

LITHUANIA

NATIONAL REPORT ON THE IMPLEMENTATION OF THE 1970 CONVENTION ON THE MEANS OF PROHIBITING AND PREVENTING THE ILLICIT IMPORT, EXPORT AND TRANSFER OF OWNERSHIP OF CULTURAL PROPERTY

2011 - 2015

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

1. Ratification of the Convention

Lithuania has ratified this Convention on 17 March 1998.

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

The basic principles of 1970 Convention are set up in law on protection of movable cultural property - Law X-1682 on Protection of Movable Cultural Property

Other legislation implementing the Convention:

Resolution N.1424 of 9 November 2004 of the Government of Lithuania on the approval of the Regulation for the export of movable cultural property and antiques from the Republic of Lithuania and the List of movable cultural property and antiques from the Republic of Lithuania

Resolution N.1480 of 27 November 2003 of the Government of the Republic of Lithuania on the approval of the regulation of antiques trade

Resolution N.393 of 27 March 1996 of the Government of Lithuania on the approval of arrangement regulations of auctions of movable cultural property, antiques and pieces of contemporary art

Resolution N.1572 of 9 December 2003 of the Government of the Republic of Lithuania on the approval of the procedure to certificate (issue licence for) the antiques trade

There is used definition „cultural objects“. Cultural objects shall be as follows:

- 1) archaeological discoveries;
- 2) material examples of ethnic culture;
- 3) the movable items related to most important historical events, history of society, culture, war, sports and religions and the lives of distinguished persons;
- 4) firearms and non-firing weapons;
- 5) fine and applied art works;
- 6) musical instruments;
- 7) manuscripts and incunabula, maps and scores, books and other publications;
- 8) the movable items holding numismatic, sphragistic, heraldic or philatelic value, phaleristics, orders and medals;
- 9) the movable items depicting the history of science, engineering and technology;
- 10) collections, selections, sets or other objects, as a whole, regardless of the value or types of individual parts; collections of palaeontological, ethnographic or numismatic interest;
- 11) parts of artistic, historical or religious objects;
- 12) photographs, films and negatives thereof;
- 13) the documents created on any base;
- 14) antiques.

In Lithuanian Criminal Police Office since 2003 founded section of Investigation of cultural and art theft . Section of Investigation of cultural and art theft coordinate work of territorial police units in investigation of theft of cultural objects. This specialized unit cooperate with Department of Cultural Heritage under Ministry of Culture.

National section of INTERPOL cooperate with Section of Investigation of cultural and art theft, other Police units, customs, units of State Border guard service and Department of Cultural Heritage under Ministry of Culture. Department of Cultural Heritage under Ministry of Culture also cooperate with Financial Crime Investigation Service

3. Inventories and identification

Information about cultural property stolen in Lithuania and another State Party is stored in an Internet database of Lithuanian Criminal Police Office, linked to INTERPOL. Museums and other institutions have access to this data.

National treasures are inscribed by Department of Cultural Heritage on the Register of Cultural Property (<http://kvr.kpd.lt/heritage/>) They have their unique numbers.

4. Archaeological excavations

The Department of Cultural Heritage protects the archaeological sites which are objects of immovable heritage according to the Law on the Protection of Immovable Cultural Heritage. Archeological excavations are allowed only with licence issued by Department of Cultural Heritage. Excavations are monitored by officers of Department of Cultural Heritage.

In Lithuania are recorded illegal excavations of ancient burial grounds. To combat illegal excavations, 2010 was amended Law on Protection of Movable Cultural Property. This amendment found control over use of ground detectors. Department of Cultural Heritage made steps to intensify cooperation with police units and intensify monitoring of archeological objects.

Criminal Code of the Republic of Lithuania provides penalty for violation of Law on Protection of Movable Cultural Property and Law on the Protection of Immovable Cultural Heritage.

5. Monitoring of the export and import of cultural property

Export and import of cultural property monitored by Customs Department under the Ministry of Finance and State border guard service under the Ministry of Interior.

Department of Cultural Heritage, in compliance with Resolution N.1424 of 9 November 2004 of the Government of Lithuania on the approval of the Regulation for the export of movable cultural property and antiques from the Republic of Lithuania and the List of movable cultural property and antiques from the Republic of Lithuania and in compliance with Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods, issue cultural objects export licenses.

These rules apply to the same categories of cultural objects covered by Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods. The cultural objects are covered by these rules without any financial thresholds.

During the reporting period was some attempts of illegal export of cultural goods.

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

In Lithuania are 70 licensed antique store.

Main rules:

Resolution N.1480 of 27 November 2003 of the Government of the Republic of Lithuania on the approval of the regulation of antiques trade

Resolution N.393 of 27 March 1996 of the Government of Lithuania on the approval of arrangement regulations of auctions of movable cultural property, antiques and pieces of contemporary art

Resolution N.1572 of 9 December 2003 of the Government of the Republic of Lithuania on the approval of the procedure to certificate (issue licence for) the antiques trade

In accordance with Law on Protection of Movable Cultural Property, all movable items of cultural value found on land, its surface, water, in buildings as well as structures or the parts thereof and indicated in Article 3 of this Law whose owner or manager cannot be established or has lost the right to such under the law shall be transferred to state ownership.

7. Bilateral agreements

II. Code of ethics, awareness raising and education

Ethical standards

Awareness raising and education

III. Cooperation with other international and regional agencies

Police

National section of INTERPOL cooperate with section of Investigation of cultural and art theft (Lithuanian Criminal Police), with other police units and customs, State border guard service and Department of cultural heritage.

National section of INTERPOL submit information regarding theft of cultural objects to the sections of INTERPOL in other countries and to General Secretariat of INTERPOL.

Section of Investigation of cultural and art theft (Lithuanian Criminal Police) receive information from INTERPOL sections in other countries.

Criminal code provides penalty for theft related to cultural property.

Customs

Lithuanian Customs is a member of the World Customs Organization.

Customs officials do not participate in a specific training programme.

The UNESCO-WCO Model Export Certificate for Cultural Objects is not used. The export licenses under the Council Regulation (EC) No 116/2009 or under national legal acts are presented together with an export declaration when the customs formalities are carried out.

European Union

Directive 93/7/EEC of 15 March 1993 implemented by Resolution N. 1107 of 31 August 2004 of the Government of Lithuania (the Procedure of Return of Cultural Objects Unlawfully Removed from the Territory of a Member State of The European Union).

Procedure of Return of Cultural Objects Unlawfully Removed from the Territory of a Member State of the European Union

IV. Emergency situations and heritage at risk

Institutions of memory, that belongs to State, shall be prepared according to the rules, approved by Ministry of Culture. Lithuania have not undertaken no specials measures. Export licenses are required generally for all exported cultural goods.

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

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

Lithuania has ratified 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects in 1997.

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

Lithuania is a member of this committee since 2014.

3. UNESCO Database of National Cultural Heritage Laws

UNESCO Database of National Cultural Heritage Laws contains main legal acts of Republic of Lithuania regarding cultural heritage. Information was updated in 2014. Next time it will be done at the end of 2015.