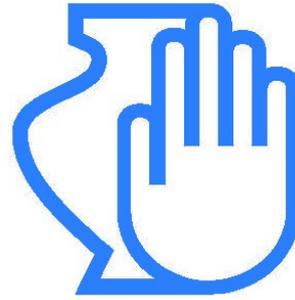




United Nations  
Educational, Scientific and  
Cultural Organization



• Convention for the fight  
• against the illicit trafficking  
• of cultural property

**THE FIGHT AGAINST THE ILLICIT TRAFFICKING OF CULTURAL OBJECTS  
THE 1970 CONVENTION: PAST AND FUTURE**

**INFORMATION KIT**

**15 and 16 March 2011  
Paris, UNESCO Headquarters**



## 40th Anniversary of the 1970 Convention

Information Kit produced by the Division of Public Information and the Culture Sector of UNESCO on the occasion of the 40<sup>th</sup> Anniversary of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

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#### Documents:

- Brochure on UNESCO National Cultural Heritage Laws
- Maisons sous haute protection – Conseils et parades contre le vol de biens culturels – VMF Patrimoine historique
- Brochure published on the occasion of the 65<sup>th</sup> Anniversary of UNESCO



## 40<sup>th</sup> anniversary of the 1970 Convention

### FACTS AND FIGURES\*

#### Global information on the illicit trafficking of cultural goods

- The first decade of the 21<sup>st</sup> century has seen a major change in attitude towards recently excavated antiquities.
- Recently, 100 antiquities have been returned to the Italian Government from North American collections. North American museums have now adjusted their acquisition policies in order to align them with the 1970 Convention<sup>1</sup>.
- The illicit trafficking of antiquities is estimated to be superior to US\$ 6 billion per year according to a research conducted by the United Kingdom's House of Commons on July 2000<sup>2</sup>. Ten years later, the UN report on transnational crimes calculated that the world traffic in cocaine reached US\$ 72 billion; arms 52; heroine 33; counterfeiting 9.8; and cybercrime 1.25<sup>3</sup>. Together with the trafficking in drugs and arms, the black market of antiquities and culture constitutes one of the most persistent illegal trades in the world.
- Other estimates indicate that it amounts at least US\$ 2 billion per year<sup>4</sup>.
- Other sources estimate that, in 1993, the global sales of cultural property, legitimate or not, reached the value of US\$ 39.3 billion. Today it would be around 60, with an increase of 50% in a decade and an "unprecedented growth" of offer on the Internet<sup>5</sup>.
- "80% of Etruscan and Roman antiquities on the market today have an illegal provenance", estimates Maurizio Fiorilli, Deputy General Advocate of the Italian State, who chaired the Ministry's Commission for the restitution of illicitly exported artifacts<sup>6</sup>.
- 31% of the total corpus of Apulian pots, more than 4,200 vases produced only in Apulia, now Puglia, and not traded outside this area, excavated between 1980-1992, are undocumented and lack certification of provenance. From the 13,718 Apulian vases known to scholars, only 5.5% (753) were legally excavated by professional archaeologists<sup>7</sup>.
- Only 13% of Attic red-figure pots attributed to the *Berlin painter* come from a relatively secure archaeological context. Well over 50% of the pots attributed to this painter come from illegal excavations<sup>8</sup>.

\* This document has been prepared on the basis of the information provided by the journalist Fabio Isman.

<sup>1</sup> D.W.J. Gill, *Looting Matters for Classical Antiquities: Contemporary Issues in Archaeological Ethics*, "Present Pasts", Vol. 1, 2009.

<sup>2</sup> F. Isman, *I predatori dell'arte perduta, il saccheggio dell'archeologia in Italia*, Milano, 2009, pag. 29.

<sup>3</sup> UNODC, *United Nations Office on Drugs and Crime*, Wien, 2010 Annual Report.

<sup>4</sup> G. Norman, *Great sale of the century*, "The Independent", 24.11.1990.

<sup>5</sup> C. Forrest, *International law and the protection of cultural Heritage*, New York, 2010.

<sup>6</sup> F. Isman, *ivi*, page. 27.

<sup>7</sup> R.J.Elia, *Analysis of the looting, selling, and collecting of Apulian red-figure vases: a quantitative approach*, in N. Brodie, J. Doole, and C. Renfrew, *Trade in illicit antiquities: the destruction of the world's archaeological heritage*, Cambridge, McDonald Institute for Archaeological Research, United Kingdom, 2001.

<sup>8</sup> D.W.J. Gill, *cit.*

- Based on the investigations carried out on the illicit trafficking in masterpieces in the world, it is estimated that 98 percent of the final market price of an object remains in the pocket of *middlemen*. It is estimated that from illegal excavation to final sale, the value of the most beautiful masterpieces increases 100 fold, a greater growth than that of drugs.
- In 40 years the Italian *carabinieri* have recovered 800,000 stolen or illegally excavated artifacts; yet, “the quantity of unresolved reports exceeds by far the number of recovered artifacts”, according to a document of the Italian Parliament<sup>9</sup>.
- 10,000 people have been investigated in Italy: 2,500 by the public prosecutor Paolo Giorgio Ferri, who is also a Ministry adviser; a million artifacts have been illegally excavated, and sold since 1970<sup>10</sup>

## **The destruction of antiquity**

### **Africa**

- According to Alain Godonou, former director of the *Ecole du patrimoine africain* (EPA) and now Director of UNESCO’s Division of Cultural Objects and Intangible Heritage, most African countries have lost 95% of their cultural property.

### **China**

- 1.6 million cultural objects from China are estimated to be scattered in 200 museums in 47 countries, and “millions are in private collections”<sup>11</sup>. China owns more than 400,000 archaeological sites, but since the 80s, thefts in museums increased by one third. In 10 years, 30,000 artifacts were found by the customs of Shenzhen.

### **Italy**

- In Italy, in Cerveteri, 400 to 550 Etruscan tombs were looted after the end of World War II. In 1995, at the free port of Geneva, a stock belonging to the smuggler Medici contained 6,000 artifacts. A 58-page inventory of these artifacts was compiled<sup>12</sup>.
- Medici has been condemned also for “complicity in the destruction of at least 200,000 archaeological sites”; and is also “suspected of looting 20,000 artifacts illegally excavated”<sup>13</sup>.

### **Mayan Heritage**

- At least 1,000 ceramic objects, worth more than US\$10 million, are illicitly excavated every month in the Mayan region of Central America. In 1970, an Italian dealer tried to export illegally 12,000 artifacts from Ecuador, where hundreds of sites were damaged.
- In Belize, a researcher points out that in some archaeological sites only 50 out of 200 people conducting excavations are official archaeologists.

### **Turkey**

- In Turkey, from 1993 to 1995 at least 17,500 investigations have been opened for looting of art.

### **Bulgaria**

- In 1992 alone, 5,000 icons disappeared from Bulgarian churches.

<sup>9</sup> Camera dei Deputati, Roma, Italia, *Relazione illustrativa* allegata al Disegno di legge di delega al governo presentato dal ministro Francesco Rutelli per «riformare le sanzioni penali in materia di reati contro il patrimonio culturale», 23.5.2007.

<sup>10</sup> “Il Giornale dell’Arte”, luglio 2010, intervista al Pm Paolo Giorgio Ferri.

<sup>11</sup> L. Ji, *The two zodiacs: possible method for returning lost relics in China*, in “Art antiquity and law”, June 2009.

<sup>12</sup> P. Watson e C. Todeschini, *The Medici Conspiracy*, New York, 2006, pagg. 54 e segg.

<sup>13</sup> Roma, procedimento numero 40402/00 a carico di Giacomo Medici, Marion True, Robert Hecht e altri, sentenza del Gup Guglielmo Muntoni, 13.12.2004.

## **Former-Czechoslovakia**

- In former-Czechoslovakia a third of churches were robbed in the 90s: 20,000 artifacts illicitly exported from the country every day; from 1993 to 1996, 3,580 thefts from churches and sacred places were reported, 1,250 from castles, 750 from museums, and 1,400 from private apartments<sup>14</sup>.

## **Nigeria**

- In Nigeria, during the 90s, over 400 artifacts have been stolen from museums and other institutions. The looting of cultural objects continues<sup>15</sup>.

## **Mali**

- In Mali, the African country with the largest number of archaeological sites after Egypt, a recent field study of an area of 125,000m<sup>2</sup> found 845 sites. 45% of them had been looted, 17% seriously damaged.

## **Cambodia**

- Since 1975, hundreds of Buddha statues near Angkor Wat have been mutilated, many of them decapitated. UNESCO estimates that such events happen once a day.

## **United States of America**

- In the United States, a survey conducted in 1991 shows that in Nebraska 28% of sites of particular importance have been damaged by illegal excavators looking for fossils.

## **Bangladesh**

- From a collection of ancient manuscripts, from 750 AD to 1200 AD, only one remains in Bangladesh. The others are scattered around the world.

## **The structures of defense**

### **Italy**

- Italy was the first country to establish a unit specialized in the prevention and suppression of such crimes: the *carabinieri* command for protecting cultural heritage created on 3 May 1969, before the 1970 Convention. The *carabinieri* have recovered 961,082 antiquities, as well as 500,000 other objects (1 million exported objects from 51,892 thefts) and a million and half counterfeit pieces, mostly coins and stamps. Charges have been pressed against 28,600 people. A specific database created to register stolen objects numbers two million entries. There is a special unit of 30 agents in the *Guardia di Finanza* in Rome; the *Gruppo tutela patrimonio archeologico della Polizia tributaria* recovered 11,258 objects from 2008 to 2009 alone.

### **France**

- The second unit to be created following UNESCO's recommendations, was that of France a few years later: *l'Office central de Lutte contre le Trafic des biens culturels* (OCBC) manages a database, the *Thésaurus de recherche électronique et d'imagerie en matière artistique* (Treima).
- Other countries, in keeping with the indications of the 1970 Convention, have constituted units specialized in the fight against traffic (England, Germany, Austria, Poland, Cyprus).

### **Spain**

- In Spain, la *Brigada de Patrimonio Histórico* is a specialized service, within the general directorate of the judicial police. The *Guardia civil* also has a group dedicated to historical heritage, which investigates and works in direct collaboration with the *Subdirección General de*

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<sup>14</sup> E de Roux e R. P. Paringaux, *Razzia sur l'art*, Paris, 1999, pag 95.

<sup>15</sup> Da qui, di nuovo in N. Brodie, J. Doole, P. Watson, cit.

## **Bulgaria**

- A new police unit of five people is exclusively dedicated to the protection of the cultural heritage. As in other cases, Italian magistrates and investigators have provided specialized training to the unit.

## **USA**

- The FBI has long had individual agents in New York and Los Angeles investigating museum robberies and art fraud. However, after the massive looting of Iraq's National Museum in 2003, in which some 14,000 works were stolen, the Bureau decided for the first time to form a team dedicated to art theft, which now has 13 agents assigned to different parts of the United States. The team numbers three magistrates and there's a database on thefts inside the United States.
- In 19 August 2011, the United States extended the existing agreement of bilateral protection with Italy. It now covers new categories and includes the pre-classical, classical and Roman Empire periods, stone, metal, ceramic, and glass artifacts as well as paintings<sup>16</sup>.

## **Peru**

- For the first time in 2007, Peru allocated public funds for the return of illegally excavated artifacts. There were 12 "returns" of a total of 815 objects from the USA, Uruguay, Germany, New Zealand, the United Kingdom and Colombia. By 2008, a further 500 pieces were restituted from Spain, Ecuador, Chile and the USA.

## **Wars and armed conflicts**

### **Egypt**

- The recent events in Egypt are only the latest in which objects and places of art have been endangered by wars or armed conflicts. During the protests against Hosni Mubarak, archaeological sites of great importance have been looted. According to a declaration of Zahi Hawass, ancient tombs at Saqqara and Abusir, as well as deposits in Saqqara and at the University of Cairo were looted<sup>17</sup>. At least nine artifacts were robbed from the National Museum of Cairo.

### **Bangladesh**

- At the end of the Independence War in Bangladesh (1971) 2,000 Hindu temples were destroyed, or seriously damaged and 6,000 sculptures were exported by smugglers<sup>18</sup>.

### **Zaire**

- During the coup d'état of 1997, the best pieces were robbed from the deposits of the National Museum of Zaire, Kinshasa. Fortunately, an accurate inventory exists.

### **Afghanistan**

- In 1993, when the Museum of Kabul, was sacked during the withdrawal of Russian troops, the robbers used the guides of the same museum to search out the best pieces.

### **Iraq**

- During the 1991 Gulf War, 3,000 known antiquities disappeared in Iraq. It's estimated that many thousands of other non inventoried objects have been removed from ancient sites. At the same

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<sup>16</sup> Department of Homeland Security, U.S. Customs and Border Protection, Department of the Treasury, 19 CFR Part 12 [CBP Dec. 11-03], RIN 1515-AD72.

<sup>17</sup> "The New York Times", 18.2.2011.

<sup>18</sup> For this and the successive notices see N. Brodie, J. Doole, P. Watson, cit.

time, the number of artifacts for sale in London and New York increased in a marked measure. The spoliation of the Sennacherib Palace at Nineveh is particularly documented: the robbers broke bas-reliefs to carry them more easily.

- During the operations against Saddam Hussein, around 15,000 artifacts were robbed from the Baghdad Museum<sup>19</sup>. Seven thousand were recovered: 2,000 in the USA, 250 in Switzerland, 100 by Italian Carabinieri, 2,000 were stopped in Jordan<sup>20</sup>, others in Beirut and Switzerland while in transit to New York. But the statue of Entemena, King of Lagash (2,450 BC) has not been recovered to date.
- The Magistrate of the State of Delaware (USA) has restituted 25 cuneiform slabs to Iraq, from where they had been robbed. They were found in July 2010 by an art dealer in California<sup>21</sup>

### **Terrorism and organized crimes**

- A plane with illegal excavators from Mexico landed in Colorado, with 350 pounds of marijuana from Chiapas and pre-Columbian antiquities; in Guatemala and Belize secret planes have been discovered transporting cocaine and Mayan steles to Miami and other American cities.

### **Museums**

- Some American museums have restituted illegally excavated and exported artifacts to Italy and Greece. Some 120 artifacts have been returned to Italy; 21 from the Metropolitan Museum in New York, 60 from Getty in Malibu, 13 from Boston Museum, 14 from Cleveland Museum, and 8 from Princeton Museum, from the Royal Athena Gallery and from the private collection formed by Leon Levi and Shelby White, both in New York. The artifacts have been exhibited to the public for the first time in the *Quirinale*, the Palace of the President. Such a massive restitution had not occurred since the end of the Second World War.
- In 1993, the Metropolitan Museum restituted to Turkey the so-called "Treasure of Croesus", a set of 363 objects of valuable materials, purchased between 1966 and 1970 for US\$ 1.5 million, and exhibited partially in 1984; the restitution ended six years of resistance and litigation.

### **Private Collections**

- Many private collections containing looted objects were exhibited in the 90s, mostly in the US but also in London, St Petersburg and Berlin. For example, 62 per cent of the exhibited objects of the Ortiz collection came from an unknown origin.
- Examining the exhibitions of major collections, researchers found that 70 per cent of the objects were described "in a vague and insufficient" way.

### **The Market**

- In Italy, 6,000 objects valued US\$ 65 million were confiscated from the collection of Giacomo Medici.
- The economic value of ceramics from Athens sold at Sotheby's in New York in 1998 for US\$ 1,200,000 decreased after the beginning of investigations in Italy. In 2001, their value declined to US\$ 450,000 and in 2009 it increased again to US\$ 600,000<sup>22</sup>.

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<sup>19</sup> M. Bogdanos, *The thieves of Baghdad*, in I. Vinson, cit.

<sup>20</sup> D. George, *The looting of the Iraq National Museum*, in P. Stone, cit.

<sup>21</sup> "Delaware on line", 19.2.2011

<sup>22</sup> D.W.J. Gill, cit.

## Italy

- La *Guardia di Finanza* discovered the existence of looted objects which once belonged to Maria Callas' collection including an entire sepulchre of Paestum. Four walls of the sepulchre have been recovered in the antiques market.<sup>23</sup>.

## Greece

- Greece has been stepping up its campaign for the return of recently looted antiquities. One of the most celebrated cases in recent years involved the Aidonia Treasure apparently found in Mycenaean graves not far from Nemea in the Peloponnese. The items were due to be sold through the Michael Ward Gallery in New York in 1993.
- The J. Paul Getty Museum has also returned a number of items. These include a gold funerary wreath that seems to have come from Macedonia. It had been acquired in 1993 after passing through Switzerland.
- Greece was able to reclaim a large-scale bronze sculpture that was seized in Germany in 1998. The piece, known as the 'Saarbrücken youth' is thought to have been found in the sea off Preveza.
- Greece has also been able to recover material stolen from its collections. These items include an Apollo from Gortyn on Crete, stolen in 1991. The Apollo was handed over by Jean-David Cahn who had received it from a German collector who had purchased it from a British art dealer. Some of the material raided from the archaeological museum in Corinth has also been recovered after pieces surfaced at two New York auctions as 'The Property of an American Private Collector' in December 1997 and March 1998. The items were identified when they were subsequently offered for sale by a New York dealer. As a result 265 items were seized from a fish storage facility in Miami, Florida<sup>24</sup>.

## Egypt

- From 2002 onwards, Egypt has recuperated 5,000 objects of illicit provenance. The smuggler Alí Aboutaam was arrested in 2003 and condemned to 15 years of prison for having illegally exported 280 cultural objects.

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<sup>23</sup> "Il Corriere della Sera", 13.2.2003.

<sup>24</sup> D.W.J. Gill, cit.



## 40th Anniversary of the 1970 Convention

### 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 General Conference of UNESCO on 14 November 1970<sup>25</sup>.
- It is the first international legal framework for the fight against the illicit trafficking of cultural property in times of peace.
- It has been ratified by 120 countries (30 States in the last 10 years).
- 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, etc.)
    - require art dealers to maintain a register of the exact origin of each object they purchase
  - Return of 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

<sup>25</sup> The text of the Convention can be consulted on the website <http://www.unesco.org/culture/en/illicittrafficking>

## 40th Anniversary of the 1970 Convention

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



- Adopted by Diplomatic Conference in Rome on 24 June 1995<sup>26</sup>.
- As of March 2011, it has 31 State Parties, 11 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

#### Other international legal instruments apply to illicit traffic in cultural property:

- Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict: currently 100 States Parties ; provides for the return of cultural property illegally exported from occupied territories
- European Union Directive 93/7: applicable among the 27 Member States of the EU, it provides for a specific procedure for the return of illegally removed cultural property
- 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

<sup>26</sup> The text of the UNIDROIT Convention can be consulted on the website <http://www.unidroit.org>

**40 ans de la Convention de 1970**

**40th Anniversary of the 1970 Convention**

**ETATS PARTIES AUX DIFFÉRENTS INSTRUMENTS INTERNATIONAUX RELATIFS  
AU TRAFIC ILLICITE DE BIENS CULTURELS**

**STATES PARTIES OF INTERNATIONAL INSTRUMENTS RELATIVE TO ILLICIT  
TRAFFICKING OF CULTURAL PROPERTIES**

**ETATS PARTIES / STATES PARTIES**

**Mars 2011 / March 2011**

Etats parties <i>/States Parties</i>	Convention UNESCO 1970 / 1970 UNESCO Convention	Protocole de La Haye 1954 / 1954 The Hague Convention	Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention	Directive 93/7 CEE / EEC 93/7 Directive
Afghanistan	X		X	
Afrique du Sud / <i>South Africa</i>	X			
Albanie / <i>Albania</i>	X	X		
Algérie / <i>Algeria</i>	X			
Allemagne / <i>Germany</i>	X	X		X
Andorre / <i>Andorra</i>				
Angola	X			
Antigua et Barbuda / <i>Antigua and Barbuda</i>				
Arabie Saoudite / <i>Saudi Arabia</i>	X	X		
Argentine / <i>Argentina</i>	X	X	X	
Arménie / <i>Armenia</i>	X	X		
Australie / <i>Australia</i>	X			
Autriche / <i>Austria</i>		X		X
Azerbaïdjan / <i>Azerbaijan</i>	X	X	X	
Bahamas	X			
Bahreïn / <i>Bahrain</i>		X		
Bangladesh	X	X		
Barbade / <i>Barbados</i>	X	X		

<b>Etats parties /States Parties</b>	<b>Convention UNESCO 1970 / 1970 UNESCO Convention</b>	<b>Protocole de La Haye 1954 / 1954 The Hague Convention</b>	<b>Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention</b>	<b>Directive 93/7 CEE / EEC 93/7 Directive</b>
<b>Bélarus / Belarus</b>	X	X		
<b>Belgique / Belgium</b>	X	X		X
<b>Belize</b>	X			
<b>Bénin / Benin</b>				
<b>Bhoutan / Bhutan</b>	X			
<b>Bolivie / Bolivia</b>	X		X	
<b>Bosnie- Herzégovine / Bosnia and Herzegovina</b>	X	X		
<b>Botswana</b>				
<b>Bésil / Brasil</b>	X	X	X	
<b>Brunei Darussalam</b>				
<b>Bulgarie / Bulgaria</b>	X	X		X
<b>Burkina Faso</b>	X	X	s	
<b>Burundi</b>				
<b>Cambodge / Cambodia</b>	X	X	X	
<b>Cameroun / Cameroon</b>	X	X		
<b>Canada</b>	X	X		
<b>Cap Vert / Cape Verde</b>				
<b>Chili / Chile</b>		X		
<b>Chine / China</b>	X	X	X	
<b>Chypre / Cyprus</b>	X	X	X	X
<b>Colombie / Colombia</b>	X	X		
<b>Comores / Comoros</b>				
<b>Congo</b>				
<b>Costa Rica</b>	X	X		
<b>Côte d'Ivoire</b>	X		s	
<b>Croatie / Croatia</b>	X	X	X	
<b>Cuba</b>	X	X		
<b>Danemark</b>	X	X	X	X
<b>Djibouti</b>				
<b>Dominique / Dominica</b>				
<b>Egypte / Egypt</b>	X	X		
<b>El Salvador</b>	X	X	X	
<b>Emirats arabes unis / United Arab Emirates</b>				
<b>Equateur / Ecuador</b>	X	X	X	
<b>Erythrée / Eritrea</b>				
<b>Espagne / Spain</b>	X	X	X	X
<b>Estonie / Estonia</b>	X	X		X

<b>Etats parties /States Parties</b>	<b>Convention UNESCO 1970 / 1970 UNESCO Convention</b>	<b>Protocole de La Haye 1954 / 1954 The Hague Convention</b>	<b>Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention</b>	<b>Directive 93/7 CEE / EEC 93/7 Directive</b>
<b>Etats-Unis d'Amérique / United States of America</b>	X			
<b>Ethiopie / Ethiopia</b>				
<b>Ex-République yougoslave de Macédoine / The former Yugoslav Republic of Macedonia</b>	X	X		
<b>Fédération de Russie / Russian Federation</b>	X	X	s	
<b>Fiji</b>				
<b>Finlande / Finland</b>	X	X	X	X
<b>France</b>	X	X	s	X
<b>Gabon</b>	X	X	X	
<b>Gambie / Gambia</b>				
<b>Géorgie / Georgia</b>	X	X	s	
<b>Ghana</b>		X		
<b>Grèce / Greece</b>	X	X	X	X
<b>Grenade / Grenada</b>	X			
<b>Guatemala</b>	X	X	X	
<b>Guinée / Guinea</b>	X	X	s	
<b>Guinée équatoriale / Equatorial Guinea</b>	X			
<b>Guinée-Bissau / Guinea-Bissau</b>				
<b>Guyane / Guyana</b>				
<b>Haïti / Haiti</b>	X			
<b>Honduras</b>	X	X		
<b>Hongrie / Hungary</b>	X	X	X	X
<b>Iles Cook / Cook Islands</b>				
<b>Iles Marshall / Marshall Islands</b>				
<b>Iles Solomon / Solomon Islands</b>				
<b>Inde / India</b>	X	X		
<b>Indonésie / Indonesia</b>		X		
<b>Iran (République Islamique d')/ Iran (Islamic Republic of)</b>	X	X	X	
<b>Iraq</b>	X	X		

<b>Etats parties /States Parties</b>	<b>Convention UNESCO 1970 / 1970 UNESCO Convention</b>	<b>Protocole de La Haye 1954 / 1954 The Hague Convention</b>	<b>Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention</b>	<b>Directive 93/7 CEE / EEC 93/7 Directive</b>
<b>Irlande / Ireland</b>				<b>X</b>
<b>Islande / Iceland</b>	<b>X</b>			
<b>Israël / Israel</b>		<b>X</b>		
<b>Italie / Italy</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Jamahiriya arabe libyenne / Libyan Arab Jamahiriya</b>	<b>X</b>	<b>X</b>		
<b>Jamaïque / Jamaica</b>				
<b>Japon / Japan</b>	<b>X</b>	<b>X</b>		
<b>Jordanie / Jordan</b>	<b>X</b>	<b>X</b>		
<b>Kazakhstan</b>		<b>X</b>		
<b>Kenya</b>				
<b>Kirghizistan / Kyrgyzstan</b>	<b>X</b>			
<b>Kiribati</b>				
<b>Koweït / Kuwait</b>	<b>X</b>	<b>X</b>		
<b>Lesotho /</b>				
<b>Lettonie / Latvia</b>		<b>X</b>		<b>X</b>
<b>Liban / Lebanon</b>	<b>X</b>	<b>X</b>		
<b>Liberia</b>				
<b>Liechtenstein</b>		<b>X</b>		
<b>Lituanie / Lithuania</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Luxembourg</b>		<b>X</b>		<b>X</b>
<b>Madagascar</b>	<b>X</b>	<b>X</b>		
<b>Malaisie / Malaysia</b>		<b>X</b>		
<b>Malawi</b>				
<b>Maldives</b>				
<b>Mali</b>	<b>X</b>	<b>X</b>		
<b>Malte / Malta</b>				<b>X</b>
<b>Maroc / Morocco</b>	<b>X</b>	<b>X</b>		
<b>Maurice / Mauritius</b>	<b>X</b>			
<b>Mauritanie / Mauritania</b>	<b>X</b>			
<b>Mexique / Mexico</b>	<b>X</b>	<b>X</b>		
<b>Micronésie / Micronesia</b>				
<b>Monaco</b>		<b>X</b>		
<b>Mongolie / Mongolia</b>	<b>X</b>			
<b>Monténégro / Montenegro</b>	<b>X</b>	<b>X</b>		
<b>Mozambique</b>				
<b>Myanmar</b>		<b>X</b>		
<b>Namibie / Namibia</b>				
<b>Nauru</b>				
<b>Népal / Nepal</b>	<b>X</b>			
<b>Nicaragua</b>	<b>X</b>	<b>X</b>		
<b>Niger</b>	<b>X</b>	<b>X</b>		
<b>Nigeria</b>	<b>X</b>	<b>X</b>	<b>X</b>	

<b>Etats parties /States Parties</b>	<b>Convention UNESCO 1970 / 1970 UNESCO Convention</b>	<b>Protocole de La Haye 1954 / 1954 The Hague Convention</b>	<b>Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention</b>	<b>Directive 93/7 CEE / EEC 93/7 Directive</b>
Niue				
Norvège/ Norway	X	X	X	
Nouvelle- Zélande / New Zealand	X		X	
Oman	X			
Ouganda / Uganda				
Ouzbékistan / Uzbekistan	X			
Pakistan	X	X	s	
Palau				
Panama	X	X	X	
Papouasie Nouvelle Guinée / Papua New Guinea				
Paraguay	X	X	X	
Pays-Bas / Netherlands	X	X	s	X
Pérou / Peru	X	X	X	
Philippines				
Pologne / Poland	X	X		X
Portugal	X	X	X	X
Qatar	X			
République arabe syrienne / Syrian Arab Republic	X	X		
République Centrafricaine / Central African Republic	X			
République de Corée / Republic of Korea	X			
République de Moldova / Republic of Moldova	X	X		
République démocratique du Congo / Democratic Republic of Congo	X	X		
République démocratique populaire du Lao / Lao People's Democratic Republic				
République dominicaine / Dominican Republic	X	X		

<b>Etats parties /States Parties</b>	<b>Convention UNESCO 1970 / 1970 UNESCO Convention</b>	<b>Protocole de La Haye 1954 / 1954 The Hague Convention</b>	<b>Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention</b>	<b>Directive 93/7 CEE / EEC 93/7 Directive</b>
République populaire démocratique de Corée / <i>Democratic People's Republic of Korea</i>	X			
République tchèque / <i>Czech Republic</i>	X	X		X
République-Unie de Tanzanie / <i>United Republic of Tanzania</i>	X			
Roumanie / <i>Romania</i>	X	X	X	X
Royaume-Uni / <i>United Kingdom</i>	X			X
Rwanda	X			
Sainte-Lucie / <i>Saint Lucia</i>				
Saint-Marin / <i>San Marino</i>		X		
Saint-Siège / <i>Holy See</i>		X		
Samoa				
Sao Tomé et Principe / <i>Sao Tome and Principe</i>				
Sénégal / <i>Senegal</i>	X	X	s	
Serbie / <i>Serbia</i>	X	X		
Seychelles	X			
Sierra Leone				
Singapour / <i>Singapore</i>				
Slovaquie / <i>Slovakia</i>	X	X	X	X
Slovénie / <i>Slovenia</i>	X	X	X	X
Somalie / <i>Somalia</i>				
Soudan / <i>Sudan</i>				
Sri Lanka	X			
St. Kitts-et-Nevis / <i>St. Kitts and Nevis</i>				
St. Vincent et Grenadines / <i>St. Vincent and the Grenadines</i>				
Suède / <i>Sweden</i>	X	X		X
Suisse / <i>Switzerland</i>	X	X	s	
Suriname				
Swaziland				

<b>Etats parties /States Parties</b>	<b>Convention UNESCO 1970 / 1970 UNESCO Convention</b>	<b>Protocole de La Haye 1954 / 1954 The Hague Convention</b>	<b>Convention d'UNIDROIT 1995 / 1995 UNIDROIT Convention</b>	<b>Directive 93/7 CEE / EEC 93/7 Directive</b>
<b>Tadjikistan / Tajikistan</b>	<b>X</b>	<b>X</b>		
<b>Tchad / Chad</b>	<b>X</b>			
<b>Thaïlande / Thailand</b>		<b>X</b>		
<b>Timor-Leste</b>				
<b>Togo</b>				
<b>Tonga</b>				
<b>Trinité-et- Tobago / Trinidad and Tobago</b>				
<b>Tunisie / Tunisia</b>	<b>X</b>	<b>X</b>		
<b>Turkménistan / Turkmenistan</b>				
<b>Turquie / Turkey</b>	<b>X</b>	<b>X</b>		
<b>Tuvalu</b>				
<b>Ukraine</b>	<b>X</b>	<b>X</b>		
<b>Uruguay</b>	<b>X</b>	<b>X</b>		
<b>Vanuatu</b>				
<b>Vénézuela / Venezuela</b>	<b>X</b>			
<b>Viet Nam</b>	<b>X</b>			
<b>Yémen / Yemen</b>		<b>X</b>		
<b>Zambie / Zambia</b>	<b>X</b>		<b>s</b>	
<b>Zimbabwe</b>	<b>X</b>			



## 40th Anniversary of the 1970 Convention

### INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF CULTURAL PROPERTY

*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.*

- Composed of 22 Member States appointed for a term of 4 years by the General Conference of UNESCO, the Committee currently consists of: Argentina, Belarus, Burkina Faso, China, Czech Republic, Greece, Guatemala, India, Iraq, Italy, Japan, Libyan Arab Jamahiriya, Mexico, Mongolia, Niger, Nigeria, Peru, Republic of Korea, Romania, Senegal, United States of America, and Zimbabwe.
- The Committee meets every one or two years; the Sixteenth session took place in September 2010 and the Seventeenth session is scheduled to take place in June 2011.
- 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
  - Project of the database on restitution cases
  - 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



Makonde Mask  
© ICOM



Sphinx of Boğazköy  
© Berlin Museum

- 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 Makonde Mask

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. Another pending case is the Boğazköy Sphinx between Turkey and Germany.

- Available on-line, are the report of the Intergovernmental Committee Session of 2010, the Statutes and Rules of Procedure, as well as the « Standard Form Concerning Requests for Return or Restitution <http://www.unesco.org/culture/en/returncommittee>



## 40th Anniversary of the 1970 Convention

### 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 aim of the Fund is to support Member States in their efforts to fight the illicit traffic of cultural property, in particular in priority areas such as training and the strengthening of museums systems.

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.

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

More information:

[http://portal.unesco.org/culture/fr/ev.php-URL\\_ID=36346&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/culture/fr/ev.php-URL_ID=36346&URL_DO=DO_TOPIC&URL_SECTION=201.html)

**The Fund is open for voluntary contributions.  
The current available funding is US\$ 100.000**

#### **Contact and Website:**

Section of Museums and Cultural Objects  
Division of Cultural Objects and Intangible Heritage  
Culture Sector

1 rue Miollis 75732 Paris cedex 15

Tel: +33 (0)1.45.68.43.26/43.38

Fax: +33 (0)1.45.68.55.96

convention1970@unesco.org

<http://www.unesco.org/culture/en/returncommittee>

## 40th Anniversary of the 1970 Convention

### UNESCO's PARTNERS IN THE FIGHT AGAINST ILLICIT TRAFFIC IN CULTURAL PROPERTY

#### 1. Intergovernmental organizations

- **ICCROM**

	<p>ICCROM Via di San Michele 13 I-00153 Roma Italy <a href="http://www.iccrom.org">http://www.iccrom.org</a></p>
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The International Centre for the Study of the Preservation and Restoration of Cultural Property, ICCROM, is an intergovernmental organization (IGO) dedicated to the conservation of cultural heritage. It exists to serve the international community as represented by its Member States, which currently number 129.

- **INTERPOL**

	<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 <a href="mailto:woa@interpol.int">woa@interpol.int</a></p>
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- **WCO**

 <p>WORLD CUSTOMS ORGANIZATION ORGANISATION MONDIALE DES DOUANES</p>	<p>WCO World Customs Organization Rue du marché, 30 B-1210 Brussels Belgium <a href="mailto:information@wcoomd.org">information@wcoomd.org</a> <a href="mailto:communication@wcoomd.org">communication@wcoomd.org</a></p>
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The World Customs Organization (WCO) is the only intergovernmental organisation exclusively focused on Customs matters. With its worldwide membership, the WCO is now recognised as the voice of the global Customs community. It is particularly noted for its work in areas covering the development of global standards, the simplification and harmonisation of Customs procedures, trade supply chain security, the facilitation of international trade, the enhancement of Customs enforcement

and compliance activities, anti-counterfeiting and piracy initiatives, public-private partnerships, integrity promotion, and sustainable global Customs capacity building programmes. The WCO also maintains the international Harmonized System goods nomenclature, and administers the technical aspects of the WTO Agreements on Customs Valuation and Rules of Origin.

- **UNIDROIT**

	<p>UNIDROIT International Institute for the unification of Private Law 28, Via Panisperna 00184 Roma Italy <a href="mailto:info@unidroit.org">info@unidroit.org</a></p>
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The International Institute for the Unification of Private Law (UNIDROIT) is an independent intergovernmental Organisation with its seat in Rome. Its purpose is to study needs and methods for modernising, harmonising and co-ordinating private and in particular commercial law as between States and groups of States and to formulate uniform law instruments, principles and rules to achieve those objectives.

- **UNODC**

	<p>United Nations Office on Drugs and Crime (UNODC) Vienna International Centre PO Box 500 A 1400 Vienna Austria <a href="http://www.unodc.org">http://www.unodc.org</a></p>
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The United Nations Office on Drugs and Crime (UNODC) is a United Nations agency that was established in 1997 as the Office for Drug Control and Crime Prevention by combining the United Nations International Drug Control Program (UNDCP) and the Crime Prevention and Criminal Justice Division in the United Nations Office at Vienna.

## **2. Non-governmental organizations**

- **ICOM**

	<p>ICOM International Council of Museums General Secretariat UNESCO House 1, rue Miollis 75732 Paris cedex 15 <a href="http://icom.museum/">http://icom.museum/</a></p>
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The International Council of Museums (ICOM) is the only international organisation representing museums and museum professionals. Since 1946, ICOM has assisted members of the museum community in their mission to preserve, conserve and share cultural heritage. ICOM also takes advice from institutional partners to achieve its objective. The International Council of Museums (ICOM) is the only international organisation representing museums and museum professionals. ICOM also takes advice from institutional partners to achieve its objective

### 3. Specialized police Units

- France

	<p>OCBC Office central de lutte contre le trafic des biens culturels 101, rue des Trois Fontanot 92000 Nanterre France <a href="mailto:ocbc-doc.dcpjac@interieur.gouv.fr">ocbc-doc.dcpjac@interieur.gouv.fr</a></p>
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- Italy

	<p>Carabinieri Ministero della Difesa – repubblica italiana Comando Carabinieri per la Tutela del Patrimonio Culturale <a href="mailto:carabinieri@carabinieri.it">carabinieri@carabinieri.it</a></p>
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### 4. Research Institutes

	<p><b>Centre d'Etudes sur la Coopération Juridique Internationale</b> <a href="http://www.cecoji.cnrs.fr/rubrique.php?id_rubrique=9">http://www.cecoji.cnrs.fr/rubrique.php?id_rubrique=9</a></p>
	<p><b>Centre du droit de l'art</b> <a href="http://www.art-law.org/centre.html">http://www.art-law.org/centre.html</a></p>
	<p><b>Cultural Heritage Law program</b> <a href="http://www.law.depaul.edu/centers_institutes/ciplit/cultural_heritage/">http://www.law.depaul.edu/centers_institutes/ciplit/cultural_heritage/</a></p>
	<p><b>Groupe de recherche international « Patrimoine culturel et droit de l'art »</b> <a href="http://recherche.jm.u-psud.fr/index.php?98-gdri-patrimoine-culturel-et-droit-de-l-art">http://recherche.jm.u-psud.fr/index.php?98-gdri-patrimoine-culturel-et-droit-de-l-art</a></p>



**Institute of Art and Law**

<http://www.ial.uk.com/index.php/Organisation>



**Institut de Droit de l'Art et de la Culture**

<http://facedroit.univ-lyon3.fr/presentation/centres-et-instituts/institut-de-droit-de-l-art-et-de-la-culture-90212.kjsp>



**Working Group on Cultural Heritage**

<http://www.eui.eu/Home.aspx>



## 40 anniversary of the 1970 Convention

### 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.

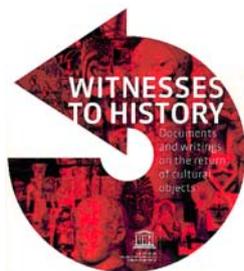
- **Fighting trafficking on the Internet**

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.

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

- **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.)

UNESCO has just 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. This work is currently available in English, French and Chinese. It is also being translated into Spanish, Russian and Arabic.

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



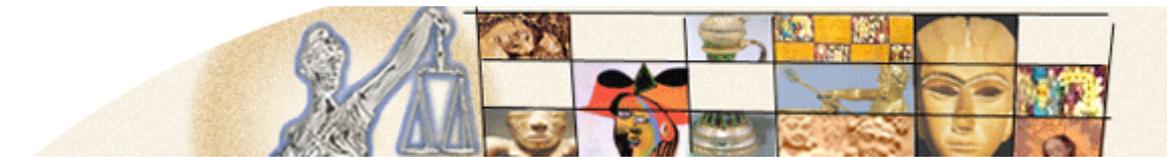
- **Informing police and customs and public authorities**

A Model Certificate for the export of cultural goods 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.

<http://www.unesco.org/culture/en/illicittrafficking/exportcertificate>

- **Document and training**

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 2,300 texts from more than 180 countries. <http://www.unesco.org/culture/natlaws>



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.

A few examples:

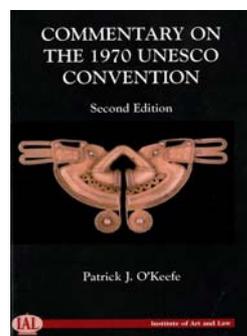
- Since 2010: training workshop in Mongolia
- November 2010: training workshop in Bahrain for the Gulf States and Yemen
- April 2010: training workshop in Rome for Latin American countries
- November 2009: training workshop in Beirut about the protection of heritage from the Mediterranean (in partnership with Euromed Heritage)
- September 2009: training workshop in Mexico for Latin American countries
- June 2009: training workshop in Vicenza (Italy) for African countries

- **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.

[http://portal.unesco.org/culture/en/ev.php-](http://portal.unesco.org/culture/en/ev.php-URL_ID=41082&URL_DO=DO_TOPIC&URL_SECTION=201.html)

[URL\\_ID=41082&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/culture/en/ev.php-URL_ID=41082&URL_DO=DO_TOPIC&URL_SECTION=201.html)



- **In preparation**

Following the success of the database about national cultural heritage laws, other databases are being prepared. A database will be presented in 2012 will feature examples of restitution of cultural goods of different kinds and origins, whose return was obtained in an original way.



## 40<sup>th</sup> anniversary of the 1970 Convention

### RECENT EXAMPLES OF SUCCESSFUL RESTITUTION OPERATIONS

- **January 2008: restitution of the Euphronios Krater (USA – Italy)**

In January 2008, the New York Metropolitan Museum of Art returned to Italy a 2,500-year-old Greek vase (the Euphronios Krater), considered one of the finest worldwide.

- **21 April 2008: restitution of 262 stolen archaeological objects (France – Burkina Faso)**

In April 2008, 262 archaeological objects seized by French customs in late 2007 were returned to Burkina Faso to be exhibited at the National Museum. These objects (fragments of pottery, intact pottery objects and objects made of stone and bronze) dated from 1,000 to 1,300 Before Common Era.

- **October 2008: restitution of 243 Pre-Columbian objects (Spain – Peru)**

In October 2008, the Spanish authorities returned more than 200 Pre-Columbian objects from a private collection of more than 1,700 objects of this type, which had attracted the attention of the authorities due to their dubious provenance. Peru already claimed and obtained a first series of 31 objects in December 2007.

- **November 2008: restitution of a fragment of frieze from the Parthenon (Vatican – Greece)**

In November 2008, the Vatican Museum returned to Greece a fragment of the North Frieze of the Parthenon, which had been claimed by Athens for 18 years. This piece represents the head of a young man.

- **January 2009: restitution of 3,000 archaeological objects (Italy – Bulgaria)**

In January 2009, the Italian authorities returned to Bulgaria some 3,000 archaeological objects from the Roman and Byzantine eras, which had been removed during clandestine excavations in Bulgaria and transported illegally to Italy. Among these objects were statuettes, which will enrich the collection of the National Museum of History in Sofia.

- **January 2009: restitution of three cuneiform tablets (Peru – Iraq)**

In January 2009, the Peruvian government returned to the Iraqi government three tablets with cuneiform writing of Mesopotamian origin, which had been seized at Lima Airport in February 2008. Two of these three objects date from the second millennium BCE and the third from the first millennium BCE.

Other Iraqi antiquities were also seized **in October 2008 in Lebanon** and appraised by INTERPOL officers during the training workshop organized by UNESCO for Iraqi participants (November 2008).

- **February 2009: restitution of a marble head (Switzerland – Lebanon)**

In February 2009, Switzerland returned to Lebanon a marble head stolen in Lebanon in 1981. The head represents a Greek youth and dates from the 3<sup>rd</sup> century BCE.



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- **March 2009: restitution of 2 mural frescos (Greece – Italy)**

In March 2009, Greece returned to Italy, via the Italian Carabinieri, two 13<sup>th</sup> century mural frescos, which had been removed from the Grotta delle Fornelle church in Caserta (Italy) in 1982 and discovered on the island of Schinoussa (Cyclades) by the Greek authorities in early 2006, during a major police operation against the smuggling of antiques.

- **April 2009: restitution of 7 cultural objects (Thailand – Cambodia)**

In 2000, 50 objects were intercepted by Thai customs officers on the border with Cambodia. In that same year, an agreement was signed by both countries to fight illicit trafficking and cross-border smuggling of cultural goods and to return them to their country of origin. Since then, the authorities of these countries have cooperated, taking national legal procedures into consideration. Finally, in February 2009, the Thai cabinet adopted a resolution to return 7 objects to the Cambodian government in keeping with the 2000 agreement.

- **14 December 2009: restitution of 5 frescos (France – Egypt)**

In November 2009, France returned five fresco fragments held by the Louvre Museum to Egypt, which had claimed them. These objects left Egypt illegally and had subsequently been acquired in good faith by the Louvre from a French gallery at a public auction. Following an Egyptian request to return these objects, the National Scientific Commission of French Museums confirmed that these objects came from the tomb of a dignitary (Prince Tetiky) of the 18<sup>th</sup> dynasty (1550-1290 BCE). The tomb is located in the Valley of Kings, near Luxor. The French Ministry of Culture then decided to return these objects.

- **19 January 2010: restitution 139 cultural objects (Spain – Nicaragua)**

A collection of 139 Pre-Columbian archaeological objects confiscated by the Spanish *Grupo de Patrimonio Histórico* of the *Guardia Civil* was handed over by the General Directorate of Fine Arts and Cultural Property of the Spanish Ministry of Culture to the Government of Nicaragua. This restitution followed a letter from Nicaraguan Ambassador Augusto Zamora Rodriguez, the requesting the permits required for these objects to be returned to their country of origin. These objects now enrich the collections of *Mi museo*, in the Nicaraguan city of Granada.

- **21 January 2010: restitution of Sumerian treasures (Germany – Iraq)**

Germany returned to Iraq 22 ancient objects qualified as Sumerian. According to the authorities, these objects were looted by soldiers during the recent war and were then shipped to Germany. They were finally recovered in 2007, together with several hundred other archaeological objects from other countries, during the search of a house near Frankfurt.

After examination, archaeologists identified these objects as coming from the ancient Sumerian cities of Girsou, Isin, Larsa and Umma. Six of these objects are ceramic cones used on buildings at that time

to identify the name of the owner, the description of the building and the name of the god the inhabitants of the city worshipped.

The restitution of these objects took place in Berlin, in the presence of Alaa al-Hashimi, the Iraqi Ambassador to Germany, according to whom, “the handover of these Iraqi cultural properties is of inestimable value for Iraq.”

- **May 2010: restitution of the Makonde Mask (Switzerland – Tanzania)**

A bilateral agreement between the United Republic of Tanzania and the Barbier-Mueller Museum (Geneva, Switzerland) was reached within the framework of discussions in the Committee that began in 2006 and included the Swiss authorities, the International Council of Museums (ICOM) and UNESCO’s Secretariat as well as the two parties concerned (Tanzania and the Barbier-Mueller Museum), these parties reached a bilateral agreement. The restitution ceremony took place under the aegis of ICOM and in the presence of UNESCO on 10 May 2010.



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It is an example of a ‘Lipiko’ Mask, the most recent style of Makonde Mask, which is characterized by its realism and its grotesque style. Until the 1960s, this type of helmet-mask was worn during male initiation ceremonies by dancers, who could see through the mouth of the mask. The sides of these masks have holes for strings with which they were attached to the dancers’ costumes. The person is represented as wearing a hat, with protruding lips, a powerful nape, an angular jaw, a moustache and well-drawn nostrils. The mask was carved in light softwood. It is 30.5 cm high.

- **May 2010: restitution of human remains (France- New Zealand)**

Following new legislation, 16 Maori mummified and tattooed heads held by French museums, including the *Muséum d’histoire naturelle* in Rouen and the *Musée du quai Branly* in Paris will be soon returned to the New Zealand authorities. “UNESCO has always advocated total respect for human remains and supported their restitution,” declared Irina Bokova.

This restitution is not conducted in the framework of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970. However, its preamble asserts that “cultural institutions, museums, libraries and archives should ensure that their collections are built up in accordance with universally recognized moral principles.” The first article of this international treaty, which is not retroactive, also specifies that collections of anatomy are considered as cultural goods and must therefore be returned when they have been subject to illicit import, export or transfer of property.

- **10 November 2010 (USA – Egypt)**

**The Metropolitan Museum of Art in New York has recognized that Egypt is the owner of 19 objects from the tomb of Tutankhamun.**

In a joint communiqué on 10 November 2010 from the Director of the Metropolitan Museum of Art in New York and the Secretary-General of the Egyptian Supreme Council of Antiquities, the Metropolitan Museum officially recognized Egypt’s ownership of 19 objects from the tomb of King Tutankhamun.



## 40 ans de la Convention de 1970

Le nouveau logo de la Convention de 1970 concernant les mesures à prendre pour interdire et empêcher l'importation et le transfert de propriété illicites des biens culturels se compose de deux formes simples : une paume de main superposée sur un vase dépourvu d'anses. L'objectif de ce logo est d'exprimer l'importance de stopper (illustrée par la main en position de halte) le trafic illicite des biens culturels, symbolisés par le vase (pièce archéologique fouillée dans le sous-sol ou appartenant déjà à une collection), conformément aux principes de la Convention de 1970. Le pictogramme symbolise aussi l'action de pillage qui dépouille un individu ou une communauté de son héritage culturel et par conséquent de son identité. Les contours nets en noir et blanc visent à offrir une meilleure lisibilité et à le rendre universellement compréhensible.



## 40th Anniversary of the 1970 Convention

The new logo for the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property consists of two simple silhouettes: a hand palm is superimposed on a vase without handles. The logo aims to convey the importance of stopping (indicated by the hand in a halt position) the illicit trafficking of cultural property, symbolized by the vase (archaeological object found in the sub-soil or already belonging to a collection) in conformity with the principles of the 1970 Convention. The pictogram symbolizes also the action of looting, which deprives an individual or a community of its cultural heritage and, therefore, of its identity. The clear outline set off against a white background contributes to making the logo easily legible and universally understood.



## 40 ans de la Convention de 1970

### 40th Anniversary of the 1970 Convention

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