

UNESCO 1970 Convention - Periodic Reporting Form 2019

Respondent Information

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Position :	Coordinator of Culture Programmes (national contact person for submitting the report)
Organization/Agency :	Estonian National Commission for UNESCO
Country :	Estonia

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.

Intra-Community Transport, Export and Import of Cultural Objects Act (2007). This legal act lists in paragraph 2 the categories of cultural objects covered by its provisions. The Act provides the processing of export licences of cultural objects, expert assessment of things and referral of things or cultural objects to expert assessment, customs formalities upon export of cultural objects and liability for violation of this Act and organisation of exercise of state supervision. Act on the Return of Cultural Objects Unlawfully Removed From the Territory of a Member State of the European Union (2004). This Act regulates the return to a Member State of the European Union of cultural objects which have been unlawfully removed from the territory of that Member State of the European Union (hereinafter Member State) and brought to Estonia. It provides for cooperation mechanisms at national level and determines the competent authorities performing the functions prescribed for the return of such cultural objects. The expropriation of a cultural object from the owner or the reclamation of a cultural object from the illegal possession of its possessor, the return of the cultural object in question and awarding compensation is foreseen provided that the owner demonstrates that he exercised due care and attention in acquiring the cultural object. This act has been harmonized with European Council Directive 2014/60/EU (previously: 93/7/EEC). The Heritage Conservation Act (2002, a new Act is in preparation) is of wide scope regulating the rights and obligations of state and local government authorities and owners and possessors of cultural monuments in organising the protection of monuments and heritage conservation areas and in ensuring the preservation of monuments and heritage conservation areas. The Act includes also more specific provisions targeted for protecting cultural property from illicit trafficking, such as how to deal with findings of cultural value (Chapter 5). The Act provides, inter alia, temporary protection for archaeological findings of cultural value from the moment they are found, states that all archaeological findings belong to the state and can be designated as a monument under state protection pursuant to the procedure provided for in this Act. The Act establishes the requirement for all users of search devices (hobbyists) to apply for a search permit and to notify the relevant authorities promptly of the findings. The Act also prohibits any search with a search device on immovable monuments, heritage conservation areas and the protected zone thereof and foresees the liabilities for violations (Chapter 7, which is the part of the Penal Code).

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
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X	No
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3. Please provide the name and year the policy was passed (and web link to the policy/strategy if available).

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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 most relevant legal framework for protecting cultural property from illicit trafficking in addition to the specific laws described in paragraph 1 above includes The Museums Act (2013), The Customs Act (2017) and The Penal Code (2002). According to the Customs Act the Tax and Customs Board has a right to perform customs control, seize and confiscate cultural heritage. The Tax and Customs Board is controlling cultural heritage in a similar way to other goods under prohibitions and restrictions. <https://www.riigiteataja.ee/en/eli/504062018001/consolide> Section (§) 5 of the Museums Act states the principles for replenishing museum collections. According to § 5 part 4(1), upon replenishment of a museum collection, the museum shall, within available means, ascertain the origin of a thing of cultural value such that the museum collection would not contain things which have been acquired illegally in Estonia or in another state or have been exported illegally from another state. According to § 11 part 1(4) of the Museums Act, a museum object shall be excluded from a museum collection if the museum object has been acquired in good faith in violation of the provisions of subsection of the Museums Act and is transferred to the owner or another state. <https://www.riigiteataja.ee/en/eli/511012019014/consolide> The Penal Code prescribes punishments for different offences. These include : § 107. Attacks against cultural property – conducted during war time and classified as war crimes ; § 199. Larceny – punishment is more severe if the object of the act is of great scientific, cultural or historical significance; § 200. Robbery - punishment is more severe if the object of the act is of great scientific, cultural or historical significance; § 201. Embezzlement § 202. Acquisition, storage or marketing of property received through commission of offence § 204. Injuring or destruction of cultural monuments, archival records, museum objects or museum collections § 205. Damaging or destroying of cultural monuments, archival records, museum objects or museum collections through negligence § 391 Illicit traffic <https://www.riigiteataja.ee/en/eli/ee/522012015002/consolide/current>

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
5	State ownership of undiscovered cultural heritage
2	Regulations on trade of cultural property
5	Export controls
5	Export certificates
2	Certificate of authenticity
3	Import controls

5	Establishment of national services
5	National inventory of cultural property
4	Inventory requirements for museums, public institutions, private collections
4	Protection of archaeological sites and regulation of archaeological excavations
4	Public education and awareness raising
5	Measures to prevent museums and similar institutions from acquiring illegally exported cultural property
5	Prohibition of import of cultural property stolen from a museum or religious/secular institution
5	Regulation of the diplomatic pouch
4	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
2	Requirement of register of sales for antique dealers, auction houses, dealers of cultural heritage and art galleries
5	Protection of underwater cultural heritage
5	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)

The obligations arising from the 1970 Convention have gradually brought about amendments in the national legislation as described in paragraph 1 and 4 above - the Heritage Conservation Act (2002), the Museums Act (2013), the Customs Act (2017) and the Penal Code (2002). The 1970 Convention was a basis and prerequisite for passing the Intra-Community Transport, Export and Import of Cultural Objects Act (2007) and the Act on the Return of Cultural Objects Unlawfully Removed From the Territory of a Member State of the European Union (2004).

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

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

X	Yes
	No

Please specify :

The National Heritage Board maintains the national register of cultural monuments and issues licenses for the export of objects of cultural value. The customs check the presence of the licence. § 75 of the Customs Act prescribes liability for the carriage of forbidden goods or goods which are subject to prohibitions and restrictions from another Member State of the European Union to Estonia or from Estonia to another Member State of the European Union. § 391 of the Penal Code concerns illicit traffic and provides a basis for legal action on illicit traffic of cultural goods between the EU Member States and third countries. Pursuant to the Intra-Community Transport, Export and Import of Cultural Objects Act, a licence is not required in case of import of a cultural object. Nevertheless, a cultural object is checked upon import. The checking is based on risk analysis, which includes checking of additional documents, the value of goods for customs purposes and ascertaining, where needed, whether the work is an original or a counterfeit. The adviser to the Register Department of the National Heritage Board is charged with tasks related to exporting cultural property, including: - informing clients about the procedures of the Republic of Estonia and the European Union related to exports of cultural property; - providing advice on the subject of exports of cultural property and cooperating with the Ministry of Culture, the Estonian Tax and Customs Board and the Police and Border Guard Board; - where necessary presenting proposals to the Head of Department with regard to using expert advice in order to assist in establishing the true value of cultural objects. The main legal act is Intra-Community Transport, Export and Import of Cultural Objects Act (2007) referred to above. Paragraph 2 of the Act lists the categories of cultural property covered by the rules.

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?**

	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 Estonian National Heritage Board (NHB) is a government body affiliated to the Ministry of Culture. It is charged with the direction of conservation activity and state supervision, identification and protection of monuments (in fields of archaeology – both land and water; history; art, and built heritage) and objects of cultural value as well as maintaining the national register of cultural monuments. The National Heritage Board participates actively in drafting laws and shaping legislation regarding cultural property in general. The Board does not establish rules for curators or antique dealers outside the boundaries of the established legislation.

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

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

According to the Customs Act the Tax and Customs Board has a right to perform customs control, seize and confiscate cultural heritage. Customs control regarding cultural heritage is performed in a similar way to other goods under prohibitions and restrictions. Customs control is carried out by customs border control officers and should it be necessary also by mobile units. Customs border control officers are working under Customs Department and Mobile Control Units under Investigation Department. In accordance with the customs legislation the police carries out customs control in border crossing points where no permanent customs representation exists. The Estonian Tax and Customs Board (ETCB) has established a focal point (Chief Expert of Customs Department) specializing in cultural property, including goods that require special licenses. He is responsible for implementation of control of cultural goods, both legal and illegal traffic and is the main contact point of National Heritage Board. Among others, the responsibilities of this expert include training and guidance of custom officers in the field. One chief expert of Intelligence department of ETCB is responsible for risk assessment and risk management of cultural goods traffic. Dedicated team of Investigation Department of ETCB analyses internet and dark web for any goods prohibited or restricted to move across border. The Customs staff has necessary guidelines on how to perform customs control of cultural heritage and they have passed special trainings conducted by the National Heritage Board. There are no specialized units in Police to deal exclusively with the prevention and combat against trafficking of cultural goods. The Police Board is responsible for investigation of all cases of stolen cultural goods.

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)
X	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.**

National Heritage Board (NHB) has concluded cooperation agreement with Tax and Customs Board and more recently with the Police Board as well. These agreements constitute a general framework for cooperation. There is a focal point in each organization to ensure smooth communication and cooperation on these issues. Working meetings are organized on ad hoc basis, time sensitive exchange of information is provided by phone or e-mails, for instance when an item of cultural value has been seized on the border. Also, if anything suspicious relating to cultural goods meets the eye on the border, National Heritage Board is the first point of contact and the goods stay seized until the National Heritage Board gives permission to free the goods. When needed, National Heritage Board helps to find relevant experts to conduct an expertise for goods seized by customs. National Heritage Board has a dedicated special mailing list for customs officers for enquires. This ensures prompt analysis of any suspicions. Regular training for customs officials is organized free of charge by the National Heritage Board to improve the overall knowledge on cultural goods and on how to recognize potential goods with cultural value. Police and Customs work in close cooperation. When necessary, the Police will start investigation proceedings after the Customs Board has seized a suspicious/unknown item and the National Heritage Board has assessed the situation. The efficient cooperation between Customs and Police is guaranteed by 24/7 service of both institutions, relevant co-operation agreement between Police Board and Customs Board and the liaison Officer of Customs Board working in the structure of Police Board.

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

X	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
	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 National Heritage Board maintains the register of cultural monuments. The registrar also provides a built-in module to find all information on stolen national monuments https://register.muinas.ee/public.php?menuID=en_stolenmonument. Inquiries can be made according to the name of the local municipality. The majority of the national monuments come with a photograph. More detailed information and description is available by clicking on the name of the national monument. The database is public and accessible to everybody. Active users are, for instance, antique dealers.

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

All museums have their own inventories or they use the centralized web-based information system for museum objects www.muis.ee, which is mandatory for state collections. Many municipal and private museums also use www.muis.ee voluntarily. Items of cultural value (both state-owned and privately owned) that have been given the status of cultural monuments are registered in the state register of cultural monuments (ca 26 000, both religious and secular). The register is maintained by National Heritage Board. It is accessible to the public but not all information is displayed publicly. <https://register.muinas.ee/public.php>

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.**

All museums have their own inventories or they use the centralized web-based information system for museum objects www.muis.ee, which is mandatory for state collections. Many municipal and private museums also use www.muis.ee voluntarily. Items of cultural value (both state-owned and privately owned) that have been given the status of cultural monuments are registered in the state register of cultural monuments (ca 26 000, both religious and secular). The register is maintained by National Heritage Board. It is accessible to the public but not all information is displayed publicly. <https://register.muinas.ee/public.php>

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.**

Illegal use of searching devices (most commonly metal detectors) poses the biggest threat to archaeological heritage. Although the National Heritage Board is making an effort to promote responsible metal detecting and cooperation with archaeologists, there is still the problem of illegal excavations, unlicensed search device use, uncontrolled wreck diving and looting of archaeological sites. The state has no accurate statistics on the number of illegal search device users, therefore these numbers are not reflected in the answer to the question 46. However, in 2008 the number was estimated to be around 1000 people, but due to the wide availability of searching devices and the rise of different social media platforms the number of metal detector users has since rapidly increased. Since 2011, searching culturally valuable items with searching device is regulated by the Heritage Conservation Act. It is prohibited to search archaeological items with search device without the permit issued by the National Heritage Board. The search permit can be applied for by a person of at least 18 years of age who has passed a training course. All licensees have to report annually to the Heritage Board. The search with a search device on immovable monument and their protection zones is prohibited. A finder of the item with cultural value is entitled to a reward. The sum of the reward depends on the cultural value of the find, but also the finding circumstances and cooperation with the National Heritage Board will be assessed. Seven years of practice have highlighted the strengths and weaknesses of the legislation. On the positive side courses for metal detector users, held both in Estonian and Russian are popular, attracting 70-100 participants every year. In 2018 over 500 search permits were issued. Also the reporting of finds has significantly increased. In 2011–2012, the Heritage Board was informed about just 50 finds or find assemblages whereas in 2018 stray finds or find collections were handed over to the state on 121 occasions. Altogether hobbyist detector users have handed over 25 000 artefacts during the last five years. The biggest contribution of detectorists to archaeology is tracking down new monuments and finding sites. The advantage of detectorists is that they move around in places that, on the basis of landscape logic and archaeological sources, archaeologists would not necessarily explore. Although the changes in the law have greatly improved the relations with detecting enthusiasts, and the state has received more information about finds than ever before, there are still licensed detectorists who report only minor part of their finds. Many artefacts (mainly archaeological, military) are sold anonymously at online auctions local or international (eBay), in which case it is especially difficult to prove the illegal origin of artefacts and get relevant information. It is also challenging to monitor the accuracy of the searching reports. Since the law doesn't forbid the use of metal detectors for other purposes than searching items with cultural value there are active searching enthusiasts who argue that they don't need a license because they don't look for items with cultural value, but simply find them. Therefore, it is challenging to find evidence to prove violation on the landscape. Due to the shortage of human resources it is nearly impossible to monitor all the activities on the landscape. Consequently, there is no systematic overview of the lootings and the violations become evident only if the perpetrators are caught redhanded or fresh marks are discovered on the landscape. In order to improve supervision over illegal use of searching devices the National Heritage Board is currently working on a new legislation and monitoring system, which would enable more efficient cooperation between the National Heritage Board and the Police and Border Guard. The state is also developing the reporting and information system for search permit holders, that should be digital, quicker and more accessible to all involved parties.

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.**

The year of 2018 was the The European Year of Cultural Heritage which was also celebrated in Estonia. There were many events highlighting our diverse cultural heritage: from sites with archaeological value to architectural monuments, from medieval strongholds to folklore traditions and artistic heritage, from architecture to music, from barn-dwellings to manor mansions, from literature to landscape heritage. The events for a wide range of targetgroups were coordinated by the National Heritage Board, in co-operation with the Estonian Folklore Council <https://www.parandiaasta.ee/> The annual award-givings also function as an overall awareness campaign. For instance, the Museum Council in cooperation with the Ministry of Culture awards annually the best museum specialists with a view to show the public various aspects of museum work. National Heritage Board annually awards people who have contributed to preserving and promoting cultural heritage. The nominees and laureates always get significant amount of public attention. In October 2018, as part of an initiative taken by the National Heritage Board, one of the most popular TV shows in Estonia aired a clip dedicated to the stolen national monuments. As a result, National Heritage Board got a number of tips referring to possible stolen heritage and one chandelier dating back to the 17th century, which was stolen in 1995, was discovered. On International Customs Day, the Tax and Customs Board organizes promotional events introducing its daily work. Performing customs control of cultural goods is one of the topics. The Tax and Customs Board also participates in tourist fair TourEst advising travelers on customs formalities, restrictions and prohibitions.

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

2	Protection of local archaeological and heritage sites by the public (eg. assistance in monitoring of sites, support in documenting etc.)
2	Return of objects to relevant authorities
3	Sharing information on stolen objects with authorities
2	Placing pressure on museums to change acquisition policies
2	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
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	extent
X	To a considerable extent
	To some extent
	To no extent

30. **What type of training do police 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

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

□

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.**

There is a training program for cadets at Academy of Security Sciences – providing professional education and preparing civil servants (including specialities of police and border guard as well as taxation and customs). The Tax and Customs Board organizes a training program for new customs officers; all customs officers have to receive training every 3 years. Chief experts from the Tax and Customs Board have underlined the need for an in-depth, specialized international training to improve knowledge and to exchange information on recent risk and trends. In this context, the recent training provided by UNESCO “Training the European judiciary and law enforcement officials on the fight against the illicit trafficking in cultural property » was considered very useful.

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.**

The ICOM code of Ethics for Museums is well known among professionals. It has been translated into Estonian and is available on the Internet, for instance from the Information Centre of Estonian Museums (<http://www.icomeesti.ee>). All state museums mention ICOM Code of Ethics in their collection policies.

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.**

Intra-Community Transport, Export and Import of Cultural Objects Act (2007) referred to above is the main legal act regulating the issue. National Heritage Board coordinates the implementation of the Act. Art and antique dealers (as well as private persons) can also turn to the National Heritage Board for help in verifying the origin of objects. Auction houses involve experts in the appraisal of the objects sold by them in accordance with their auction rules and contracts. Should there be doubts regarding the legal ownership of some items, the competent authorities will be notified. There is no general policy that regulates the practices of dealers and auction houses.

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

The National Heritage Board provides information about stolen national monuments. The National Heritage Board also stresses the need to determine the provenance of the objects sold by the dealers. In case of intra-community transport or export, the dealers sign an exporters notice ensuring that they are the legal holders of the object and they have the right to move it abroad.

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

	Yes
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X	No
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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.**

Estonia has entered into a number of bilateral agreements and programmes on cultural cooperation that include also the issue of import, export and return of cultural property as one topic among others. Such bilateral agreements and programmes have been concluded with Armenia, Bulgaria, Philippines, Georgia, China, Croatia, Israel, Italy, Cyprus, Latvia and Lithuania, Mexico, Poland, Portugal, France, Germany, Czech Republic, Turkey, Ukraine, Hungary and Russian Federation. As a rule these agreements contain broad provisions. Also, as a rule these bilateral agreements are usually concluded for an indefinite period of time or concluded for a period of certain years and prolonged automatically for consecutive period provided that neither of the Parties starts the process to terminate it. Bilateral programmes are usually concluded for a period of 3 years.

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**

In 2016 Estonia returned a sword to the Republic of Ukraine in the framework of the 1970 Convention. The sword was illegally excavated in the Western Ukraine and was seized by the Estonian Tax and Customs Board on the Russian-Estonian border entering Estonia. A case that did not lead to return or restitution but gave the National Heritage Board a possibility to investigate a potential illegal export case concerned a Buddha statue imported from Cambodia to Estonia in 2017. The statue had the characteristics of a potential culturally valuable object. It was impossible for the local experts to determine if the object had cultural value or not, therefore the Estonian Permanent Delegation to UNESCO contacted the Cambodian Permanent Delegation to UNESCO for the necessary information. It was determined with the help of Cambodian experts that the statue was a copy and did not have a cultural value for Cambodia. In 2017 Germany contacted Estonia about ca 3000 confiscated religious artefacts that were thought to originate from Estonia. Although the objects were culturally connected to the region, none of the items were in Estonian official registers. Estonia declined the artefacts referring to the 1970 Convention as a basis for declining the transfer of ownership since the origin of the items could not be proven.

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 European Union directive 2014/60 regulates the return of cultural objects unlawfully removed from the territory of a Member State. The cooperation between member states is facilitated in the Internal Market Information System.

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

The use of the Internal Market Information System is compulsory to all member states of the European Union, therefore they are all aware of the system.

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	3	Number of objects
Additional information : Three recorded cases of looting archaeological sites with metal detectors. In only one case the police started investigation and the person responsible was identified and declared to be guilty of the criminal offence.		
4nd Year reporting	0	Number of objects
Additional information :		

Seizures (cultural objects originating from own country)

1st Year reporting	1	Number of objects
Additional information : Stolen in 1987 from the Estonian Art Museum.		
2nd Year reporting	10	Number of objects
Additional information : Stolen in 1995 from the Estonian Art Museum.		
3nd 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	1	Number of objects
Additional information : Estonian Tax and Customs Board seized a viking era sword from a truck driving across Luhamaa border point from Russia into Estonia. The sword was illegally excavated in the Western Ukraine and was later returned to the Republic of Ukraine.		
3nd 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	1	Number of objects
Additional information : Estonia has returned a viking era sword to the Republic of Ukraine in the framework of the 1970 Convention. The sword was illegally excavated in the Western Ukraine and was seized by the Estonian Tax and Customs Board on the Russian-Estonian border entering Estonia.		
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.).

□

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.

Estonia uses the Object ID standard which has been adapted to the State's needs. All state museums mention ICOM Code of Ethics in their collection policies.

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

UNESCO database contains the following Estonian national cultural heritage laws in force: • Museums Act • Heritage Conservation Act • Act on the Return of Cultural Objects Unlawfully Removed from the Territory of a Member State of the European Union • Intra-Community Transport, Export and Import of Cultural Objects Act We would suggest that the NATLAWS database would provide the possibility to use the internet links to the official online publications of Member States' legislation, in case such publications are available. This would make it easier to have updated information. There is one official online publication for all Estonian legislation that includes also consolidated texts of English translations of Estonian legislation. The system is built up in a way that enables to trace all the successive amendments throughout the years and to compare parallel texts. The database is called the Electronic State Gazette <https://www.riigiteataja.ee/en>

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

There has been no discussion on this issue at the national level. It is worth considering how to make the Operational Guidelines of the 1970 Convention better known among the stakeholders.

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.

In 2018 Estonian experts participated in two training courses organized in the framework of the joint UNESCO / European Union initiative. 1) "Engaging the European art market in the fight against the illicit trafficking of cultural property." 2) "Training the European judiciary and law enforcement officials on the fight against the illicit trafficking in cultural property." Estonian participants considered the trainings very relevant and well organized. These trainings definitely contributed to strengthening the capacities of art market stakeholders as well as judiciary and law enforcement officials in this domain, sensitized them to the impact of the illicit trafficking of cultural property and provided a more comprehensive understanding of 1970 Convention.

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 ?**

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

We are aware of the Operational Guidelines and consider them to be a useful reference material.

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