

European convention on offences relating to cultural property = - Convention européenne sur les infractions visant des biens culturels.

Council of Europe - Full list



Description: -

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Dissertations

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relating to cultural property = - Convention européenne sur les
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Notes: Parallel English and French texts.

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In the eventuality referred to in Article 14, paragraph 2, the Parties concerned shall through consultation endeavour as far as possible to determine, after evaluation of the circumstances of each case notably with a view to facilitating the restitution of the cultural property, which of them alone shall continue to conduct proceedings. Any Contracting State may, at any time, declare that, for the purposes of this Convention, it also deems to be offences relating to cultural property any one or more acts and omissions that affect cultural property and are not listed in Appendix III.

European Convention on Offences relating to Cultural Property

The member States of the Council of Europe, signatory hereto, Considering that the aim of the Council of Europe is to achieve a greater unity between its members; Believing that such unity is founded to a considerable extent in the existence of a European cultural heritage; Conscious of the social and economic value of that common heritage; Desirous of putting an end to the offences that too often affect that heritage and urgently adopting international standards to this end; Recognising their common responsibility and solidarity in the protection of the European cultural heritage; Having regard to the European Conventions in the criminal and cultural fields, Have agreed as follows: Part I - Definitions Article 1 For the purposes of this Convention: a. The requests provided for in this Convention and any communication made under the provisions of Part V, Section III, shall be addressed by the competent authority of a Party to the competent authority of another Party.

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Section III - Plurality of proceedings Article 14 1. They shall become effective in respect of each Party on the first day of the month following the expiration of a period of one month after the date of their notification by the Secretary General of the Council of Europe.

Offences relating to Cultural Property

The Parties may not conclude bilateral or multilateral agreements with one another on the matters dealt with in this Convention, except in order to supplement its provisions or facilitate the application of the principles embodied in it.

Offences relating to Cultural Property

In the event of such an objection being made, the alteration will only enter into force if the objection is subsequently lifted. Part III - Protection of cultural property Article 6 The Parties undertake to co-operate with a view to the restitution of cultural property found on their territory, which has been removed from the territory of another Party subsequent to an offence relating to cultural property committed in the territory of a Party, notably in conformity with the provisions that follow.

Offences relating to Cultural Property

However, if two or more Parties have already established their relations in this matter on the basis of uniform legislation, or instituted a special system of their own, or should they in the future do so, they shall be entitled to regulate those relations accordingly, notwithstanding the terms of this Convention. Article 16 In the interests of arriving at the truth, the restitution of the cultural property and the application of an adequate sanction, the Parties concerned shall examine whether it is expedient that one of them alone shall conduct proceedings and, if so, endeavour to determine which one, when: a.

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Unless the Parties otherwise agree, letters rogatory shall be in the language of the requested Party, or in the official language of the Council of Europe that is indicated by the requested Party in a declaration addressed to the Secretary General of the Council of Europe, or where no such declaration has been made in either of the official languages of the Council of Europe. Any Party that is competent under Article 13 shall, if it thinks fit, notify as soon as possible the Party or Parties to whose territory cultural property has been removed, or is believed to have been removed, subsequent to an offence relating to cultural property.

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If such cultural property is found on the territory of a Party which has been duly notified, that Party shall immediately inform the Party or Parties concerned. It seeks to ensure transnational co-operation to stop the trade in so-called blood antiquities.

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