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Thematic discussion on protection against illicit trafficking in cultural property

World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

World crime trends and emerging issues and responses in the field of crime prevention and criminal justice: protection against trafficking in cultural property

Note by the Secretariat

1. The present note supplements the analysis contained in the report of the Secretary-General on the state of crime and criminal justice worldwide submitted to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (A/CONF.213/3). The report of the Secretary-General will be made available to the Commission on Crime Prevention and Criminal Justice at its nineteenth session.
2. In its decision 2009/246, the Economic and Social Council decided that the prominent theme of the nineteenth session of the Commission would be "Protection against illicit trafficking in cultural property". The present note contains an analysis of the data collected for the period 2003-2008 through the questionnaire for the Eleventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, which contained a module for the collection of data on trafficking in cultural property.
3. Since the late 1970s, Member States have regularly exchanged information on crime and criminal justice through the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.¹ In its resolution 2009/25 on improving the

* E/CN.15/2010/1.

¹ Further information on the Survey is available on the website of the United Nations Office on



collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime, the Economic and Social Council requested the United Nations Office on Drugs and Crime (UNODC) to establish an open-ended intergovernmental expert working group to prepare recommendations on the improvement of tools for the collection of relevant crime data, in particular the Survey. At its meeting held in Buenos Aires in February 2010, the expert group on improving the collection, reporting and analysis of crime data recommended that one of the modules of the Survey should collect data on the annual thematic discussion of the Commission.²

4. The questionnaire of the Eleventh Survey, which was conducted in 2009, included on a pilot basis a module for the collection of data on trafficking in cultural property. The module covered police and court statistics on selected offences, including trafficking in cultural property, theft of cultural property, possession or handling of cultural property and unlawful excavation of cultural property. National police forces were asked to provide information on the number of recorded offences and of persons suspected of, arrested for or accused of those offences. Courts were asked to provide information on the number of persons tried for and convicted of those offences. The definition of trafficking provided for statistical purposes made reference to import, export or transport.

5. The Eleventh Survey questionnaire was sent to Member States in September 2009. As of February 2010, 76 States had responded, including 24 that had entered data in the module on trafficking in cultural property. It should be noted that the questionnaire covered a wide range of statistics and was not exclusively aimed at collecting data on trafficking in cultural property. Nevertheless, since information was solicited from the police and courts, in many Member States it was possible to identify the requested information along with statistics on other forms of crime.

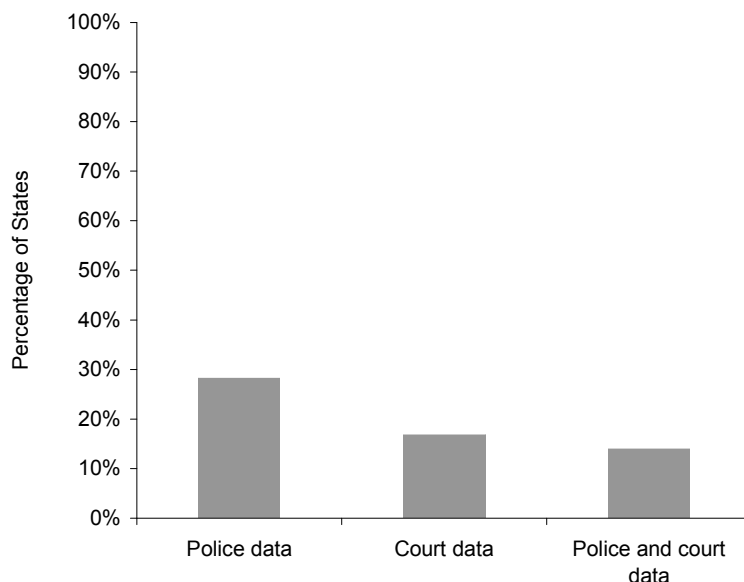
6. Data on trafficking in cultural property are scarce (see figure I). Responding States were more frequently able to provide police data (20 responses, equivalent to less than one third of responding States) than court data (12 responses, or 17 per cent of responding States). Some 10 responses (14 per cent) included both police and court data. On average, States were able to reply to one third of the police data questions and one fourth of the court data questions.

Drugs and Crime (www.unodc.org/unodc/en/data-and-analysis/United-Nations-Surveys-on-Crime-Trends-and-the-Operations-of-Criminal-Justice-Systems.html). The Office coordinates the collection of statistics by disseminating relevant questionnaires through the permanent missions and, in collaboration with the Statistics Division of the Secretariat, national statistical offices.

² See the report on the activities of the expert group (E/CN.15/2010/14).

Figure I

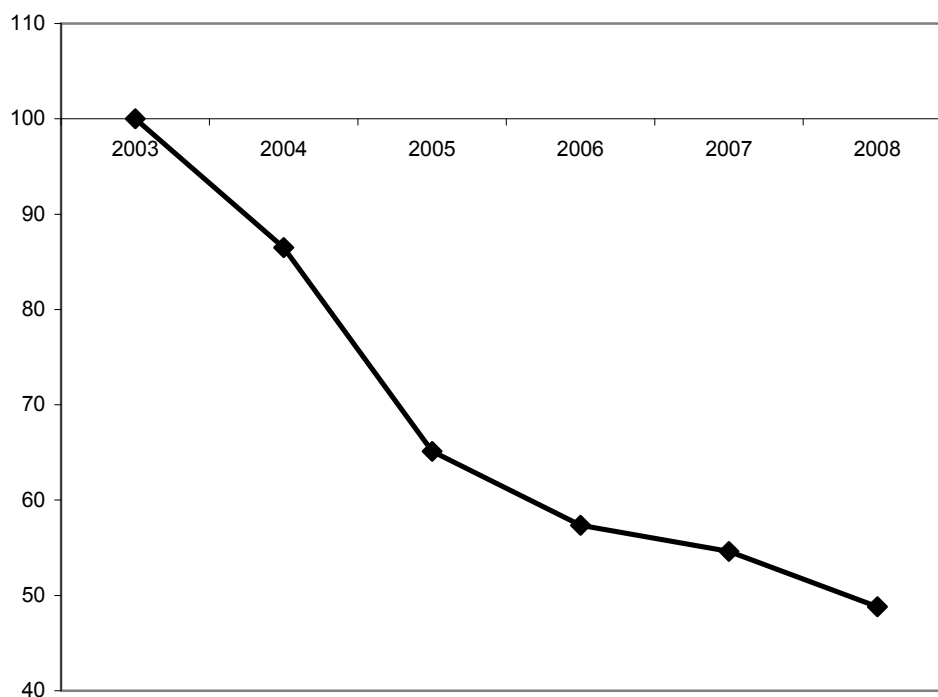
Proportion of States providing data on trafficking in cultural property in their responses to the Eleventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems



7. States were most usually able to respond to the question on the number of police-recorded offences involving theft of cultural property (18 States) and to the question on the number of offences involving trafficking (import, export or transfer) in cultural property (12 Member States). In contrast, only five States provided data on the number of offences involving unlawful excavation of cultural property, and six States provided data on the questions on possession or handling of stolen cultural property, both as regarded number of offences and persons brought into formal contact with the police.

8. Analysis of data over time for the States reporting a continuous time series for police-recorded offences involving theft of cultural property for the period 2003-2008 (10 States) suggests a consistent decreasing trend (see figure II). Caution must be exercised in such analysis, however, due to the small number of States for which data are available and to differences in the definition of theft of cultural property.

Figure II
Police-recorded offences involving theft of cultural property in States reporting data consistently for the period 2003-2008



Source: United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.

Note: Sum of incidents recorded by police in 10 States consistently reporting such data for the entire period 2003-2008 using the Eleventh Survey questionnaire (base year 2003 = 100).

9. Supplementary information on statistics collected by the Eleventh Survey module indicate, for example, significant divergence in responses with respect to whether police-recorded offences involving theft of cultural property included theft from museums, places of worship, castles, archaeological sites, art galleries/antique dealers and private collections. In only 10 States was the definition of trafficking in cultural property used by the Survey the same as the definition used in national statistics. That may indicate that information on this specific form of crime may be collected under different headings.