

FORMAT		
1. Name of resource	Fighting the Illicit Traffic of Cultural Property	
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3. Alternative location		
4. Author[s]	Z. Boz	
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8. Languages in which available	English, Arabic, Chinese, French, Russian, Serbian, Spanish, Ukrainian	
9. Geographic area resource relates to	Global	
10. Does the resource relate to a specific time frame?		
11. Type	Report	Yes
	Toolkit/Framework/Roadmap	Yes
	Sign-post to other resource (database)	Yes
	Case studies	Yes
	Other	Guidance on laws
12. Part of an initiative?		
COLLECTIONS AND COLLECTIONS-BASED INSTITUTIONS		
13. Explicit links to collections	Yes	
14. Explicit links to museums/libraries/archives	Yes	
15. Types of institutions relevant to	Museums	X
	Archives	X
	Libraries	X
	Other	X
16. Does the resource relate to specific disciplines?	Arts, humanities and social sciences: philosophy, psychology, religion, social sciences, law, politics, language, arts and recreation, architecture, literature, history,	X

	geography and ethnology, anthropology, archaeology	
	Science, natural history, technology, medicine, engineering, manufacturing	X
17. If no explicit links to collections, justification for inclusion		
HOW IT CONTRIBUTES TO SUSTAINABLE DEVELOPMENT		
18. Collections-related activities the resource relates to (mark all that apply)		
Develop collections to protect and safeguard wider cultural and natural heritage more effectively , for example by targeting collecting to threatened forms of heritage in strategic ways		X
Use collections to promote learning and educational opportunities that contribute to sustainable development more effectively , for example education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development and/or skills development relating to collections		X
Use collections to promote cultural participation/social inclusion more effectively , for example by reducing barriers to participation, to ensure no-one is 'left behind'		
Use collections to promote sustainable tourism more effectively , for example by developing new products based on local cultural heritage, and/or considering the rights of stakeholder groups in relation to collections		X
Use collections to support research that contributes to sustainable development (including all forms of personal and self-directed research at all levels that make use of stored collections) more effectively, for example by providing effective facilities, collections and information to meet researchers' needs		
Make decisions around collections that contribute to sustainable development more effectively		
i. employment (recruiting, staff training, staff safety)		
ii. energy consumption, greenhouse gas emissions, reduction, monitoring and reporting		
iii. waste management and reduction of waste		
iv. transport (forms of transport, energy use)		
v. commercial activities including copyright and IP		
vi. governance and management		X
vii. security, disaster preparedness and risk reduction		X

Direct external leadership, partnerships and collaborations towards sustainable development more effectively , for example by developing impactful partnerships	X
19. Does the resource relate clearly to any international conventions (mark all that apply)?	
Culture conventions:	
1952, 71 Protection of Copyright and Neighbouring Rights	
1954 Protection of Cultural Property in the Event of Armed Conflict	X
1970 Fighting Against the Illicit Trafficking of Cultural Property	X
1972 Protection of the World Cultural and Natural Heritage	X
2001 Protection of the Underwater Cultural Heritage	
2003 Safeguarding of the Intangible Cultural Heritage	
2005 Protection and Promotion of the Diversity of Cultural Expressions	
Rio Conventions:	
Convention on Biological Diversity (CBD), Convention to Combat Desertification (UNCCD), Framework Convention on Climate Change (UNFCCC)	X
AIMS AND CONTENT	
20. What issues does the resource aim to address?	<p>“Preventing the illicit trafficking of cultural objects is a fundamental necessity for the protection of cultural heritage. Fighting this crime requires specific knowledge and experience of international legal tools, including their practical implementation. Most importantly, in order to cooperate efficiently on this matter, all actors involved in mitigating the illicit trafficking of cultural property must be well-prepared. Any loss of time only serves to favour the smugglers while undermining cultural heritage, science and hope. This manual aims to provide the basic reference documents, together with practical tools developed by the relevant international or regional governmental or non-governmental organizations (NGOs), organs and mechanisms...</p> <p>The protection of cultural property is an undertaking that is generally associated with cultural heritage professionals such as archaeologists, art historians, anthropologists and museum professionals. However, when this protection becomes a legal obligation and contrary actions are criminalized, the responsibility to ensure the application of the law rests with the law enforcement agencies and the judiciary. In this regard, this manual also aims to provide fundamental information on the principal actors in this fight: the police, gendarmerie, customs, prosecutors and judges.</p>

	The examples and exercises included in this study offer practical steps to complement the theoretical information provided in the legal texts, and to initiate interaction during training.” (p.14)
21. Intended audience of resource	Cultural heritage professionals, law enforcement agencies, judiciary
22. Process of development	
23. Organisation/structure/contents	Foreword by the European Union 3 Foreword by UNESCO 5 Acknowledgements 7 List of acronyms 11 1. Introduction 13 1.1. The purpose of this toolkit 14 1.2. The importance of protecting cultural heritage through the prevention of illicit trafficking 15 2. The international and regional legal framework for preventing the illicit trafficking of cultural property 17 2.1. Background 18 2.2. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols of 1954 and 1999 21 2.2.1 Belligerent occupation 22 2.2.2 Serious violations 24 2.3. The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 26 2.3.1 How is the 1970 UNESCO Convention governed? 35 2.3.2 Operational Guidelines of the 1970 UNESCO Convention 36 2.4. The 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects 38 2.5. Annex 11 to the Nairobi Convention - World Customs Organization (WCO) 42 2.6. United Nations Convention against Transnational Organized Crime (UNTOC) 43 2.7. International guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property 47 2.8. Council of Europe Convention on Offences relating to Cultural Property 48 2.9. United Nations Security Council resolutions 51 2.9.1 UN Security Council Resolution 1483 (2003) 51 2.9.2 UN Security Council Resolution 2199 (2015) 54 2.9.3 UN Security Council Resolution 2253 (2015) 57 2.9.4 UN Security Council Resolution 2347 (2017) 58

	<p>2.10. The European Union legislative framework on the import, export and return of cultural property 60</p> <p>2.10.1 Council Regulation (EC) No 116/2009 on the export of cultural goods 61</p> <p>2.10.2 European Parliament and Council Directive 2014/60/EU 63</p> <p>2.10.3 Regulation (EU) 2019/880 of the European Parliament and of the Council of 17 April 2019, on the introduction and the import of cultural goods 64</p> <p>2.10.4 EU action plan against trafficking in cultural goods 65</p> <p>3. Illicit trafficking of cultural property as an organized crime 67</p> <p>3.1. Sources 68</p> <p>3.1.1 Illicit excavations: different groups, different motivations and behaviours 69</p> <p>3.2. Transportation and trade 72</p> <p>3.2.1 Transit and destination 74</p> <p>3.3. Some relevant concepts 75</p> <p>3.3.1 Due diligence/Due care 75</p> <p>3.3.2 What is provenance? 77</p> <p>3.3.3 Fake provenance documents 77</p> <p>3.3.4 Fake export certificates/Falsified customs declarations 78</p> <p>3.3.5 Online sales 79</p> <p>3.3.6 Dark Web 83</p> <p>4. Practical measures and tools 85</p> <p>4.1. UNESCO tools 86</p> <p>4.1.1 Awareness-raising campaigns: films, video clips and publications 86</p> <p>4.1.2 Mediation and conciliation rules on conflicts related to cultural property 86</p> <p>4.1.3 Actions concerning Cultural Objects being offered for Sale over the Internet 87</p> <p>4.1.4 A Code of Ethics for Dealers in Cultural Property 87</p> <p>4.1.5 Model export certificate 88</p> <p>4.1.6 Database of National Cultural Heritage Laws 88</p> <p>4.1.7 Model Provisions on State Ownership of Undiscovered Cultural Objects 89</p> <p>4.2. UNIDROIT Convention Academic Project (UCAP) 90</p> <p>4.3. INTERPOL tools 91</p> <p>4.3.1 Database for stolen works of art 91</p> <p>4.3.2 Posters 92</p> <p>4.3.3 Purple Notice 93</p> <p>4.4. ARCHEO – World Customs Organization 93</p> <p>4.5. Red Lists – International Council of Museums (ICOM) 95</p>
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	<p>4.6. SHERLOC-UNODC 96</p> <p>4.7. The Internal Market Information System (IMI) - European Union 97</p> <p>4.7.1 The use of the IMI System in accordance with Directive 2014/60/EU 98</p> <p>5. Mutual legal assistance and special investigative techniques 99</p> <p>5.1. Mutual legal assistance (MLA) 100</p> <p>5.1.1 Administrative/Informal assistance 100</p> <p>5.1.2 Letter of request (rogatory letter) 101</p> <p>5.2. Special investigative techniques 103</p> <p>5.2.1 The European Union Convention on Mutual Legal Assistance (2000) 105</p> <p>5.2.2 The European Union Convention on Mutual Assistance and Cooperation between Customs Administrations (Naples II) 105</p> <p>5.2.3 The European Investigation Order 105</p> <p>5.2.4 The European Arrest Warrant 106</p> <p>5.2.5 Joint Investigation Teams (JITs) 107</p> <p>6. Interagency cooperation 111</p> <p>6.1. Main stakeholders 112</p> <p>6.2. Areas and types of cooperation 113</p> <p>6.2.1 Training activities 113</p> <p>6.2.2 Identification of cultural objects 115</p> <p>6.2.3 Modalities 116</p> <p>6.2.4 Cooperation with NGOs 118</p> <p>About the author 119</p>
FRAMEWORKS	
24. Framework structure	The resource includes a number of tools that can be considered as frameworks
25. Relevant policy considerations	Yes
26. Resources for implementation identified	Yes
27. Specific assessment points/indicators/milestones/action plan for monitoring	Yes
28. ASPECTS OF SUSTAINABILITY COVERED BY RESOURCE (mark all that apply)	
People (social sustainability)	X
Planet (environmental sustainability)	X
Prosperity (economic sustainability)	X
Peace	X
Partnerships	X

29. CROSS-CUTTING CONSIDERATIONS COVERED BY RESOURCE (mark all that apply)	
Gender perspectives	
North and South perspectives	X
HOW THE RESOURCE CONTRIBUTES TO AGENDA 2030 AND THE SDGs	
HOW AGENDA 2030 AND THE SDGs FEATURE IN THE RESOURCE	
30. SDGs and Agenda 2030 specifically mentioned?	No
31. SDGs specifically mentioned?	No
32. SDG targets specifically mentioned?	No
33. SDG indicators specifically mentioned?	No
SDGs AND SDG TARGETS AND LINKAGES	
34. Comments on SDG linkages	The resource can be used to support activity for several targets in goal 16 (peace, justice and strong institutions), including 16.3 (promoting the rule of law), 16.4 (combatting illicit flows, strengthening the recover and return of stolen assets, and combating all forms of organized crime), 16.6 (effective, accountable and transparent institutions), 16.10 (protecting fundamental freedoms) and 16.B (promote laws and policies for sustainable development). Preventing illicit trade and trafficking of objects made from protected species supports SDGs 15.7 (end poaching) and 15.C (provide support to end poaching), as well as 15.5 (end degradation of nature) and 11.4 (protect the world's cultural and natural heritage). Using the resource to support public education and awareness programmes supports SDGs 4.7 (Education for Sustainable Development) and 12.8 (information for sustainable development and lifestyles in harmony with nature). The resource can help staff be effective in developing education and awareness-raising programmes to combat the illegal wildlife trade, supporting SDG 4.4. Ensuring tourism does not contribute to illicit trafficking also supports SDG 8.9 (sustainable tourism). Partnerships at international and within-country levels support SDGs 17.16 and 17.17 respectively.
35. SDGs and SDG targets the resource helps advance	
SDG 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all 4.4 By 2030, substantially increase the number of youth	Number of young people and adults in skills-development activities and programmes drawing on collections, for employment, decent jobs and entrepreneurship

<p>and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship</p>	<p>Increase in number of young people and adults in such programmes</p> <p>Number and proportion of staff who have received training in the last year, to better support their contribution to the SDGs.</p> <p>Programs and processes in place to ensure the availability of a skilled workforce.</p>
<p>SDG 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all 4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development</p>	<p>Numbers of people in each type of programme drawing on collections from different demographic groups.</p> <p>Increases in numbers of people in each type of programme from different demographic groups.</p> <p>Proportion of people involved in such programmes in relation to overall audience size.</p> <p>Evidence that learners have acquired knowledge and skills to promote sustainable development.</p>
<p>SDG 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all 8.9 By 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products</p>	<p>Numbers of jobs created or supported that relate to sustainable tourism drawing on local products (e.g. craft producers).</p> <p>Develop and implement plans to reduce and remove negative impacts of tourism.</p> <p>Numbers of activities and/or products drawing on local culture.</p> <p>Value to artisans and source communities of activities and products drawing on local culture.</p>
<p>SDG 11. Make cities and human settlements inclusive, safe, resilient and sustainable</p>	<p><i>11.4.1 Total expenditure (public and private) per capita spent on the preservation, protection and conservation of all cultural and natural heritage, by type of heritage</i></p>

<p>11.4 Strengthen efforts to protect and safeguard the world's cultural and natural heritage</p>	<p>Plans, policies and procedures in place for the safe use of collections for a variety of purposes, protecting and safeguarding both collections and those who use them.</p> <p>Plans, policies and procedures in place for the identification, safeguarding and protection of cultural and natural heritage at risk.</p> <p>Collecting programmes in place to protect, safeguard and make use of cultural and natural heritage, addressing the needs of communities and stakeholders, and ensuring that collections can be an effective resource for sustainable development.</p> <p>Number and diversity of educational, awareness-raising, research programmes, and partnerships that aim to strengthen protection of cultural and natural heritage.</p>
<p>SDG 12 Ensure sustainable consumption and production patterns 12.8 By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature</p>	<p><i>12.8.1 Extent to which (i) global citizenship education and (ii) education for sustainable development (including climate change education) are mainstreamed in (a) national education policies; (b) curricula; (c) teacher education; and (d) student assessment</i></p> <p>Extent to which global citizenship education and education for sustainable development (including climate change education) are mainstreamed in formal, informal and non-formal education programmes and activities drawing on and related to collections.</p>
<p>SDG 15 Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss 15.5 Take urgent and significant action to reduce the degradation of natural habitats, halt the loss of biodiversity and, by 2020, protect and prevent the extinction of threatened species</p>	<p>Number and proportion of habitats, notably endangered habitats, and species with favourable conservation status, with special reference to locally, nationally and globally endangered species.</p> <p>Information on, programmes relating to, collections development, and partnerships relating to habitats and species drawing on collections in place, to support their protection and continued existence.</p> <p>Measures taken to enhance biodiversity value of green space associated with collections institutions.</p>

<p>SDG 15 Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</p> <p>15.7 Take urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products</p>	<p>Policies and plans in place to ensure objects and specimens of protected species (for example ivory, rhino horn) in collections are protected against theft and do not enter supply chains.</p> <p>Policies and plans in place to ensure that objects and specimens are only acquired in line with national and international legislation, or with legal dispensation.</p> <p>Information on, programmes relating to, collections development, and partnerships relating to poached and trafficked species, notably protected and endangered species, to end poaching and trafficking.</p>
<p>SDG 15 Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</p> <p>15.C Enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities</p>	<p>Policies and plans in place to ensure objects and specimens of protected species (for example ivory, rhino horn) in collections are protected against theft and do not enter supply chains.</p> <p>Policies and plans in place to ensure that objects and specimens are only acquired in line with national and international legislation, or with legal dispensation.</p> <p>Revenue generated to combat poaching and trafficking of protected species, and to support local communities to pursue sustainable livelihoods.</p> <p>Direct financial support given to projects and organisations to combat poaching and trafficking of protected species, and to support local communities to pursue sustainable livelihoods.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</p> <p>16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all</p>	<p>Collections development that relates to the rule of law, equality before the law, and justice for all.</p> <p>Number of activities drawing on collections, for example educational, research and partnership activities, that promote the rule of law at national and international levels, and that promote a culture of lawfulness, and the right of all to justice.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development,</p>	<p>Identification of stolen assets, return of stolen assets.</p>

<p>provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime</p>	<p>Collections development, education, awareness-raising and partnership activities relating to organized crime, with a view to combatting organized crime everywhere.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 16.6 Develop effective, accountable and transparent institutions at all levels</p>	<p>16.6.2 Proportion of the population [audience/users/non-users] satisfied with their last experience of public services Access to information, and accountability policies and mechanisms, in place.</p> <p>Effective institutional arrangements, both for own working and for working in partnership with other sectors, in place.</p> <p>Plans and arrangements in place for extraordinary circumstances such as natural and human-caused disasters.</p> <p>Effective arrangements in place to fulfil legal and social obligations and responsibilities.</p> <p>Effective arrangements in place for transparent communication and reporting of institutional performance.</p> <p>Effective arrangements in place for transparent decision-making and accountability.</p>
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements</p>	<p>Adopt and implement constitutional, statutory and/or policy guarantees for public access to information.</p> <p>Plans in place, and plans implemented to enhance public access to information relating to collections.</p> <p>Plans in place, and plans implemented to support fundamental freedoms, in line with human rights, national and international agreements and legislation.</p> <p>Plans and procedures in place for public access to information relating to the operation and management of collections-based institutions.</p>

	Complaint mechanism in place for public to use where public access to information and fundamental freedoms not supported or fulfilled.				
<p>SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</p> <p>16.B Promote and enforce non-discriminatory laws and policies for sustainable development</p>	<p><i>16.B.1 Proportion of population [audience/users/non-users] reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law</i></p> <p>Number and proportion of policies that incorporate sustainable development considerations, in the full sense of recognizing all three of social, economic and environmental considerations.</p>				
<p>SDG 17. Partnerships for the goals</p> <p>17.16 Enhance the global partnership for sustainable development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the sustainable development goals in all countries, in particular developing countries</p>	<p>Number and/or increase in number, and diversity of global and international multi-stakeholder partnerships that share collection-related knowledge, expertise, technology and financial resources to address the SDGs, or that otherwise involve collections-based organisations and institutions.</p> <p>Number and/or increase in number, and diversity of global and international multi-stakeholder partnerships involving developing countries that share collection-related knowledge, expertise, technology and financial resources to address the SDGs.</p>				
<p>SDG 17. Partnerships for the goals</p> <p>17.17 Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships</p>	<p><i>17.17.1 Amount of United States dollars committed to public-private and civil society partnerships</i></p> <p>Number and/or increase in number, and diversity of local, national and regional multi-stakeholder (public, public-private and civil society) partnerships that address the SDGs drawing on collections, or that otherwise involve collections-based organisations and institutions.</p>				
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7	8	9	10	11	12
13	14	15	16	17	