

# 2007-2011 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

## SWEDEN

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

#### 1. Ratification of the Convention

Yes (acceptation in January 2003).

#### 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.

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

The definition for “cultural property” and the protection of “cultural property” can be founded in:

- the Heritage Conservation Act (1988:950) (including amendments up to and including SFS 2002:1090), and,
- the Heritage Conservation Ordinance (1988:1188) (including amendments up to and including SFS 2002:970)

(c) Specialized units and cooperation

Yes – together with police, customs, licensing authorities, County administrative Board and the Swedish church.

(d) Administrative coordination

(e) Working meetings

There are meetings and discussions about the following subjects:

- how to protect ecclesiastical furnishing,
- how to protect the heritage from looting,
- how to protect cultural objects unlawfully removed.

#### 3. Inventories and identification

(a) Inventories

Ecclesiastical furnishings are provided for the risk of theft and ancient finds by looting.

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

All ecclesiastical furnishings are listed if it belongs to a protected church.

All items belonging to museums are listed

All ancient finds belong to the State if they that have no owner when found and that are discovered in or near ancient monuments and remains and are connected with them or are found in other circumstances

(c) Reference to the Object ID standard

No

(d) Systems to combat theft and to train staff – specific measures adopted for libraries, archive and manuscript repositories – establishment of specialized units to monitor them

Yes, they have an organization and some also have specialized units.

#### **4. Archaeological excavations**

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

All ancient monuments are protected by the national legislation.  
Permission has to be requested from the County Administrative Board.

(b) Illegal excavations

The illegal excavations are a real problem at Gotland, particularly with the metal detectors. It is prohibited to use metal detector without permission since 1991.  
The Swedish National Heritage Board has a project together with County Administrative Board at Gotland.

#### **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

It is difficult to estimate the scale of the illicit export and import of cultural property.  
The statistics are compiled on the theft of cultural property 2000 to 2005.

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

The Swedish National Heritage Board has information on its home page:  
[http://www.raa.se/cms/extern/en/cultural\\_heritage/legislation\\_and\\_responsibility/exportation\\_of\\_cultural\\_objects.html](http://www.raa.se/cms/extern/en/cultural_heritage/legislation_and_responsibility/exportation_of_cultural_objects.html)

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

The rules do not provide for the restitution of illicitly imported cultural property.

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

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

Using of ICOM's ethical rules: <http://sweden.icom.org/>

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

- Applicability of the principle of inalienability applied to cultural items in national collections

No never

- Status of yet unfound cultural objects, of cultural items found by chance and archaeological artefacts found during legal or illegal excavations

All ancient finds belong to the State if they that have no owner when found and that are discovered in or near ancient monuments and remains and are connected with them or are found in other circumstances

## **7. Bilateral agreements**

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

Sweden does not have any bilateral agreements concluded with other countries on the import, export and return of cultural property.

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

Sweden has meetings with the neighboring countries, particularly in respect of police and customs services.

## **II. Code of ethics, awareness raising and education**

### **2. Awareness raising and education**

(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?

The Swedish National Heritage Board has information on the internet in both Swedish and English:  
[http://www.raa.se/cms/extern/en/cultural\\_heritage/legislation\\_and\\_responsibility/exportation\\_of\\_cultural\\_objects.html](http://www.raa.se/cms/extern/en/cultural_heritage/legislation_and_responsibility/exportation_of_cultural_objects.html)  
[http://www.raa.se/cms/extern/en/cultural\\_heritage/legislation\\_and\\_responsibility/exportation\\_of\\_cultural\\_objects.html](http://www.raa.se/cms/extern/en/cultural_heritage/legislation_and_responsibility/exportation_of_cultural_objects.html)

## **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

The police have regular information and contact with INTERPOL.

(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

The police transmits this information to INTERPOL.

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

The criminal law provisions allow for the punishment of fraud and theft related to cultural property but there is no judges specialized in this field.

### **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

There are regular meetings with the Swedish custom, police and licensing authorities.

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

They have had one training program and information on internet.

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

No. Sweden already has one and the same for export as the other countries in EU.

**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

Yes Chapter 6. Return of cultural objects unlawfully removed.

#### **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**

Ratification in June 2011  
Entry into force in December 2011.

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

There are observers on some meetings and there are also discussions with police, custom and museums in Sweden.