

Report on the application of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

JORDAN

I. Information on the implementation of the UNESCO Convention of 1970

1. Ratification of the Convention

Jordan ratified the Convention on 15 March, 1974.

2. Implementation in the national legal system and in the organization of services

(a) References of the principal national regulations adopted in order to implement the 1970 Convention.

The Jordan Antiquities Law – amended in 1976, 1988, and 2004 – articulates regulations adopted to implement the Convention.

(b) Definition of “cultural property” used by the national laws

(c) Specialized units

In 2006, the Police Department created a specialized unit of the Anti-Narcotics Department with the task of working with INTERPOL to confiscate smuggled artifacts and prevent illicit trafficking.

(d) Administrative coordination

The Department of Antiquities strongly cooperates with the Police Department, Customs Department, and Military Security Department to combat illicit traffic and strengthen relevant legislation.

(e) Working meetings

3. Inventories and identification

(a) Inventories

Private collections of antiquities and folkloric materials, owned by Jordanians and permanent residents of Jordan, are monitored annually.

(b) Definition of “cultural property” and “national treasures”

(c) Reference to the Object ID standard

(d) Systems to combat theft and to train staff

4. Archaeological excavations

(a) Basic principles of the regulations on archaeological excavations and on the monitoring of excavations in force

A permit is required to conduct excavation. Found antiquities are to be handed over to the Department of Antiquities within a prescribed period of time.

(b) Illegal excavations

The Department of Antiquities conducts rescue and salvage excavations (in archaeological sites close to urban areas, in particular) to minimize the negative impact of illegal excavations.

The Archaeological Excavation Directorate has recently created the Anti-Illicit Excavations and Trade Division to coordinate with other security departments on the prevention of illicit import, export, and trade of cultural property.

5. Monitoring of the export and import of cultural property

(a) Estimate of the scale of the illicit export or import of cultural property (statistics)

(b) Problem of the illicit export of cultural property

(c) Main rules for monitoring the export and import of cultural property

Article 24 of the Antiquities Law stipulates that the transport, export, and sale of movable antiquities are subject to the approval of the Cabinet, at the recommendation of the Minister and Director.

(d) Rules provided for the restitution of illicitly imported cultural property

Article 32 of the Antiquities Law stipulates that a financial reward shall be granted to any person who assists in confiscating illicitly circulated property or provides information that leads to such confiscation.

(e) Obstacles encountered in securing the restitution of illicitly exported cultural property

(f) Circumstances in securing the restitution of a stolen cultural object

6. System for trade-in, acquisition, ownership and transfer of cultural property

(a) Description of the cultural goods market in the country (financial volume of the market, number and turnover of auction houses including via the Internet).

(b) Rules governing trade in cultural goods, measures in place for such trade (maintenance of a police register), in particular through the Internet (reference to the basic measures proposed by UNESCO, INTERPOL and ICOM)

(c) Existing Measures to control the acquisition of cultural property

The Department of Antiquities of Jordan may purchase property at a price agreed upon by the owner and Minister. In the absence of such an agreement, the value of the object is appraised by expert opinion.

(d) Existing legal system concerning ownership of cultural property:

Property seized by those found in violation of the law [See 3(d) below] is surrendered to the Department of Antiquities.

(e) Special rules on the transfer of title deeds with respect to cultural property

Ownership may be transferred with the knowledge and supervision of the Department of Antiquities.

7. Bilateral agreements

(a) Bilateral agreements concluded with other countries on the import, export and return of cultural property

(b) Conditions settled by the importing country with regard to the admissibility of requests for restitution from a country of origin

(c) Administrative aid or any other type of cooperation with neighbouring countries, particularly with respect to police and customs services?

II. Code of ethics, awareness raising and education

1. Ethical standards

(a) Application of the UNESCO International Code of Ethics for Dealers in Cultural Property and the ICOM for museums

2. Awareness raising and education

(b) Dissemination of the “One hundred missing objects” series and the ICOM Red Lists

(c) Description of activities carried out to raise the awareness of the authorities and educate the public, children in particular, regarding the serious damage that can be caused by illegal excavations, theft of cultural property and illegal export.
How far can UNESCO contribute to these activities?

III. Cooperation with other international and regional agencies

Police

(a) State of national cooperation with INTERPOL. Specialized police services to whom the heritage officials can call on for enquiries, legal proceedings and punitive measures

(b) Check on the INTERPOL database on stolen objects when a cultural object is stolen. Transmission of information on the persons implicated in the theft of cultural property

(c) Specific training program for members of police services

(d) Punishment of fraud and theft related to cultural property via criminal law provisions. Specialized judges in this field

Article 26 of the Antiquities Law stipulates that imprisonment sentences between one and three years and a minimum fine of three thousand dinars are imposed for the following violations: Prospecting for antiquities without a license, illicit trade (or providing assistance therein) in antiquities, failure to report a list of possessions to the Department of Antiquities, destruction or transformation of antiquities, attempting to reproduce or distribute counterfeit copies, failure to submit found antiquities to the Department within the prescribed time frame, and theft of antiquities.

Article 27 stipulates that imprisonment sentences between two months and two years and a minimum fine of five hundred dinars are imposed for the following violations: Attaching signs or notices to antiquities, dealing fake antiquities and manufacturing molds or samples without a license, failure to report found items or knowledge of such findings, and presenting false information to obtain a license or permit.

(e) Cooperation with the United Nations Office on Drugs and Crime (UNODC)

Customs

(f) Status of cooperation with the World Customs Organization. Specialized customs services which could assist heritage officials in preventing the illicit export of cultural property

(g) Specific training program for members of the customs administration

(h) Reference to the UNESCO-WCO Model Export Certificate for Cultural Objects

European Union - Application of the Council of the European Communities Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State

IV. Other legislative, legal and administrative measures taken by the State

1. Accession to the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects

2. Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation

3. UNESCO Database of National Cultural Heritage Laws – contribution and update