

UNESCO 1970 Convention - Periodic Reporting Form 2019

Respondent Information

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Position : Director of the Legal Affairs Department, Director of the Museums Affairs Department, Director of Excavations Department

Organization/Agency : Directorate General of Antiquities and Museums

Country : Syria

Policy and Legislative Framework

1. Did your country implement the 1970 UNESCO Convention, and if so, how?

	Civil Law
	Criminal Law
x	Specific Law

Please describe the specific law(s) used by your country.

legislation providing protection for antiquities, prohibiting its illicit trafficking, and penalizing those who trading and smuggling cultural properties.

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
x	No

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).

- National framework: Antiquities law passed in Legislative Decree #222 of October 26, 1963 with all its amendments.
- International framework: Syria ratified the UNESCO 1970 Convention and the UNIDROIT convention.

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

4	Clear definition of cultural property
5	State ownership of undiscovered cultural heritage
2	Regulations on trade of cultural property
	Export controls
	Export certificates
3	Certificate of authenticity
2	Import controls
2	Establishment of national services
3	National inventory of cultural property
2	Inventory requirements for museums, public institutions, private collections
2	Protection of archaeological sites and regulation of archaeological excavations
2	Public education and awareness raising
3	Measures to prevent museums and similar institutions from acquiring illegally exported cultural property
3	Prohibition of import of cultural property stolen from a museum or religious/secular institution
	Regulation of the diplomatic pouch
2	Provisions for the return of cultural objects stolen from a museum or other public institution

3	Sanctions (criminal and/or administrative and/or civil) of illicit activities related to destruction and illicit trafficking of cultural property
	Requirement of register of sales for antique dealers, auction houses, dealers of cultural heritage and art galleries
1	Protection of underwater cultural heritage
4	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?

	Yes
x	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)

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

There is a new legislative amendment to amend the Cultural Property Protection and management act, currently in force, and to include the texts of international conventions ratified by Syria.

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

	Yes
x	No

Please specify:

Yes, Our law, currently in force, prevents the illicit export of cultural property.

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

Please specify:

11. Has your country encountered difficulties in returning/restituting cultural property to its place of origin due to incompatibilities with national judicial decisions?

x	Yes
	No

Please specify:

We complained of the lack of international cooperation, often for political reasons, which hamper the recovery of cultural properties.

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?

×	Yes
	No

13. Please describe this service's major roles and responsibilities.

- *Prevention of trafficking in cultural property.*
- *Inventory of artifacts in museums*
- *Archaeological excavations are being carried out under regular licenses*

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
×	Customs
	None
	Other (please specify):

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

- Liaison officer in the Ministry of the Interior.
- The National INTERPOL, one of its tasks is to combat illicit trafficking.

Security departments and penal managements, one of its tasks is to combat illicit trafficking in antiquities.

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.
x	Coordination lead by specialized service (as described in Article 5), antenna or focal point
	Communication and meetings as necessary (i.e., for specific cases)
	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.

Each above initiated stakeholder is working to combat illicit trafficking in cultural property, in accordance with the tasks and powers entrusted to them

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

	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
x	We would request assistance to establish such a database

19. Please provide additional details on how your country uses such a database.

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
×	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

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

The non-digitized inventories are briefly described the artifacts and include their pictures.

22. To what extent does your country have a centralized national inventory of cultural property *

	All/almost all protected cultural property is inventoried
×	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.

The crisis caused the loss of many inventories. Actually, we work on re-establishing these inventories.

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.*

The crisis had led to a real problem, a problem which has been aggravated in some areas by the absence of State authority, and the existence of the organized gangs which carry out large-scale clandestine excavations. In return, there's surveillance on the areas under the control of the State authorities.

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?

	Yes
	No

26. Please describe, including methods, target audience, etc.

Via lectures, photos, television programs, and street posters.

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
2	Sharing information on stolen objects with authorities
	Placing pressure on museums to change acquisition policies
	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 no extent
	To some extent
x	To a considerable extent
	To a great extent

29. Overall, to what extent do customs officers have the necessary resources and knowledge to address cultural property crime?

	To no extent
	To some extent
x	To a considerable extent
	To a great extent

30. What type of training do police receive on cultural property crime?

	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
x	Assistance is required from UNESCO and its partners
	Other (please specify)

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

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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 (please specify)

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

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?

	All or almost all have adopted such a code of ethics ongoing
	Most have adopted such a code of ethics
	Some have adopted such a code of ethics
x	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.

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
	None/only a few follow such practices
	Other (please specify) : Our government prohibits trafficking in antiquities.

37. Please provide additional details on the policies and practices of dealers and auction houses in your country.

There is no auction houses in our country.

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

They are liable to prosecution and criminal penalties.

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

	Yes
	No

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.

There is no bilateral agreements in our country.

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	×			
Provided a moral framework for return/restitution				
Provided a diplomatic framework for return/restitution				
Other (please specify):				

43. Please provide additional details on or examples of how the 1970 Convention has facilitated return/restitution cases:

There is no example.

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?

×	Yes
	No

Please specify:

National Interpol

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

Through the Ministry of Foreign Affairs,international Organizations Department.

Overall

46. Yearly statistics

Thefts

1st Year reporting :	Number of objects
Additional information : About 1034 Objects	
2nd Year reporting	Number of objects
Additional information : About 10683 Objects	
3rd Year reporting	Number of objects
Additional information : About 1959 Objects	
4nd Year reporting	Number of objects
Additional information : About 5880 Objects	

Illegal Excavations

1st Year reporting :	Number of objects
Additional information :The number of illegal excavated sites is more than 100 sites.	
2nd Year reporting	Number of objects
Additional information : The number of illegal excavated sites is more than 140 sites.	
3nd Year reporting	Number of objects
Additional information : The number of illegal excavated sites is about 200 sites.	
4nd Year reporting	Number of objects
Additional information : The number of illegal excavated sites is about 250 sites.	

Seizures (cultural objects originating from own country)

1st Year reporting :	Number of objects
Additional information : 1276 objects	
2nd Year reporting	Number of objects
Additional information : 410 objects	

3rd Year reporting	Number of objects
Additional information : 308 objects	
4nd Year reporting	Number of objects
Additional information : 938 objects	

Seizures (cultural objects originating from another country)

1st Year reporting :	Number of objects
Additional information : 0	
2nd Year reporting	Number of objects
Additional information : 0	
3nd Year reporting	Number of objects
Additional information : 0	
4nd Year reporting	Number of objects
Additional information : 0	

Restitutions

1st Year reporting :	Number of objects
Additional information : 0	
2nd Year reporting	Number of objects
Additional information : 0	
3nd Year reporting	Number of objects
Additional information : 0	
4nd Year reporting	Number of objects
Additional information : 0	

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				
Lack of customs capacity related to cultural property				
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.).

- Lack of international cooperation.
- The absence of mechanisms to monitor implementation of the international Conventions.
- There is an international environment that promote the smuggling of antiquities out of their home countries.

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.).

We don't have requests for return/restitution made by other countries.

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)				

51. Please provide additional details on how your country has used UNESCO's tools.

We just use the object ID standard in in documenting our museum's collections.

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

Yes, our country has uploaded relevant national laws to the UNESCO Database of National Cultural Heritage Laws.

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

reinforcing implementation mechanism of the international conventions.

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.

we know much more about the 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 your State encounter while implementing the Convention during the last reporting cycle period?

Non-adherence of the international convention by a number of neighboring countries, these countries which contributed in smuggling a considerable part of Syrian antiquities and which have exploited badly the Syrian crisis.

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

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