



## United Nations Educational, Scientific and Cultural Organization

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 October to 14 November 1970, at its sixteenth session,

**Recalling** the importance of the provisions contained in the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference at its fourteenth session,

**Considering** that the interchange of cultural property among nations for scientific, cultural and educational purposes increases the knowledge of the civilization of Man, enriches the cultural life of all peoples and inspires mutual respect and appreciation among nations,

**Considering** that cultural property constitutes one of the basic elements of civilization and national culture, and that its true value can be appreciated only in relation to the fullest possible information regarding its origin, history and traditional setting,

**Considering** that it is incumbent upon every State to protect the cultural property existing within its territory against the dangers of theft, clandestine excavation, and illicit export,

**Considering** that, to avert these dangers, it is essential for every State to become increasingly alive to the moral obligations to respect its own cultural heritage and that of all nations,

**Considering** that, as cultural institutions, museums, libraries and archives should ensure that their collections are built up in accordance with universally recognized moral principles,

**Considering** that the illicit import, export and transfer of ownership of cultural property is an obstacle to that understanding between nations which it is part of UNESCO's mission to promote by recommending to interested States, international conventions to this end,

**Considering** that the protection of cultural heritage can be effective only if organized both nationally and internationally among States working in close co-operation,

**Considering** that the UNESCO General Conference adopted a Recommendation to this effect in 1964,

**Having before it** further proposals on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property, a question which is on the agenda for the session as item 19,

**Having decided**, at its fifteenth session, that this question should be made the subject of an international convention,

**Adopts** this Convention on the fourteenth day of November 1970.

### Article 1

For the purposes of this Convention, the term 'cultural property' means property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories:

- (a) Rare collections and specimens of fauna, flora, minerals and anatomy, and objects of palaeontological interest;
- (b) property relating to history, including the history of science and technology and military and social history, to the life of national leaders, thinkers, scientists and artist and to events of national importance;
- (c) products of archaeological excavations (including regular and clandestine) or of archaeological discoveries ;
- (d) elements of artistic or historical monuments or archaeological sites which have been dismembered;
- (e) antiquities more than one hundred years old, such as inscriptions, coins and engraved seals;
- (f) objects of ethnological interest;
- (g) property of artistic interest, such as:
  - (i) pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manu-factured articles decorated by hand);
  - (ii) original works of statuary art and sculpture in any material;
  - (iii) original engravings, prints and lithographs ;
  - (iv) original artistic assemblages and montages in any material;
- (h) rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections ;

- (i) postage, revenue and similar stamps, singly or in collections;
- (j) archives, including sound, photographic and cinematographic archives;
- (k) articles of furniture more than one hundred years old and old musical instruments.

## **Article 2**

1. The States Parties to this Convention recognize that the illicit import, export and transfer of ownership of cultural property is one of the main causes of the impoverishment of the cultural heritage of the countries of origin of such property and that international co-operation constitutes one of the most efficient means of protecting each country's cultural property against all the dangers resulting there from.
2. To this end, the States Parties undertake to oppose such practices with the means at their disposal, and particularly by removing their causes, putting a stop to current practices, and by helping to make the necessary reparations.

## **Article 3**

The import, export or transfer of ownership of cultural property effected contrary to the provisions adopted under this Convention by the States Parties thereto, shall be illicit.

## **Article 4**

The States Parties to this Convention recognize that for the purpose of the Convention property which belongs to the following categories forms part of the cultural heritage of each State:

- (a) Cultural property created by the individual or collective genius of nationals of the State concerned, and cultural property of importance to the State concerned created within the territory of that State by foreign nationals or stateless persons resident within such territory;
- (b) cultural property found within the national territory;
- (c) cultural property acquired by archaeological, ethnological or natural science missions, with the consent of the competent authorities of the country of origin of such property;
- (d) cultural property which has been the subject of a freely agreed exchange;
- (e) cultural property received as a gift or purchased legally with the consent of the competent authorities of the country of origin of such property.

## **Article 5**

To ensure the protection of their cultural property against illicit import, export and transfer of ownership, the States Parties to this Convention undertake, as appropriate for each country, to set up within their territories one or more national services, where such services do not already exist, for the protection of the cultural heritage, with a qualified staff sufficient in number for the effective carrying out of the following functions:

- (a) contributing to the formation of draft laws and regulations designed to secure the protection of the cultural heritage and particularly prevention of the illicit import, export and transfer of ownership of important cultural property;
- (b) establishing and keeping up to date, on the basis of a national inventory of protected property, a list of important public and private cultural property whose export would constitute an appreciable impoverishment of the national cultural heritage;
- (c) promoting the development or the establishment of scientific and technical institutions (museums, libraries, archives, laboratories, workshops . . . ) required to ensure the preservation and presentation of cultural property;
- (d) organizing the supervision of archaeological excavations, ensuring the preservation in situ of certain cultural property, and protecting certain areas reserved for future archaeological research;
- (e) establishing, for the benefit of those concerned (curators, collectors, antique dealers, etc.) rules in conformity with the ethical principles set forth in this Convention; and taking steps to ensure the observance of those rules;
- (f) taking educational measures to stimulate and develop respect for the cultural heritage of all States, and spreading knowledge of the provisions of this Convention;
- (g) seeing that appropriate publicity is given to the disappearance of any items of cultural property.

## **Article 6**

The States Parties to this Convention undertake:

- (a) To introduce an appropriate certificate in which the exporting State would specify that the export of the cultural property in question is authorized. The certificate should accompany all items of cultural property exported in accordance with the regulations ;
- (b) to prohibit the exportation of cultural property from their territory unless accompanied by the above-mentioned export certificate;
- (c) to publicize this prohibition by appropriate means, particularly among persons likely to export or import cultural property.

## **Article 7**

The States Parties to this Convention undertake:

- (a) To take the necessary measures, consistent with national legislation, to prevent museums and similar institutions within their territories from acquiring cultural property originating in another State Party which has been illegally exported after entry into force of this Convention, in the

States concerned. Whenever possible, to inform a State of origin Party to this Convention of an offer of such cultural property illegally removed from that State after the entry into force of this Convention in both States;

(b) (i) to prohibit the import of cultural property stolen from a museum or a religious or secular public monument or similar institution in another State Party to this Convention after the entry into force of this Convention for the States concerned, provided that such property is documented as appertaining to the inventory of that institution;

(ii) at the request of the State Party of origin, to take appropriate steps to recover and return any such cultural property imported after the entry into force of this Convention in both States concerned, provided, however, that the requesting State shall pay just compensation to an innocent purchaser or to a person who has valid title to that property. Requests for recovery and return shall be made through diplomatic offices. The requesting Party shall furnish, at its expense, the documentation and other evidence necessary to establish its claim for recovery and return. The Parties shall impose no customs duties or other charges upon cultural property returned pursuant to this Article. All expenses incident to the return and delivery of the cultural property shall be borne by the requesting Party.

#### **Article 8**

The States Parties to this Convention undertake to impose penalties or administrative sanctions on any person responsible for infringing the prohibitions referred to under Articles 6(b) and 7(b) above.

#### **Article 9**

Any State Party to this Convention whose cultural patrimony is in jeopardy from pillage of archaeological or ethnological materials may call upon other States Parties who are affected. The States Parties to this Convention undertake, in these circumstances, to participate in a concerted international effort to determine and to carry out the necessary concrete measures, including the control of exports and imports and international commerce in the specific materials concerned. Pending agreement each State concerned shall take provisional measures to the extent feasible to prevent irremediable injury to the cultural heritage of the requesting State.

#### **Article 10**

The States Parties to this Convention undertake:

(a) To restrict by education, information and vigilance, movement of cultural property illegally removed from any State Party to this Convention and, as appropriate for each country, oblige antique dealers, subject to penal or administrative sanctions, to maintain a register recording the origin of each item of cultural property, names and addresses of the supplier, description and price of each item sold and to inform the purchaser of the cultural property of the export prohibition to which such property may be subject;

(b) to endeavour by educational means to create and develop in the public mind a realization of the value of cultural property and the threat to the cultural heritage created by theft, clandestine excavations and illicit exports.

#### **Article 11**

The export and transfer of ownership of cultural property under compulsion arising directly or indirectly from the occupation of a country by a foreign power shall be regarded as illicit.

#### **Article 12**

The States Parties to this Convention shall respect the cultural heritage within the territories for the international relations of which they are responsible, and shall take all appropriate measures to prohibit and prevent the illicit import, export and transfer of ownership of cultural property in such territories.

#### **Article 13**

The States Parties to this Convention also undertake, consistent with the laws of each State:

(a) to prevent by all appropriate means transfers of ownership of cultural property likely to promote the illicit import or export of such property;

(b) to ensure that their competent services co-operate in facilitating the earliest possible restitution of illicitly exported cultural property to its rightful owner;

(c) to admit actions for recovery of lost or stolen items of cultural property brought by or on behalf of the rightful owners ;

(d) to recognize the indefeasible right of each State Party to this Convention to classify and declare certain cultural property as inalienable which should therefore ipso facto not be exported, and to facilitate recovery of such property by the State concerned in cases where it has been exported.

#### **Article 14**

In order to prevent illicit export and to meet the obligations arising from the implementation of this Convention, each State Party to the Convention should, as far as it is able, provide the national services responsible for the protection of its cultural heritage with an adequate budget and, if necessary, should set up a fund for this purpose.

#### **Article 15**

Nothing in this Convention shall prevent States Parties thereto from concluding special agreements among themselves or from continuing to implement agreements already concluded regarding the restitution of cultural property removed, whatever the reason, from its territory of origin, before the entry into force of this Convention for the States concerned.

#### **Article 16**

The States Parties to this Convention shall in their periodic reports submitted to the General Conference of the United Nations Educational,

Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.

#### **Article 17**

1. The States Parties to this Convention may call on the technical assistance of the United Nations Educational, Scientific and Cultural Organization, particularly as regards:

- (a) Information and education;
- (b) consultation and expert advice;
- (c) co-ordination and good offices.

2. The United Nations Educational, Scientific and Cultural Organization may, on its own initiative conduct research and publish studies on matters relevant to the illicit movement of cultural property.

3. To this end, the United Nations Educational, Scientific and Cultural Organization may also call on the co-operation of any competent non-governmental organization.

4. The United Nations Educational, Scientific and Cultural Organization may, on its own initiative, make proposals to States Parties to this Convention for its implementation.

5. At the request of at least two States Parties to this Convention which are engaged in a dispute over its implementation, UNESCO may extend its good offices to reach a settlement between them.

#### **Article 18**

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

#### **Article 19**

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### **Article 20**

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited to accede to it by the Executive Board of the Organization.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### **Article 21**

This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

#### **Article 22**

The States Parties to this Convention recognize that the Convention is applicable not only to their metropolitan territories but also to all territories for the international relations of which they are responsible; they undertake to consult, if necessary, the governments or other competent authorities of these territories on or before ratification, acceptance or accession with a view to securing the application of the Convention to those territories, and to notify the Director-General of the United Nations Educational, Scientific and Cultural Organization of the territories to which it is applied, the notification to take effect three months after the date of its receipt.

#### **Article 23**

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.

2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation.

#### **Article 24**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 20, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 19 and 20, and of the notifications and denunciations provided for in Articles 22 and 23 respectively.

#### **Article 25**

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.

2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

## Article 26

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris this seventeenth day of November 1970, in two authentic copies bearing the signature of the President of the sixteenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 19 and 20 as well as to the United Nations.

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| English          | <a href="http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf">http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf</a>                   |
| French           | <a href="http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf">http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf</a>                   |
| Spanish          | <a href="http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf">http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf</a>                   |
| Russian          | <a href="http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf">http://unesdoc.unesco.org/images/0013/001333/133378mo.pdf</a>                   |
| Arabic           | <a href="http://unesdoc.unesco.org/images/0011/001140/114046ab.pdf#page=129">http://unesdoc.unesco.org/images/0011/001140/114046ab.pdf#page=129</a> |
| Date of adoption | 1970  |

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| Declarations and Reservations | <p><a href="#">Australia [at time of acceptance] 'The Government of Australia declares that Australia is not at present in a position to oblige antique dealers, subject to penal or administrative sanctions, to maintain a register recording the origin of each item of cultural property, names and addresses of the supplier, description and price of each item sold and to inform the purchaser of the cultural property of the export prohibition to which such property may be subject. Australia therefore accepts the Convention subject to a reservation as to Article 10, to the extent that it is unable to comply with the obligations imposed by that Article.'</a> (see letter LA/Depositary/1989/20 of 10 January 1990). Belgium <a href="#">"Belgium interprets the term "cultural property" as confined to those objects listed in the Annex to Council Regulation (EEC) No 3911/92 of 9 December 1992, as amended, on the export of cultural goods and in the Annex to Council Directive 93/7/EEC of 15 March 1993, as amended, on the return of cultural objects unlawfully removed from the territory of a Member State."</a> [Original: French, English, Flemish and German] Byelorussian Soviet Socialist Republic [at time of ratification] <a href="#">'The Byelorussian Soviet Socialist Republic declares that the provisions of Articles 12, 22 and 23 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, providing for the possibility for the contracting parties to extend its application to the territories for the international relations of which they are responsible, are outdated and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514/XV of 14 December 1960).'</a> (see letter LA/Depositary/1988/11 of 15 September 1988) Chile <a href="#">The instrument of ratification contained the following declaration: "The Republic of Chile understands that the provisions of the Convention will not apply retroactively and that Article 13 (d) will apply to cultural property exported from the State of origin after the aforementioned Convention enters into force for the States concerned."</a> [Original: Spanish] Cuba (Translation) <a href="#">'The Government of the Republic of Cuba considers that the implementation of the provisions contained in Articles 22 and 23 of the Convention is contrary to the Declaration on Granting Independence to Colonial Countries and Peoples (Resolution 1514) adopted by the United Nations General Assembly on 14 December 1960, which proclaims the necessity of bringing to a speedy and unconditional end colonialization in all its forms and manifestations.'</a> (See letter LA/Depositary/1980/7 of 11 March 1980.) Czechoslovakia <a href="#">'Accepting the Convention, the Government of the Czechoslovak Socialist Republic wishes to declare that preservation of the state of dependence of certain countries from which the provisions of Articles 12, 22, and 23 proceed is in contradiction with the contents and objective of the Declaration of the United Nations General Assembly No. 1514 on the granting of independence to colonial countries and nations of 14 December 1960. The Government of the Czechoslovak Socialist Republic further declares in connection with Article 20 that the Convention, according to the problems it regulates, should be open also to non-Member States of the United Nations Educational, Scientific and Cultural Organization without the need of invitation by the Executive Council of the United Nations Educational, Scientific and Cultural Organization.'</a> (See letter LA/Depositary/1977/6 of 8 April 1977) Denmark [at the time of ratification] <a href="#">The instrument contained the following temporary reservation: "... until further decision, the Convention will apply neither to the Feroe Islands nor to Groenland"</a> [Original: French], and was accompanied by the following declaration: <a href="#">'The property designated as "of importance for archaeology, prehistory, history, literature, art or science", in accordance with Article 1 of the Convention, are the properties covered by the Danish legislation concerning protection of cultural assets and the Danish Museum Act. Act on Protection of Cultural Assets in Denmark The Act on Protection of Cultural Assets in Denmark came into force on 1 January 1987. According to section 2(1) in the Act on Protection of Cultural Assets in Denmark the Act applies to the following cultural assets which are not publicly owned: • cultural objects of the period before 1660; • cultural objects older than 100 years and valued at DKK 100,000 or more; • photographs (regardless of age) if they have a value of DKK 30,000 or more. In exceptional cases the Minister of Culture can decide that the Act is also applicable to other objects of cultural interest. Coins and medals are the only cultural objects explicitly exempted from the regulations of the Act. The above-mentioned assets must not be exported from Denmark without permission from the Commission on Export of Cultural Assets. Museum Act According to section 28 of the Museum Act, any person who finds an ancient relic or monument, including shipwrecks, cargo or parts of such wrecks, which at any time must be assumed lost more than 100 years ago, in watercourses, in lakes, in territorial waters or on the continental shelf, but</a></p> |
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*not beyond 24 nautical miles from the base lines from which the width of outer territorial waters is measured, shall immediately notify the Minister of Culture. Such objects shall belong to the State, unless any person proves that he or she is the rightful owner. Any person who gathers up an object belonging to the State, and any person who gains possession of such an object, shall immediately deliver it to the Minister of Culture. According to section 30 of the Museum Act objects of the past, including coins found in Denmark, of which no one can prove to be the rightful owner, shall be treasure trove (danefæ) if made of valuable material or being of a special cultural heritage value. Treasure trove shall belong to the State. Any person who finds treasure trove, and any person who gains possession of treasure trove, shall immediately deliver it to the National Museum of Denmark. According to section 31 of the Museum Act, a geological object or a botanical or zoological object of a fossil or sub-fossil nature or a meteorite found in Denmark is fossil trove (danekræ) if the object is of unique scientific or exhibitional value. Fossil trove shall belong to the State. Any person who finds fossil trove, and any person, who gains possession of fossil trove, shall immediately deliver it to the Danish Museum of Natural History” (see letter LA/Depositary/2003/12) Finland [at the time of ratification] “The Government of Finland declares that it will implement the provisions of Article 7 (b) (ii) of this Convention in accordance with its obligations under Unidroit Convention on Stolen or Illegally Exported Cultural Objects done at Rome on 24 June 1995.” France [at the time of ratification] “The property designated as “of importance for archaeology, prehistory, history, literature, art, or science”, in accordance with Article 1 of the Convention, are the following properties whose value exceeds the thresholds indicated opposite:*

|  | Thresholds (in ECU) (see note 3) |
|--|----------------------------------|
| -  |                                  |
| 1. Archaeological objects more than 100 years old originating from : - terrestrial and submarine excavations and discoveries, - archaeological sites, archaeological collections   | 0                                |
| 2. Elements more than 100 years old that form an integral part of artistic, historic or religious monuments which have been dismembered  | 0                                |
| 3. Pictures and paintings produced entirely by hand on any support and in any material (see note 1)  | 150.000                          |
| 4. Mosaics, other than those included in categories 1 or 2, and drawings produced entirely by hand on any support and in any material (see note 1)   | 15.000                           |
| 5. Original engravings, prints, serigraphs et lithographs and their respective matrices, and original posters (see note 1)   | 15.000                           |
| 6. Original works of statutory art or sculpture and copies obtained by the same means as the original (see note 1), other than items included in category 1  | 50.000                           |
| 7. Photographs, films and their negatives (see note 1)   | 15.000                           |
| 8. Incunabula and manuscripts, including geographical maps and musical scores, singly or in collections (see note 1)   | 0                                |
| 9. Books more than 100 years old, singly or in collections   | 50.000                           |
| 10. Printed geographical maps more than 200 years old  | 15.000                           |
| 11. Archives of any sort comprising elements more than 50 years old, whatever their medium   | 0                                |
| 12. (a) Collections (see note 2) and specimens from collections of fauna, flora, minerals, and anatomy   | 50.000                           |
| (b) Collections (see note 2) of a historical, palaeontological, ethnographic or numismatic interest  | 50.000                           |
| 13. Means of transport over 75 years old   | 50.000                           |
| 14. Any other ancient object not included in categories 1 to 13 between 50 et 100 years old (a) - toys or games, - glassware, - objects made of precious metals, - furniture and furnishings, - optical, photographic or cinematographic instruments, - musical instruments, - timepieces, - objects made of wood, - pottery, - tapestries, - carpets, - wallpapers, - weapons | 50.000                           |
| (b) More than 100 years old  | 50.000                           |

*This list is in conformity with rules in force in France and subject to modification. The government of the French Republic will make known any modifications to it that may be made at a future date.” (See LA/DEP/1997/1). Guatemala ‘The Republic of Guatemala, mindful that, in conformity with the Fundamental Statute of Government, monuments and archaeological vestiges are the property of the nation and that, furthermore, national law prohibits the unauthorized export of property constituting its cultural wealth, makes an express reservation concerning paragraph (b) (ii) of Article 7 of the Convention to the effect that it does not consider itself obliged to pay any compensation to any person or persons holding cultural property that has been looted or stolen in Guatemala or exported illicitly to another State Party and that, at the request of the Government of Guatemala, has been the subject of appropriate steps for its confiscation and/or restitution by that other State Party. In any case, the Republic of Guatemala does not consider that the purchase of property forming part of its cultural wealth is in good faith solely through having been made in ignorance of the law. Concerning Article 3 of the Convention, the Republic of Guatemala shall also consider to be illicit the import and transfer of ownership of cultural property effected contrary to the national provisions in force that are not in conflict with the provisions of the Convention’ (See letter LA/Depositary/1985/1). Hungary ‘Articles 12, 22 and 23 of the Convention contradict United Nations General Assembly Resolution 1514(XV) of 14 December 1960, which proclaimed the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations. Article 20 of the Convention is not in conformity with the principle of the sovereign equality of States; in view of the matters it regulates, the Convention should be open to all States without restriction.’ (See letter LA/Depositary/1978/17 of 12 December 1978.) Mexico ‘The Government of the United Mexican States has studied the text of the comments and reservations on the convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property made by the United States of America on 20 June 1983. It has reached the conclusion that these comments and reservations are not compatible with the purposes and aims of the Convention, and that their application would have the regrettable result of permitting the import into the United States of America of cultural property and its*

re-export to other countries, with the possibility that the cultural heritage of Mexico might be affected.' (See letter LA/Depositary/1985/40 of 3 March 1986). Monaco The instrument contained the following reservation: "The Principality of Monaco shall not consider as illicit export of cultural property, within the meaning of the Convention, loans of such property from foreign States, public authorities or cultural institutions destined for public exhibition in Monaco, in accordance with national legislation on exhibitions of cultural property." [Original: French] New-Zeland "AND DECLARES that, consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this acceptance shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory;" Republic of Moldova "Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the convention shall be applied only on the territory controlled effectively by the authorities of the Republic of Moldova." Sweden "The property designated as "of importance for archaeology, prehistory, history, literature, art or science", in accordance with Article 1 of the Convention, are the following properties: 1. Archaeological objects – Swedish archaeological objects, regardless of material or value, dating from 1650 or before and not belonging to the State. 2. Pictures and paintings (a) Swedish paintings more than 100 years old and worth more than SEK 50,000, (b) portraits picturing a Swede or other persons who were active in Sweden, which are more than 100 years old and worth more than SEK 20,000, (c) foreign paintings worth more than SEK 50,000. 3. Drawings (a) Swedish drawings, water-colours, gouaches and pastels more than 100 years old and worth more than SEK 50,000, (b) portraits picturing a Swede or other persons who were active in Sweden, in the form of water-colours, gouaches and pastels more than 100 years old and worth more than SEK 20,000, (c) foreign drawings, water-colours, gouaches and pastels worth more than SEK 50,000. 4. Original engravings – Swedish woodcut and copperplate engraving, made before 1650, regardless of value. 5. Original sculptures (a) Swedish original sculptures and copies produced by the same process as the original, regardless of material, which are more than 100 years old and worth more than SEK 50,000, (b) foreign original sculptures and copies produced by the same process as the original, regardless of material, which are worth more than SEK 50,000. 6. Incunabula and manuscripts (a) Swedish incunabula, regardless of value, (b) Swedish manuscripts on parchment or paper produced before 1650, regardless of value, (c) Swedish unprinted minutes, letters, diaries, manuscripts, music, accounts, hand-drawn maps and drawings, which are more than 50 years old and worth more than SEK 2,000, (d) collections of foreign incunabula and Swedish unprinted material in category (b) and (c), which are older than 50 years and are worth more than SEK 50,000. 7. Books (a) Swedish books printed before 1600, regardless of value, (b) other Swedish books, which are older than 100 years and are worth more than SEK 10,000, (c) foreign books worth more than SEK 10,000. 8. Printed maps (a) Swedish printed maps, which are older than 100 years and worth more than SEK 10,000, (b) foreign printed maps, worth more than SEK 10,000. 9. Archives – Swedish unprinted minutes, letters, diaries, manuscripts, music, accounts, hand-drawn maps and drawings, which are more than 50 years and are worth more than SEK 2,000. 10. Means of transport (a) Swedish means of transport which are older than 100 years and are worth more than SEK 50,000, (b) foreign means of transport worth more than SEK 50,000. 11. Any other antique item not included in categories 1-10: (a) Swedish items of wood, bone, pottery, metal or textile which are produced before 1650, regardless of value, (b) Swedish furniture, mirrors and boxes which are made before 1860, regardless of value, (c) Swedish drinking-vessels, harness and textile implements if they are made of wood and have painted or carved decorations, folk costumes and embroidered or pattern-woven traditional textiles, tapestry paintings, long-case clocks, wall clocks and brackets clocks, signed faience, firearms, edged weapons and defensive weapons and musical instruments, which are more than 100 years old, regardless of value, (d) Swedish items of pottery, glass, porphyry, gold, silver or bronze, with exception of coins and medals, chandeliers, woven tapestries and tiled stoves, which are older than 100 years and worth more than SEK 50,000, (e) Swedish technical models and prototypes and scientific instruments, which are older than 50 years and worth more than SEK 2,000, (f) foreign furniture, mirrors, boxes, long-case clocks, wall clocks and brackets clocks, musical instruments, firearms, edged weapons and defensive weapons, items of pottery, glass, ivory, gold, silver or bronze, with exception of coins and medals, chandeliers and woven tapestries, which are worth more than SEK 50,000. 12. Lapp (Sami) items which are more than 50 years and worth more than SEK 2,000. The term Swedish items of historic interest refers to items which were actually or presumably made in Sweden or in some other country by a Swede. The term foreign items of historic interest refers to items made in another country by a non-Swede. This list is in conformity with rules in force in Sweden at present." Ukrainian Soviet Socialist Republic [at time of ratification] 'The Ukrainian Soviet Socialist Republic declares that the provisions of Articles 12, 22 and 23 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, providing for the possibility for the contracting parties to extend its application to the territories for the international relations of which they are responsible, are outdated and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514/XV of 14 December 1960).' (see letter LA/Depositary/1988/12 of 15 September 1988). Union of Soviet Socialist Republics [at time of ratification] 'The Union of Soviet Socialist Republics declares that the provisions of Articles 12, 22 and 23 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, providing for the possibility for the contracting parties to extend its application to the territories for the international relations of which they are responsible, are outdated and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (resolution 1514/XV of 14 December 1960).' (see letter LA/Depositary/1988/13 of 15 September 1988). United Kingdom of Great Britain and Northern Ireland "(a) the United Kingdom interprets the term "cultural property" as confined to those objects listed in the Annex to Council Regulation (EEC) N° 3911/1992 of 9 December 1992, as amended, on the export of cultural goods and in the Annex to Council Directive 1993 / EEC of 15 March 1993, as amended, on the return of cultural objects unlawfully removed from the territory of a Member State; (b) As between EC member states, the United Kingdom shall apply the relevant EC legislation to the extent that that legislation covers matters to which the Convention applies; and (c) The United Kingdom interprets Article 7(b)(ii) to the effect that it may continue to apply its existing rules on limitation to claims made under this Article for the recovery and return of cultural objects" [Original : English] (see letter LA/Depositary/2002/31) United States of America [at the time of ratification] "United States reserves the right to determine whether or not to impose export controls over cultural property".

The United States understands the provisions of the Convention to be neither self-executing nor retroactive. The United States understands Article 3 not to modify property interests in cultural property under the laws of the States parties. The United States understands Article 7 (a) to apply to institutions whose acquisition policy is subject to national control under existing domestic legislation and not to require the enactment of new legislation to establish national control over other institutions. The United States understands that Article 7(b) is without prejudice to other remedies, civil or penal, available under the laws of the States parties for the recovery of stolen cultural property to the rightful owner without payment of compensation. The United States is further prepared to take the additional steps contemplated by Article 7(b) (ii) for the return of covered stolen cultural property without payment of compensation, except to the extent required by the Constitution of the United States, for those states parties that agree to do the same for the United States institutions. The United States understands the words "as appropriate for each country" in Article 10 (a) as permitting each state party to determine the extent of regulation, if any, of antique dealers and declares that in the United States that determination would be made by the appropriate authorities of state and municipal governments. The United States understands Article 13(d) as applying to objects removed from the country of origin after the entry into force of this Convention for the states concerned, and, as stated by the Chairman of the Special Committee of Governmental Experts that prepared the text, and reported in paragraph 28 of the Report of that Committee, the means of recovery of cultural property under subparagraph (d) are the judicial actions referred to in subparagraph (c) of Article 13, and that such actions are controlled by the law of the requested State, the requesting State having to submit necessary proofs.'

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