

**Agreement Between
the Government of the People's Republic of China and
the Government of the Republic of Turkey
on Preventing the Theft, Clandestine Excavation, and Illicit
Import and Export of Cultural Property**

The Government of the People's Republic of China and the Government of the Republic of Turkey (hereinafter referred to as the Parties) both believe that furthering bilateral cooperation in the field of the protection of cultural property serves as an important means to forge closer bilateral relations and as an effective approach to fulfil the mission of protecting cultural heritage of mankind;

Whereas the theft, clandestine excavation, and illicit import and export of cultural property have posed serious threats on cultural heritage of mankind;

Whereas the Parties have laid a good foundation for bilateral cooperation in the field of the prevention of the theft, clandestine excavation, and illicit import and export of cultural property;

The Parties have reached the following Agreement:

Article 1

For the purposes of this Agreement;

“Cultural property” means the assets, which fall within the categories that are referred to in Article 1 of 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.

“Smuggling” means import, export, and transit pass of cultural property made contrary to the laws and other regulations of either of the Parties.

“Return” means the fully return by one Party to the other Party of the cultural property which are captured and seized by the Party while being smuggled, and are established belonging to the other Party.

Article 2

1- The Parties agree to collaborate in adopting preventive, mandatory, and remedial measures to combat unlawful and criminal practices concerning the theft, clandestine excavation, and illicit import and export of cultural property, in accordance with responsibilities and obligations prescribed in laws of the two countries and in the UNESCO's Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (1970).

2- Concerning cultural property and practices of the theft, clandestine excavation, and illicit import and export of cultural property mentioned in this Agreement, those involved with China shall be defined in accordance with China's laws and

regulations; those involved with Turkey shall be defined in accordance with Turkey's laws and regulations.

3- When differences arise between provisions of the laws of the two countries concerning cultural property and the theft, clandestine excavation, and illicit import and export of cultural property, and such conflicts are involved with the implementation of this Agreement, relevant departments of the Parties shall solve them through consultation.

Article 3

With the aim of preventing the import of smuggled cultural property and all kinds of cultural property, of which their origin are not clear or suspected, within its territories and transfer to other States, the Parties shall activate the existing measures at the customs gates and shall inform via related customs authorities or other competent authorities the authorities of the Party to which cultural properties might belong.

Article 4

1- In case of determination of smuggled cultural property, the Parties shall seize them and forward information to the Other Party at the soonest possible time regarding

1. Detailed description of cultural property,
2. Identification and features of the people involved in the smuggling,
3. Specification of all kinds of vehicles used for this purpose.

In addition to this information, the Parties shall forward each other the photographs of the seized cultural property and documentation related to the smuggling incidents.

2- The smuggled cultural property will be returned to the Party to which the property belongs upon completion of the required procedure.

Article 5

1- The Parties shall

1. Take under surveillance entry to and exit from their country of the people who are seriously suspected of and evident in smuggling cultural property.

2. Keep all kinds of carrying and posting vehicles under control to ensure they are not used in cultural property smuggling.

3. Take other measures agreed upon by the Parties.

2- The obtained results will be forwarded to the other Party at the soonest possible time.

Article 6

For the effective implementation of this Agreement, the Parties shall designate respectively the State Administration of Cultural Heritage of China and the Ministry of Culture and Tourism of Turkey to be responsible for bilateral cooperation in preventing the theft, clandestine excavation, and illicit import and export of cultural property. The bilateral cooperation shall include the implementation of the UNESCO's Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (1970).

Article 7

1- For the purposes of this Agreement, the Parties shall exchange information in time. The information shall include following aspects:

- A. Laws and regulations on the protection of cultural property, especially on preventing the theft, clandestine excavation, and illicit import and export of cultural property, as well as relevant policies and measures worked out by administration authorities;
- B. Description of cultural property prohibited from being exported, including archaeological artifacts, based on the same rules and standards;
- C. Definition of the objects that can be exported;
- D. Information on organizations of cultural property protection and preservation;
- E. Dynamic states of the theft, clandestine excavation, and illicit import and export of cultural property;
- F. Other information that is considered necessary for exchange by the Parties.

2- All above-mentioned information shall be updated in time.

3- In accordance with this Agreement, the information obtained by one Party from the Other Party will only be used for the purpose of preventing cultural property smuggling and will be confidential upon request within the framework of their national laws of that Party.

Article 8

The Parties shall strengthen exchanges and training of personnel in the field of the prevention of the theft, clandestine excavation, and illicit import and export of cultural property, in particular, in the fields of the safety administration of cultural property, administration of import and export of cultural property, law drafting, information collecting, and coordination in international affairs.

Article 9

For the purposes of this Agreement, the Parties shall enhance coordination and further improve each other's administration of cultural objects that can be exported, cultural property registration system, information release system on stolen cultural property, and supervision system on the import of cultural property.

Article 10

1- The Parties shall conduct thorough consultation, coordinate each other's stands on multilateral affairs, and further enhance existing cooperation on international forums concerning the prevention of the theft, clandestine excavation, and illicit import and export of cultural property.

2- The Parties shall strengthen collaboration in further enhancing awareness of the general public, museums, and other cultural organizations in threats brought about by the theft, clandestine excavation, and illicit import and export of cultural property in the international community, increase cooperation with organizations implementing relevant international conventions of UNESCO when coordinating cultural relations with the third country, and reduce or suspend intercourses with organizations involved with the theft, clandestine excavation, and illicit import and export of cultural property.

3- The Parties shall inform each other of information on illegal cultural property appearing in the international cultural property market, which are involved with the Parties, and share information related to evaluating, registering, retrieving, and returning lost cultural property of the Parties when conducting relevant investigations.

Article 11

The Parties shall inform collectors and antique dealers that the sale and acquisition of cultural property stolen or illicitly exported after clandestine excavations from its Country of Origin are illegal.

Article 12

The competent authorities designated respectively by the two Parties shall establish a consultation mechanism on a regular basis to solve problems rising from the implementation of this Agreement and work out plans for further cooperation.

Article 13

The Parties shall inform each other about the completion of each other's domestic legal procedures for the ratification of the Agreement. This Agreement shall enter into force on the date of the receipt of the latter notification of the ratification of the Agreement, and shall remain valid for a period of one year. This Agreement shall be renewed automatically; thereafter for further period of one year each until either Party gives to the other a six (6) months prior notice in writing of its intention to terminate it.

Done in duplicate in on in Chinese, Turkish, and English languages, all texts being equally authentic. In case of any divergence in interpretation of the text, the English text shall prevail.

Representative of
the People's Republic of China
(Signature)

Representative of
the Republic of Turkey
(Signature)