

Le Ministre

Mrs. Irina Bokova
Director General
UNESCO
Paris

Ref. 2535
Beirut, 6 July 2015

Dear Mrs. Bokova,

In reference to your request regarding the implementation of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, we hereby report the following:

Legal and Administrative Tools

Since 1926 Lebanon applies the Law no. 651 prohibiting the import of archaeological artefacts from Iraq and Palestine unless they have the proper certifications from the states of origin. This law was issued during the French mandate period in agreement between France and Great Britain in order to organize their respective archaeological investigations in the region. Syria was not included at that time because Lebanon and Syria had one custom entity since they were both under the same French mandate authority.

The Lebanese Law on antiquities issued in 1933 organized the commerce of antiquities and gave the antiquarians the right to sell and buy antiquities according to strict regulations. Nevertheless, the Law no. 651 was and is still applied.

In 1988, after 13 years of civil war, and due to the lack of control over the Lebanese antiquity market, the Minister of Tourism at that time (the DGA was part of

the Ministry of Tourism. It was shifted to the Ministry of Culture in 1993) issued a ministerial decision no. 8 banning all kind of export of antiquities from the Lebanese territory. This Decision was followed the same year by another ministerial decision no. 14 aiming at the organization of the antiquity market inside Lebanon.

Soon After, in 1990 the Minister of Tourism issued a new ministerial decree combining the previous two decisions. The new decision not only prohibited all kind of export of archaeological objects from Lebanon but also banned all kind of trade in antiquities inside the country.

Later, the same year (1990), Lebanon ratified the 1970 convention by the Law no. 21 dated 30/10/1990.

Since that date Lebanon is applying not only the previous Laws and decisions regarding the trade in antiquities but also the 1970 convention that became part of the National Laws on Cultural Properties. Furthermore, by ratifying the convention, Lebanon expanded the fan of types of material culture to include not only the archaeological objects *i.e.* the objects dating prior to 1700 AD but also all cultural goods dating from later periods as well.

The latest Law no. 37 on Cultural Properties issued in 2008 do not include a section on antiquity trade since the articles of the 1933 Law are always applied.

Sanctions and regulatory measures

According to local Laws, illicit trafficking in antiquities or cultural properties is considered as a minor crime or a Misdemeanor and not a felony or a major crime. The sanctions range between 9 months to 3 years of imprisonment in addition to a financial penalty.

Administrative actions

Many Workshops and awareness campaigns were conducted since the ratification of the convention by the state party. All the awareness campaigns and some of the workshops were don on the local level and between the concerned governmental agencies and others on the regional level inviting the Arab countries involved in the application of the convention. Two regional workshops on illicit traffic

were held in Lebanon with the collaboration of the UNESCO regional office. The first was held in 2002 and the latest was done in 2009.

The state of application of the Laws and the 1970 Convention (restitution, etc.)

The procedures for the application of the 1970 convention as well as the above mentioned Laws, are divided between the Ministry of Culture and the National Security Agency (Police force of the Interior, customs, etc.). Seizures of cultural objects are done by the security agencies and are transmitted to the Directorate General of Antiquities by order from the Attorney General.

Once the cultural property seized, the DGA follow the subsequent procedure:

1. Objects are inspected and their provenance is certified by both DGA and Police.
2. The Directorate General of Antiquities transmits the list with explanatory documents and photographs to the competent authorities of the concerned countries through diplomatic channels.
3. A technical Committee is formed of the two countries (Lebanon and the countries of origin) to finalize the certification of origin and to draw up the final list of objects to repatriate.
4. Once all documents are complete, the repatriation is done according to the diplomatic procedures between the two countries.

Statistics

In applying this procedure, Lebanon has already restored several objects illicitly trafficked across its borders in recent years and sent them back to Iraq and Syria.

According to the administrative files held at the DGA since 2012, there is more than 40 cases of seizure done by the security forces and objects were transferred to the DGA. The objects are from both Iraq and Syria.

In 2012 we had 3 cases of object seizures from Iraq and 13 cases of seizures from Syria.

In 2013 we had 13 cases of object seizures from Syria.

In 2014 we had 1 case of object seizures from Iraq and 20 cases of seizures from Syria.

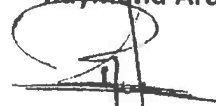
Since January 2015 we had 12 cases of object seizures from Syria and one case from Yemen.

It is worth noting that an important number of the seized objects turn to be not archaeological, fake or counterfeit. We do not have to the moment exact figures but we can estimate that up to 65 % of the seized objects are fake.

Current situation

Currently, the Directorate General of Antiquities holds cultural objects from Syria and is communicating with the Syrian DGAM in order to find the best way to save them and to return them to the Syrian competent authorities at the appropriate time. The seized object types includes archaeological objects as well as objects of worship stolen from religious sites.

Raymond Araygi *22.1.2015*



Minister of Culture

