



United Nations  
Educational, Scientific and  
Cultural Organization



Convention for the fight  
against the illicit trafficking  
of cultural property

5 SC

C70/17/5.SC/INF2  
Paris, April 2017  
Original: English

Limited Distribution

**Fifth Session of the Subsidiary Committee of the Meeting of States Parties to the  
Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and  
Transfer of Ownership of Cultural Property  
(UNESCO, Paris, 1970)**

**Fifth session  
Paris, UNESCO Headquarters, Room XI  
17-19 May 2017**

**Item 6 of the Provisional Agenda:** Presentations on Good Practices and Successful Restitutions

This information document summarizes the main points of discussion of the presentations on Good Practices and Successful Restitutions.

## **I. Introduction**

1. The purpose of these series of presentations is to acknowledge the efforts of States Parties in the fight against illicit trafficking of cultural property. This document provides a selection of examples on good practices and successful restitutions.

## **II. Return of the Buddha Statue to Myanmar by Norway**

2. The Buddha statue was confiscated by Norwegian customs together with some other objects in Drammen on 22 March 2011, as a result of control of importation documents. The documents contained information that the statue was 200 years old but there was no export license from Thai authorities. Therefore, the customs in Drammen reported the illicit importation to the police for breach of Norwegian regulation pertaining to import and export of cultural objects, requesting that the statue should be confiscated in accordance with the Norwegian penal code. The customs also made reference to Norway's legal obligations as party to the UNESCO 1970 Convention.
3. While awaiting the outcome of the police investigation and legal proceedings, the statue was retained in customs storage in Drammen for a period of four years until the case was decided by legal decision. In September 2015 the statue was handed over from the Ministry of Culture to the care of the Museum of Cultural History in Oslo, for examination and further guardianship until a permanent solution could be found. The statue has been on display since 2016 in order to raise awareness among the public and inform museum visitors of the risk of illicit exportation and importation of cultural objects.
4. The Buddha Statue is going to be handed over by the Norwegian Foreign Minister to Myanmar's Ministry of Culture and Religious Affairs in June/July 2017.

## **III. Egyptian Cases on Restitution of Cultural Objects**

5. The protection of cultural property and restoration of stolen artefacts back to their countries of origin is one of the most significant challenges that the Ministry of Antiquities in Egypt faces, especially in the last few years. Despite the existence of the phenomenon of thefts of artefacts and the illicit excavation in archaeological sites in the past, after the Revolution in January 2011 the cultural heritage in Egypt suffered the biggest threat. Crimes increased significantly as a result of the political situation and the security instability that followed it, led to the destruction, theft and illicit excavation of cultural property in archaeological sites.
6. Museums also suffered from destruction, looting and smuggling their contents. Today the situation is better than before with the political stability but Egypt is still facing a challenge in attempting to seize stolen objects before they leave the country. Additionally, many of the stolen objects including registered ones find their way to private collections and remain hidden for years until they are sold.
7. It has been established that looted objects leave the country of origin through a transit country. In most cases, Egyptian stolen artifacts leave through Jordan, Dubai or Turkey. Sometimes Egyptian objects go directly to art market countries (France, England, Spain, Belgium, Switzerland).

8. Egypt is cooperating with all customs and security outlets, air, sea and land ports in order to prevent the smuggling of antiquities and cultural property outside the country, and to ensure the return of the stolen cultural property - from foreign countries - to its country of origin.

#### **IV. Costa Rica's National Policies for the Fight Against Illicit Trafficking**

9. Since 1938 Costa Rica has promoted laws to protect Pre-Colombian heritage. These rules have undergone updates and today include preventive and corrective control to fight against the illicit trafficking of archeological objects at the national level.
10. Legal protection is an activity that involves several State agencies, such as the Ministry of Foreign Affairs, Local Police, General Directorate of Customs, judicial entities, etc. each one of them in coordination with the National Museum of Costa Rica through established procedures. These procedures either deal with illicit cases at the national level or the repatriation of offenses committed in foreign territories, or to return objects illegally extracted in the past.
11. Capacity building and education play an important role in timely action to report plunder, trade and illicit export of pre-Columbian objects. Statistics have allowed us to remain alert during times when heritage is more vulnerable, while allowing us to quantify the incidence of illicit by geographical areas in the country.
12. The analysis of cases of repatriations in various countries and their legal variants provide us with the means to create more appropriate mechanisms to assert Costa Rican rights before other judicial bodies.