



## **European Convention on Offences relating to Cultural Property**

Delphi, 23.VI.1985

### **Appendixes**

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#### **Appendix I**

##### **List of legal provisions that provide for offences other than offences dealt with under criminal law**

No declaration has been received pursuant to Article 29.

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#### **Appendix II**

- 1 a products of archaeological exploration and excavations (including regular and clandestine) conducted on land and underwater;
- b elements of artistic or historical monuments or archaeological sites which have been dismembered;
- c pictures, paintings and drawings produced entirely by hand on any support and in any material which are of great importance from an artistic, historical, archaeological, scientific or otherwise cultural point of view;
- d original works of statuary art and sculpture in any material which are of great importance from an artistic, historical, archaeological, scientific or otherwise cultural point of view and items resulting from the dismemberment of such works;
- e original engravings, prints, lithographs and photographs which are of great importance from an artistic, historical, archaeological, scientific or otherwise cultural point of view;
- f tools, pottery, inscriptions, coins, seals, jewellery, weapons and funerary remains, including mummies, more than one hundred years old;
- g articles of furniture, tapestries, carpets and dress more than one hundred years old;
- h musical instruments more than one hundred years old;
- i rare manuscripts and incunabula, singly or in collections.

- 2 a original artistic assemblages and montages in any material which are of great importance from an artistic, historical, archaeological, scientific or otherwise cultural point of view;
  - b works of applied art in such materials as glass, ceramics, metal, wood, etc. which are of great importance from an artistic, historical, archaeological, scientific or otherwise cultural point of view;
  - c old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections;
  - d archives, including textual records, maps and other cartographic materials, photographs, cinematographic films, sound recordings and machine-readable records which are of great importance from an artistic, historical, archaeological, scientific or otherwise cultural point of view;
  - e property relating to history, including the history of science and technology and military and social history;
  - f property relating to life of national leaders, thinkers, scientists and artists;
  - g property relating to events of national importance;
  - h rare collections and specimens of fauna;
  - i rare collections and specimens of flora;
  - j rare collections and specimens of minerals;
  - k rare collections and specimens of anatomy;
  - l property of paleontological interest;
  - m material of anthropological interest;
  - n property of ethnological interest;
  - o property of philatelic interest;
  - p rare property of numismatic interest (medals and coins);
  - q all remains and objects, or any other traces of human existence, which bear witness to epochs and civilisations for which excavations or discoveries are the main source or one of the main sources of scientific information;
  - r monuments of architecture, art or history;
  - s archaeological and historic or scientific sites of importance, structures or other features of important historic, scientific, artistic or architectural value, whether religious or secular, including groups of traditional structures, historic quarters in urban or rural built-up areas and the ethnological structures of previous cultures still existent in valid form.
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### Appendix III

- 1
  - a Thefts of cultural property.
  - b Appropriating cultural property with violence or menace.
  - c Receiving of cultural property where the original offence is listed in this paragraph and regardless of the place where the latter was committed.
- 2
  - a Acts which consist of illegally appropriating the cultural property of another person, whether such acts be classed by national law as misappropriation, fraud, breach of trust or otherwise.
  - b Handling cultural property obtained as the result of an offence against property other than theft.
  - c The acquisition in a grossly negligent manner of cultural property obtained as the result of theft or of an offence against property other than theft.
  - d Destruction or damaging of cultural property of another person.
  - e Any understanding followed by overt acts, between two or more persons, with a view to committing any of the offences referred to in paragraph 1 of this appendix.
  - f
    - i alienation of cultural property which is inalienable according to the law of a Party;
    - ii acquisition of such property as referred to under i, if the person who acquires it acts knowing that the property is inalienable;
    - iii alienation of cultural property in violation of the legal provisions of a Party which make alienation of such property conditional on prior authorisation by the competent authorities;
    - iv acquisition of such property as referred to under iii, if the person who acquires it acts knowing that the property is alienated in violation of the legal provisions referred to under iii;
    - v violation of the legal provisions of a Party according to which the person who alienates or acquires cultural property is held to notify the competent authorities of such alienation or acquisition.
  - g
    - i violation of the legal provisions of a Party according to which the person who fortuitously discovers archaeological property is held to declare such property to the competent authorities;
    - ii concealment or alienation of such property as referred to under i;
    - iii acquisition of such property as referred to under i, if the person who acquires it acts knowing that the property was obtained in violation of the legal provisions referred to under i;
    - iv violation of the legal provisions of a Party according to which archaeological excavations may only be carried out with the authorisation of the competent authorities;

- v concealment or alienation of archaeological property discovered as a result of excavations carried out in violation of the legal provisions referred to under iv;
- vi acquisition of archaeological property discovered as a result of excavations carried out in violation of the legal provisions referred to under iv, if the person who acquires it acts knowing that the property was obtained as a result of such excavations;
- vii violation of the legal provisions of a Party, or of an excavation licence issued by the competent authorities, according to which the person who discovers archaeological property as a result of duly authorised excavations is held to declare such property to the competent authorities;
- viii concealment or alienation of such property as referred to under vii;
- ix acquisition of such property as referred to under vii, if the person who acquires it acts knowing that the property was obtained in violation of the legal provisions referred to under vii;
- x violation of the legal provisions of a Party according to which the use of metal detectors in archaeological contexts is either prohibited or subject to conditions.
- h
  - i actual or attempted exportation of cultural property the exportation of which is prohibited by the law of a Party;
  - ii exportation or attempted exportation, without authorisation of the competent authorities, of cultural property the exportation of which is made conditional on such an authorisation by the law of a Party.
- i Violation of the legal provisions of a Party:
  - i which make modifications to a protected monument of architecture, a protected movable monument, a protected monumental ensemble or a protected site, conditional on prior authorisation by the competent authorities, or
  - ii according to which the owner or the possessor of a protected monument of architecture, a protected movable monument, a protected monumental ensemble or a protected site, is held to preserve it in adequate condition or to give notice of defects which endanger its preservation.
- j Receiving of cultural property where the original offence is listed in this paragraph and regardless of the place where the latter was committed.