



SCREENING CHAPTER 29 CUSTOMS UNION

AGENDA ITEM 4: CULTURAL GOODS

**Country Session: The Republic of TURKEY
13-14 March 2006**



Turkey aims at the protection of national treasures having artistic, historical or archaeological value and the prevention of their unlawful removal

LEGAL FRAMEWORK (1/3)

The Constitution of the Republic of Turkey

Article 63;

“The state shall ensure the conservation of the historical, cultural and natural assets and wealth, and shall take supportive and promotive measures towards that end”

LEGAL FRAMEWORK (2/3)

Law No. 2863 on The Protection of Cultural and
Natural Heritage

Official Gazette (OG) No. 18113, dated 07.07.1983

(amended by Law No. 3386, dated 16.06.1987)

(amended by Law No. 5226, dated 14.07.2004)

LEGAL FRAMEWORK (3/3)

“Implementing Regulation on Movable Cultural Goods
Having the Ethnographical Value”
(OG No. 19803, dated 03.05.1988)

“Implementing Regulation on Export and Import of Movable
Cultural and Natural Property to be Preserved”
(OG No. 18314, dated 16.2.1984)

Which cultural goods are covered?

Temporary Removal	Export	Import
<ul style="list-style-type: none">- all kinds of cultural and natural properties that belong to geological, prehistoric or historic periods- all kinds of animal or plant fossils, human skeletons, flints (sleeks) obsidians- all kinds of bone or metallic tools- encaustic tile, ceramic, similar pots and pans- statues, figures, tablets- documents written or depicted on parchment or metal, coins- written or stamped slabs, handwritten or gilded books- miniatures, engravings which have artistic value, oil-paint or water colour paintings- relics- documents and other property that belong to the National War of Independence etc.	<p>The cultural goods having ethnographical value <u>not defined</u> in Article 4 of Implementing Regulation can be exported</p>	<p>The import of cultural goods is not restricted</p>

Temporary Removal of Cultural Goods

The Ministry of Culture and Tourism is the main competent authority responsible for the regulation of procedures of temporary removal of movable cultural goods from Turkey

These procedures are listed in the “Implementing Regulation on Export and Import of Movable Cultural and Natural Property to be Preserved”

Procedure for Exhibitions Abroad

1. application to Ministry of Culture for prior authorization through the Ministry of Foreign Affairs
2. preparation of inventory list and other documents (information about purpose, place, date and duration of the exhibition, assurance taken from the host country, insurance value, assurance for appropriate transportation and packaging)
3. application to Ministry of Culture with the opinion of Ministry of Foreign Affairs
4. evaluation of the appeal by the Ministry of Culture and Tourism by taking advise of Board of Science
5. submission of document (photographed inventory slips, certificates of guarantee for the insurance and general security) to the Prime Ministry
6. Decision of Council of Ministers

Provisions

- a guarantee must be taken from the authorities of the country where the exhibition will take place against the possibility of sealed damage, harm, infringement, change and loss of the goods
- cultural goods must be insured
- return of the cultural goods must be assured
- an appropriate transportation and packaging according to the characteristics of cultural goods must be assured
- the insurance value of the goods must be simultaneously determined with the preparation of inventory lists
- duration of the exhibition can not be longer than one year for a country

Export and Import of Cultural Goods (1/2)

The export and import of cultural goods are defined in
“Implementing Regulation on the Movable Cultural Goods
Having the Ethnographical Value”

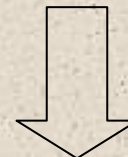
The cultural goods having ethnographical value defined in
Article 4 of Implementing Regulation can not be exported

Export and Import of Cultural Goods (2/2)

- all cultural goods not defined in Article 4 can be removed from the country with the permission of state museums
- these goods can be exported after receiving the approval (expert's report) of the museums
- there is no restriction to bring cultural goods from other countries provided that a list of inventories is submitted. A copy of list of inventories must be given to the concerned museums

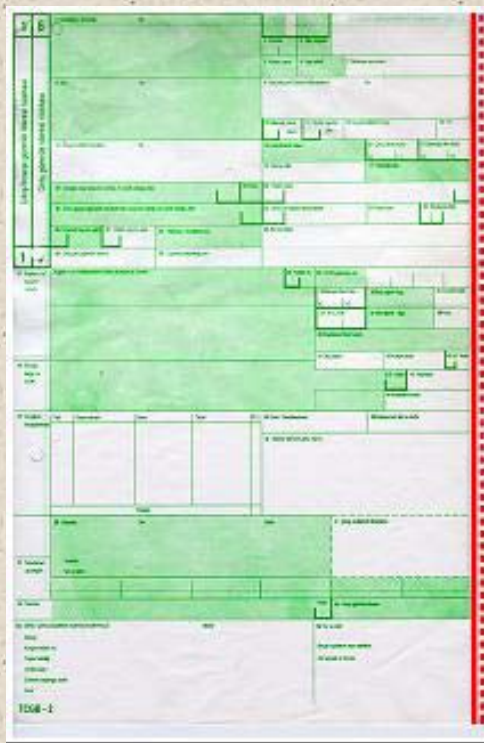
Export of Cultural Goods (Customs Procedure) (1/2)

Expert's Report is presented to customs office of export associated with export declaration



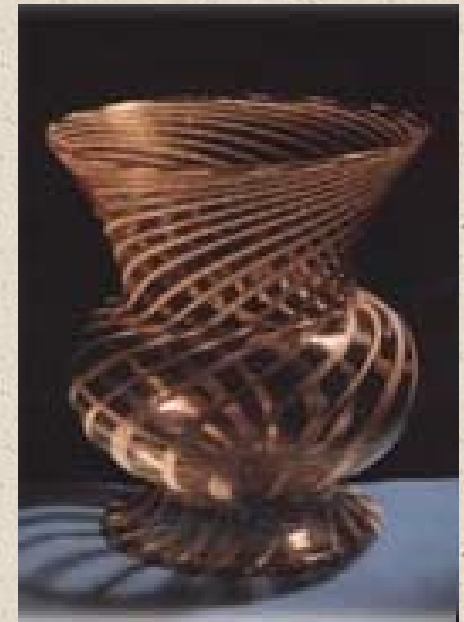
Exporters indicate reference
number of expert's report on the
box 44 of the Single
Administrative Document

Export of Cultural Goods (Customs Procedure) (2/2)



The image shows a customs declaration form for the export of cultural goods. The form is divided into several sections, with a green header and a red vertical line on the right side. The form includes fields for the exporter, importer, and the goods themselves. The form is titled 'DECLARATION OF EXPORT OF CULTURAL GOODS' and is numbered '1234567890'.

Customs office
of export
confirms that
goods that are
mentioned on the
report and the
goods that are
declared
to the customs
are the same



Export of Cultural Goods (Combatting illicit trade) (1/3)

at international level

- customs co-operation on the basis of mutual administrative assistance agreements between customs administrations
- RILO - OBELIKS Project

Export of Cultural Goods (Combating illicit trade) (2/3)

at national level

- customs controls
- anti-smuggling database
- equipment
- cooperation at national level
- training



Export of Cultural Goods (Combating illicit trade) (3/3)

Seizures

Year	Cultural Goods (Unit)
2003	97
2004	246
2005	939



THANK YOU FOR YOUR ATTENTION