THE 1995 UNIDROIT CONVENTION ON STOLEN OR ILLEGALLY EXPORTED CULTURAL OBJECTS

Current status and activities

Seventh Session of the Subsidiary Committee to the Meeting of States Parties to the 1970 UNESCO Convention

Paris, 22 - 23 May 1919
STATUS MAP OF THE 1995 UNIDROIT CONVENTION – as of 18 May 2019
STATES PARTIES

Adoption: Place: Rome
Date: 24.06.1995

Entry into force: 01.07.1998 (Art. 12)

Contracting States: 46

Several States have almost finalised the internal procedure of accession .... deposit expected

+ Morocco
+ Togo
+ Ghana
+ Madagascar

Others are in the process of acceding to the Convention

Afghanistan, Algeria, Angola, Argentina, Azerbaijan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cambodia, China, Colombia, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Finland, Gabon, Greece, Guatemala, Honduras, Hungary, Iran, Italy, Lao People’s Democratic Republic, Latvia, Lithuania, Myanmar, New Zealand, Nigeria, North Macedonia, Norway, Panama, Paraguay, Peru, Portugal, Romania, Slovenia, Slovakia, South Africa, Spain, Sweden, Syrian Arab Republic, Tunisia
SIGNATORY STATES

Côte d'Ivoire, France, Georgia, Guinea, Netherlands, Pakistan, Russian Federation, Senegal, Switzerland, Zambia

To enter into force, the Convention is subject to → Ratification or Acceptance or Approval

Côte d'Ivoire is about to «perfect» its instrument of ratification
Advocacy and technical assistance to States
Awareness raising and capacity building
Research
New York Meeting - On 28 February 2017, a special event on “Promoting and Strengthening the International Legal Framework for The Protection of Cultural Heritage – The 1995 Convention” co-organized by UNIDROIT and the Missions of Cyprus and Italy to the UN, took place in New York, UN Headquarters.

RESULT

Establishment of an INFORMAL RATIFICATION TASK FORCE
Open to all States wishing to participate
Meeting on an annual basis in New York

Sharing information, best practices / national implementation, synergies with other conventions...

Coordinated by UNIDROIT
UN, New York, 8 May 2019

Group of Friends for the Protection of Cultural Heritage

Advocacy
The 1995 UNIDROIT Convention

and the

1993 Scheme for the Protection of Cultural Heritage within the Commonwealth

Conference to take place in London, June 2019

**Scheme** (Mauritius, 1993)
It complements work done by UNIDROIT and the European Community and contains practical provisions relating to the export and import of objects which take place after its adoption and implementation

**Model Bill** (Trinidad and Tobago, 1999)
Model Bill that constitutes a guide for countries to use when enacting the necessary legislation for implementation of the Scheme
WORKING GROUP IN EGYPT – following a UNESCO training held in Cairo in 2017, an interministerial Working Group was set up to study the 1995 Convention

WORKING GROUP IN LEBANON – assessment of national legislation and its compatibility with the 1995 UNIDROIT Convention (partnership with UNESCO)

BELGIAN SENATE (submission of a Note)
Guaranteeing the Permanence of the Restitutions and Reinforcing the Fight against Illicit Trafficking

“[The 1995 UNIDROIT] Convention is the only juridical tool capable of compensating for the present imbalance and thereby establishing a common law for restitution as well as insuring the permanence of the process undertaken for the cultural objects stockpiled during the colonial period.

In other words, the ratification of the 1995 UNIDROIT Convention will inscribe the restitutions within a perspective of durability.”
Visit to **Mongolia** to assess the legislation on the protection of cultural property in view of the accession to the 1995 UNIDROIT Convention (2015)

**2018** – publication in Mongolian on the return/restitution mechanisms under the UNIDROIT Convention
AWARENESS RAISING AND CAPACITY BUILDING

Joint UNESCO-EU projects on Engaging the European art market in the fight against illicit traffic of cultural property and Training the European judiciary and law enforcement officials on the fight against the illicit trafficking in cultural property

Opening of the 2019 Judicial year in Milan

Italian Association for Arbitration (AIA) and the German Arbitration Institute (DIS)
AWARENESS RAISING AND CAPACITY BUILDING

National or regional capacity building workshops in Ethiopia, Kuwait, Jordan, Mauritania, Sudan

Workshops in Rome for Chili, CARICOM countries, Romania, Moldova

Workshop on Protecting Iraqi Cultural Heritage and Fighting Terrorism - Blood Antiquities

Project on “Enhancing Legislative and Institutional frameworks of Cultural Heritage Protection” (in cooperation with UNESCO and INTERPOL)
• Exclusive Collector Forum 2019: WHAT TO LOOK FOR WHEN BUYING A WORK OF ART?
  Bangkok, August 2019

• Greater Mekong Sub-regional Symposium of Ministerial Executives on International Cooperation to Protect Antiquities and Art Objects, organised jointly by UNESCO and the Royal Thai Government - Bangkok. June 2019

• Workshop for collectors in Qatar, September 2019
PARTNERSHIPS - UNESCO HQ and Field Offices – importance of the follow-up, INTERPOL, WCO, UNODC, ICCROM-ATHAR, European Union, Organization of American States, UN Permanent Missions in NY, ICOM, Italian Carabinieri and Training Schools for the Armed Forces......
1995 UNIDROIT CONVENTION – Need to gather information on its implementation
Resolution adopted by the General Assembly on 13 December 2018

73/130. Return or restitution of cultural property to the countries of origin

6. **Reaffirms** the importance of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, ...... and **invites Member States** that have not already done so to consider **becoming parties to** the aforementioned **conventions** and protocols **that specifically address the return and restitution of cultural property to the countries of origin**;

8. **Acknowledges** the launch of the **1995 UNIDROIT Convention Academic Project** and the creation of the **Informal Ratification Task Force** as a platform for the exchange of views, information and assistance on issues such as the ratification and implementation of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects;
The Convention

- Convention Text
- Status
- National Implementation
- Explanatory Report and Commentaries
- Preparatory Work
- Follow-up
- Informal Ratification Task Force
- Related Instruments

Library

The Library is an accessible electronic storage of materials relating to the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.

The Library includes documents provided by UNIDROIT, consisting of case law, case comments, as well as articles prepared by scholars, and valuable papers submitted by students or affiliated Universities and UNIDROIT’s Interns.

This section also contains self-instructional material and material useful for professionals and law enforcement authorities.

The library is organised by categories of material. The list to the right of the page contains additional information about the documents and links to access them.

Reporting of Judicial/Extrajudicial activity

Controlling documents associated with judicial actions related to the Convention (case-law).

Scholarly Articles

Containing scholarly articles on the 1995 UNIDROIT Convention.

Students’ Papers

Containing papers and notes prepared by UNIDROIT’s interns and students.

Self-instructional materials

Comprehensive educational materials for individuals needing information about the Convention.

Materials for Professionals

Containing materials intended for art lawyers, judicial authorities, customs agents and police units.
Individual Partners

- Dr Katalin Andreides, Independent Researcher (Károli Gáspár University of the Reformed Church, Hungary)
- Professor Cristiano Carletti (Roma Tre University, Rome, Italy)
- Professor Maria-Luz Endere (Researcher at CONICET, Argentina)
- Professor Derek Fincham (South Texas College of Law Houston, Texas, USA)
- Professor Manlio Frigo (Università degli Studi di Milano, Italy)
- Professor Patty Gerstenblith (DePaul University, Chicago, Illinois, USA)
- Professor Zhengxin Huo (China University of Political Science and the Law, Beijing, China)
- Ms Susana Monteiro, Lawyer and Legal Assistant (Coimbra, Portugal)
- Honorary Professor Patrick O’Keefe (University of Queensland, Australia)
- Honorary Professor Lyndel Pratt (University of Queensland, Australia)
- Professor Arthur Salomons (Centre for the Study of European Contract Law, University of Amsterdam, Netherlands)
- Professor Dr Tamás Szabados (ELTE Eötvös Loránd University, Budapest, Hungary)
- Professor Ana Filipa Vrdoljak (University of Technology Sydney, Australia)
- Professor Dr Matthias Weller (EBS University of Economics and Law, Wiesbaden, Germany)
- Professor Kamil Zeidler (University of Gdańsk, Poland)

Project Partners

Contributions from Partners (either individual person(s) or organisations) may, for example, be in

- information on academic courses, expert meetings, workshops, training sessions to strengthen
  the field and/or on initiatives of legislative and regulatory domestic reform, or the preparation
  of contributions to the Academic Project Information Platform by sharing knowledge products (e.g.,
  specific areas of national relevant legislation.

Institutional Partners

Argentina
- Universidad Nacional del Centro de la Provincia de Buenos Aires (UNICEN), Argentina

Australia
- University of Technology Sydney, Australia

China
- China University of Political Science and Law, Beijing, China

Hungary
- Károli Gáspár University of the Reformed Church, Hungary

Italy
- Roma Tre University, Rome, Italy
- Università degli Studi di Milano, Italy

Poland
- Institute of Law Studies of the Polish Academy of Sciences
- University of Gdańsk, Poland
- University of Opole, Poland

Sponsors

Sponsors may contribute through a direct grant to the UNIDROIT, contributions will be agreed on a case-by-case basis.

GET INVOLVED and SUPPORT UCAP!
Memoranda of Understanding

have been entered into with universities to develop research projects and/or conferences on the international protection of cultural property with a focus on the 1995 UNIDROIT Convention

- University of Nicosia (Cyprus)
- University of Strathmore (Kenya)
- University of Opole (Poland)
INTERNATIONAL CONFERENCES ON CULTURAL HERITAGE PROTECTION

Ratification and implementation of the 1995 UNIDROIT Convention in Poland

Private Collections: Historical and Legal perspective

University of Gdańsk, Faculty of Law and Administration
June 6-7, 2019, Poland

It is our distinct pleasure to invite you to international scientific events taking place in Gdańsk, Poland – organized under the honorary patronage of the Deputy Minister of Culture and National Heritage – General Inspector of Monuments and the Polish National Commission for UNESCO.

The first conference focuses on the 1995 UNIDROIT Convention, the second is a part of the “Private Art Collections” task included in the UNIDROIT Work Programme for 2017-2019. The conferences are organized in close cooperation with UNIDROIT, the University of Gdańsk and the University of Opole (UNESCO Chair on Cultural Property Law), with the support of our partners.
Rapport de stage auprès de L’Institut International pour l’Unification du droit privé (UNIDROIT)

De 04 février 2019 au 30 avril 2019

Hermine VAQUIER

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