen uit Syrië





Information and training





Training: registration, handling, photographing



Object ID

OBJECT ID CHECKLIST

TAKE PHOTOGRAPHS

Photographic set of what is necessary to identify and recording visible details. In addition to overall views, take close-ups of inscriptions, markings, and any damage or repairs. If possible, include a scale or object of known size in the image.

ANSWER THESE QUESTIONS:

Type of Object

What kind of object is it (e.g., painting, sculpture, clock, sword)?

Materials & Techniques

What materials is the object made of (e.g., bone, wood, oil on canvas)? How was it made (e.g., carved, cast, woven)?

Measurements

What is the size and/or weight of the object? Specify units and unit of measurement to be used (e.g., cm, kg) and to which dimension the measurement refers (e.g., length, width, depth).

Inscriptions & Markings

Are there any identifying markings, numbers, or inscriptions on the object (e.g., a signature, dedication, title, maker's mark, quality mark, property mark)?

Distinguishing Features

Does the object have any physical characteristics that could help to identify it (e.g., damage, repairs, or manufacturing details)?

Title

Does the object have a title by which it is known and might be identified (e.g., 'The Artist')?

Subject

What is it intended to represent (e.g., landscape, battle, woman holding child)?

Date or Period

When was the object made (e.g., 1800, early 17th century, Late Iron Age)?

Maker

Do you know who made the object? This may be the name of a known individual (e.g., Thomas Gainsborough, a company (e.g., 'Bentley'), or a cultural group (e.g., 'Egypt').

WRITE A SHORT DESCRIPTION

This can also include any additional information which helps to identify the object (e.g., color and shape of the object, where it was found).

KEEP IT SECURE

Having documented the object, keep this information in a secure place.





Cooperation with Police

Since 2013 special contact persons within the regional police forces

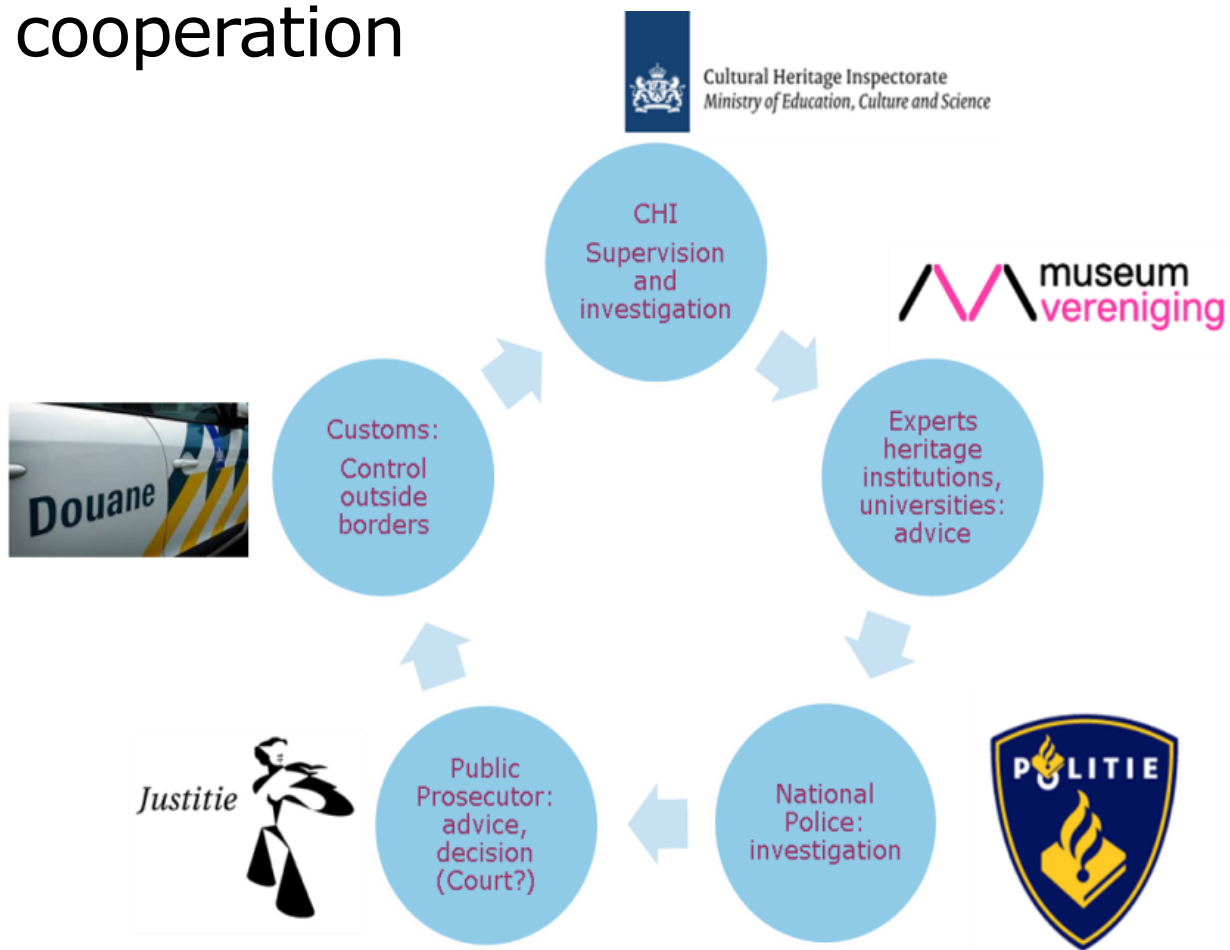
Special unit art and antiques criminality with a database on stolen works of art (analysis)

National Public Prosecutor for art and antiques criminality

- Training, awareness raising (recognition, legislation)
- Mutual assistance



National cooperation



TEFAF and dialogue with art trade





Due diligence and provenance

Cf. legislation and soft law

➤ EU Working Group on Provenance

ICOM Code of Ethics (Museums)
And CoE for Archives, Archaeology

Dialogue with Art trade

- Check the provenance of ALL objects in the inventory
- The museum inventory, stating for each object a.o. how it was acquired and from whom/where, should be accessible to the public
- Exercise due diligence when considering an acquisition or loan: verify ownership, is current holder legitimately able to transfer title or lend
- Not just a matter of legal self-protection, but of conscience

Fine Quality Ramesside Canopic Jar in Glazed (buffed)
Terracotta.
Hieroglyphic text in dark ink. Height 16cm.
An excellent piece. \$1700 Aust.



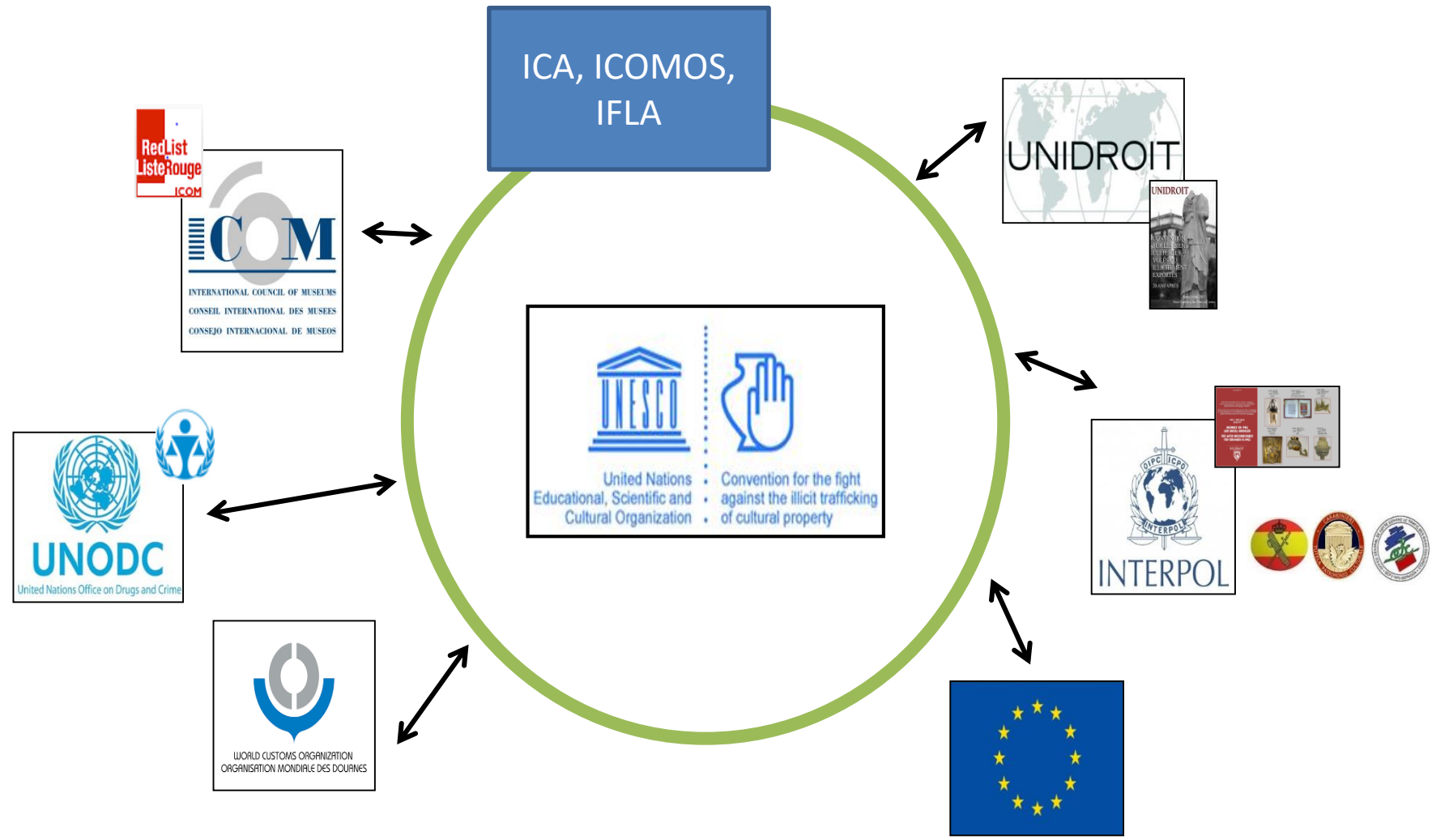
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Galleries



Origin: Egypt
Provenance: Private Australian collection, collected before 1970.

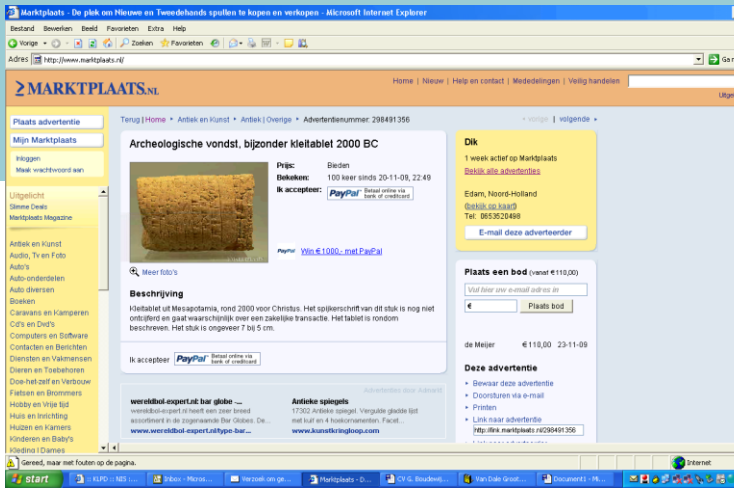
Aangekocht in 1999 Gallery

International Cooperation












1cm 2cm 3cm 4cm 5cm 6cm 7cm 8cm 9cm 10cm

1inch 2inch 3inch 4inch


Douane
Belastingdienst



Problems we encounter when unlawfully removed and discovered in NL

- Legally protected cultural heritage?
(legislation, inventories, report of the offence, photo documentation)
- Provenance: rightful owner / country of origin?
- Contact persons/cultural authorities and response within certain period (24 weeks)
- Authentication of objects and documents: fake or real?
- Reported in Interpol database of stolen works of art?



Contact

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