

# UNESCO 1970 Convention - Periodic Reporting Form 2019

## Respondent Information

Name: Permanent Delegation of Brazil to UNESCO

Position :	Permanet Delegation
Organization/Agency :	Delegation of Brazil / Answers based on information made available by the Ministry of Culture and the Brazilian Institute of Museums
Country :	Brazil

## Policy and Legislative Framework

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

	Civil Law
X	Criminal Law
X	Specific Law

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

Criminal law: general law on trafficking. Specific Law: Brazil has 4 specific federal laws about illicit trade of cultural goods: 1) Protected cultural goods ((Decreto-Lei nº 25, 1937 classified goods), cultural goods from the monarchic period (up to 1889) (Lei nº 4.845, de 1965) and archeological goods (Lei nº 3.924, 1961 – archeological goods are considered federal properties) cannot leave the country unless authorized by lphan; 2)); and rare books on Brazil centuries XVI to XIX (Lei nº 5.471, 1968). All prior to 1970. UNESCO 1970 convention was incorporated into Brazilian law by Decree n 72.312, from 1973. The country is a signatory to the UNESCO Conventions of Hague 1954, Paris 1970 and the UNIDROIT Convention Rome 1995. Although Brazil has incorporated them into its legal regime, it does not yet have specific laws or directives that define its actions for fighting and preventing illicit trafficking of cultural goods.

### 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)?

	Yes
X	No

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

### 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).

Decree-Law 25, November 30, 1937 – Organizes the protection of national historical and artistic heritage. Decree-Law 2,848, December 7, 1940 – Brazil's Penal Code. Decree-Law 4,146, 1942 – Provides for the protection of fossiliferous deposits. Law 3,924, July 26, 1961 – Provides for archaeological and prehistoric monuments. Law 4,845, November 19, 1965 – Prohibits the export of works of art and crafts produced in the country until the end of the monarchy (1889). Law 5,471, July 9, 1968 – Provides for the export of old books and Brazilian bibliographic sets. Law 8.159, January 8, 1991 – Provides for the National Policy of Public and Private Archives and makes other provisions. Ordinance 262, August 14, 1992 – Provides for the temporary export of works of art and other cultural assets listed, as well as those specified in articles 1, 2 and 3 of Law 4,845 / 65. Decree 4,188, April 9, 2002 – Promulgates the Agreement on the Recovery of Stolen or Illegally Exported Cultural Property between the Government of the Federative Republic of Brazil and the Government of the Republic of Peru, signed in Brasilia on February 26, 1996. Decree 4,444, October 28, 2002 – Promulgates the Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Bolivia on the Recovery of Cultural, Patrimonial and Other Specified Goods Stolen, Imported or Exported Illegally, celebrated in La Paz, on July 26, 1999. Decree 5,760, 24 April 2006 – Promulgates the Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed in The Hague on 26 March 1999. IPHAN Normative Instruction no. 1, June 11, 2007 - Provides for the Special Register of traders of antiquities, works of art of any nature, manuscripts and old or rare books, and other measures. Law 11,904, January 14, 2009 – Establishes the Statute of Museums and other measures. RFB Ordinance 3,010, June 29, 2011 - Establishes criteria and conditions for the destination of abandoned goods, delivered to the National Treasury or subject to a penalty of forfeiture; amends RFB Ordinance 2,206, November 11, 2010, which regulates the auction, in electronic form, for sale to legal entities of seized or abandoned merchandise; and makes other arrangements. Decree 7,909, February 5, 2013 – Promulgates the Cultural Cooperation Agreement between the Federative Republic of Brazil and the Republic of Uzbekistan, signed in Brasilia on May 28, 2009. Law 12,840, of July 9, 2013 – Provides for the allocation of goods of cultural, artistic or historical value to museums, in the hypotheses it describes. Interministerial Ordinance Ministry of Finance / Ministry of Culture 506, December 16, 2014 – Provides for the procedures to be adopted by the Federal Revenue Service of Brazil and by the Brazilian Institute of Museums regarding abandoned goods, delivered to the National Treasury or subject to penalty of loss. IPHAN Ordinance 44, February 19, 2016 – Establishes administrative procedures related to IPHAN's assessment on the existence of legal restrictions for the export of cultural assets. IPHAN Ordinance 195, May 18, 2016 - Provides for procedures for requesting the movement of archaeological goods in the national territory. IPHAN Ordinance 196, May 18, 2016 – Provides for the conservation of mobile archaeological assets, creates the National Register of Guard and Research Institutions, the Archaeological Collections Receipt Term and the Mobile Archaeological Archives Register. IPHAN Ordinance 197, May 18, 2016 – Provides for Procedures for Request for the Shipment of Archaeological Material for Analysis Abroad.

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

4	Clear definition of cultural property
4	State ownership of undiscovered cultural heritage
2	Regulations on trade of cultural property
3	Export controls
3	Export certificates
1	Certificate of authenticity
1	Import controls
3	Establishment of national services

3	National inventory of cultural property
3	Inventory requirements for museums, public institutions, private collections
4	Protection of archaeological sites and regulation of archaeological excavations
1	Public education and awareness raising
1	Measures to prevent museums and similar institutions from acquiring illegally exported cultural property
1	Prohibition of import of cultural property stolen from a museum or religious/secular institution
1	Regulation of the diplomatic pouch
1	Provisions for the return of cultural objects stolen from a museum or other public institution
3	Sanctions (criminal and/or administrative and/or civil) of illicit activities related to destruction and illicit trafficking of cultural property
4	Requirement of register of sales for antique dealers, auction houses, dealers of cultural heritage and art galleries
1	Protection of underwater cultural heritage
1	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)**

Decree nº 72.312, from 1973 - promulgates UNESCO 1970 convention. Law No. 8.159, of January 8, 1991 – Provides for the National Policy of Public and Private Archives and makes other provisions. Ordinance 262, August 14, 1992 – Provides for the temporary export of works of art and other cultural assets listed, as well as those specified in articles 1, 2 and 3 of Law No. 4,845 / 65. Decree No 3.166, from 1999, promulgates the Unidroit Convention of 1995 Decree 4,188, April 9, 2002 – Promulgates the Agreement on the Recovery of Stolen or Illegally Exported Cultural Property between the Government of the Federative Republic of Brazil and the Government of the Republic of Peru, signed in Brasília on February 26, 1996. Decree no. 4,444, October 28, 2002 – Promulgates the Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Bolivia on the Recovery of Cultural, Patrimonial and Other Specified Goods Stolen, Imported or Exported Illegally, celebrated in La Paz, on July 26, 1999. Decree 5,760, 24 April 2006 – Promulgates the Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed in The Hague on 26 March 1999. IPHAN Normative Instruction no. 1 of June 11, 2007 – Provides for the Special Register of Traders of Antiquities, Works of Art of any nature, manuscripts and books old or rare, and other measures. Law 11,904, January 14, 2009 – Institutes the Statute of Museums and other measures. RFB Ordinance No. 3,010, June 29, 2011 – Establishes criteria and conditions for the destination of abandoned goods, delivered to the National Treasury or subject to a penalty of forfeiture; amends RFB Ordinance 2,206, of November 11, 2010, which regulates the auction, in electronic form, for sale to legal entities of seized or abandoned merchandise; and makes other arrangements. Decree 7,909, February 5, 2013 - Promulgates the Cultural Cooperation Agreement between the Federative Republic of Brazil and the Republic of Uzbekistan, signed in Brasília on May 28, 2009. Law 12,840, July 9, 2013 - Provides for the allocation of goods of cultural, artistic or historical value to museums, in the hypotheses it describes. Interministerial Ordinance MF / MinC 506, December 16, 2014 - Provides for the procedures to be adopted by the Federal Revenue Service of Brazil and by the Brazilian Institute of Museums regarding abandoned goods, delivered to the National Treasury or subject to penalty of loss. IPHAN Ordinance 44 of February 19, 2016 – Establishes administrative procedure related to the manifestation of the IPHAN on the existence of legal restriction for the exit of cultural assets of the country. IPHAN Ordinance 195, May 18, 2016 – Provides for procedures for requesting the movement of archaeological goods in the national territory. IPHAN Ordinance 196, May 18, 2016 – Provides for the conservation of mobile archaeological assets, creates the National Register of Guard and Research Institutions, the Archaeological Collections Receipt Term and the Mobile Archaeological Archives Register. IPHAN Ordinance No. 197, May 18, 2016 – Provides for Procedures for Request for the Shipment of Archaeological Material for Analysis Abroad.

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

Laws and regulations after 1970 are directly linked to Decree 25/1937 and indirectly related to the 1970 Convention.

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

	Yes
X	No

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

	Yes
X	No

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

X	Yes
	No

**Please specify :**

In the case of paleontological goods, Brazil has already been required to certify the illegality of the removal of fossils. Brazilian law does not permit the sale of fossils.

## 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.**

1. Brazilian Institute of Museums (IBRAM), linked to the Ministry of Citizenship, manages the National Museums Policy, which proposes security measures for collections and aim to prevent the evasion and dispersion of cultural objects. 2. Institute of National Historical and Artistic Heritage (IPHAN), linked to the Ministry of Citizenship, is the agency responsible for the preservation of cultural heritage, both tangible and intangible, and supervises: - Listed cultural goods - Cultural goods produced prior to the Proclamation of the Republic (1889) - Archaeological goods 3. National Center of Archeology (CNA), special body under the IPHAN, responsible for the supervision of archaeological sites, movement of goods and temporary export of materials for analysis abroad; 4. National Mining Agency (DNPM/ANM), linked to the Ministry of Mines and Energy, in charge of controlling the extraction of fossils; 5. National Library Foundation, protects old books and Brazilian bibliographic collections; 6. National Archives, under the Ministry of Justice, responsible for safeguarding documents of historical value; 7. Ministry of Foreign Affairs (MRE); 8. Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA); 9. Federal Police (PF).

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).**

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

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

Magistrates and/or judges make judicial decisions involving illicit trafficking of cultural goods (on destination, who bears the transportation costs, penalties etc) Prosecutors : also investigates Customs : prevent cultural goods which cannot leave the country from leaving illegally Police : investigates illicit trafficking - Department of Federal Police, linked to the Ministry of Justice and Security, has specialized police stations under the Division of Repression of Crimes Against the Environment and Historical Heritage - DMAPH. Roles: - investigation; - repression; - participation in interinstitutional discussions on the topic.

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

X	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.**

Brazilian institutions have met in a working group aimed at sharing information and establishing common guidelines for fighting the illicit trafficking of cultural goods. This group has yet to meet in 2019. Its ultimate goal is to establish a national policy on this topic.

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
	Yes, we have our own national or/and regional database that is linked with the INTERPOL database
X	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.**

Regarding the prevention of illicit traffic of cultural assets, in Brazil there are two main systems operating in Brazil on this subject: IPHAN's 'Missing Cultural Goods Database' (BCP) and IBRAM's 'Register of Disappeared Museum Goods' (CBMD). The BCP is a national list of sought-after cultural assets that contains data on the disappearance or theft of archaeological goods and property. BCP was created more than ten years ago and needs to be upgraded, not allowing insertion of new photos and data, and having a limited search system. The Institute has been looking for alternatives to make information available via other institutional systems (Integrated System of Knowledge and Management/ SICG). Despite limitations, the BCP is a useful database for research. Ibram's CBMD is a tool for registering and accessing information on missing museum goods (subject to theft or robbery), making it possible to share information and to help locating and recovering assets. Museums shall register the disappearance of a museum good at a police station and then contact Ibram providing some standard data (Object ID model) that will be uploaded to the register in order to make it publicly available. Noting that Brazil has several databases dispersed in the several institutions engaged on different aspects of the matter. We have now approved and launched a project to promote the interoperability of such databases.

## 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?**

	All/almost all cultural property is inventoried
	Most, but not all, cultural property is inventoried
X	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 majority of museums have their own specific inventories (some are digitized, others are not), but are referenced in different forms of documentation. Churches don't have specific inventories.

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

	All/almost all protected cultural property is inventoried
	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
X	No/almost no protected cultural property is inventoried

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

Brazil has several inventories of classified cultural properties, but only if they are classified or protected in federal laws. In other sense, we do not have a centralized national inventory of cultural property. We intend to work on the interoperability of dispersed databases available.

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.**

Looting/pillaging/illegal excavations of archaeological and ethnological objects is a huge challenge in Brazil. The actions to combat it are still lacking the institutional strength which is necessary to provide results.

## 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.**

2018 - 7-minute video "Draw my life" - Illegal traffic of cultural goods, prepared by IBRAM; 2018 - Seminar "Protection and Circulation of Cultural Property: Combating Illicit Traffic". Promoted by the Ministry of Culture and Itaú Cultural to raise awareness on the topic and expand dialogue among public and private institutions; 2017 - Workshop on actions to prevent and repress Crimes against Cultural Heritage, promoted by Interpol, Brazilian Federal Police and Ministry of Foreign Affairs, to raise awareness on the topic and expand dialogue among public institutions. Notinh that Brazil has a program related to heritage education, which provides explanations on the concept of cultural heritage and its importance to the population.

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

1	Protection of local archaeological and heritage sites by the public (eg. assistance in monitoring of sites, support in documenting etc.)
1	Return of objects to relevant authorities
1	Sharing information on stolen objects with authorities

1	Placing pressure on museums to change acquisition policies
1	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
	To a considerable extent
X	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.**

There is a two-hour-speech once a year on the topic during a longer training program for incoming police officers.

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

X	No specific training on this issue

	Training has occurred in the past, but is not ongoing
	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.**

There is a topic on cultural property crime on the manual used by customs officers.

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?**

X	All or almost all have adopted such a code of ethics
	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.**

One of the main aspects of Brazilian museum-oriented practices is the importance of the collection or cultural good acquisition policy (provided for in Decree 8.124 / 2013), as well as the prohibition of the direct or indirect participation of technical staff from public museums in the marketing and selling of cultural goods.

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
X	Some follow such practices
	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.**

There is a policy for dealers and auction houses to prevent money laundering through works of art: Dealers and auction houses are obliged to register in a national registration system at Iphan so that they must communicate the State in case they receive large sums of cash as payment, or if they foresee any suspicious operations. Noting that IPHAN makes the UNESCO International Code of Ethics for Dealers in Cultural Property available on its website and mentions it to dealers and auction houses in every event which includes this audience.

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

The Government broadcasts through website and social media channels (and also send individual emails to the two thousand dealers registered with Iphan) giving notice of all information we receive from classified goods that have been stolen, with the warning that receiving and selling stolen goods is a crime (criminal law).

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.**

Peru Decree 4,188, April 9, 2002 - Promulgates the Agreement on the Recovery of Stolen or Illegally Exported Cultural Property between the Government of the Federative Republic of Brazil and the Government of the Republic of Peru, done at Brasilia on February 26, 1996. Bolivia Decree 4,444, October 28, 2002 - Promulgates the Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Bolivia on the Recovery of Cultural, Patrimonial and Other Specified Goods Stolen, Imported or Exported Illegally, celebrated in La Paz, on July 26, 1999. Ecuador <http://www.itamaraty.gov.br/pt-BR/notas-a-imprensa/3162-acordo-de-cooperacao-entre-o-brasil-e-o-equador-1-de-outubro-de-2012> Botswana Decree 7,586, October 17, 2011 - Promulgates the Cultural Cooperation Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Botswana, signed in Gaborone on June 11, 2009. Uzbekistan Decree 7,909, February 5, 2013 - Promulgates the Cultural Cooperation Agreement between the Federative Republic of Brazil and the Republic of Uzbekistan, signed in Brasilia on May 28, 2009.

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):	Ignore the answers above. The questions were not answered by the Brazilian competent authorities.			

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

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?**

	Yes
X	No

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

## Overall

46. **Yearly statistics**

### Thefts

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 :		

### Illegal Excavations

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 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	0	Number of objects
Additional information :		
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.**

	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.).**

□

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.).

Lack of coordination between relevant stakeholders

## 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.

Brazil has adopted the Object ID Standard (ICOM, the Getty, and UNESCO) in the efforts to provide interoperability on our scattered databases and we have translated and made public and available the UNESCO International Code of Ethics for Cultural Property Dealers. The Object ID Standard, in particular, was one of the most useful tools. It helped the elaboration of standards in the documentation of collections, both in relation to inventories and in the preparation of cataloging fiches for dossier and reports, as well as in technical visits, etc. It also helped the implementation of the CBMD platform, in which the missing object data follows Object ID.

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

No, Brazil has not.

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

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

It would be helpful to make available a platform where all stolen/lost cultural goods would be listed, so we could search in one single place in case there is doubt if a cultural good which is leaving the country is been searched by police somewhere in the world. Something like the Psyche from Interpol, but available for a larger audience without the need of a password.

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?**

	Yes
X	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.**

□

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 priority	Low priority	Somewhat of a priority	High 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.**

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

Lack of national coordination

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

-

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