



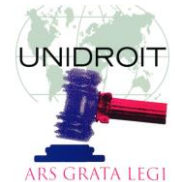
INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

UPDATE ON UNIDROIT'S ACTIVITIES RELATED TO CULTURAL PROPERTY



Ninth Session of the Subsidiary Committee to the Meeting of States
Parties to the 1970 UNESCO Convention

Paris, 27 - 28 May 2021



UNIDROIT WORK PROGRAMME 2020-2022

A. Legislative activities

...

4. *Cultural Property* - Private art collections *

...



B. Implementation and promotion of UNIDROIT instruments ***



(f) *Cultural Property* - UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects

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

*The level of priority assigned to the projects is as follows : high *** – medium ** – low *.*



Cultural Property - Private art collections



INTERNATIONAL CONFERENCES ON CULTURAL HERITAGE PROTECTION

University of Gdańsk, Faculty of Law and Administration
June 6-7, 2019, Poland

CONFERENCE 2

Private Collections: Historical and Legal Perspective

June 7, 2019, auditorium C



16-17 March 2017

Rome

UNIDROIT - Via Palisoperna, 28

Conference organised by UNIDROIT, ISCHAL, the Institut des sciences sociales du politique (ISSIS-ETIS Cachan-Université Paris-Nanterre) and BonelliErede
Sponsored by the Università degli Studi di Milano, the Italian Society of Law, ISJ and ISJ of the Università Paris-Saclay



International Society
for Research on Art and
Cultural Heritage Law



Société internationale
pour la recherche sur le
droit du patrimoine culturel
et le droit de l'art

Private Collections

16 March 2017

9h Welcome

Mario Fiesi, professor at the University of Milan, attorney, Milan (of counsel at BonelliErede, focus team Art and Cultural Property)
Jérôme Ferrero, president of ISCHAL
Jorge Siroku Casero, member of UNIDROIT Governing Council, professor, director of the Mexican Center of Uniform Law
Marina Sornosa, Senior legal officer, UNIDROIT

The constitution of private collections

Chaired and introduced by Marina Sornosa

9h30 The history of private collections

Patrick Ticheu, professor at the Université de Lille and Ecole du Louvre

10h A comparison of private/public collecting

Antonietta Tiliu-Domenici, senior lecturer at the University of Lucerne, Lucerne

10h30 The collection as a source of knowledge / the scientific collector

Michael Von Peck, general heritage curator

11h Break

11h15 The history of the forming of art collections in Italy

Guido Garavito, professor at the Bicocca University of Milan

11h45 National laws on private collections: problems and solutions

Elon Recanat, professor at the University of Athens

12h15 Discussion

The public protection of private collections

Chaired by Marina Sornosa

1h The notion of private collections, visus from Italy and France

Mathieu Roussier, attorney, Paris
Mario Fiesi

1h45 Protection under domestic law : France, Italy, Switzerland

Marie-Cécile, director of research, CNRS
Mario Fiesi

1h45 André Rizzo, professor at the University of Geneva, director of the IN-Law Centre

1h45 Collectors and deontology

Vincenzo, researcher, CNRS

1h Round table on institutional instruments (foundation, trust, usuf)

Chaired by Monique Tichu, professor at the Université Paris-Saclay, director of the ISEP

Giovanna Spinucci Rizzo, vice-president of the Fondazione Luigi Rossi, Milano

Jean-Charles Girard, president of the Fondation Gandur pour l'Art, Geneva

17 March 2017

Promotion and accessibility of collections

Chaired by Mario Fiesi

9h The access of the public to private collections (loans, deposits, opening to the public)

Mario-André Rizzo

9h30 The interaction of private collections with the private sector (corporate foundations, bank collections)

Italian law: Silvio Sironi, attorney, Milan (of counsel at BonelliErede, focus team Art and Cultural Property)

French law: Géraldine Sorokin, professor at the Université d'Orléans

10h15 The enrichment of public collections through ownership transfer (donations, bequests)

Supriya Sin, law market manager, Ecole du Louvre

10h45 Break

10h15 Private archives or archives in private hands: their protection, modalities of their acquisition and their entry into public collections

Stephanie Gatti, professor at the Université Paris-Saclay

10h30 Scientific communication on the archaeological and ethnological collections of the Gandur Art Foundation

Isabelle Brissart, curator, Archaeology collection

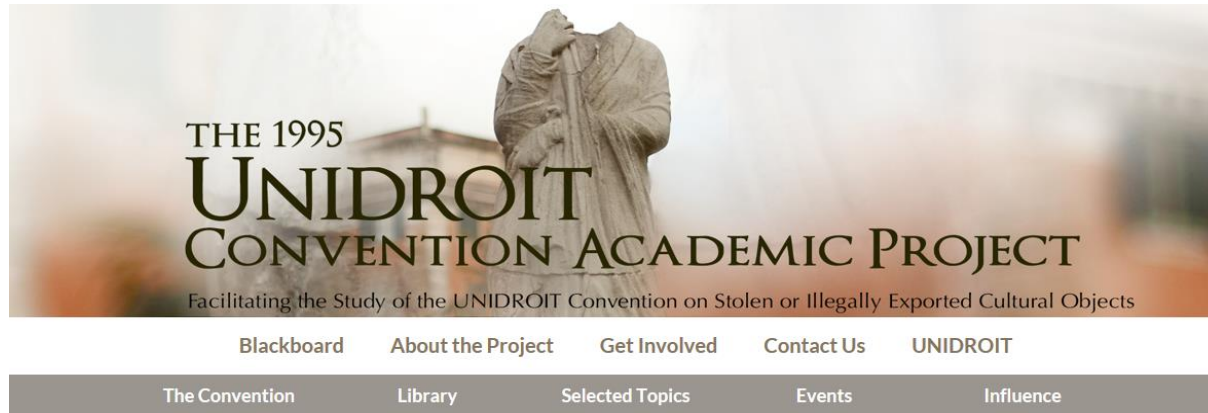
10h45 Does French taxation encourage the access to private collections?

Arlette Meuri, PhD in law

10h50 Italian taxation

Riccardo Lenini, attorney, Milan (partner at BonelliErede)





THE 1995
UNIDROIT
CONVENTION ACADEMIC PROJECT

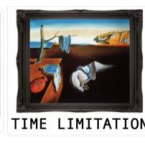
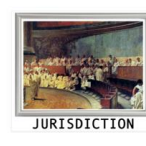
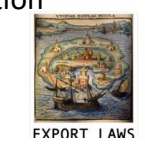
Facilitating the Study of the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects

Blackboard About the Project Get Involved Contact Us UNIDROIT

The Convention Library Selected Topics Events Influence



- “**Private collections - Historical and legal perspectives**” - this introductory document examines the definition of public and private collections and collectors; a comparative analysis (France, Italy and the United States) of national legislation that bases the **public protection of private collections on the concept of public interest**; the status of private collections in European and international law;
- “**The public interest in the protection of cultural heritage in private collections under United States law**” - the public interest in heritage preservation, the public interest and moral rights (California, Massachusetts, New York) and the public interest as justification for private collection protection legislation;
- “**Private collections in the United States, Mexico and Colombia: legal challenges, the role of private actors and proposed solutions**”.



INTERNATIONAL CONFERENCE WHAT PROSPECTS FOR « ORPHAN WORKS »?

Reflections on cultural goods
without provenance
University of Geneva,
4th and 5th February 2021*

THURSDAY 4TH FEBRUARY 2021



COLLOQUE INTERNATIONAL QUEL AVENIR POUR LES « ŒUVRES ORPHELINES » ?

Réflexions sur les biens
culturels sans provenance
Université de Genève,
4 et 5 février 2021*

JEUDI 4 FÉVRIER 2021

(no) PROVENANCE

Group of legal experts to discuss possible avenues



Organisation
des Nations Unies
pour l'éducation,
la science et la culture



Chaire UNESCO en droit international
de la protection des biens culturels,
Université de Genève



UNIVERSITÉ
DE GENÈVE

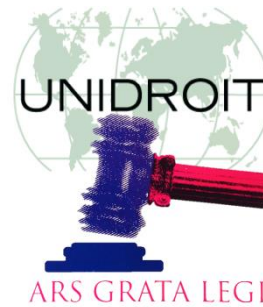


FONDATION
GANDUR
POUR L'ART



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects



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

STATES PARTIES

SIGNATURE (France, Georgia, Guinea, the Netherlands, Pakistan, Russian Federation, Senegal, Switzerland and Zambia)

Adoption: Place: **Rome**
Date: **24.06.1995**

Entry into force: **01.07.1998** (Art. 12)



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Afghanistan, Algeria, Angola, Argentina, Azerbaijan, **Benin**, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cambodia, China, Colombia, **Côte d'Ivoire**, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Finland, Gabon, **Ghana**, Greece, Guatemala, Honduras, Hungary, Iran, Italy, Lao People's Democratic Republic, Latvia, Lithuania, **Montenegro**, Myanmar, New Zealand, Nigeria, North Macedonia, Norway, Panama, Paraguay, Peru, Portugal, Romania, Slovenia, Slovakia, South Africa, Spain, Sweden, Syrian Arab Republic, Tunisia

Other countries are working at becoming a Party ...



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE



25 years of the UNIDROIT 1995 Convention 8 and 9 October 2020

The 1995 UNIDROIT Convention –
Cultural objects at the crossroad of rights and interests

Protection and circulation

Synergies between instruments

Time limitation
for actions

Non retroactivity

Access to justice

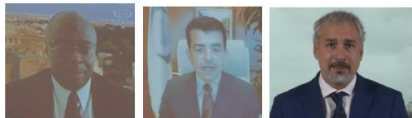


Due diligence



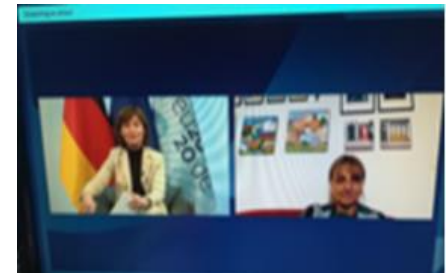
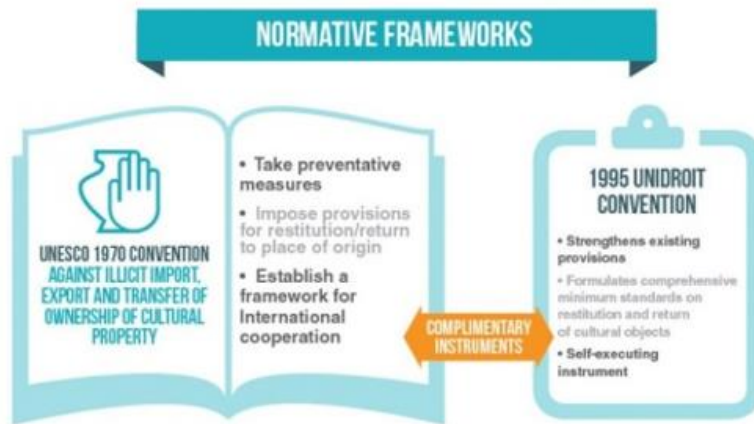
Online sales

Impact of regulation on trade





50 years of the 1970 UNESCO Convention and 25 years of the 1995 UNIDROIT Convention



Maastricht University **MACCH**
MAASTRICHT CENTRE FOR ARTS AND CULTURE, CONSERVATION AND HERITAGE

Trust and Transparency in the Art and Heritage Worlds and their Practices

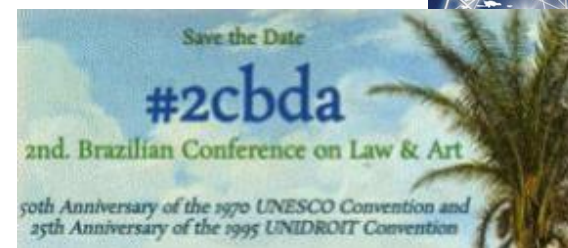
This year marks the 50th anniversary of the 1970 UNESCO "Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property", as well as the 25th anniversary of the "1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects". In celebration of these anniversaries, the Maastricht Centre for Arts and Culture, Conservation and Heritage (MACCH) hosts its annual, transdisciplinary conference in collaboration with the Netherlands UNESCO Commission – parallel to and in direct vicinity to The European Fine Art Fair (TEFAF).

UNICEUB
ISSN 2237-1036

REVISTA DE DIREITO INTERNACIONAL
BRAZILIAN JOURNAL OF INTERNATIONAL LAW

The Impact of the UNESCO and UNIDROIT Conventions and the EU directives on the international art market: an analysis fifty years after the introduction of the obligation to return stolen or illegally exported cultural goods.
O impacto das Convenções da UNESCO e do UNIDROIT e das diretivas da UE no mercado internacional da arte: uma análise cinquenta anos após a introdução da obrigação de devolver bens culturais roubados ou exportados ilegalmente.

VOLUME 17 • N. 3 • 2020
DOSSIÊ TEMÁTICO: ART LAW AND CULTURAL HERITAGE





UNIDROIT is not the Depositary of the 1995 Convention
... but UNIDROIT is the guarantor of the treaties that are adopted by States
under its aegis



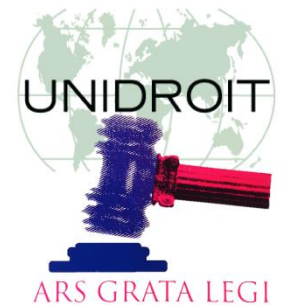
Advocacy and technical assistance
to States



Awareness raising and capacity
building



Research



G20 Culture 2021



- **Protection of cultural heritage and illicit trafficking:** The Future will give us back our Past - 9 April 2021
- **Addressing the Climate crisis through culture:** Preserving Cultural Heritage, Supporting the Green Transition - 12 April 2021
- **Building capacity through training and education:** Human Capital, The driver of Culture-led Regeneration - 13 April 2021

Culture Ministers' Meeting on 29 and 30 July 2021





UNESCO and partners celebrate 50th anniversary of 1970 Convention with regional dialogue in Africa



ARTS, CULTURE & HERITAGE:
Levers for Building the Africa we Want



Also future events on the Roadmap of the African Union 2021 Year

...






Keynote Speakers

 Commissioner of HBISA AU Commission	 President of ICRC	 ABILA FEN APALA Vice Prime Minister and Minister of foreign affairs Of the DRC	 Member of Culture, Art and Heritage Ministry
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Panelist

 Director of International Law and policy ICRC	 Adviser Director Institute for Peace and Security	 Agonzo UNESCO Director for Culture and Emergencies	 Head of Culture Division African Union Commission
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**Impact of Armed Conflicts on Cultural Property:
Ensuring protection of our shared heritage
under International Law**

6 May 2021
 10:00 - 14:00 (EAT)
 Zoom

African Union



AGENDA 2063

African Union vision adopted by African Heads of States:

“A united and prosperous Africa, at peace with itself and with the rest of the world, governed and built by its own citizens and representing a dynamic force on the international scene”

5. An Africa with a strong cultural identity, common heritage, shared values and ethics

Charter for African Cultural Renaissance, 2006

Article 26

African States should take steps to put an end to the pillage and illicit traffic of African cultural property and ensure that such cultural property is returned to their countries of origin.

Model Law on the Protection of Cultural Property and Heritage, 2018

Endorsed at the African Union 3rd Session of the Specialized Technical Committee on Youth, Culture and Sport (STC-YCS3) that took place in Algiers, Algeria from the 21st to 25th October 2018

Economic Community of West African States (ECOWAS)



ECOWAS 2019/2023 action plan for the return of African cultural property to their countries of origin





Economic Community of West African States (ECOWAS)



ECOWAS 2019/2023 action plan for the return of African cultural property to their countries of origin

The ECOWAS Commission organised, on **18 March 2021**, a virtual meeting of the Directors General in charge of Cultural Heritage of the Member States in order to review the legal framework of the Member States to enable them to accelerate the ratification of international texts related to the restitution and return of cultural property, in particular the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Property.



ECOWAS COMMISSION
COMMISSION DE LA CEDEAO
COMISSÃO DA CEDEAO

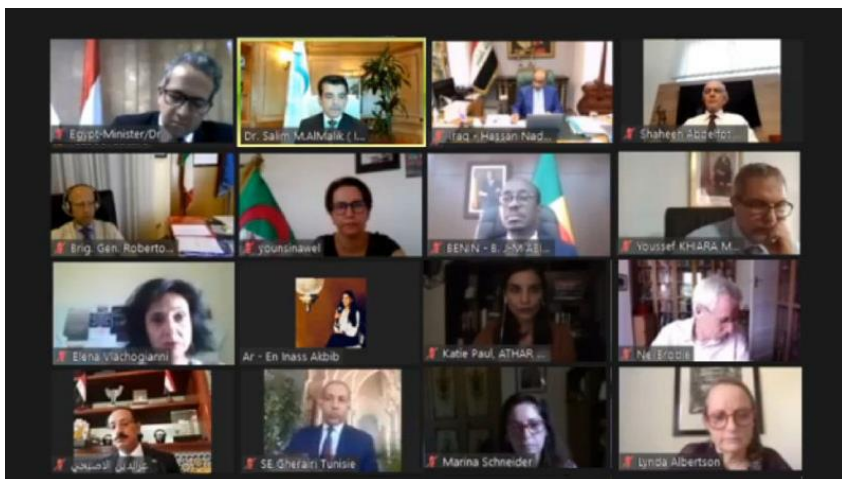


A technical meeting with the authorities of Togo was held before to finalise the procedure of accession to the 1995 Convention

UNIDROIT is willing to assist all States

Plaidoyer de la CEDEAO pour le retour des biens culturels à leurs pays d'origine: M. Mamadou TRAORÉ, le Commissaire par Interim Education, Science et Culture et Dr Kossi Gbényo LAMADOKOU, le Ministre de la Culture et du Tourisme du Togo, échangent pour le renforcement du cadre juridique du patrimoine culturel, notamment la situation de la ratification des textes internationaux liés au retour des biens culturels.

**Mardi 04 Mai 2021
Lomé, TOGO**



International virtual conference organised by the Islamic World Educational, Scientific and Cultural Organization (ICESCO), July 2020



MINISTRY OF CULTURE AND TOURISM General Directorate for Cultural Heritage and Museums



FIGHTING AGAINST THE ILLICIT TRAFFICKING OF CULTURAL PROPERTY
Capacity Building Meeting on Activities and Cooperation - South-East Europe Cooperation Process



Online Meeting, 14 December 2020

List of UNESCO capacity building activities with the participation of UNIDROIT (October 2020 – May 2021) - (Annexe II of doc C70/21/6.MSP/7)

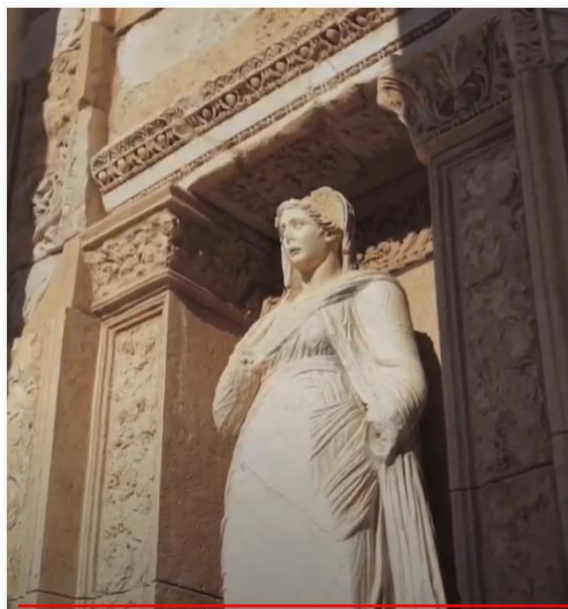
October 20 – 21 2020	Online from Venice (Italy)	Regional cooperation assessment workshop on the implementation of the 1970 Convention in South-Eastern Europe	60
November 10 2020 – March 29 2021	Online from Paris	"Peer-to-Peer" workshops of the EU-UNESCO project for the exchange among countries of origin, transit and destination (5 workshops)	22
November 16 - 18 2020	Online from Berlin (Germany)	International conference celebrating the 50th anniversary of the Convention "Cultural Heritage and Multilateralism: Regional and International Strategies for the Protection of Cultural Heritage"	500
December 1 – 10 2020	Montevideo (Uruguay)	Webinars cycle on the art market	100
December 7 – 8 2020	Bamako (Mali)	Capacity building workshop on the protection of cultural heritage	50
February 11 2021	Online from Almaty (Kazakhstan)	Capacity-building webinar for museum workers in Central Asia and the South Caucasus: Emergency evacuation and rescue of museum collections and objects	70
April 7 2021	Online from Almaty (Kazakhstan)	Capacity building webinar for museum workers in Central Asia and South Caucasus No 5: Digitization of museum collections: Standards and procedures	200

April 21 2021	San José (Costa Rica)	Reflection workshop on the challenges of illicit trafficking in cultural property in relation to money laundering	45
April 26 - 27 2021	Online from Nairobi (Kenya)	50th anniversary of the 1970 UNESCO Convention: An online regional dialogue on the fight against illicit trafficking in cultural property and the return and restitution of cultural property in the Africa region	500



Celebration of the International Museum Day with a workshop for Somalia – 18 May 2021

14 November – We must all in together to fight against illicit trafficking in cultural property !

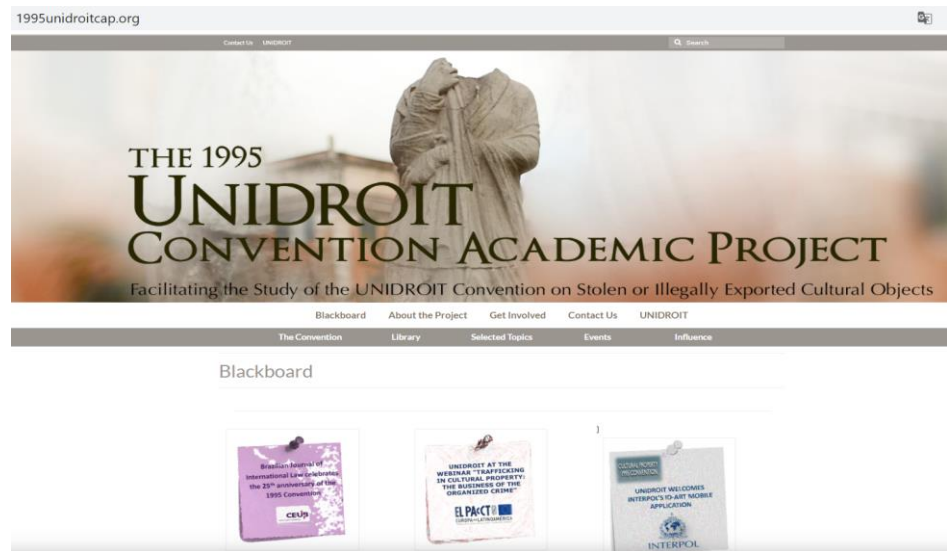


Today, on 14 November 2020, UNIDROIT joins UNESCO and others to promote international frameworks for the prevention of theft and looting, and the return of illegally traded cultural property, in parallel with other advances in the fight against illicit trafficking.

We must all join together to fight illicit trafficking in cultural property.



Updating of the Academic Project (UCAP)



Colombia

(ENTRY INTO FORCE 01.12.2012)

DIARIO OFICIAL – LEY 1304 DE 2009 (junio 3) por medio de la cual se aprueba el “Convenio de Unidroit sobre los Bienes Culturales Robados o Exportados Ilícitamente”, firmado en Roma el 24 de junio de 1995.

Compulsory Declarations

Article 16(1)(c) The Colombian State applies the procedure provided for paragraph 1(c) of Article 16 of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects namely, through diplomatic or consular channels, in order that other States Parties may, under Article 8 of the said Convention, submit their requests for return or restitution of cultural property to the Colombian authorities.

Article 17

- Ley 1185 del 12 de marzo 2008 “por la cual se modifica y adiciona la Ley 197 de 1997 – Ley General de Cultura”
- Resolución no. 983 de 2010 Por la cual se desarrollan algunos aspectos técnicos relativos al Patrimonio Cultural de la Nación de naturaleza material
- Constitución política de Colombia, artículos 8, 63, 72, 82 y 102

Legislative Procedure

Gaceta del Congreso – Senado y Camar

Sentencia C-125/11

Sentencia C-224/16

Articles

DERECHO INTERNACIONAL PRIVADO Y CONVENIO UNIDROIT DE 24 DE JUNIO DE 1995 SOBRE BIENES CULTURALES ROBADOS O EXPORTADOS ILEGALMENTE



**COMMENTARY ON THE
1995 UNIDROIT CONVENTION**



Second Edition

by

Lyndel V. Pratt

with

Thomas Adlercreutz, Ruth Redmond-Cooper
and Marina Schneider



Institute of Art and Law

The **second edition of Lyndel Pratt's Commentary on the 1995 UNIDROIT Convention** on Stolen or Illegally Exported Cultural Objects was just published with the Institute of Art and Law ([ISBN: 978-1-903978-43-8](https://www.institut-art-law.com/)).

This Commentary was prepared by Prof. Lyndel Pratt who was deeply involved in the elaboration and adoption of the 1995 UNIDROIT Convention.



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

Contribution

EL PACCT

EUROPA ↔ LATINOAMÉRICA

PROGRAMA DE ASISTENCIA CONTRA EL CRIMEN TRANSNACIONAL ORGANIZADO



**Argentina, Bolivia, Brazil,
Chile, Colombia, Ecuador,
Guatemala, Mexico and Peru**

Resolution 2347

19. *Affirms* that the mandate of **United Nations peacekeeping operations**, when specifically mandated by the Security Council and in accordance with their rules of engagement, **may encompass**, as appropriate, **assisting relevant authorities**, upon their request, in the **protection of cultural heritage from destruction, illicit excavation, looting and smuggling in the context of armed conflicts**, in collaboration with UNESCO, and that such operations should operate carefully when in the vicinity of cultural and historical sites;



The European Union decided to include the Protection of Cultural Heritage among the training areas for personnel employed on Common and Defence Security Policy (CDSP) missions.

Training Requirements Analysis (TRA) - “Cultural Heritage Protection” identifying existing training and gaps, relevant target audience, as well as proposing to the EUCTG High Level Learning Outcomes aiming to improve current activities in this specific training area.

1. MAIN FINDINGS

1. Preliminary Analysis on International Conventions on Cultural Heritage Protection in Host States

....

The situation varies significantly among the different Host States In view of the EU interest to contribute to the preservation and protection of Cultural Heritage in the most efficient way with its CSDP missions and operations (Ref. G), **it seems appropriate to raise awareness on the necessity to ratify these conventions.**



6	MAIN FINDINGS
6.1	Preliminary Analysis on International Conventions on Cultural Heritage Protection in Host States
6.2	Analysis of existing trainings
6.3	Qualitative requirements: Civilian Training Area High Level Learning Outcomes on Cultural Heritage Protection
6.4	Mapping of awareness level on Cultural Heritage Protection of CSDP Civilian Missions and missions' personnel
6.5	Quantitative requirements
6.6	Identification of possible training providers on Cultural Heritage Protection
6.7	Identification of areas to be included in training programmes for CSDP mission's personnel

Just presented to EU

UNIDROIT COVID-19 ESSAY COMPETITION – IMPACT OF COVID ON UNIDROIT’S INSTRUMENTS



**Prof. Szabados - a partner of UCAP –
won the fourth prize with an essay
on the 1995 Convention
and online sales**

**The Global Pandemic as an Opportunity: Towards a Cutting-edge Legal ‘App’ for
Online Art Trade**

Tamás Szabados*

Seleucia...

was stormed by the generals of Verus Caesar, who carried the image of the Cuman Apollo to Rome, and placed it in the temple of the Palatine Apollo But it is said that after this statue was carried off, and the city was burnt, the soldiers, searching the temple, found a narrow hole, and when this was opened in the hope of finding something of value in it, from some deep gulf ... issued a pestilence, loaded with the force of incurable disease, which ... polluted the whole world from the borders of Persia to the Rhine and Gaul with contagion and death. (Ammianus Marcellinus, The Roman History, Book XXIII. VI. 23-24; translated by C. D. Yonge)

I. Introduction

The Roman historian Ammianus Marcellinus gives the above account for the origin of a disease sweeping over the ancient world. Accordingly, the outrage against a sacred monument and the theft of a statue led to the outbreak of a devastating pandemic. Today, we know that pandemics do not spring up because of violence against art and holiness. Nevertheless, local and even more global epidemics, such as the COVID-19 pandemic, can undoubtedly put works of art in danger.

The still ongoing COVID-19 pandemic has not left the sphere of protecting cultural heritage untouched. Among the restrictive measures introduced by governments to tackle the coronavirus, almost all museums of the world have been closed, and some of them will probably never reopen.¹ Profiting from the weakened security controls in museums, important works of art have been stolen. An oil painting by Vincent van Gogh, *The Parsonage Garden at Nuenen in Spring*, was stolen from the Singer Laren Museum in the Netherlands on 30 March 2020, on van Gogh’s own birthday, during the closure of the museum due to the COVID-19 pandemic.² Archaeological sites in remote places have been left without surveillance, providing an opportunity for illegal excavations.³ Most auction houses, galleries and antiquities shops closed temporarily. The arts trade has been compelled to move to online platforms, where stolen, illegally excavated and forged works of art turn up increasingly often.

Special rules adopted to react to crisis situations are not unknown in cultural heritage law. Interestingly, the 1954 Hague Convention, the first global convention on the protection of

* Associate professor, ELTE Eötvös Loránd University, Egyetem tér 1-3, Budapest, 1053 Hungary.

¹ ICOM, “Report – Museums, museum professionals and COVID-19” (26 May 2020) <<https://icom.museum/en/news/museums-museum-professionals-and-covid-19-survey-results/>> accessed 15 August 2020, 2-3; UNESCO Report – *Museum around the World in the Face of COVID-19* (UNESCO, Paris 2020) 12-3.

² Singer Laren Museum, “Burglary at Singer Laren” (30 March 2020) https://www.singerlaren.nl/en/nieuws/460/diefstal_schilderij_vincent_van_gogh/ accessed 15 August 2020.

³ On the increase in looting of archaeological sites during the COVID-19 pandemic: Emily Sharpe, “Online antiquities smugglers are taking advantage of the coronavirus crisis” *The Art Newspaper* (29 April 2020) <www.theartnewspaper.com/news/increase-in-online-trade-of-illicit-antiquities-during-the-coronavirus-crisis>.

Stibbe

LIVE WEBINAR

UNIDROIT Principles and other Instruments
in the time of COVID-19

Panel Discussion with the participation of the 5 winners of UNIDROIT Covid-19 Essay Competition

8th
March
2021
14:30 CET

Augusto Garcia Sanjur
University of
Panama,
Panama City

Soterios Loizou
King's College,
London

Benedetta Mauro
DJR Arbitration
& Litigation,
Rome

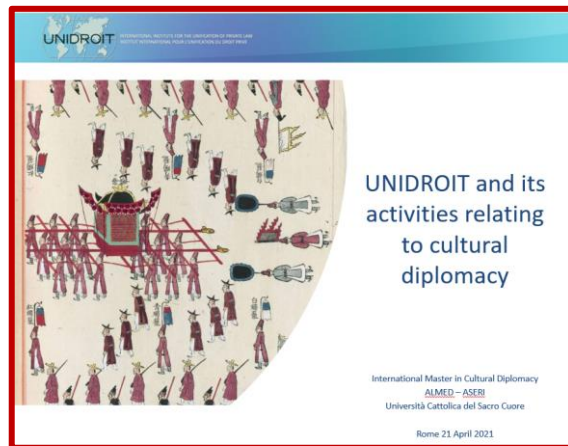
Tamás Szabados
ELTE University,
Budapest

Gabriella Boger Prado
Université
Panthéon-Assas,
Paris

UCAP – Academic Project



Education is a key tool in protecting cultural property and combating illicit traffic and UCAP is meant to *increase the awareness and knowledge about the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects*. It aims at promoting and linking pertinent (inter)national research made by entities and Universities holding courses in the field of cultural heritage law, in particular on the 1995 UNIDROIT Convention. It also works at promoting the development of specific programs or modules.



Annexe II of document C70/21/6.MSP/7 - Consultation des organes directeurs de la Convention de 1970 sur la préparation de la Stratégie à moyen terme pour 2022-2029 (41 C/4) et du Programme et budget pour 2022-2025 (41 C/5)

Key challenges for the effective implementation of the 1970 Convention during the 2022-2029 period

= clear indications on how to assist States also on the 1995 UNIDROIT Convention

1995 Convention = Inventory is fundamental but not a condition for restitution

- **capacity-building** of relevant stakeholders on both **legal** and operational **matters**
- **strengthening legal frameworks** on the protection of cultural property
- and inventories and updating national databases of cultural property
- **prevention of clandestine excavations** and illegal exports of cultural property from conflict zones
- Recognition of **State's ownership** of cultural assets
-

1995 Convention: illegal excavation = theft = automatic restitution



UNIDROIT stands next to States to assist them in adopting the 1995 Convention and will continue to collaborate with UNESCO and all Partners to elaborate and / or disseminate tools to fight against illicit traffic in cultural property

Marina SCHNEIDER

**UNIDROIT Principal Legal Officer
& Treaty Depository**

m.schneider@unidroit.org