



**ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ**

**ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ**

ὄπ' Ἀρ. 1533 τῆς 4ης ΙΟΥΛΙΟΥ 1979

**ΝΟΜΟΘΕΣΙΑ**

Ὁ περί τῆς Συμβάσεως περί τῶν Μέσων Ἀπαγορεύσεως καὶ Παρεμποδίσεως τῆς παρανόμου Εἰσαγωγῆς, Ἐξαγωγῆς καὶ Μεταβιβάσεως Ἰδιοκτησίας Πολιτιστικῆς Περιουσίας (Κυρωτικός) Νόμος τοῦ 1979 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ ἄρθρῳ 52 τοῦ Συντάγματος.

Ἀριθμὸς 61 τοῦ 1979

**ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΠΕΡΙ ΤΩΝ ΜΕΣΩΝ  
ΑΠΑΓΟΡΕΥΣΕΩΣ ΚΑΙ ΠΑΡΕΜΠΟΔΙΣΕΩΣ  
ΤΗΣ ΠΑΡΑΝΟΜΟΥ ΕΙΣΑΓΩΓΗΣ, ΕΞΑΓΩΓΗΣ  
ΚΑΙ ΜΕΤΑΒΙΒΑΣΕΩΣ ΙΔΙΟΚΤΗΣΙΑΣ  
ΠΟΛΙΤΙΣΤΙΚΗΣ ΠΕΡΙΟΥΣΙΑΣ**

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ὁ παρὼν Νόμος θὰ ἀναφέρηται ὡς ὁ περί τῆς Συμβάσεως Συνοπτικός  
τίτλος. περί τῶν Μέσων Ἀπαγορεύσεως καὶ Παρεμποδίσεως τῆς παρανόμου Εἰσαγωγῆς, Ἐξαγωγῆς καὶ Μεταβιβάσεως Ἰδιοκτησίας Πολιτιστικῆς Περιουσίας (Κυρωτικός) Νόμος τοῦ 1979.

2. Ἐν τῷ παρόντι Νόμῳ ἐκτὸς ἐὰν ἐκ τοῦ κειμένου προκύπτῃ Ἑρμηνεία. διάφορος ἔννοια—

«Σύμβασις» σημαίνει τὴν Σύμβασιν περί τῶν Μέσων Ἀπαγορεύσεως καὶ Παρεμποδίσεως τῆς παρανόμου Εἰσαγωγῆς, Ἐξαγωγῆς καὶ Μεταβιβάσεως Ἰδιοκτησίας Πολιτιστικῆς Περιουσίας, τῆς ὁποίας τὸ κείμενον ἐν τῷ ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν ἑλληνικήν Πίναξ. εἰς τὸ Δεύτερον Μέρος τοῦ Πίνακος :

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξύ τῶν δύο κειμένων ὑπερισχύει τὸ εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις, τῆς ὁποίας ἡ ὑπὸ τῆς Κυπριακῆς Δημοκρατίας Κύρωση  
Συμβάσεως. ἀποδοχὴ ἀπεφασίσθη διὰ τῆς ὄπ' ἀρ. 15.650 καὶ ἡμερ. 3ην Μαρτίου, 1977 Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου, διὰ τοῦ παρόντος Νόμου κυροῦται.

ΕΠΙΝΑΞ

("Απόρροη 2)

ΠΡΩΤΟΝ ΜΕΡΟΣ

CONVENTION ON THE MEANS OF PROHIBITING AND  
PREVENTING THE ILLICIT IMPORT, EXPORT AND  
TRANSFER OF OWNERSHIP OF CULTURAL PROPERTY

Adopted by the General Conference at its  
16th session — Paris 14 November, 1970

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 October to 14 November, 1970, at its 16th session,

Recalling the importance of the provisions contained in the Declaration of the Principles of International Cultural Cooperation, adopted by the General Conference at its 14th 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 cooperation,

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 15th 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 artists 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 manufactured 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 cooperation constitutes one of the most efficient means of protecting each country's cultural property against all the dangers resulting therefrom.

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 publicise 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 a 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).

### 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