



**1970 Convention –  
Fight against the illicit trafficking of cultural  
property**

<b>Name and unit of project officer</b>	Edouard Planche CLT/CEH/CHP
<b>Geographical scope/benefitting country(ies):</b>	Priority regions: Africa , Latin America and the Caribbean, South-East of Europe, Asia
<b>Duration (in months):</b>	24 months
<b>Partner(s) institutions:</b>	UNIDROIT INTERPOL WCO UNODC ICOM Carabinieri (Italy) The Central Office for the Fight against Traffic in Cultural Goods (OCBC) in France, Guardia Civil (Spain)
<b>Total estimated budget inclusive of Programme Support costs</b>	USD 5 million, of which USD 1,5 million for Africa, USD 1,5 million for Latin America and the Caribbean, USD 1 million for South-East of Europe, USD 1 million for Asia

**Rationale and background**

The destruction, looting, and trafficking of cultural property poses great threats to the physical integrity of the items themselves - and the sites they come from - and also to the preservation of cultural heritage and overall identity of the affected nations. The illicit trafficking of cultural property generates a lucrative unlawful trade, with a great percentage of stolen artefacts never being recovered. This fact, combined with the lack of legal and practical measures and regulations for the protection of cultural property, natural disasters and armed conflicts (like recent developments in Mali or Syria show), poses a serious risk to cultural property for future generations and hinders the potential of culture as a primary vector for economic development.



The ratification and successful implementation of UNESCO's 1970 the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of

Cultural Property – ratified by 126 countries as of April 2014 - is therefore a priority for UNESCO's Member States. The Organization aims at pursuing a comprehensive strategy already put in place for creating and developing the necessary capacities at the national and regional level to combat this illegal activity while promoting broad public awareness about the critical need to protect cultural heritage and its importance for the cohesion of societies.

The most urgent capacity-building needs addressed in this strategy are the following:

- developing preventive measures for safeguarding movable cultural heritage, with a special focus on the drafting of effective legislation, the development of inventories and the creation of specialized institutional infrastructure, police and customs units;
- creating national and regional networks of experts and knowledge in order to reduce illicit trafficking in cultural property and facilitating its restitution;
- boosting awareness in order to involve the general public and especially younger generations on the protection of cultural heritage.



## Why UNESCO ?

As the sole UN agency with a specific mandate for the protection of cultural property, UNESCO has extensive experience in offering its expertise and assistance to its Member States – parties or non-parties to the 1970 Convention – in the creation and development of capacities for fighting against the illicit trafficking of cultural property.



Alone in the period between 2013 and 2014, 26 capacity-building workshops and several awareness-raising activities were held across the world, involving more than 80 countries. This strategy has already translated into substantial advances in national legislation, the creation of protection mechanisms and amelioration in the general awareness about the topic. Despite these efforts, however, many countries still can be benefited from the strategy. Further, only continuous efforts, periodic training, a rigorous assessment of the advances and operational international networks can ensure a sound strategy for combatting illicit trade in cultural property worldwide.

The present project aims thus at pursuing this strategy. Furthermore, UNESCO has a solid network of partners – ranging from governmental stakeholders, international governmental and non-governmental organizations and civil society platforms - which facilitate a comprehensive approach and consolidated action in the fight against the illicit trafficking in cultural property.

The Organization has a well-established reputation in the field and can ensure delivery in fragile States as well as in post-conflict and post-disaster situations. This project will provide special attention to countries where cultural heritage is particular at risk, such as in the recent cases of Egypt, Libya, Mali or Syria, where emergency actions have already been put in place by UNESCO.

UNESCO is therefore in a unique position to take action in this particular domain. This two-year project will invest in the creation and development of human and institutional capacities thus serving to the establishment of sustainable national strategies on the subject in the mid-term.

## **Overall Goal/Objective**

In the spirit of a better implementation of the 1970 Convention, the overall goal of this project is to reduce the illicit trafficking of cultural property through the development of capacities at the national and regional level and the raise of awareness among the general public. This will notably contribute to economic development and social cohesion through the revalorization of the cultural heritage in local communities.



### **This goal will be achieved by:**

- Encouraging countries to ratify the 1970 Convention and the 1995 UNIDROIT Convention (complementary to the 1970 Convention in private international law).
- Creating, developing and applying legal and practical tools (certificates, databases, model legislations, bilateral agreements and so forth).
- Building up consistent legal frameworks for the safeguarding of movable cultural property (harmonization of the legal provisions aimed at combating trafficking in cultural property is made possible by the ratification of the 1970 and 1995 Conventions and by the transferral of the Conventions provisions or their direct application into domestic law).
- Raising the awareness of the general public through documentaries and tool kit for various audiences ranging from school children to professionals in the art market regarding the need to fight against the illicit trafficking of cultural property and the safeguarding of cultural heritage
- Creating and developing specialized police and customs units on the protection of cultural heritage.
- Developing networks and creating partnerships among involved partners at the national, regional and international level.

## **Main expected results**

### **Expected Result 1**

States ratify the Convention and integrate its principles in national legislation

### **Expected Result 2**

Beneficiary countries create and develop effective preventive mechanisms for the fight against the illicit trafficking of cultural property

### **Expected Result 3**

Beneficiary countries establish consistent and sustainable institutional infrastructures for safeguarding movable cultural heritage, fighting against its illicit trafficking and promoting its restitution

### **Expected result 4**

Countries in a conflict or post conflict situation are ready to face up illicit trafficking through emergency actions

### **Expected Result 5**

General public and especially future generations of beneficiary countries become aware about the need to protect movable cultural heritage

## **Activities and outputs/deliverables relating to the achievement of expected results**

### **Activity 1 – expected results 1, 2 and 3**

**Technical assistance to encourage new ratifications and build the capacities for the creation and development of preventive measures on the fight against the illicit trafficking of cultural property**

#### **Output/deliverable 1.1**

Tailored-made capacity-building trainings organized in beneficiary countries involving all relevant stakeholders

### **Activity 2 – expected results 2 and 3**

**Technical Assistance in the creation and development of specialized police and customs units for the fight against illicit trafficking in cultural property and the restitution of cultural objects**

#### **Output/deliverable 2.1**

Capacity-building training for police and customs officers

#### **Output/deliverable 2.2**

Support provided for the creation of specialized police and customs units

### **Activity 3 – expected results 4**

**Technical assistance in the creation and development of capacities in countries in a conflict or post-conflict situation**

#### **Output/deliverable 3.1**

Emergency capacity-building workshops organized in countries in a conflict or post-conflict situation

#### **Output/deliverable 3.2**

Emergency workshops aimed at creating specialized police and customs agents organized

#### **Output/deliverable 3.3**

Tailor-made awareness-raising materials produced for local population

### **Activity 4 - expected result 5**

**Awareness-raising activities for local population with a special focus on young generations**

#### **Output/deliverable 4.1**

Theme included in school and university curricula

#### **Output/deliverable 4.2**

Audiovisual materials produced (documentaries, films, clips)

#### **Output/deliverable 4.3**

Kit for children (including games, copies of cultural objects, guidelines for teachers) produced

#### **Output/deliverable 4.4**

Communication materials produced –posters, postcards)

## **Beneficiaries and stakeholders**

The **direct beneficiaries** of the proposal include the different actors involved in the policy-making, operational and technical aspects of the protection of cultural property. Stakeholders involved in this strategy come from different fields- not from the cultural field alone.



- a. Governmental officials (Ministries of Culture, Tourism, Foreign Affairs, Home Affairs, Justice).
- b. Members of the Parliament
- c. Police officers
- d. Customs officers
- e. Representatives from religious institutions of the region
- f. Legal experts, magistrates, lawyers, prosecutors
- g. Academics, school teachers
- h. National heritage associations
- i. Museum staff
- j. Education staff and local communities
- k. Actors of the art market
- l. Private collectors
- m. Tour operators and professionals involved in the tourism industry.

Indirect beneficiaries involve local communities themselves, as well as younger generations. These beneficiaries of the project – who will benefit from the capacity-building and awareness-raising activities – are also influential stakeholders in the long-term for the protection of cultural heritage, since they will be trained to develop sustainable and consolidated action on the fight against the illicit trafficking of cultural property in future years.

## **Implementation strategy**

This project has been planned to be implemented during a minimum of two years, but it can be extended depending on the needs of the targeted countries and the available funding. Periodic capacity-building workshops over an extended period of time serve to boost the acquired knowledge of stakeholders, strengthen newly created institutional units and networks and also to assess the progress of the project while training trainers.



The project will be implemented in close cooperation between UNESCO Head Quarters, relevant Field Offices in the concerned regions and UNESCO's partners in the fight against the illicit trafficking of cultural property. As for the geographical scope, special attention will be given to Africa, Latin America, South-east Europe and South-Asia, as well as to those countries in a conflict or post-conflict situation, where emergency actions and capacity-building will be launched. Beneficiary countries will be selected by the Secretariat in close cooperation with the concerned Field Offices and following the requests of

States Parties. Regional and bilateral priorities of donors will also be taken into account.

The overall goal of this project is to reduce the illicit trafficking of cultural property and foster the restitution of cultural objects through the development of capacities at the national and regional level and the raise of awareness among the general public, thus contributing to the sustainable economic development of communities through the revalorization of cultural

heritage. The planned activities will enable concerned countries to develop preventive measures for safeguarding movable cultural heritage, to create the necessary conditions to react in an effective way in the event of illicit trafficking, and to reconstitute cultural objects to their countries of origin.

This goal will be achieved by the implementation of capacity-building workshops which will tackle the different aspects of the fight against illicit trafficking described above. These trainings will address gender equality by encouraging and assuring the presence of women. While these workshops are the most visible landmark of the project, they are embedded in a framework of continuous international cooperation and technical assistance provided by UNESCO and its partners. The outreach and awareness-raising campaign will be developed in parallel to capacity-building and assistance activities.

Capacity-building workshops will use materials already produced by the Organization as well as tools specifically produced for this project. It will take into account the equal involvement of both men and women in all activities. Capacity-building workshop and awareness-raising activities will be organized with a gender-responsive approach by making sure that women are involved both as trainers and beneficiaries.

***Sustainability and exit strategy***

The project aims at transmitting the necessary skills to national stakeholders in the fight against illicit trafficking and the restitution of cultural objects and will also contribute to the creation of specialized police and customs units. Further, it will boost the sensitization of the general public on the need to protect cultural heritage.

The knowledge shared in this project will serve to draw national strategies for a sound protection of movable cultural heritage in the future. Therefore, the sustainability of the project will be assured. Also, by involving stakeholders from different fields –not only from the culture sector, but also police and customs officials – the project facilitates the creation of networks and wider, long-term strategies for the protection of cultural heritage.

