

UNESCO 1970 Convention - Periodic Reporting Form 2019

Respondent Information

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Position :	Deputy Head
Organization/Agency :	Agency for Protection of Cultural Property, Ministry of Culture of the Republic of Armenia
Country :	Armenia

Policy and Legislative Framework

1. Did your country implement the 1970 UNESCO Convention, and if so, how?

X	Civil Law
X	Criminal Law
X	Specific Law

Please describe the specific law(s) used by your country.

The Criminal Code of the Republic of Armenia regulates the issues concerning illicit trafficking of cultural properties, in particular, the Article 180 (Theft of particularly valuable items), 3 point of the 3rd paragraph of the 185th Article (Willful destruction or spoilage of property, which caused destruction or spoil of an items of historical, scientific or cultural property having outstanding value), Article 235.1 (Smuggling of cultural properties), Article 215.2 (The non-return of the cultural properties to the Republic of Armenian within the defined time frame), Article 264 (destruction or damage of the monument of history and culture). The 4th point of the 4th paragraph of the Article 390 of the Criminal Code of the Republic of Armenia deems serious breach of the international humanitarian law the activities, such as targeting specially protected, clearly marked, cultural, spiritual and historical monuments, works of art, ceremonial places, and inflicting large damage to the latter as a result of assault, if these facilities are not in near proximity from military objectives and if there is no information attesting to the use of these historical monuments, works of art, ceremonial places by the enemy for military purposes. These activities are punished with imprisonment for 8-12 years. The criminal code of the Republic of Armenian also regulates legal affairs concerning the abduction of the cultural properties, in particular the Articles 170 (Robbery), 177 (Theft), 178 (Fraud), 179 (Squandering or embezzlement).

2. Does your country have an overall policy and/or strategy for fighting illicit trafficking of cultural property (i.e., a document that describes the country's overall vision for fighting illicit trafficking)?

X	Yes
	No

3. Please provide the name and year the policy was passed (and web link to the policy/strategy if available).

After ratification the 1970 Convention on 1993, since 1994 the Ministry of Culture of the Republic of Armenia initiated the establishment of national legislative system and corresponding authorities for comprehensive implementation of the Convention. Separate sectoral regulatory laws (“On export and import of cultural property”) of the Republic of Armenia, decisions of the Government of the Republic of Armenia, orders of the Minister of Culture of the Republic of Armenia (over 30 legislative, secondary and departmental regulatory and individual legal acts in total) have been adopted. The procedures, standards and criteria for all processes of preservation of and lawful traffic in cultural property, the procedure and time limits for maintaining documentation, as well as the forms of necessary model documents (requests, attesting certificates, certificates, conclusions, applications, etc.) (Requirement of the Article 5(a) of the Convention) have been defined by secondary, departmental and internal regulation-related acts. Based on the law mentioned above, a state authorized body (national service) coordinating the activities of this field and providing services within the framework of lawful processes, i.e. the Agency for Protection of Cultural Property (requirement of Article 5 of the Convention), has been established within the structure of the Ministry of Culture of the Republic of Armenia. As a national service operating in the respective field, the agency promotes the preservation of and lawful traffic in cultural property, international co-operation and communication in the field of cultural property, ensures the process of accreditation of professionals carrying out expert examinations of cultural property, organises the activities for creating and replenishing the list of particularly valuable cultural property of cultural heritage, as well as those for replenishing the electronic database of cultural property. The agency also implements the processes of placing the seized or confiscated cultural property under permanent preservation within state repositories (museums, archives, libraries and other cultural institutions) or delivering them to the relevant service of the Ministry of Justice of the Republic of Armenia following appropriate expert examination. The agency co-operates, as prescribed by the legislation of the Republic of Armenia, with law-enforcement authorities, entities of the judicial and legal system, the Customs Service of the Republic of Armenia and the National Central Bureau of Interpol in the Republic of Armenia.

4. Please describe your country’s overall legal framework for protecting cultural property from illicit trafficking, referencing specific laws and years passed (including specific provisions on the return of cultural objects illegally exported from other States Parties to the Convention).

The Article 180 of the Criminal Code of Armenia (passed 18.04.2003) envisages punishment for the smuggling of the culture properties, as stands in the Article 215.2 (The non-return of the cultural properties to the Republic of Armenian within the defined time frame) and Article 235.1 (Smuggling of cultural properties). In compliance with the 2nd clause of the Article 215, an imprisoning up to five years is stipulated, if the cultural property inscribed on the state inventory or which is a subject for inventorying did not return to the Republic of Armenian within the defined time frame, if the return is obligatory and stipulated in the national legislation of Armenia.

5. To what extent does your country’s policy and legislation on this issue address the following topics (Please rate the degree of achievement in accordance to options available in the drop down boxes below).

5	Excellent
4	Very Good
3	Good
2	Satisfactory
1	Poor

5	Clear definition of cultural property
4	State ownership of undiscovered cultural heritage
2	Regulations on trade of cultural property
5	Export controls
5	Export certificates
5	Certificate of authenticity

4	Import controls
5	Establishment of national services
4	National inventory of cultural property
3	Inventory requirements for museums, public institutions, private collections
3	Protection of archaeological sites and regulation of archaeological excavations
3	Public education and awareness raising
5	Measures to prevent museums and similar institutions from acquiring illegally exported cultural property
4	Prohibition of import of cultural property stolen from a museum or religious/secular institution
4	Regulation of the diplomatic pouch
5	Provisions for the return of cultural objects stolen from a museum or other public institution
5	Sanctions (criminal and/or administrative and/or civil) of illicit activities related to destruction and illicit trafficking of cultural property
1	Requirement of register of sales for antique dealers, auction houses, dealers of cultural heritage and art galleries
1	Protection of underwater cultural heritage
3	Regulations regarding the use of metal detectors
1	Regulations regarding the trade of cultural artefacts on internet
Other (please specify):	

6. **Did your country's legal framework regarding illicit trafficking of cultural property change as a result of ratifying the 1970 Convention?**

X	Yes
	No

7. **What laws were passed or changed as a result of ratification? (Please provide the name of the law and the year it was passed)**

As a result of ratification and in order to effectively implement the Convention, the following legal acts were adopted. 1. The Law of the Republic of Armenia “On export and import of cultural property” adopted in 1994 with a view of creating a relevant service deriving from the respective requirement of the Convention (a new law is in effect since 2005, the Law adopted in 1994 has been repealed), on the basis whereof a national service regulating the issues of export and import of cultural property, i.e. the Department for Preservation of Cultural Property was created within the system of the Ministry of Culture and Youth Affairs of the Republic of Armenia in 1995. In 2002, upon the decision of the Government of the Republic of Armenia, it was reorganized as an agency for preservation of cultural property with the powers of providing services in the field of preservation of cultural property. 2. The Law of the Republic of Armenia “On fundamentals of the cultural legislation” adopted in 2002, which has defined the organization, principles and goals of cultural policy and the competences of state and local self-government bodies. 3. Decision of the Government of the Republic of Armenia No 630-N of 12 May 2005, which has established the procedure and criteria for conducting art and culturalological expert examinations of cultural property, the common principles, the types of expert examinations, the main characteristics of the object under expert examination, as well as its degree of importance for cultural heritage. 4. Decision of the Government of the Republic of Armenia No 631-N of 19 May 2005, which has established the procedure and criteria for registering, on a voluntary basis, cultural property not considered as state ownership in the list of preservation of cultural property, which ensures the public-private sector-related co-operation in the given field, as well as the preservation of the cultural property of individual owners (requirement of Article 5 (b) of the Convention). 5. Decision of the Government of the Republic of Armenia No 981-N of 23 June 2005, which has established the procedure for issuance of attesting certificate of the right to export or temporary export of cultural property (requirement of Article 6 of the Convention). 6. Decision of the Government of the Republic of Armenia No 1643-N of 13 October 2005, which has established the list of particularly valuable cultural property of the cultural heritage of the Republic of Armenia. The list includes cultural property of exceptional importance for the state, the export or temporary export whereof from the country is prohibited (requirement of the Article 13 (d) of the Convention). 7. Decision of the Government of the Republic of Armenia No 827-N of 1 June 2006, which has regulated the lawful import (including temporary import) of cultural property to Armenia, as well as prevented the illicit import of cultural property and the transfer of ownership of cultural property (requirement of the Article 12 of the Convention). 8. Decision of the Government of the Republic of Armenia No 1058-N of 11 September 2014, which has created an electronic database of cultural property, established the procedure for replenishing this database, as well as the list of organizations (museums, libraries, archives, galleries, art centers) providing data (requirement of the Article 5 (c) of the Convention).

8. Please add any additional comments on the legislative/policy framework

□

9. Has your country implemented a policy to prevent the illicit export of cultural property?

X	Yes
	No

Please specify :

Since ratification the Convention on 1994 Republic of Armenia initiated the establishment of national legislative system and implemented a policy to prevent the illicit export of cultural property. Preservation of cultural heritage in the Republic of Armenia, within the system of the Ministry of Culture of the Republic of Armenia, is carried out by the Agencies of the staff for the Protection of Cultural Property and Preservation of Historical and Cultural Monuments, as well as by organizations operating under the subordination of the Ministry of Culture and of several other government departments. The Customs Service of the State Revenue Committee adjunct to the Government of the Republic of Armenia, the National Security Service, the Police (by way of inclusion of the National Bureau of Interpol), as well as the Prosecutor’s Office and the Ministry of Foreign Affairs of the Republic of Armenia also promote and support this process.

10. Does the implemented policy include the requirement of a legally issued export certificate of the country of origin and/or transit?

X	Yes
	No

Please specify :

The export and import of cultural property are regulated by the Laws of the Republic of Armenia “On export and import of cultural property” and “On customs regulation”. For the purpose of exporting cultural property, first the cultural property undergoes expert examination by an expert holding relevant certificate, based on the opinion whereof the Ministry of Culture issues an export certificate or temporary export certificate to a citizen. Article 4 of the Law of the Republic of Armenia “On export and import of cultural property”, deriving from the requirement of the Convention, clearly defines the categories of cultural property whereto the law extends.

11. **Has your country encountered difficulties in returning/restituting cultural property to its place of origin due to incompatibilities with national judicial decisions?**

	Yes
X	No

Implementation and operative framework

Institutional Framework

12. **Does your country have a specialized service for the protection of cultural property (as described in Article 5 of the Convention) whose functions may include drafting laws and legislation, establishing national inventory, promoting establishment/development of scientific and technical institutions, organizing the supervision of archaeological sites, establishing rules for curators, antique dealers, etc., developing educational activities and/or publicizing the disappearance of cultural property?**

X	Yes
	No

13. **Please describe this service’s major roles and responsibilities.**

The Law of the Republic of Armenia "On export and import of cultural property" adopted in 1994 with a view of creating a relevant service deriving from the respective requirement of the Convention (a new law is in effect since 2005), on the basis whereof a national service regulating the issues of export and import of cultural property, i.e. Agency for Protection of Cultural Properties with the powers of providing services in the field of safeguarding (requirement of the Article 5 of the Convention). The main functions of the agency are the follows: 1. Issuance of certificate (conclusion, permit) for the export or contemporary export of the cultural properties (requirement of the Article 6 of the Convention, Decision of the Government of the Republic of Armenia N 981-N as of 23 June 2005), 2. Organizations of the export of the objects of cultural significance with ratified photo confirming the identity of the object, 3. Issuance of the certificates for the musical instruments, 4. Issuance of the conclusion for the object of cultural significance without tax fees for import, 5. Monitoring of the state of conservation and custody conditions of the museum objects within the museums operating under the Ministry of Culture of the Republic of Armenia, conduction studies, composing conclusions, 6. Organization and application of the identification procedures for the cultural properties returned from the temporary export (international exhibitions, expositions), as well as issuance of the identification act, 7. Issuance of respective legal act for rental a musical instrument from the "State collection of rare string musical instruments" on rental basis, 8. Initiation of activities concerning the international cooperation and communication in the sphere of protection of cultural properties within the framework of liabilities of the Agency. In particular, a) Participation in the intergovernmental meetings of the 1970 Convention and Subsidiary Committee of thereto, b) Engagement, participation in the international cooperation for fulfillment of committed obligations (preparation of periodic reports, composition of references, etc.), c) Cooperation with the international organizations within the framework of 1970 Convention, including the Secretariat, national bureau of INTERPOL to Armenia, International Council on Museums (ICOM), World Customs Organization and other organizations, as well as activities for fulfillment of commitments. 9. Coming from the membership to the Eurasian Economic Union, implementation of the studies concerning legal framework referring to the export of cultural properties, regulations (procedures, standards), as well as introduction systems and working programs, submission of proposals, analytics, participation in the seminars, meeting, discussions, teleconferences, etc. 10. Provision of the certification procedures for the experts engaged in the expertise process for the cultural properties, organization of the works of certification council, issuance of certificates, 11. 13. Development of the electronic information database for cultural properties and data entry thereto (requirement of the Article 5 (c) of the Convention, 12. Drafting of inventories for cultural properties that are of exceptional significance and data entry thereto (requirement of the Article 13(d). The inventory includes cultural properties that are of exceptional significance for the state and the export of those is prohibited, 13. Organization of the processes relating to the registration on voluntary basis of the cultural properties not considered as state ownership in the list, which ensures the public-private sector-related co-operation, as well as the preservation of the cultural property of individual owners (requirement of the Article 5 (b) of the Convention, 14. After respective expertise, organizes the handling process of the confiscated or exacted cultural properties to the state stores (museums, archives, libraries and other cultural institutions) or to the Ministry of Justice of the Republic of Armenia for permanent custody, 15. Cooperates with law enforcement bodies, customs services, National bureau of INTERPOL to Armenia in compliance with the national legislation, 16. Assists to the spread of information on the cases related to the disappeared, lost or stolen cultural properties within the boundaries of the Republic of Armenian and outside it, 17. From the various information sources and studied materials identifies and registers the national cultural properties located in foreign countries, compiles the registration book, as well as develops information database on them.

14. **Please indicate which of the following departments/ministries/agencies also have specialized services for the protection of cultural property against illicit trafficking (mark all that apply).**

	Magistrates and/or judges
X	Police, gendarmerie, and/or Department of Interior
	Public prosecutor
	Customs
	None
	Other (please specify):

15. **Please describe the roles and responsibilities of these specialized services in more detail.**

The functional authorities to combat the illicit trafficking is kept behind the General Department on Combating Organized Crime of the Police of the Republic of Armenia, within the structure of which the Division for Combating the Crimes in the Sphere of Intellectual Property. All activities are conducted in close cooperation with the National Bureau of INTERPOL to the Republic of Armenia.

16. **How do relevant stakeholders (Ministry of Culture, police, customs, etc.) coordinate regarding the protection of illicit trafficking? Mark all that apply**

	Formal coordinating committee, working group, etc.
	Coordination lead by specialized service (as described in Article 5), antenna or focal point
X	Communication and meetings as necessary (i.e., for specific cases)
	Cross-trainings (i.e., trainings for police from Ministry of Culture staff)
	No Coordination
	Other (please specify) :

17. **Please provide more detail on this coordination, including how it functions and who is involved.**

The Agency for the Protection of cultural property on behalf of the Ministry of Culture of the Republic of Armenia, the Police of the Republic of Armenia and the relevant subdivision of the State Customs Service adjunct to the Government of the Republic of Armenia maintain close relations and permanent collaboration with each other. They take place in different formats prescribed by the legislation of the Republic of Armenia (inter-departmental commissions, committees, working groups) and through permanent meetings held between relevant officials. Discussions on the implementation of required actions and measures are regularly organized, as a result whereof joint actions are coordinated. The Customs Service of the Republic of Armenia, namely the Department for Fight against Smuggling and Double Customs Control of the State Revenue Committee adjunct to the Government of the Republic of Armenia, holds membership in the Regional Intelligence Liaison Office (RILO-Moscow) of the World Customs Organization. With a view of ensuring international co-operation, a number of long-term and short-term events are organized within the framework of the activities of the Office, where special importance is attached to the measures carried out to prohibit and prevent the illicit import, export and transfer of ownership of cultural property). In relation to certain specialized units for the prevention and fight against trafficking within the State Customs Service of the Republic of Armenia, we hereby inform that, if necessary, customs bodies may, pursuant to Article 15 of the Law of the Republic of Armenia "On customs regulation of the Republic of Armenia", co-operate with the relevant competent state bodies and the officials thereof. The Department for Cultural Heritage and Folk Arts of the Staff of the Ministry of Culture of the Republic of Armenia, the agencies for the preservation of cultural property and preservation of historical and cultural monuments reach agreements with the relevant subdivisions of the Police and customs services on the measures taken thereby in cases of all illegal actions carried out against cultural heritage. The representatives of government departments maintain permanent contact with each other; regularly hold meetings, consultations and exchange information. In 2005, the Division for Fight Against Crimes in the Field of Intellectual Property was established within the General Department for Combating Organized Crime of the Police of the Republic of Armenia, the functional duties whereof also include the fight against illicit traffic in cultural property. The Division carries out ongoing complex operational intelligence measures, conducts inspections at galleries and museums, outdoor fairs for art objects; close collaboration has been established with other interested state bodies, international entities and organizations.

18. **Does your country use a database of stolen cultural objects?**

	Yes, we have our own national or/and regional database that is not linked with the INTERPOL database
X	Yes, we have our own national or/and regional database that is linked with the INTERPOL database
	Yes, we use the INTERPOL database (and do not have our own national database)

	No, we do not currently have a national database or use the INTERPOL database
	We would request assistance to establish such a database

19. **Please provide additional details on how your country uses such a database.**

The co-operation with INTERPOL General Secretariat and member countries is particularly important in the fight against illicit traffic in cultural property and against transnational criminal groups “specialized” therein. The responses to the questions related to the given field are provided in a timely manner and as completely as possible. In order to raise the level of effectiveness of the fight against illicit traffic in cultural property, including fraud of art objects, close co-operation is being established between the General Department for Combating Crime of the Police of the Republic of Armenia and the National Central Bureau (NCB) of INTERPOL aimed at carrying out specific operational intelligence measures and studying the good practice of leading countries in the mentioned field, raising the level of professional competence of employees. Where relevant inquiries are received from the competent authorities of the Republic of Armenia, they are checked through the repositories of the NCB of INTERPOL in the Republic of Armenia and those of the INTERPOL General Secretariat; a relevant inquiry is forwarded, if necessary, to the member countries of INTERPOL. In case of illegal taking of cultural property, the complete information available, including that on the persons charged with the committal thereof, is transmitted to the INTERPOL General Secretariat. A joint information database is located within the structure of the Republic of Armenia, where amongst other statistic information; data on stolen cultural properties are also kept. The Agency for the Protection of Cultural Values before issuing an export certificate for a cultural property checks the parameters of the latter with the information database of INTERPOL and provides the certificate if the cultural property is missing in the database of stolen or investigation list.

Protection and Prevention Systems

20. **To what extent do museums and religious or secular public monuments have their own specific inventories of their cultural property/collections?**

X	All/almost all cultural property is inventoried
	Most, but not all, cultural property is inventoried
	Some cultural property is inventoried, but significant gaps remain
	Very little cultural property is inventoried
	No/almost no cultural property is inventoried

21. **Please provide additional details on these inventories, specifying whether they are digitized, and including any challenges in creating/maintaining them.**

The movable objects of cultural heritage deemed to be state ownership are kept on records and registered, as prescribed, in relevant record-keeping books of cultural institutions (museum, gallery, library, archive). As of 1 July 2016, 1 857 374 objects deemed to be cultural property are registered in the record-keeping books of organizations operating under the subordination of the Ministry of Culture of the Republic of Armenia, 2 368 out of which are antique books deemed to be cultural property and kept on records in libraries. The process of record-keeping (registration) is organized and carried out pursuant to Order No 140-A of 1 April 2010 "On Record-keeping and Preservation of Objects and Collections of the Museum Funds of the Republic of Armenia". The main data regarding collections deemed to be state property are introduced on websites, in the databases of organizations and at the touch-sensitive kiosks stationed within museums. These data serve as a full ground for identifying collections and preventing the risks of misappropriation and theft during inspections regularly carried out within organizations. Besides, in case of temporary export of the mentioned collections upon relevant orders of the Minister of Culture of the Republic of Armenia or temporary provision thereof to another organization, an expert examination of the collections is carried out, the data whereof also serve as a ground for identification of the returned property. The immovable monuments of the history and culture of the Republic of Armenia are also listed in corresponding registers. The listing is regulated by the provisions of the Decision No 438 "On approving the procedure for state record-keeping, study, preservation, reinforcement, repair, restoration and use of immovable monuments of history and culture" adopted by the Government of the Republic of Armenia on 20 April 2002. The Government of the Republic of Armenia has approved the inventories of immovable monuments of 10 marzes (regions) of the Republic of Armenia and the City of Yerevan in 2002-2007. The list embraces 24152 monuments, as well as list of immovable monuments of history and culture considered state ownership of the Republic of Armenia and not subject to alienation, which includes 18935 monuments with 6145 protecting units. The passports for immovable monuments are compiled during the inventorying process, where construction is described in detail including historical records, state of conservation, preservation principles. 126 museums are functioning within the territory of the Republic of Armenia. All museums conduct the book-keeping, registration and compilation of electronic inventories in compliance with the principles of museum work. 21 museums from 126 are subordinate to the Ministry of Culture of the Republic of Armenia. The processes concerning registration, compilation of state inventories in the Republic of Armenia are conducted in compliance with the Articles 11 and 12 of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. In overall, the Government of the Republic of Armenia has adopted and conducts 3 inventories referring to the intangible cultural heritage: - List of intangible cultural heritage, - List of Intangible Cultural Heritage in Need of Urgent Safeguarding - List of territories of the Republic of Armenia.

22. To what extent does your country have a centralized national inventory of cultural property?

	All/almost all protected cultural property is inventoried
X	Most, but not all, protected cultural property is inventoried
	Some protected cultural property is inventoried, but significant gaps remain
	Very little protected cultural property is inventoried
	No/almost no protected cultural property is inventoried

23. Please provide additional details on this inventory, including any challenges in creating/maintaining it.

On the 11th of September, 2014, the Government of Armenia adopted the decree 1058-N "On the Approval of the Order of Establishing Electronic Informative Database for Cultural Property and the List of Organizations Providing Information to the Database" in order to create a unified database of movable cultural property and control the protection and legitimate replacement of these properties. The database is an electronic (digital) system that includes digitalized and accessible data on movable cultural property (regardless of their ownership and time of creation) and covers both governmental and non-governmental museum, archive, manuscript and printed collections. A unified list / registry / will be created on the basis of the above-mentioned database, regardless of belonging. Thereby, sufficient legal basis will be created to prevent illegal trafficking of rights regarding cultural property. The database entry is still in process. At present, the data on approximately 136,500 movable cultural property (about 7.3% of the total value) has been entered into the database.

24. Please describe the extent to which looting/pillaging/illegal excavations of archaeological and ethnological objects is a challenge, including actions taken to combat it.

The sphere is regulated by the Law of the RA on the Protection and Use of Immovable Historical and Cultural Monuments and Historical Environment. These actions are qualified as criminal offenses and are punished according to the Criminal Code of the RA. At the same time, the Ministry of Culture of the RA has suggested making amendments to the Protection and Use of Immovable Historical and Cultural Monuments and Historical Environment by adding the following clauses: 1. The findings discovered either through archaeological excavations or by chance are state property and are to be transferred to authorities to be submitted to museums or other state reserves. 2. Sale and purchase of archaeological objects and findings is prohibited. 3. Export and import of archaeological samples for the purposes of carrying out expertise in foreign laboratories is conducted according to the Law of the Republic of Armenia on Export and Import of Cultural Property. No distressing dynamics has been recorded in recent years.

Knowledge, Skills and Values of Stakeholders and the Public

25. **Has your country undertaken any public awareness campaigns related to the protection of cultural property in the past five years?**

X	Yes
	No

26. **Please describe, including methods, target audience, etc.**

Awareness raising of the general public regarding serious damage caused to the country as a result of archaeological excavations and the results thereof, as well as of illegal excavations of the cultural heritage and illegal export of cultural property is mainly carried out through press publications, instructive and upbringing television programmes, relevant educational and upbringing programmes implemented within educational institutions. UNESCO may assist in this process by providing relevant methodological manuals, publicly available didactic materials and films.

27. **To what extent is the public in your country engaged in the protection of cultural property? Examples of engagement may include :**

5	Excellent
4	Very Good
3	Good
2	Satisfactory
1	Poor

3	Protection of local archaeological and heritage sites by the public (eg. assistance in monitoring of sites, support in documenting etc.)
3	Return of objects to relevant authorities
5	Sharing information on stolen objects with authorities
4	Placing pressure on museums to change acquisition policies
4	Advocating for policy change

28. Overall, to what extent do police and/or gendarmerie have the necessary resources and knowledge to address cultural property crime?

	To a great extent
X	To a considerable extent
	To some extent
	To no extent

29. Overall, to what extent do customs officers have the necessary resources and knowledge to address cultural property crime?

	To a great extent
	To a considerable extent
X	To some extent
	To no extent

30. What type of training do police receive on cultural property crime?

	No specific training on this issue
	Training has occurred in the past, but is not ongoing
X	Training occurs periodically
	In-depth, specialized training for officers working on this issue
	Assistance is required from UNESCO and its partners
	Other

31. Please provide additional details on the content and frequency of these trainings.

Each year, within the framework of training programmes of the Educational Complex of the Police of the Republic of Armenia, courses on the prevention of illegal taking of, illicit traffic in intellectual property and cultural property are conducted, on a regular basis, for officers of territorial subdivisions of the Police. In 2016-2017, training courses for police officers were organised by international experts.

32. What type of training do customs officers receive on cultural property crime?

	No specific training on this issue
	Training has occurred in the past, but is not ongoing

X	Training occurs periodically
	In-depth, specialized training for officers working on this issue
	Assistance is required from UNESCO and its partners
	Other

33. **Please provide additional details on the content and frequency of these trainings.**

Employees of the Customs Service of the Republic of Armenia participate, on a regular basis, in courses organised at the Training Center of the State Revenue Committee of the Republic of Armenia. Courses have been already organised at the Center, during which the legislative fundamentals of the transfer of cultural property, as well as issues related to the illicit traffic thereof were presented to the participants, and in the near future, a training course entitled "The Basics of Culture" already organised, during which new topics on and approaches to the transfer of cultural property across the state border will be touched upon.

34. **To what extent have museums in your country adopted a code of ethics, such as the ICOM Code of Ethics, that is in line with the principles of the 1970 Convention?**

	All or almost all have adopted such a code of ethics
X	Most have adopted such a code of ethics
	Some have adopted such a code of ethics
	None/only a few have adopted such a code of ethics
	Other (please specify) :

35. **Please provide additional details on the degree to which museums adhere to such a code of ethics.**

The Ministry of Culture of the Republic of Armenia directs its activities towards the recognition of the rights in respect of cultural heritage in terms of individual, as well as collective responsibility and the ensuring of the link between education and professional training in the field of cultural heritage. Developing respect for the integrity of cultural heritage is one of the key objectives, and the Ministry undertakes relevant measures to meet that objective. The ICOM Code of Professional Ethics was translated and published in 2003 and was distributed among museums and provided to the professionals of the field concerned. Trainings have been held for the professionals of the field concerned, and the requirements of the Code have been disseminated and highlighted among antique dealers by means of booklets and leaflets for the purpose of highlighting the requirements of the Code and making them available to the general public. It is more deeply studied and introduced in higher education institutions, which provide training for museum specialists. Taking into account the ICOM Code of Ethics and the obligations set out in the Labor Code of the Republic of Armenia, the museums operating under the Ministry of Culture of the Republic of Armenia have adopted and are implementing internal disciplinary rules.

36. **To what extent do dealers and auction houses in your country follow practices that are in line with the principles of the 1970 Convention, such as those outlined in the UNESCO International Code of Ethics for Dealers in Cultural Property and the Operational Guidelines of the 1970 Convention?**

	All or almost all follow such practices
	Most follow such practices

	Some follow such practices
X	None/only a few follow such practices
	Other (please specify) :

37. **Please provide additional details on the policies and practices of dealers and auction houses in your country.**

□

38. **How has your country engaged art and antiquities dealers around the issue of illicit trafficking of cultural property?**

There are no established institutions for dealers of antiques and cultural property in our country. There are one or two art salons, which sells mostly modern art properties.

39. **Do you regulate the trade of cultural objects on internet?**

	Yes
X	No

40. **Have you entered into a specific agreement with an internet platform?**

	Yes
X	No

International Cooperation

41. **Please list any bilateral agreements your country has regarding the protection of cultural property, including the years for which the agreement is in effect.**

1. Government of the Republic of Georgia — cultural, scientific and humanitarian fields, 19 May 1993; 2. State Customs Office of Turkmenistan — field of preserving and returning cultural property being illegally transported, 30 June 1993; 3. Government of Turkmenistan — cultural and scientific-technical fields, 24 Aug 1993; 4. The United Kingdom of Great Britain and Northern Ireland — fields of education, science and culture, 9 Feb 1994; 5. Ministry of Culture of the Russian Federation — field of culture, 28 May 1994; 6. Customs Committee adjunct to the Government of the Republic of Tajikistan — “On co-operation and mutual assistance for preventing and returning cultural property being illegally transported”, 8 June 1995; 7. Government of Romania — fields of science, education, culture and sport, 30 June 1995; 8. Government of the Republic of India — fields of culture, arts, education, tourism, sport and mass media, 14 Dec 1995; 9. Government of the French Republic — cultural, scientific and technical fields, 1 Sep. 1996; 10. Government of the Russian Federation — fields of culture, science and education, 13 Nov. 1995; 11. Government of Ukraine — cultural field, 14 May 1996, in force since 4 Sep. 1996; 12. Government of the Federal Republic of Germany — “On delivery of cultural property”, 4 May 1998; 13. Government of the Arab Republic of Egypt — fields of culture, science and education, 17 March 1997, in force since 5 December 2000; 14. Government of the Kyrgyzstan Republic — fields of education, science and culture, 21 April 1997; 15. Government of the Hellenic Republic — fields of education, culture and science, 16 December 1994, in force since 2 October 1997; 16. Government of the Republic of Lebanon — cultural field, 17 November 1997, in force since 27 March 2001; 17. Government of the Russian Federation — “On the establishment of cultural information centers and the conditions for the operation thereof”, 29 August 1997, in force since 16 July 1998; 18. Government of the Russian Federation — “On the establishment of cultural information centers and the conditions for the operation thereof”, 29 August 1997, in force since 16 July 1998; 19. Government of the Argentine Republic — fields of culture and education, 30 June 1998, in force since 6 October 2001; 20. Government of the Republic of Cyprus — fields of culture, education and science, 11 September 1998, in force since 10 August 1999; 21. Government of the Republic of Poland — cultural and scientific fields, 27 January 1998, in force since 19 October 1999; 22. Customs Committee of the Ministry of State Revenue of the Government of the Republic of Kazakhstan — field of prevention and return of cultural property being illegally transported, 2 September 1999, in force since 19 December 2001; 23. Republic of Portugal — fields of education, science and culture, 14 Nov. 2000, in force since 5 Dec. 2001; 24. Ministry of Culture and Arts of Ukraine — field of culture, 7 December 1999, in force since 28 August 2000; 25. Government of the Republic of India — commercial, economic, scientific, technological, educational and cultural fields, 11 July 2001, in force since 11 July 2002; 26. Government of the United Mexican States — fields of education and culture, 22 August 2002, in force since 19 Nov. 2003; 27. Government of the Democratic People’s Republic of Korea — cultural field, 5 April 2002, in force since 23 August 2002; 28. Ministry of Culture of the Republic of Belarus — field of culture, 17 October 2003, in force since 21 April 2004; 29. Government of the Federal Republic of Brazil — cultural field, 7 May 2002, in force since 9 Nov. 2007; 30. Government of the Islamic Republic of Iran — “On the establishment of educational and cultural centers and the conditions for the operation thereof”, 1 February 2006, in force since 12 Dec. 2006; 31. Government of the Islamic Republic of Iran — fields of culture, science, education, sport, tourism and mass media, 27 November 1994, in force since 1 August 2006; 32. Ministry of Culture, Information and Sport of the Republic of Kazakhstan — field of archiving, 12 Oct. 2005; 33. Ministry of Culture of the Republic of Lithuania — field of culture, 7 October 2005, in force since 26 June 2006; 34. Ministry of Culture and Mass Communication of the Russian Federation — field of culture, 21 May 2007, in force since 12 Oct. 2007; 35. Government of the Republic of Croatia — fields of culture, education and science, 22 May 2009, in force since 16 Dec. 2009; 36. Government of the State of Israel — fields of culture, science and education, 19 December 1994, in force since 12 August 2011; 37. Government of the Republic of Slovenia — fields of education, science and culture, 11 October 2010, in force since 28 February 2012; 38. Ministry of Culture of the Republic of Moldova — field of culture, 11 June 2013, in force since 23 December 2013; 39. Government of the Kingdom of Spain — fields of culture, science and education, 17 June 2013, in force since 8 November 2013.

42. **Please indicate how the 1970 Convention helped with return/restitution cases your country has been involved in?**

	To no extent	To some extent	To a considerable extent	To a great extent
Provided a legal framework for return/restitution				X
Provided a moral framework for return/restitution			X	
Provided a diplomatic framework for return/restitution			X	
Other (please specify):				

43. **Please provide additional details on or examples of how the 1970 Convention has facilitated return/restitution cases**

As a result of operational intelligence and investigative measures carried out jointly by the staff of the General Investigation Department for Combating Organized Crime of the Police of the Republic of Armenia and the Investigative Committee of the Russian Federation, the auction by “Gelos Auction House” LLC of Hovhannes Aivazovsky’s “Tempest by Rocky Coast” painting stolen from the Armenian SSR back in 1990 was prevented in the city of Moscow of the Russian Federation in February 2011. In the field of safe return of unlawfully taken cultural property, the Ministry of Culture of the Republic of Armenia, on behalf of the Republic of Armenia, has closely co-operated with all competent bodies of the Russian Federation, negotiations have been held by the Ministry with state entities, as well as with the person having obtained the painting, justifying documents have been submitted to the effect that the painting falls under the ownership of the Republic of Armenia. As a result of the proper and coordinated activities of the mentioned bodies, Hovhannes Aivazovsky’s painting was returned to the Republic of Armenia in 2011 and is currently at the National Gallery of Armenia. Two more paintings by Aivazovsky were also found through Interpol, one of which, «Lunar night on the black sea», was also returned. At present, steps are being taken towards implementing the process of returning to the Republic of Armenia the painting «Fog» by H. Aivazovsky, found at MacDougall's auction house in London. An example of best practice of implementing the Convention is the return to the RA of the famous graphic work by Mikhail Vrubel, «Demon and Angel with Tamara's Soul», stolen from the Museum of Russian Arts in Yerevan in 1995. In 1995 a masterpiece by the genius artist, the founder of the Russian modernist Mikhail Vrubel, «Demon and Angel with Tamara's Soul», was stolen from the Museum of Russian Arts (Professor A. Abrahamyan's collection). The robbing of one of the most valuable museum items in the country was a major offense to the country and its cultural heritage. On the 16th of March, 2017, the discovery of the painting was announced. On the 15th of November, in the framework of the Armenian days in Russia, at the Vrubel Hall of the State Tretyakov Gallery, the picture was returned to Armenia. However, before returning to the museum in Yerevan, the painting was subjected to thorough and professional restoration at the Tretyakov Gallery. Due to the high professional skills of the restoration department, the picture has returned to its original state. Graphic work seemed to have been revived.

44. **Does your country have a system in place to facilitate international cooperation (e.g. single points of contacts and easily accessible information) in cases of illicit trafficking of cultural property?**

X	Yes
	No

If yes, please specify

The international legal cooperation is possible to carry out through the national legislation of the Republic of Armenian, as well as through the multilateral agreement ratified by the Republic of Armenia such as 1959 The European Convention on Mutual Assistance in Criminal Matters. The cooperation in the current sphere is conducted through INTERPOL. The Customs Service and the Police of the Republic of Armenia co-operate actively with the relevant bodies of neighboring countries, particularly with Georgia and the IRI; information is exchanged on a regular basis, assistance is provided with regard to expert examination issues, mutual visits are organised, etc. The following bilateral agreements serve as a legal and contractual basis for co-operation with the mentioned countries: 1. Memorandum of Understanding on Co-operation between the Police of the Republic of Armenia and the Ministry of Interior Affairs of the Islamic Republic of Iran, signed on 10 July 2012; 2. Agreement on Co-operation between the Police of the Republic of Armenia and the Ministry of Interior Affairs of the Islamic Republic of Iran in the Field of Operational Intelligence Activities and Exchange of Information Related to Crime, signed on 20 October 2011; 3. Agreement on Co-operation between the Ministry of Internal Affairs of the Republic of Armenia and the Ministry of Internal Affairs of the Republic of Georgia in the Field of Combating Crime, signed on 11 May 1993; 4. Customs Agreement on Movement of Transit, Exported and Imported Goods and Passengers between the Republic of Armenia and the Islamic Republic of Iran, signed on 6 May 1992. 5. Agreement on Co-operation and Relations between the Customs Department of the Republic of Armenia and Customs Service of the Islamic Republic of Iran, signed on 6 May 1995. 6. Memorandum of Understanding on Customs Co-operation between the Customs Department of the Republic of Armenia and the Customs Service of the Islamic Republic of Iran, signed on 28 December 1996.

45. **How has your country promoted this system and ensure the international community is aware of it?**

The Republic of Armenia is a full member of the World Customs Organisation (WCO). Within the framework of this organization, the State Customs Service of Armenia uses the common information base and cooperates extensively with the relevant services of other countries. The Department for Pre-Clearance Control and the Department for the Fight against Smuggling and Double Customs Control of the State Customs Service of the State Revenue, as well as the passenger customs control divisions situated within airports assist heritage preservation officers in preventing the illicit export of cultural property.

Overall

46. Yearly statistics

Thefts

1st Year reporting	621	Number of objects
Additional information : 2015: total 7 cases during, of which 3-177 units, 2-180 units, 2-264 units		
2nd Year reporting	798	Number of objects
Additional information : 2016: total 12 cases, of which 1-175 units, 1-179 units, 9-264 units, 1-180 units		
3rd Year reporting	203	Number of objects
Additional information : 2017: total 12 cases, of which 6-177 units, 8-26 units		
4nd Year reporting	793	Number of objects
Additional information : 2018: total 29 case, of which 18-264 units, 3-180 units, 7-177 units, 1-176 units		

Illegal Excavations

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	8	Number of objects
Additional information : This is the number of cases that include illegal excavations in the following regions and locations. Armavir Region, Shahumian-Norakert, graveyards, Armavir Region, Aygeshat, tombs, Kotayk Region, Meghradzor, graveyard, Syunik Region, Yeghvard, village type settlement "Shinategh" Aragatsotn Region, Byurakan, Fortress "Inakludar" Gegharkunik Region, Lchashen, settlement "Lchashen" Vayots Dzor Region, settlement "Vardablur" Ararat Region, "Khosrov Forest" state reserve, Havuts Tar Monastic Complex		
3rd Year reporting	1	Number of objects
Additional information : Syunik Region, Kapan, Shahumyan mining site, graveyard		
4nd Year reporting	0	Number of objects
Additional information :		

Seizures (cultural objects originating from own country)

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects

Additional information :		
3rd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

Seizures (cultural objects originating from another country)

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects
Additional information :		
3rd Year reporting	0	Number of objects
Additional information :		
4nd Year reporting	0	Number of objects
Additional information :		

Restitutions

1st Year reporting	0	Number of objects
Additional information :		
2nd Year reporting	0	Number of objects
Additional information :		
3rd Year reporting	1	Number of objects
<p>Additional information : One of the masterpieces of the genius artist, the father of the Russian modern art, Mikhail Vrubel - "The Demon and the Angel with Tamara's Soul" was stolen from the Museum of Russian Art of Armenia (Professor A. Abrahamyan's collection) in 1995. The robbery of this valuable museum exhibit became the biggest and the most insolent crime in the country. During the official meeting of the presidents of the Republic of Armenia and the Russian Federation in March 2017, it was announced that the stolen artwork was found. It became possible as a result of investigative measures carried out jointly by the law enforcement agencies of the two countries. Within the framework of the Days of Armenian Culture in Russia, President Russian Federation handed the Vrubel's work to his Armenian counterpart, at the Vrubel Hall of the State Tretyakov Gallery of Moscow, on 15 November, 2017. Before the artwork was returned to the Museum of Russian Art of Armenia, the mutilated work passed the most subtle, masterly restoration at the Tretyakov Gallery and, thanks to the high professionalism of the specialist of the restoration department - it gained its original form. Restoration lasted more than 7 months. All information on the return of the masterpiece was presented during the report of the Armenian delegation to the session of the Subsidiary Committee in May 2018 and was provided to the secretariat for posting on the Convention website.</p>		
4nd Year reporting	0	Number of objects
Additional information :		

47. **Please rate the extent to which each of the following is a challenge your country faces in preventing theft and illicit exportation of its cultural property.**

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	Not a challenge	Somewhat of a challenge	A considerable challenge	A major challenge
Gaps in national legislation to protect cultural property	X			
Lack of police capacity related to cultural property		X		
Lack of customs capacity related to cultural property			X	
Lack of coordination between relevant stakeholders		X		
Lack of inventories and databases in museums		X		
Inadequate security systems in museums and places of worship	X			
Inadequate security of archaeological sites			X	
Lack of cooperation from the art market			X	
Lack of expertise/capacity in the legal field (lawyers, judges, prosecutors, etc.)		X		
Lack of regulation on the internet				X
Lack of public awareness		X		
Other (please specify):				

48. **If applicable, please describe the three biggest barriers your country faces in securing the return/restitution of cultural property that has been stolen/illegally exported (e.g., cost of legal proceedings in other countries, lack of communication with counterparts in other countries, etc.).**

In case of returns the most common barrier is the long term study of the application presented by the Republic of Armenia within the framework of criminal cases (illicitly exported cultural property's return/restitution).

49. **If applicable, please describe the most common reasons why your country is not able to fulfill requests for return/restitution made by other countries (e.g., requests made outside parameters of existing legal framework, lack of evidence for claims, etc.).**

Such obstacles did not occur in practice.

UNESCO Support for the Implementation of the 1970 Convention

General awareness raising and communication strategies

50. **UNESCO and its partners have developed a number of tools to help State Parties implement the 1970 Convention. Please rate how helpful these tools have been to your country :**

	Not helpful	Somewhat helpful	Very helpful	Extremely helpful
Object ID Standard (ICOM, the Getty, and UNESCO)		X		
UNESCO International Code of Ethics for Cultural Property Dealers	X			
ICOM Code of Ethics for Museums			X	
UNESCO Database of National Cultural Heritage Laws		X		
Basic Measures Concerning Cultural Items Offered for Sale on the Internet (INTERPOL, UNESCO, ICOM)	X			
Model Provisions Defining State Ownership of Undiscovered Cultural Property (UNESCO and UNIDROIT)		X		
Model Export Certificate for Cultural Objects (UNESCO and WCO)				X

51. **Please provide additional details on how your country has used UNESCO's tools.**

As an extremely helpful tool, our country used The "UNESCO-World Customs Organisation" Model Export Certificate for Cultural Objects was completely availed of when developing and introducing the certificate form. The form of, procedure and time periods for issuing a certificate are prescribed and regulated by regulatory legal acts, relevant regulations and procedures. Pursuant to Article 6 of the 1970 Convention, the Law of the Republic of Armenia "On export and import of cultural property" prescribes a requirement for a certificate for export or temporary export of cultural property, which is issued under the procedure prescribed by the legislation of the Republic of Armenia by the state authorised body — the Agency for Protection of Cultural Property. The other tools are used to a limited extent due to the lack of relevant institutions (dealers, online sales, auctions, etc.)

52. **Please indicate whether your country has uploaded relevant national laws to the UNESCO Database of National Cultural Heritage Laws.**

In the framework of cooperation with the Convention Secretariat, the Republic of Armenia has provided a list of national laws regulating this area. The following legal acts are included in the UNESCO Database of National Cultural Heritage Laws: 1. Law of the Republic of Armenia of 6 December 2004 “On export and import of cultural property”; 2. Law of the Republic of Armenia of 15 June 2006 “On copyright and related rights”; 3. Law of the Republic of Armenia of 11 November 1998 “On preservation and use of immovable historical and cultural monuments and historical environment”, 4. Decision of the Government of the Republic of Armenia No 438 of 20 April 2002 “On approving the procedure for state record-keeping, study, preservation, reinforcement, repair, rehabilitation and use of immovable monuments of history and culture”; 5. Decision of the Government of the Republic of Armenia No 1348-A of 25 August 2005 “On approving the list of the authors having passed away in the last 50 years, whose works are exported from the Republic of Armenia only on the basis of the certificate for the right of export or temporary export of cultural property”; 6. Decision of the Government of the Republic of Armenia No 1643-N of 13 October 2005 “On prescribing the list of especially valuable cultural property of the cultural heritage of the Republic of Armenia”; 7. Decision of the Government of the Republic of Armenia No 630-N of 12 May 2005 “On approving the procedure and criteria for conducting art and culturological expert examinations of cultural property”; 8. Decision of the Government of the Republic of Armenia No 631-N of 19 May 2005 “On prescribing the procedure and criteria for registering, on a voluntary basis, cultural property not falling under state ownership, in the list of preservation of cultural property”; 9. Decision of the Government of the Republic of Armenia No 981-N of 23 June 2005 “On approving the procedure and manner for issuing a certificate for the right of export or temporary export of cultural property”; 10. Decision of the Government of the Republic of Armenia No 827-N of 1 June 2006 “On prescribing the procedure for temporary import of cultural property”; 11. Decision of the Government of the Republic of Armenia No 1173-N of 3 September 2010 “On approving the procedure for identification, documentation, preservation of and exchanging information on intangible cultural property and the certificate form of intangible cultural property”; 12. Decision of the Government of the Republic of Armenia No 1100-N of 25 September 2008 “On approving the procedure for record-keeping of illegally taken antiques and cultural property”.

53. What additional tools would be helpful for UNESCO to develop ?

As mentioned above, the other tools are used to a limited extent due to the lack of relevant institutions (dealers, online sales, auctions, etc.)

54. Have you or other stakeholders in your country participated in any of UNESCO’s capacity building workshops or projects related to preventing illicit trafficking of cultural property in the past five years?

X	Yes
	No

55. How did these workshops or projects contribute to the implementation of the 1970 Convention in your country? Please provide specific examples where possible.

The representatives of the Ministry of Culture and Police of the Republic of Armenia regularly participate in the Intergovernmental and Subsidiary Committees meeting of the 1970 Convention, as well as in the conferences of the State Parties to the Convention. The membership and participation to the meetings ensures the provision of necessary information for proper implementation of Convention, promotes the fulfillment of undertaken international obligations by the Republic of Armenia, perfection of inter-state procedure. Within the context of implementation of cultural policy it also assists to the enlargement of international ties and cooperation, exchange of practice, study and implementation of best legislative practice. The Commission is entitled to draft and present to the state parties professional guidelines, propositions, methodological and other documents. During the meeting resolutions, recommendations and others documents which are disseminated to the state parties for implementation.

56. There are a number of ways the UNESCO Secretariat could support State Parties in the implementation of the 1970 Convention in the future, in addition to servicing the governing bodies of the Convention. Please indicate the extent to which the Secretariat should give priority to the following activities :

	No	Low	Somewhat	High
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	priority	priority	of a priority	priority
Support in reforming national policies and legislation		X		
Promoting policy dialogues between countries			X	
Support for inventorying projects				X
Specialized trainings for police			X	
Specialized trainings for customs				X
Specialized trainings for museum staff				X
National workshops to bring together stakeholders across departments, ministries, etc.			X	
Regional workshops to bring together stakeholders from across the region across departments, ministries, etc.				X
Awareness raising activities (press releases, video clips, etc.)			X	
Development of more legal and practical tools such as the WCO model export certificate, the Database of National Cultural Heritage Laws, etc.		X		
Facilitating the sharing of best practices between countries (e.g., online or through a newsletter)			X	
Other (please specify):				

57. **Please provide any additional suggestions for how UNESCO should focus its work on this topic going forward.**

no additional suggestions

58. **What difficulties did you State encounter while implementing the Convention during the last reporting cycle period ?**

□

59. **How has your country used the Operational Guidelines of the 1970 Convention adopted in UNESCO during the Third Meeting of States Parties (2015)?**

For the effective implementation of the convention and the fulfillment of international obligations, Armenia as a practical tool uses the Operational Guidelines of the 1970 Convention. In particular, useful tools are recommendations for creating necessary public services for the protection of cultural heritage, legislation, an inventory of protected cultural property, the institution of a certificate of export, etc. The guide helps in many ways to understand the general principles and strategy of the state in preserving cultural values and preventing illicit trafficking.

60. **Any other additional issues or comments you would like to share.**

No other comments