

INFORMATION KIT



United Nations
Educational, Scientific and
Cultural Organization



Convention for the fight
against the illicit trafficking
of cultural property



Information kit on the 1970 Convention

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Website: <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/>

1- THE 1970 UNESCO CONVENTION ON THE MEANS OF PROHIBITING AND PREVENTING THE ILLICIT IMPORT, EXPORT AND TRANSFER OF OWNERSHIP OF CULTURAL PROPERTY

Adopted by the **16th General Conference of UNESCO** on 14 November 1970¹.

It is the **first international legal framework** for the fight against the illicit trafficking of cultural property in times of peace.

As of August 2019, it has been ratified by **140 countries**.

Non-retroactivity: the Convention is only applicable to cultural objects stolen or illicitly exported from one State Party to another State Party after the date of entry into force of the Convention for both States concerned.

Definition of cultural property (art. 1 and 4): the adopted definition is very wide, but property has to be explicitly designated by the States as important for its archaeology, prehistory, history, literature, art or science.

State parties must:

- **Adopt protection measures** in their territories (art. 5):
 - elaborate draft appropriate national legislation
 - establish national services for the protection of cultural heritage
 - promote museums, libraries, archives
 - establish national inventories
 - encourage adoption of codes of conduct for dealers in cultural property
 - implement educational programmes to develop respect for cultural heritage
- **Control movement** of cultural property (art. 6 to 9):
 - introduce a system of export certificates
 - prohibit the export of cultural property unless it is accompanied by an export certificate
 - prevent museums from buying objects exported from another State Party without an export certificate
 - prohibit the import of objects stolen from museums, religious institutions or public monuments
 - penal sanctions to be imposed on any person contravening these prohibitions
 - emergency import bans may be adopted when the cultural heritage of a State party is seriously endangered by intense looting of archaeological and ethnological artefacts (Afghanistan, Iraq, Syria, etc.)
 - require art dealers to maintain a register of the exact origin of each object they purchase
- **Return** stolen cultural property (art. 7):
 - at the request of the State Party of origin, another State Party will seize and return cultural property on its territory stolen from a museum, religious institution or public monument
 - the request has to be made through diplomatic channels
 - the object has to be documented as being part of the inventory of the institution the requesting State has to pay just compensation to an owner who has purchased the object in good faith or holds a title which is valid according to national law
 - the requesting State has to provide all the evidence to support its claim

¹ The text of the Convention can be consulted on the website <http://www.unesco.org/culture/en/illicittrafficking>

Meeting of States Parties to the 1970 Convention

The Meeting of the States Parties to the 1970 Convention is the **sovereign body of the Convention**, composed of the **140 States** Parties to the 1970 Convention.

The Meeting of States Parties **provides strategic orientations for the implementation of the Convention and takes all measures it deems necessary for the promotion of the objectives** of the Convention.

Initially, the 1970 Convention did not make any provisions for a periodic monitoring body. Only one meeting was held in 2003 on the basis of a specific decision by the UNESCO Executive Board taken in 2002.

During the second meeting of States Parties to the 1970 Convention held in June 2012, and in order to monitor the implementation of the 1970 Convention, the States Parties decided to convene a meeting every two years.

"Extraordinary meetings" may continue to be convened at any time, at the request of the States Parties and by the UNESCO Director-General.

The fifth Meeting of the States Parties was held on 20 and 21 May 2019 in Paris, at UNESCO's HQ.

The sixth Meeting of the States Parties will take place in 2021.

Subsidiary Committee to the Meeting of the States Parties

The Subsidiary Committee is composed of the representatives of 18 States Parties (3 by regional group). The election of the Committee shall obey the principles of **equitable geographical representation and rotation**.

The members of the Committee are elected for a **4-year term**. Every 2 years, the Meeting of States Parties renews half of the members of the Committee. A member of the Committee may not be elected for two consecutive terms.

Its functions are to:

- **promote** the objectives of the Convention;
- **review the national reports** submitted to the General Conference by the States Parties to the Convention;
- **share good practices**, prepare and submit to the Meeting of States Parties recommendations **and operational guidelines** that can help in implementing the Convention;
- **identify difficult situations** resulting from the implementation of the Convention, including topics regarding the protection and return of cultural property;
- **establish and maintain coordination** with the "Return and Restitution Committee" in connection with capacity-building measures to combat the illicit trafficking of cultural property;
- **inform the Meeting of States Parties** of the activities that have been implemented.

² For more information: <http://www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/meetings/>

3- THE 1995 UNIDROIT CONVENTION ON STOLEN OR ILLEGALLY EXPORTED CULTURAL OBJECTS AND OTHER INTERNATIONAL LEGAL INSTRUMENTS ON ILLICIT TRADE



- Adopted by the Diplomatic Conference in Rome on 24 June 1995³.
- As of August 2019, it has **47 States Parties**, 10 other States have signed but not yet ratified.
- Drafted at **UNESCO's request to develop a uniform minimum body of private law rules** for the international art trade **to complement the public law provisions of the 1970 UNESCO Convention**.
- **Restitution** of stolen cultural objects (art. 3 and 4) and return of illegally exported cultural objects (art.5 to 7):
 - Key principles : “the possessor of a cultural object which has been stolen shall return it”
 - Possibility of compensation paid to the possessor of the stolen object where care was taken to avoid acquiring stolen cultural property; criteria for the establishment of diligence include circumstances of acquisition, character of parties involved, price paid, consultation of a register of stolen cultural objects
 - An illegally exported cultural object is to be returned if the object is of significant cultural importance for the requesting State
 - Possibility of compensation paid to the possessor of the illegally exported object where care was taken to avoid acquiring illegally exported cultural property: criteria for establishing diligence include circumstances of acquisition and absence of an export certificate required by the law of the requesting State
- **Clandestinely excavated** objects (art. 3 to 5):
 - illicitly excavated objects are considered to be stolen
- **Procedure** for claims:
 - brought by the private owner or a State before a court in the country where the object is located
 - time limits: generally 50 years and within 3 years of knowledge of the location of the object and identify of its possessor

4- OTHER APPLICABLE INTERNATIONAL LEGAL INSTRUMENTS

Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict: currently 133 States Parties; provides for the return of cultural property illegally exported from occupied territories

European Union Directive 2014/60/UE: applicable among the 28 Member States of the EU, it provides for a specific procedure for the return of illegally removed cultural property and introduce the notion of due diligence

Commonwealth Scheme: establishes a procedure for the return of stolen or illicitly exported objects within the Commonwealth; model legislation has been drafted which the 54 Commonwealth Member States may use as a basis for a national legislation.

³ The text of the UNIDROIT Convention can be consulted on the website <http://www.unidroit.org>

5- INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF CULTURAL PROPERTY⁴

UNESCO's Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation was created **by the General Conference of UNESCO as a permanent intergovernmental body in 1978.**

- The **22 members of the Committee are elected** from the UNESCO Member States **and renewed by half** at elections that take place every two years during the General Conference.
- It acts as **a mediator between States** in conflict regarding the return or restitution of cultural property when the provisions of the 1970 Convention do not apply.
- Acting as **an advisory body and as a forum facilitating bilateral negotiations**, this Committee has no legal power to decide cases.
- It **initiates the creation of tools focused** on the protection of heritage:
 - Awareness-raising campaigns: films, video-clips and publications
 - Mediation and conciliation rules on conflicts related to cultural property
 - Model Export Certificate for cultural objects
 - Database of National Cultural Heritage Laws
 - Actions concerning Cultural Objects being offered for Sale over the Internet
 - Code of Ethics for Dealers in Cultural Property
- **Procedure:**
 - Before bringing a case before the Intergovernmental Committee, the requesting State must **initiate bilateral negotiations** with the State in which the requested object is located; **only when such negotiations have failed or are suspended** can the case be brought before the Committee
 - In 1981, a "Standard Form Concerning Requests for Return or Restitution" was devised by the Intergovernmental Committee, to be filled out by both parties concerned
 - In order to be examined, a request for return or restitution has to be **submitted at least six months before the session** of the Intergovernmental Committee

UNESCO's General Conference adopted at its 33rd session a resolution that explicitly articulates the mediatory and conciliatory functions of the Committee.

- **Rules of procedure for Mediation and Conciliation:**
 - At its 16th session in September 2010, the Committee reviewed and adopted the resultant Rules of Procedure for Mediation and Conciliation.
 - Only **UNESCO Member States and Associate Members may defer to the elaborated procedures for mediation and conciliation, but States may represent the interests of public or private institutions located in their territories, as well as those of their nationals.**
 - Every two years, each State is invited to nominate and submit to the Secretariat **the names of two individuals who may serve as mediators and conciliators.**⁵ Their qualification is contingent on their competency and mastery in matters of restitution, resolution dispute and other specific characteristics of the protection of cultural property.

⁴<http://www.unesco.org/new/en/culture/themes/restitution-of-cultural-property/>

⁵http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/ListofMediators_and_Conciliators_enfr_20131028.pdf

The Intergovernmental Committee has enabled the following cases to be resolved:

- **1983:** restitution by Italy to Ecuador of more than 12,000 pre-Columbian objects.
- **1987:** restitution by the German Democratic Republic to Turkey of 7,000 cuneiform tablets from Boğazköy
- **1988:** restitution by the United States of America to Thailand of the Phra Narai Lintel
- **2010:** restitution by the Barbier-Mueller Museum (Switzerland) to the United Republic of Tanzania of the Makondé Mask
- **2011:** Germany - Turkey At the beginning of May 2011, the Secretariat was informed that a bilateral agreement has been reached between Germany and Turkey on the Boğazköy Sphinx. This case was presented to the Committee in 1987.

The most famous and still pending case concerns the request by Greece for the return by the United Kingdom of the Parthenon Marbles presently in the British Museum.

For more information: <http://www.unesco.org/new/en/culture/themes/restitution-of-cultural-property>



Makondé Mask
© ICOM



Sphinx of Boğazköy
© Berlin Museum

6- INTERNATIONAL FUND FOR THE RETURN OF CULTURAL PROPERTY

The lack of available resources remains an important obstacle to the realization of an effective strategy against the dispersal of cultural objects by illicit traffic.

The General Conference of UNESCO established the « ***International Fund for the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation*** ».

The recovery of cultural property is important **for States with significant losses**, especially in the event of conflict or natural disaster, **but not all have the means to pursue their claims** in other countries.

This Fund **aims to support Member States in their efforts** to pursue the return or restitution of cultural property and effectively fight illicit traffic in cultural property, particularly with regard to: **the verification of cultural objects by experts, transportation, insurance costs, setting up of facilities to exhibit them in satisfactory conditions, and training of museum professionals in the originating countries of cultural objects.**

In March 2001, **the UNESCO Director-General launched an appeal** to participate in this unanimous effort and contribute generously to the Fund in order to facilitate the effective restitution of cultural property to its State of origin or its owner.

Requests for assistance will be evaluated **by the Intergovernmental Committee of 22 Member States. The Fund is financed by voluntary contributions.**

More information: <http://www.unesco.org/new/en/culture/themes/restitution-of-cultural-property/fund-of-the-committee/>

The Fund is open to voluntary contributions

Contact

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7- PRATICAL ACTION AND AWARENESS RAISING: WHAT DOES UNESCO DO?

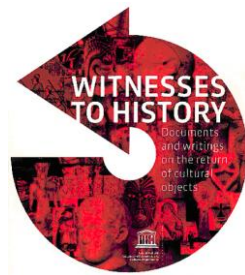
Apart from **its diplomatic and legal action** and its roles as **negotiator and mediator**, UNESCO's Secretariat implements **several information and awareness raising initiatives**.

Fighting trafficking on the Internet

Faced with the growing trafficking of cultural goods on the Internet and the difficulties encountered by national authorities to control this phenomenon, UNESCO, in close cooperation with INTERPOL and the International Council of Museums (ICOM), **makes available to Member States some basic measures to be taken concerning the sale of cultural objects via the Internet.**⁶

Informing the public

A film to raise awareness about the illicit trafficking of cultural goods (17 min.) presents UNESCO's action, programmes and standard-setting Instruments, as well as the role of those working to protect cultural heritage.



Video clips (2-3 min.) warn about the dangers of illicit trafficking in different parts of the world (Africa, Latin America, Eastern Europe, etc.) and the necessity to protect and preserve the cultural heritage for future generations.

UNESCO has published the **Compendium 'Witnesses to History – Documents and writings on the return of cultural objects'**, an anthology of reference texts of a historic, ethical, philosophical and legal nature, presenting various points of view about the issue of the return and restitution of cultural goods. It is also available in French, Chinese and Arabic. Russian and Spanish

versions are in preparation.

The awareness-raising video clips are primarily targeted at tourists. This campaign is promoted through the following slogan "Heritage is identity, don't steal it!". The objective of the campaign is to warn tourists when they purchase cultural objects to verify where they come from and ensure that they have the necessary authorization to export the object out of the country.



Informing the art market and museums



UNESCO promotes an **International code of ethics for traders in cultural property** which builds on the principles **laid down in the 1970 Convention**. It is also based on various national codes and Dealers' Codes (such as the code of the international federation of art and antique dealer associations (*Confédération internationale des Négociants d'Oeuvres d'Art*, CINOA). The UNESCO Code is also close to the model rule on the Acquisition Policies of Museums laid down in the Code of Professional Ethics of ICOM.

ICOM has drafted a **Code of Ethics** that forbids museums from acquiring, authenticating or exhibiting stolen or illicitly exported cultural goods. It has encouraged a number of museums to adopt ethical rules for their acquisitions. This code, passed in 1986 and revised in 2006, establishes values and principles that are common to ICOM and the worldwide museum community.

It is a reference tool, which has been translated into 36 languages, and it sets minimum standards of

⁶ <http://www.unesco.org/culture/fr/illicittrafficking/internettraffic>

practices and professional performance for museums and their staff. By joining ICOM, every member is committed to complying with this Code.

Two conferences entitled "The Movement of Cultural Property in 2016: Regulation, International Cooperation and Professional Diligence for the Protection of Cultural Heritage" and "Engaging the European Art Market in the Fight Against the Illicit Trafficking of Cultural Property" were organized in March 2016 and 2018 at UNESCO Headquarters. These events are part of a partnership between the European Union, UNESCO and the art market to raise awareness and inform all stakeholders.

In the framework of the partnership between UNESCO and the European Union, UNESCO set up an online-training throughout the month of March 2019 on the fight against the illicit trafficking of cultural property⁷. This MOOC was designed for European art market stakeholders, including collectors, auction houses, antiques dealers and gallerists, as well as academics, government representatives and institutions. Its purpose was to raise awareness of the legal framework to fight the illicit trafficking of cultural property, including the concept of due diligence.

Informing and training police, customs, and public and judicial authorities

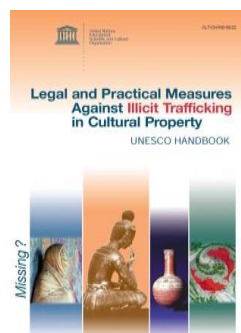
A Model Export Certificate for Cultural objects (UNESCO-WCO) has been drawn up by the secretariats of the World Customs Organization (OMD) and of UNESCO, which cooperate in the fight against the illicit trafficking of cultural goods. This model corresponds to useful requirements for identifying and tracing cultural objects, without, however, being too restrictive for exporters and customs services.⁸

Several Workshops are regularly organized by UNESCO and its partners which are specifically **designed for the police and customs forces**, the training is aimed at a selected number of staff, with a view to enforcing an efficient protection system in the country and building-up police specialized forces in the fight against the illicit trafficking of cultural property. Between 2014 and 2017, over 100 countries and some 1,800 participants benefited from over 60 capacity-building activities

Further practical tools and ethical instruments have been developed by UNESCO to contribute to the fight against illicit traffic:

Legal and Practical Measures Against Illicit Trafficking in Cultural Property, UNESCO Handbook

This handbook briefly draws attention to some basic legal and practical measures and tools to help combat illicit trafficking in cultural property.



UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects

UNESCO and UNIDROIT's Secretariat's convened a group of experts mandated to draft an appropriate text on the subject. The resultant Model Provisions and their explanatory guidelines are made available to the relevant domestic bodies and legislatures to help them establish and recognize State ownership of undiscovered cultural objects.

The Object-ID Standard

Object ID is an international standard for describing cultural objects. It is the result of years of research in collaboration with the museum community, international police and customs agencies, the art trade, insurance industry, and values of art and antiques.⁹

⁷ <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/mooc/>

⁸ <http://www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/legal-and-practical-instruments/unesco-wco-model-export-certificate/>

⁹ <http://archives.icom.museum/object-id/>

Rules of Procedure for Mediation and Conciliation of the Intergovernmental Committee

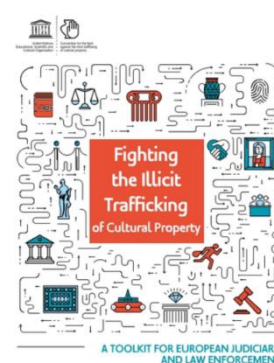
The Rules of Procedure are conceived under the general principles of equity, impartiality and good faith, which are intended to promote harmonious and fair resolution for disputes concerning the restitution of cultural property. As such, the text provides for confidential communication in relevant political, diplomatic, juridical and financial matters between the mediators and conciliators and each party.

Training the European judiciary and law enforcement officials on the fight against the illicit trafficking in cultural property

In the framework of a project funded by the European Union, a workshop was held from 26 to 28 november 2018 at UNESCO Headquarters bringing together 105 participants including 58 representatives of judicial, customs and police authorities from 31 European countries. The aim of this initiative was to raise awareness of the European judiciary and law enforcement officials on the existing international legal framework and practical tools to fight the illicit trafficking of cultural property.

At the same time, an e-learning program has been deployed from March 2019 to February 29, 2020 targeting European justice, police and customs. The aim of the e- Learning is to raise the awareness on the legal framework for the fight against illicit trafficking in cultural property and to foster international cooperation through an online platform.

The partnership between UNESCO and the European Union helped to develop and publish a «**Toolkit for European judiciary and law enforcement – Fighting the Illicit Trafficking of Cultural Property**». With numerous case studies to enable a concrete understanding of international principles, this guide aims at strengthening police, customs, and public and judicial authorities' knowledge of the legal framework



Resources and Capacity-building

UNESCO gives free access **to a database** in six languages about national cultural heritage laws. By presenting the national laws of its Member States on its website, UNESCO offers all the parties concerned a major and easily accessible source of information. The database currently contains more than 3.000 texts from more than 180 countries.

States members are invited to send copies of all legal texts concerning the protection of cultural objects to UNESCO's Secretariat for their inscription in **the UNESCO Database of National Cultural Heritage Laws**.¹⁰



UNESCO very regularly organizes information **meetings and national and regional training workshops aimed at promoting the Conventions** and relevant practical instruments for the protection of cultural goods and for the fight against trafficking in these goods.

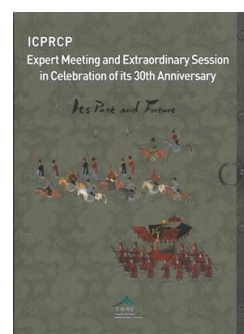
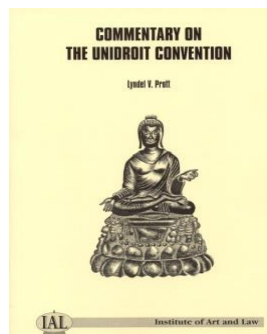
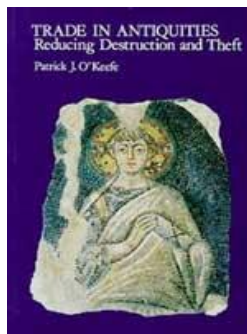
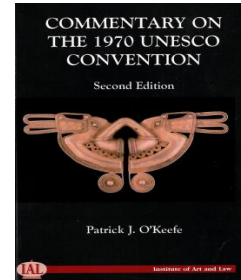
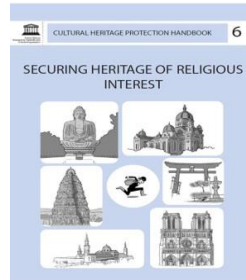
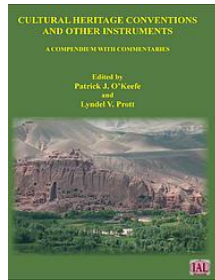
For examples of workshops: <http://www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/capacity-building/>

¹⁰ <http://www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/unesco-database-of-national-cultural-heritage-laws/>

Informing experts, researchers and students

In-depth **legal publications are drafted by experts who are internationally recognized** in this field and published with the support of UNESCO on its website (UNESCO Publishing) or used during training workshops. Among these publications are commentaries about the 1970 UNESCO Convention and the 1995 UNIDROIT Convention.

For more information: <http://www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/publications/>



8- RECENT EXAMPLES OF SUCCESSFUL RESTITUTION OPERATIONS USING THE 1970 CONVENTION

The 1970 UNESCO Convention and the laws which are subsequent to its implementation at the national level are useful for the National Authorities of the State Parties that would like to return one or several cultural objects to another country.

June 2019: France to Perú



On 3 June 2019, France restituted to Peru three cultural properties looted from a pre-Columbian tomb. The objects were intercepted at the airport by French customs in 2007. The document attached to the objects presented them as replicas. These authentic items are prohibited for export without the permission of the Peruvian government. In this context France, in accordance with its international commitments, in particular to UNESCO's 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property – 1970, restored the cultural properties to the Peruvian authorities.

© Embassy of Peru in France

November 2018: Switzerland to Egypt

Switzerland has returned 26 archaeological treasures to Egypt in line with its obligations under the 1970 UNESCO convention. They date from between the third millennium BC and the 4th century BC. The objects had been confiscated in the context of two criminal cases in cantons Lucerne and Valais.

© Federal Office of Culture



November 2018: Canada to Jordan



© Gouvernement du Canada, Institut canadien de conservation
© Government of Canada, Canadian Conservation Institute

Canada returned to Jordan, 58 antiquities, some dating back to the third or fourth century CE and the Roman period. The event took place on 26 November 2018 at the Canadian Conservation Institute in Ottawa, Canada. This return demonstrates Canada's ongoing commitment to prevent the illicit traffic of cultural property and to ensure its return to its country of origin. "Canada is pleased to return these significant heritage objects to the Hashemite Kingdom of Jordan in keeping with our treaty obligations under the 1970 UNESCO Convention on the illicit traffic in cultural property." Pablo

Rodriguez, Minister of Canadian Heritage and Multiculturalism.

© Government of Canada, Canadian Conservation Institute

October 2018 : United States to Colombia

The United States restituted to Colombia 40 pre-Columbian pieces seized after a long-term intelligence work by the FBI in Indiana. This restitution is the result of the application of the Memorandum of Understanding between Colombia and the United States, which objectives are in line with those set out in the 1970 Convention.

© Republica de Colombia



April 2018: United States to Nepal



Two ancient idols that were stolen from the country more than 30 years ago before turning up in the collection of the Metropolitan Museum of Art in New York were returned. Madhu Marasini, Nepal's consul general in New York, handed over the stolen images of Uma Maheshwor and Buddha to the official of Department of Archaeology (DoA) in Kathmandu.

© The Kathmandu Post

January 2018 : Venezuela to Costa Rica

The National Museum of Costa Rica (MNCR) is exhibiting 196 recovered pre-Columbian artifacts after they were decommissioned in Venezuela between 2010 and 2014 and brought back to the Central American country by sea.

© Oficina de Prensa MCJ



October 2017: France to Egypt



On 26 October, France has restituted to Egypt eight archaeological pieces seized by the French customs in January 2010.

© Ministère de l'Europe et des Affaires étrangères

January 2016 : Canada to Bulgaria

On 18 January 2016, the Government of Canada formally returned an antique sword and dagger to the Government of the Republic of Bulgaria at the Canadian Conservation Institute in Ottawa. The return was made in accordance with Canada's obligations under the 1970 UNESCO Convention to which Bulgaria is also a signatory. The sword, a 19th century curved yatagan with unusual markings, and the Cretan-style dagger were intercepted by Canada's customs officials upon arrival in Canada. The import was assessed by the Department of Canadian Heritage under the Cultural Property Export and Import Act and a Federal Court determined that the antiquity was illegally imported into Canada. The return marks the 21st return by Canada to a fellow State Party to the 1970 Convention, and the third return of cultural property to Bulgaria.



© Department of Canadian Heritage

July 2015 : Canada to Lebanon



The Government of Canada officially handed over a Phoenician artifact - a pendant dating back from approximately 600 BC. The artifact was returned to Lebanon in conformity with the 1970 UNESCO Convention. This is the 20th return of a cultural object by Canada to another State Party to the Convention.

Phoenician pendant © Institut canadien de conservation

May 2015 : USA to Iraq

On May 15, 2015, U.S. Special Operations Forces recovered a cache of hundreds of archaeological and historical objects and fragments during a raid. The cache represents significant primary evidence of looting at archaeological sites in Syria and Iraq, theft from regional museums, and the stockpiling of these spoils for likely sale on the international market. The U.S. Embassy in Baghdad turned over all objects and fragments to officials at the Iraq National Museum on July 15.



April 2015 : Canada to India



Canada returns a 12th century sculpture of a Parrot Lady to the Republic of India in conformity with the UNESCO 1970 Convention.

© Department of Canadian Heritage

March 2015: USA to Iraq

More than 60 Iraqi cultural treasures illegally smuggled into the United States were returned to the Republic of Iraq on March 16, 2015, following five separate investigations led by U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI). The objects were seized at the culmination of investigations led by HSI offices in New York; Baltimore, Maryland; Austin, Texas; and New Haven, Connecticut.



April 2014: Germany to Egypt



On 30 April 2014, Germany returned three antique Egyptian objects – a stela, an obelisk and a shrine – to Egypt. Coming from Switzerland the illegally exported objects had been confiscated by German custom investigators at the border checkpoint. A court in Freiburg decided their return to Egypt.

Ambassador of Egypt to Germany, Dr. Higazy, and the German Minister of State at the Federal Foreign Office, Prof. Dr. Böhmer, during the handover ceremony © photothek

April 2014 : Tunisia to Algeria

In April 2014, the Algerian and Tunisian authorities signed an agreement for the restitution of the Mask of Gorgon, a rare archaeological object made of 320 kilograms of marble which was stolen from the site of Hippo Regius, Annaba (in Algeria) in 1996 and recovered in Tunisia. During the restitution ceremony, the archaeological piece was exhibited at the Carthage National Museum. On 13 April 2014 the mask returned to Algeria and is currently exhibited at the National Museum of Antiquities in Algiers.



© Mask of Gorgon

July 2013: Germany to Cyprus



In July 2013, Germany returned some 170 frescoes, mosaics and icons to Cyprus. They had been stolen from churches in Cyprus and were seized by the German authorities in 1997. A Court in Munich had given the go-ahead for their return to Cyprus after it issued a final ruling on the question of ownership. The picture depicts a wall mosaic of the apse of the church of the Panagia Kanakaria in Lythrangomi, dating back from the 6th century.

© Van Hasz, Bavarian State Office of Criminal Investigation

May 2013: Germany to Bulgaria

In May 2013, Germany returned a votive offering from the 2nd/3rd century BC in the form of a Danubian Horseman silver plaque to Bulgaria. The picture depicts the Consul Ivan Ilianvov Jordanov, from Bulgaria, and the German State Secretary, Ingmar Jung, during the handover ceremony.



© Hesse State Ministry of Higher Education, Research and the Arts

June 2013: Sabratha, Libya



In March 2013, two statue heads from the classical museum of the archaeological site of Sabratha, inscribed on the World Heritage List (1982), were looted and the statues damaged. On 7 June 2013, the police in coordination with the 1st Infantry Battalion Libya Shield arrested a network of smugglers indicted in the robbery of two heads of statues from the Sabratha Museum.¹¹

Sabratha © UNESCO

¹¹ <http://www.unesco.org/new/en/culture/themes/illegal-traffic-of-cultural-property/recent-restitution-cases-of-cultural-objects-using-the-1970-convention/recovery-of-two-statue-heads-stolen-from-the-sabratha-museum>

March 2013: Germany to Turkey¹²



Germany has returned a golden brooch “seahorse with wings” to Turkey. The brooch had been stolen from a museum in Usak, Turkey, in 2005 and was seized by German authorities in 2012. After Turkey had been informed via Interpol as well as by the German Foreign Office, the brooch was handed over to Turkish representatives on March 5, 2013 on the basis of the German Code of Criminal Procedure.

Seahorse © Ministry of Culture and Tourism of Turkey

¹² http://www.auswaertiges-amt.de/EN/Infoservice/Presse/Meldungen/2013/130307-StMP_Goldbrosche.html

**9- UNESCO's DONORS AND PARTNERS IN THE FIGHT AGAINST ILLICIT TRAFFICKING
IN CULTURAL PROPERTY**

1. DONORS

China; European Union; Germany; Greece; Italy; Monaco; Netherlands; Norway; Spain; Sweden; Switzerland; the United States of America; Turkey.

2. PARTNERS

1. Intergovernmental organizations

| | |
|---|--|
|  | <p>ICCROM Via di San Michele 13 I-00153 Rome Italy http://www.iccrom.org</p> |
|  | <p>INTERPOL I.C.P.O. – INTERPOL, General Secretariat Works of Art Unit Drugs and Criminal Organizations Sub-directorate 200, quai Charles de Gaulle 69006 Lyon France woa@interpol.int</p> |
|  | <p>EUROPEAN UNION Bruxelles – Brussels Rue Wiertz Wiertzstraat B-1047 Brussels Belgium Telephone: + 32 (0) 2 28 4 21 11 http://europa.eu/legislation_summaries/culture/l11017b_en.htm</p> |
|  | <p>WCO World Customs Organization Rue du marché, 30 B-1210 Brussels Belgium information@wcoomd.org communication@wcoomd.org</p> |
|  | <p>ALECSO Arab League Educational, Cultural and Scientific Organization Mohamed V Avenue P O Box 1120 1000 Tunis RP Tunisia alecso@email.ati.tn http://www.alecso.org</p> |



African Union
P.O. Box 3243
Roosevelt Street
(Old Airport Area)
W21K19
Addis Ababa
Ethiopia
webmaster@africa-union.org
<http://www.au.int/en/>



UNIDROIT
International Institute for the unification of Private Law
28, Via Panisperna
00184 Rome
Italy
info@unidroit.org



United Nations Office on Drugs and Crime (UNODC)
Vienna International Centre
PO Box 500
A 1400 Vienna
Austria
<http://www.unodc.org>

2. Non-Governmental Organizations



ICOM
International Council of Museums
General Secretariat
UNESCO House
1, rue Miollis
75732 Paris cedex 15
France
<http://icom.museum/>




ICOMOS
International Council on Museums and Sites
49-51, rue de la Fédération Paris
75015
France
+33 (0)1 45 67 67 70
+33 (0)1 45 66 06 22
<http://www.icomos.org>




AFRICOM
International Council of African Museums
<http://www.africom.museum/>

3. Specialized Police Units¹³

| | |
|---|--|
|  | <p>OCBC - France Office central de lutte contre le trafic des biens culturels 101, rue des Trois Fontanot 92000 Nanterre France ocbc-doc.dcpjac@interieur.gouv.fr</p> |
|  | <p>Carabinieri - Italy Ministero della Difesa – república italiana Comando Carabinieri per la Tutela del Patrimonio Culturale carabinieri@carabinieri.it</p> |
|  | <p>Guardia Civil - Spain http://www.guardiacivil.es/es/</p> |
| <p>REPUBLIC OF BULGARIA</p>  <p>MINISTRY OF INTERIOR</p> | <p>“Cultural Historical Valuables within the Unit for Combating Organized Crime (GDBOP)” E-mail: 170@mvr.bg</p> |

4. Research Institutes



| | |
|---|---|
|  | <p>Centre d'Etudes sur la Coopération Juridique Internationale http://www.cecoji.cnrs.fr</p> |
|  | <p>Centre du droit de l'art http://www.art-law.org/centre.html</p> |

¹³ See also : <http://www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/partnerships/specialized-police-forces/>

| | |
|---|--|
|  | <p>Cultural Heritage Law programme https://law.depaul.edu/about/centers-and-institutes/center-for-art-museum-cultural-heritage-law/Pages/default.aspx</p> |
|  | <p>l'Institut Droit Ethique Patrimoine (IDEP) de l'Université Paris-Sud http://www.idep.u-psud.fr/</p> |
|  | <p>Institute of Art and Law https://www.ial.uk.com/</p> |
|  | <p>Institut de Droit de l'Art et de la Culture http://facdedroit.univ-lyon3.fr/institut-de-droit-de-l-art-et-de-la-culture-616428.kjsp</p> |
|  | <p>Seoul National University College of Law Seoul National University, 1 Gwanak-ro, Gwanak-gu, Seoul 151-742 République de Corée ➤ <i>Professor Keun-Gwan Lee (Republic of Korea) was elected Chairperson of the Intergovernmental Committee for Promoting the return of Cultural Property (ICPRCP) on its 18th Session in 2012.</i></p> |
|  <p>Cairo University</p> | <p>University of Cairo http://cu.edu.eg/Home</p> |
|  | <p>University of Glasgow – Scotland, UK http://www.gla.ac.uk/</p> |
|  | <p>University of Ibadan – Nigeria https://www.ui.edu.ng/</p> |
|  | <p>Universidad Nacional Autonoma de Mexico http://www.unam.mx/index/en</p> |
|  | <p>European University Institute http://www.eui.eu/Home.aspx</p> |

| | |
|---|---|
|  | <p>Universidad de Piura http://udep.edu.pe/en/index.php</p> |
|---|---|

5. Museums

| | |
|---|--|
|  <p>Staatliche Museen zu Berlin Preußischer Kulturbesitz</p> | <p>Pergamon Museum http://www.smb.museum/en/museums-and-institutions/ Pergamonmuseum/home.html</p> |
|  | <p>Metropolitan Museum of Art http://www.metmuseum.org/</p> |

10- INTERNATIONAL INSTRUMENTS RELATIVE TO ILLICIT TRAFFICKING OF CULTURAL PROPERTIES

STATES PARTIES

**X = Ratification
S = Signature**

| UNESCO Member States | Convention UNESCO 1970 / 1970 UNESCO Convention | Convention de La Haye 1954 / 1954 The Hague Convention Premier Protocole: † Second Protocole: ‡ | Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention | Directive 2014/60/UE / 2014/60/EU |
|-----------------------------|--|--|--|--|
| Afghanistan | X | X†‡ | X | |
| Albania | X | X† | | |
| Algeria | X | | X | |
| Andorra | | | | |
| Angola | X | X | X | |
| Antigua and Barbuda | | | | |
| Argentina | X | X†‡ | X | |
| Armenia | X | X†‡ | | |
| Australia | X | X | | |
| Austria | X | X†‡ | | X |
| Azerbaijan | X | X†‡ | X | |
| Bahamas | X | | | |
| Bahrain | X | X†‡ | | |
| Bangladesh | X | X† | | |
| Barbados | X | X†‡ | | |
| Belarus | X | X†‡ | | |
| Belgium | X | X†‡ | | X |
| Belize | X | | | |
| Benin | X | X†‡ | | |
| Bhutan | X | | | |
| Bolivia | X | X | X | |

| | | | | |
|--|---|-----|---|---|
| Bosnia and Herzegovina | X | X†‡ | X | |
| Botswana | X | X† | X | |
| Brasil | X | X†‡ | X | |
| Brunei Darussalam | | | | |
| Bulgaria | X | X†‡ | | X |
| Burkina Faso | X | X†‡ | s | |
| Burundi | | | | |
| Cambodia | X | X†‡ | X | |
| Cameroon | X | X† | | |
| Canada | X | X†‡ | | |
| Cape Verde | | | | |
| Central African Republic | X | | | |
| Chad | X | X | | |
| Chile | X | X†‡ | | |
| China | X | X† | X | |
| Colombia | X | X†‡ | X | |
| Cook Islands | | | | |
| Comoros | | | | |
| Congo | | | | |
| Costa Rica | X | X†‡ | | |
| Côte d'Ivoire | X | X | s | |
| Croatia | X | X†‡ | X | X |
| Cuba | X | X† | | |
| Cyprus | X | X†‡ | X | X |
| Czech Republic | X | X†‡ | | X |
| Democratic People's Republic of Korea | X | | | |
| Democratic Republic of Congo | X | X† | | |
| Denmark | X | X†‡ | X | X |
| Djibouti | X | X†‡ | | |

| | | | | |
|-----------------------------------|---|-----|---|---|
| Dominica | | | | |
| Dominican Republic | X | X†‡ | | |
| Ecuador | X | X†‡ | X | |
| Egypt | X | X†‡ | | |
| El Salvador | X | X†‡ | X | |
| Equatorial Guinea | X | X‡ | | |
| Eritrea | | X | | |
| Estonia | X | X†‡ | | X |
| Ethiopia | X | X† | | |
| Fiji | | | | |
| Finland | X | X†‡ | X | X |
| France | X | X†‡ | s | X |
| Gabon | X | X†‡ | X | |
| Gambia | | | | |
| Georgia | X | X†‡ | s | |
| Germany | X | X†‡ | | X |
| Ghana | X | X† | | |
| Greece | X | X†‡ | X | X |
| Grenada | X | | | |
| Guatemala | X | X†‡ | X | |
| Guinea | X | X† | s | |
| Guinea-Bissau | | | | |
| Guyana | | | | |
| Haiti | X | | | |
| Honduras | X | X†‡ | X | |
| Hungary | X | X†‡ | X | X |
| India | X | X† | | |
| Indonesia | | X† | | |
| Iran (Islamic Republic of) | X | X†‡ | X | |
| Iraq | X | X† | | |
| Ireland | | X | | X |

| | | | | |
|---|---|-----|---|---|
| Iceland | X | | | |
| Israel | | X† | | |
| Italy | X | X†‡ | X | X |
| Jamaica | | | | |
| Japan | X | X†‡ | | |
| Jordan | X | X†‡ | | |
| Kazakhstan | X | X† | | |
| Kenya | | | | |
| Kiribati | | | | |
| Kuwait | X | X† | | |
| Kyrgyzstan | X | X | | |
| Lao People's Democratic Republic | X | | X | |
| Latvia | X | X† | X | X |
| Lebanon | X | X† | | |
| Lesotho | X | | | |
| Liberia | | | | |
| Libye | X | X†‡ | | |
| Liechtenstein | | †‡ | | |
| Lithuania | X | X†‡ | X | X |
| Luxembourg | X | X†‡ | | X |
| Madagascar | X | X†‡ | | |
| Malaysia | | X† | | |
| Malawi | | | | |
| Maldives | | | | |
| Mali | X | X†‡ | | |
| Malta | | | | X |
| Marshall Islands | | | | |
| Mauritania | X | | | |
| Mauritius | X | X | | |
| Mexico | X | X†‡ | | |
| Micronesia | | | | |

| | | | | |
|----------------------------|---|-----|---|---|
| Monaco | X | X† | | |
| Mongolia | X | X | | |
| Montenegro | X | X†‡ | X | |
| Morocco | X | X†‡ | | |
| Mozambique | | | | |
| Myanmar | X | X† | X | |
| Namibia | | | | |
| Nauru | | | | |
| Nepal | X | | | |
| Netherlands | X | X†‡ | S | X |
| New Zealand | X | X†‡ | X | |
| Nicaragua | X | X†‡ | | |
| Niger | X | X†‡ | | |
| Nigeria | X | X†‡ | X | |
| Niue | | | | |
| Norway | X | X†‡ | X | |
| Oman | X | X‡ | | |
| Pakistan | X | X† | s | |
| Palau | | | | |
| Palestine | X | X†‡ | | |
| Panama | X | X†‡ | X | |
| Papua New Guinea | | | | |
| Paraguay | X | X†‡ | X | |
| Peru | X | X†‡ | X | |
| Philippines | | | | |
| Poland | X | X†‡ | | X |
| Portugal | X | X†‡ | X | X |
| Qatar | X | X‡ | | |
| Republic of Korea | X | | | |
| Republic of Moldova | X | X† | | |

| | | | | |
|---|----------|------------|----------|----------|
| Romania | X | X†‡ | X | X |
| Russian Federation | X | X† | s | |
| Rwanda | X | X | | |
| Saint Kitts and Nevis | | | | |
| Saint Lucia | | | | |
| Saint Vincent and the Grenadines | | | | |
| Samoa | | | | |
| San Marino | | X† | | |
| Sao Tome and Principe | | | | |
| Saudi Arabia | X | X†‡ | | |
| Senegal | X | X† | s | |
| Serbia | X | X†‡ | | |
| Seychelles | X | X | | |
| Sierra Leone | | | | |
| Singapore | | | | |
| Slovakia | X | X†‡ | X | X |
| Slovenia | X | X†‡ | X | X |
| Solomon Islands | | | | |
| Somalia | | | | |
| South Africa | X | X‡ | | |
| South Sudan | | | | |
| Spain | X | X†‡ | X | X |
| Sri Lanka | X | X | | |
| Sudan | | X | | |
| Suriname | | | | |
| Swaziland | X | | | |
| Sweden | X | X†‡ | X | X |
| Switzerland | X | X†‡ | s | |
| Syrian Arab Republic | X | X† | X | |
| Tajikistan | X | X†‡ | | |

| | | | | |
|--|----------|------------|----------|----------|
| Thailand | | X† | | |
| The former Yugoslav Republic of Macedonia | X | X†‡ | X | |
| Timor-Leste | | | | |
| Togo | | X†‡ | | |
| Tonga | | | | |
| Trinidad and Tobago | | | | |
| Tunisia | X | X† | X | |
| Turkmenistan | | X†‡ | | |
| Turkey | X | X† | | |
| Tuvalu | | | | |
| Uganda | | | | |
| Ukraine | X | X† | | |
| United Arab Emirates | X | | | |
| United Kingdom | X | X†‡ | | X |
| United Republic of Tanzania | X | X | | |
| United States of America | X | X | | |
| Uruguay | X | X†‡ | | |
| Uzbekistan | X | X | | |
| Vanuatu | | | | |
| Venezuela | X | X | | |
| Viet Nam | X | | | |
| Yemen | X | X† | | |
| Zambia | X | | s | |
| Zimbabwe | X | X | | |

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www.unite4heritage.org

