



**2017/2023(INI)**

9.11.2018

# **AMENDMENTS**

## **1 - 103**

**Draft report**

**Pavel Svoboda**

(PE622.144v05-00)

Cross-border restitution claims of works of art and cultural goods looted in  
armed conflicts and wars  
(2017/2023(INI))



**Amendment 1**  
**Virginie Rozière**

**Motion for a resolution**  
**Citation –1 (new)**

*Motion for a resolution*

*Amendment*

**-1** *having regard to the 1954 Hague Convention for the protection of cultural property in the event of armed conflict and its second protocol of March 1999,*

Or. en

**Amendment 2**  
**Virginie Rozière**

**Motion for a resolution**  
**Citation –1 a (new)**

*Motion for a resolution*

*Amendment*

**-1 a** *having regard to the 1970 UNESCO Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property,*

Or. en

**Amendment 3**  
**Virginie Rozière**

**Motion for a resolution**  
**Citation –1 b (new)**

*Motion for a resolution*

*Amendment*

**-1 b** *having regard to the 1995 UNIDROIT Convention on stolen or illegally exported cultural objects,*

Or. en

**Amendment 4**  
**Virginie Rozière**

**Motion for a resolution**  
**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

- *having regard to the Commission Action Plan for strengthening the fight against terrorist financing that was presented in December 2016 and its proposition of regulation on the import of cultural goods (2017/0158 (COD)),*

Or. en

**Amendment 5**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

- *having regard to its resolution [P8 TA(2015)0179] on Destruction of cultural sites perpetrated by ISIS/Da'esh of 30 April 2015 on the destruction of cultural sites perpetrated by ISIS/Da'esh (2015/2649(RSP)),*

Or. en

**Amendment 6**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Citation 1 b (new)**

*Motion for a resolution*

*Amendment*

- *having regard to the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, of 1999,*

**Amendment 7**  
**Heidi Hautala**

**Motion for a resolution**  
**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

- ***Having regard to the first (1954) and second (1999) protocol of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflicts (Hague Convention),***

Or. en

**Amendment 8**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Citation 11 b (new)**

*Motion for a resolution*

*Amendment*

- 11 e having regard to the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 14 November 1970,***

Or. en

**Amendment 9**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

- ***having regard to the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects of 1995,***

**Amendment 10**  
**Heidi Hautala**

**Motion for a resolution**  
**Citation 1 b (new)**

*Motion for a resolution*

*Amendment*

- ***Having regard to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (UNESCO Convention),***

Or. en

**Amendment 11**  
**Heidi Hautala**

**Motion for a resolution**  
**Citation 1 c (new)**

*Motion for a resolution*

*Amendment*

- ***Having regard to the 1995 Convention on Stolen or Illegally Exported Cultural Objects adopted by the International Institute for Private Law (UNIDROIT Convention),***

Or. en

**Amendment 12**  
**Heidi Hautala**

**Motion for a resolution**  
**Citation 5 a (new)**

*Motion for a resolution*

*Amendment*

- ***Having regard to Regulation 1215/2012 on jurisdiction and the recognition and enforcement of***

*judgments in civil and commercial matters, and in particular Article 7(4) thereof,*

Or. en

**Amendment 13**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Citation 11 a (new)**

*Motion for a resolution*

*Amendment*

- *having regard to the Council Resolution of October 2012 on the creation of an informal network of law enforcement authorities and expertise competent in the field of cultural goods (EU CULTNET) (14232/2012)*

Or. en

**Amendment 14**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Recital –A (new)**

*Motion for a resolution*

*Amendment*

*-A. whereas cultural heritage constitutes one of the basic elements of civilisation, inter alia, with symbolic value and cultural memory of humankind;*

Or. en

**Amendment 15**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital –A (new)**

*Motion for a resolution*

*Amendment*

**-A.    *whereas, according to Interpol, the black market in works of art is becoming as lucrative as those for drugs, weapons and counterfeit goods;***

Or. en

**Amendment 16  
Virginie Rozière**

**Motion for a resolution  
Recital –A a (new)**

*Motion for a resolution*

*Amendment*

**-A a.   *whereas, according to the Impact assessment of the Commission proposal for a regulation of the European Parliament and of the Council on the import of cultural goods (COM(2017)375), 80 to 90% of global antiquities sales are of goods with illicit origin;***

Or. en

**Amendment 17  
Kostas Chrysogonos**

**Motion for a resolution  
Recital –A a (new)**

*Motion for a resolution*

*Amendment*

**-A a.   *whereas cultural heritage enriches the cultural life of all peoples and it unites people in shared memory, knowledge and development of the civilization;***

Or. en

**Amendment 18  
Kostas Chrysogonos**

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**Motion for a resolution**  
**Recital –A b (new)**

*Motion for a resolution*

*Amendment*

**-A b. whereas cultural goods are often of major cultural, artistic, historical and scientific importance;**

Or. en

**Amendment 19**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

*Amendment*

**B. whereas looting *in* armed conflicts remains a widespread problem with important legal implications;**

**B. whereas looting *of works of art and other cultural goods during* armed conflicts *and wars, as well as in times of peace, is a major common concern that needs to be addressed both in terms of prevention and restitution in order to protect and ensure the integrity of the heritage and identity of societies, communities, groups and individuals;***

Or. en

**Amendment 20**  
**Daniel Buda**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

*Amendment*

**B. whereas looting in armed conflicts remains a widespread problem with important legal implications;**

**B. whereas looting in armed conflicts remains a widespread problem with important legal *and cross-border* implications;**

Or. ro

**Amendment 21**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas, in recent years, a string of crimes against world cultural heritage have been perpetrated by warring factions and terrorist entities all over the world and valuable artworks, sculptures and archaeological artefacts are being sold and imported into the EU from certain non-EU countries, with the profits therefrom potentially being used to finance terrorist activities;***

Or. en

**Amendment 22**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas the restitution of objects traded and/or excavated or obtained illegally must be ensured with regard to the European Union's commitment to fair processes and victim compensation, as well as the UNESCO constitution and conventions on heritage protection;***

Or. en

**Amendment 23**  
**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

**Ba.** *whereas illicit trafficking in cultural goods plundered during the armed conflicts and wars in Libya, Syria and Iraq is an important source of funding for the activities of terrorist organisations;*

Or. pl

**Amendment 24**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Recital B b (new)**

*Motion for a resolution*

*Amendment*

**B b.** *whereas cultural goods shall be protected from unlawful appropriation and pillage;*

Or. en

**Amendment 25**  
**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

*Amendment*

C. *whereas the Washington Conference Principles on **Nazi-Confiscated Art**, the Vilnius Forum and the Terezin Declaration on Holocaust Era Assets and Related Issues have all emphasised the importance of providing restitution for individual immovable property; whereas the number of artworks that have been restituted since the Washington Conference is perhaps **1 000 to 2 000**<sup>8</sup>; whereas there is no complete list of artworks restituted in recent years;*

C. *whereas the Washington Conference Principles on **art confiscated by Nazi Germany and its allies**, the Vilnius Forum and the Terezin Declaration on Holocaust Era Assets and Related Issues have all emphasised the importance of providing restitution for individual immovable property; whereas the number of artworks that have been restituted since the Washington Conference is perhaps **1 000 to 2 000**<sup>8</sup>; whereas there is no complete list of artworks restituted in recent years;*

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<sup>8</sup> According to the Claims Conference-WJRO Looted Art and Cultural Property Initiative.

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<sup>8</sup> According to the Claims Conference-WJRO Looted Art and Cultural Property Initiative.

Or. pl

## **Amendment 26** **Virginie Rozière**

### **Motion for a resolution** **Recital C**

#### *Motion for a resolution*

C. whereas the Washington Conference Principles on Nazi-Confiscated Art, the Vilnius Forum and the Terezin Declaration on Holocaust Era Assets and Related Issues have all emphasised the importance of providing restitution for individual immovable property; whereas the number of artworks that have been restituted since the Washington Conference is *perhaps 1 000 to 2 000*<sup>8</sup>; whereas there is no complete list of artworks restituted in recent years;

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<sup>8</sup> According to the Claims Conference-WJRO Looted Art and Cultural Property Initiative.

#### *Amendment*

C. whereas the Washington Conference Principles on Nazi-Confiscated Art, the Vilnius Forum and the Terezin Declaration on Holocaust Era Assets and Related Issues have all emphasised the importance of providing restitution for individual immovable property; whereas the number of artworks that have been restituted since the Washington Conference is *estimated to fall between 1 000 and 2 000*<sup>8</sup>; whereas there is no complete list of artworks restituted in recent years;

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<sup>8</sup> According to the Claims Conference-WJRO Looted Art and Cultural Property Initiative.

Or. en

## **Amendment 27** **Kosma Zlotowski, Anna Elżbieta Fotyga**

### **Motion for a resolution** **Recital C a (new)**

#### *Motion for a resolution*

***Ca. whereas the Soviet Union, both during and after the Second World War, authorised the plundering of works of art and cultural goods belonging to private***

#### *Amendment*

*individuals, state and local government institutions and religious associations in Central and Eastern European countries; whereas a significant proportion of these cultural goods continue to be illegally held by the Russian Federation, which is hindering searches for stolen works of art and their restitution to their rightful owners or their heirs;*

Or. pl

**Amendment 28**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas artworks are still missing and are waiting to be returned to their rightful owners or to their heirs; whereas at the Washington Conference in 1998 Jonathan Petropoulos made an estimate that *perhaps* 650 000 artworks had been stolen throughout Europe, and Ronald Lauder stated that 11 000 pieces of art worth between USD 10 and 30 billion dollars at the time (1998) were still missing; whereas the Claims Conference-WJRO generally responds that there are no accurate estimates: approximately 650 000 artworks were stolen, of which perhaps 100 000 remain missing;

*Amendment*

D. whereas artworks are still missing and are waiting to be returned to their rightful owners or to their heirs; whereas at the Washington Conference in 1998 Jonathan Petropoulos made an estimate that *around* 650 000 artworks had been stolen throughout Europe, and Ronald Lauder stated that 11 000 pieces of art worth between USD 10 and 30 billion dollars at the time (1998) were still missing; whereas the Claims Conference-WJRO generally responds that there are no accurate estimates: approximately 650 000 artworks were stolen, of which perhaps 100 000 remain missing;

Or. en

**Amendment 29**  
**Daniel Buda**

**Motion for a resolution**  
**Recital E**

*Motion for a resolution*

E. whereas litigants continue to

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*Amendment*

E. whereas litigants continue to

encounter legal problems owing to the often very specific nature of their claims on the one hand and to the expiration of post-war restitution laws, the non-retroactivity of conventional norms, statute of limitations provisions on claims or provisions on adverse possession and good faith on the other;

encounter legal problems owing to the often very specific nature of their claims on the one hand and to the expiration of post-war restitution laws, the non-retroactivity of conventional norms, ***the lack of any definition of looted 'art'***, statute of limitations provisions on claims or provisions on adverse possession and good faith on the other;

Or. ro

### **Amendment 30** **Virginie Rozière**

#### **Motion for a resolution** **Recital E**

##### *Motion for a resolution*

E. whereas litigants continue to encounter legal problems owing to the often very specific nature of their claims on the ***one hand and*** to the expiration of post-war restitution laws, the non-retroactivity of conventional norms, statute of limitations provisions on claims or provisions on adverse possession and good faith ***on the other***;

##### *Amendment*

E. whereas litigants continue to encounter legal problems owing, ***on the one hand***, to the often very specific nature of their claims ***and***, on the ***other hand***, to the expiration of post-war restitution laws, the non-retroactivity of conventional norms, statute of limitations provisions on claims or ***the*** provisions on adverse possession and good faith;

Or. en

### **Amendment 31** **Heidi Hautala**

#### **Motion for a resolution** **Recital E a (new)**

##### *Motion for a resolution*

##### *Amendment*

***E a. Whereas restitution claims of looted works of art and cultural goods have mainly been addressed by means of public international law, stronger rules of private international law need to be devised in complement;***

**Amendment 32**

**Heidi Hautala**

**Motion for a resolution**

**Recital E b (new)**

*Motion for a resolution*

*Amendment*

***E b. Whereas the insufficiently developed private law dimension, both at international and European levels, contributes to legal uncertainty in cases of cross-border restitution cases of looted works of art and cultural goods, not only as regards completed transactions in Nazi looted art but also with respect to future cases.***

**Amendment 33**

**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**

**Recital F**

*Motion for a resolution*

*Amendment*

F. whereas no EU legislation exists that explicitly and comprehensively governs restitution claims for works of art and cultural goods looted in armed conflicts by private individuals;

F. whereas no EU legislation exists that explicitly and comprehensively governs restitution claims for works of art and cultural goods looted in armed conflicts by private individuals, ***state and local government institutions and religious associations***;

**Amendment 34**

**Jean-Marie Cavada**

**Motion for a resolution**

**Recital F a (new)**

*Motion for a resolution*

*Amendment*

***Fa.*** *whereas the destruction and looting in Syria and Iraq in recent years have been significant in scale; whereas it is essential to make a firm commitment against the trafficking in works of art that can be used to finance illegal activities and terrorism;*

Or. fr

**Amendment 35**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Recital F b (new)**

*Motion for a resolution*

*Amendment*

***Fb.*** *whereas UNESCO, in conjunction with major auction houses, museums and renowned collectors in Europe, is developing advanced research into the provenance of these works in order to be able to return them to their owners;*

Or. fr

**Amendment 36**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Recital F c (new)**

*Motion for a resolution*

*Amendment*

***Fc.*** *whereas ICOM has been publishing 'Red Lists' of categories of objects vulnerable to illicit trafficking for more than a decade, with the aim of complementing the Interpol database on stolen property;*

Or. fr



**Amendment 37**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

***1 a. Underlines that looting of works of art and other cultural goods, during armed conflicts and wars, as well as in times of peace, is a major common concern that needs to be addressed both in terms of prevention and restitution of looted cultural property in order to protect and ensure the integrity of the cultural heritage and identity of societies, communities, groups and individuals;***

Or. en

**Amendment 38**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

*Amendment*

2. Notes that insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted in armed conflicts, in particular in the fields of private law, private international law and civil procedure; calls on the Commission therefore to explore the possibility of protecting cross-border restitution claims of cultural assets displaced and misappropriated as a result of state-sanctioned acts of plunder and looted during armed conflicts;

2. Notes that insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted in armed conflicts, in particular in the fields of private law, private international law and civil procedure; calls on the Commission therefore to explore the possibility of protecting, ***supporting and encouraging*** cross-border restitution claims of cultural assets displaced and misappropriated as a result of state-sanctioned acts of plunder and looted during armed conflicts; ***calls on the Commission and the Member States to issue recommendations and guidelines to raise awareness of the need to support national institutions in the Member States regarding restitution claims;***

**Amendment 39**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Notes that insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted in armed conflicts, in particular in the fields of private law, private international law and civil procedure; calls on the Commission therefore to explore the possibility of protecting cross-border restitution claims of cultural assets displaced and misappropriated as a result of state-sanctioned acts of plunder and looted during armed conflicts;

*Amendment*

2. Notes that insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted, ***stolen or illegally obtained, inter alia***, in armed conflicts, in particular in the fields of private law, private international law and civil procedure; calls on the Commission therefore to explore the possibility of protecting cross-border restitution claims of cultural assets displaced and misappropriated as a result of state-sanctioned acts of plunder and looted during armed conflicts;

Or. en

**Amendment 40**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Notes that insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted in armed conflicts, in particular in the fields of private law, private international law and civil procedure; calls on the Commission therefore to ***explore the possibility of protecting*** cross-border restitution claims of cultural assets displaced and misappropriated as a result of state-sanctioned acts of plunder and looted during armed conflicts;

*Amendment*

2. Notes that insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted in armed conflicts, in particular in the fields of private law, private international law and civil procedure; calls on the Commission therefore to ***protect*** cross-border restitution claims of cultural assets displaced and misappropriated as a result of state-sanctioned acts of plunder and looted during armed conflicts;

**Amendment 41**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2a. Stresses that institutions such as UNESCO and Interpol are calling for the strengthening of the protection of cultural heritage and the empowerment of states to put in place measures to facilitate restitution;**

Or. fr

**Amendment 42**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2 a. Regrets that there are no reliable statistics on the precise scale of looting and illicit trade with cultural property; calls on the Commission and the Member States to establish reliable statistics in this field;**

Or. en

**Amendment 43**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2 b (new)**

*Motion for a resolution*

*Amendment*

**2 b. Expresses concern that most current political and legislative initiatives**

*focus exclusively on public, administrative and/or criminal law; stresses that in order to set up a comprehensive regulatory framework, private law must be taken into account more intensely; calls on the competent authorities to take all the appropriate measures and initiatives to achieve this;*

Or. en

**Amendment 44**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2 c (new)**

*Motion for a resolution*

*Amendment*

*2 c. Recommends that that the EU should(re-)consider introducing a ground of general jurisdiction in rem (not only limited to cultural objects), as proposed by the Commission in its Proposal for the Recast of the Brussels I Regulation and as laid down e.g. in Article 98 of the Swiss Federal Act on Private International Law, in order to create a sphere of harmonization as far-reaching as possible in this field;*

Or. en

**Amendment 45**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2 d (new)**

*Motion for a resolution*

*Amendment*

*2 d. Considers that more investigation is needed in order to bring light into the dark field of illicit trade in cultural property and to obtain better information about its scale, structure and size, such as e.g. by the ILLICID project currently*

*conducted in Germany;*

Or. en

**Amendment 46**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2 e (new)**

*Motion for a resolution*

*Amendment*

***2 e. Stresses that the deeply fragmented national legislation on granting immunity for cultural property on loan ("anti-seizure statutes") amongst the EU Member States should be harmonized by an EU instrument of a plausible scope and reliable structure, in particular in respect to Nazi looted art;***

Or. en

**Amendment 47**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 2 f (new)**

*Motion for a resolution*

*Amendment*

***2 f. Considers that immunity for cultural property on loan needs to be balanced against the interests of claimants, in order to avoid a denial of justice; unconditional immunity, in particular for Nazi looted art shall not be permitted;***

Or. en

**Amendment 48**  
**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**

### Paragraph 3

#### *Motion for a resolution*

3. Welcomes the recognition by some Member States that the unique problems associated with the restitution claims of works of art and cultural goods looted in armed conflicts and wars need to be addressed in order to arrive at legal solutions ensuring the property rights of private individuals unfairly dispossessed of their works of art during ***an armed conflict of war***;

#### *Amendment*

3. Welcomes the recognition by some Member States that the unique problems associated with the restitution claims of works of art and cultural goods looted in armed conflicts and wars need to be addressed in order to arrive at legal solutions ensuring the property rights of private individuals, ***state and local government institutions and religious associations*** unfairly dispossessed of their works of art during armed ***conflicts or wars***;

Or. pl

### Amendment 49 Kostas Chrysogonos

#### Motion for a resolution Paragraph 3

#### *Motion for a resolution*

3. Welcomes the recognition by some Member States that the unique problems associated with the restitution claims of works of art and cultural goods looted in armed conflicts and wars need to be addressed in order to arrive at legal solutions ensuring the property rights of private individuals unfairly dispossessed of their works of art during an armed conflict of war;

#### *Amendment*

3. Welcomes the recognition by some Member States that the unique problems associated with the restitution claims of works of art and cultural goods looted, ***stolen or illegally obtained*** in armed conflicts and wars need to be addressed in order to arrive at legal solutions ensuring the property rights of private individuals unfairly dispossessed of their works of art during an armed conflict of war;

Or. en

### Amendment 50 Jean-Marie Cavada

#### Motion for a resolution Paragraph 3 a (new)

**3a.** *Stresses the importance of raising collective awareness to denounce these illegal practices and recalls that each object removed from its owner represents historical and scientific treasures that have been lost forever;*

Or. fr

**Amendment 51**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

4. Notes that ***much could be gained from assessing and fostering*** the development of fair practices in art trade and restitution from a transnational and global perspective;

*Amendment*

4. Notes that ***the most efficient way of countering the trafficking of cultural goods and work of art, as well as of supporting their restitution, is to foster*** the development of fair practices in art trade and restitution from a transnational and global perspective; ***underlines that provenance research and European cooperation have proved useful in the identification of looted objects, in their subsequent relocation and, in some cases, in preventing the financing of terrorist groups or wars;***

Or. en

**Amendment 52**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

4. Notes that much could be gained from assessing and fostering the development of fair practices in art trade and restitution from a transnational and

*Amendment*

4. Notes that much could be gained from assessing and fostering the development of fair practices in art trade and restitution from a transnational and

global perspective;

global perspective, *in terms of both their intended preventive effect and the coercive or punitive impact being sought;*

Or. ro

## Amendment 53

Heidi Hautala

### Motion for a resolution

#### Paragraph 4

##### *Motion for a resolution*

4. Notes that much could be gained from assessing and fostering the development of fair practices in art trade and restitution from a transnational and global perspective;

##### *Amendment*

4. Notes that much could be gained from assessing and fostering the development of fair practices in art trade and restitution from a transnational and global perspective, *notably in the aim of hampering the illegal art market;*

Or. en

## Amendment 54

Marie-Christine Boutonnet

### Motion for a resolution

#### Paragraph 5

##### *Motion for a resolution*

5. Notes that there is a lack of coordination in the field of jurisdictional rules, which leads to forum shopping when it comes to claims for the restitution of looted art; notes that Articles 3 and 4 of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects offer a key compromise between civil law and common law jurisdictions when resolving problems concerning stolen or illegally exported cultural objects resulting from differences among national rules; *urges* the Commission to consider *how the rules* of the 1995 UNIDROIT Convention *can be implemented in EU and national law;*

##### *Amendment*

5. Notes that there is a lack of coordination in the field of jurisdictional rules, which leads to forum shopping when it comes to claims for the restitution of looted art; notes that Articles 3 and 4 of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects offer a key compromise between civil law and common law jurisdictions when resolving problems concerning stolen or illegally exported cultural objects resulting from differences among national rules; *asks, therefore,* the Commission to consider *an exchange between Member States of their legislation and practices related to provenance research, in order to build on*



*each other's successes while adapting them to national contexts for greater effectiveness, and to consider incorporating some of the basic principles of the 1995 UNIDROIT Convention on stolen or illegally exported cultural objects in a legislative act;*

Or. fr

**Amendment 55**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Notes that there is a lack of coordination in the field of jurisdictional rules, which leads to forum shopping when it comes to claims for the restitution of looted art; notes that Articles 3 and 4 of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects offer a key compromise between civil law and common law jurisdictions when resolving problems concerning stolen or illegally exported cultural objects resulting from differences among national rules; urges the Commission to consider *how* the rules of the 1995 UNIDROIT Convention *can be implemented in EU and national law*;

*Amendment*

5. Notes that there is a lack of coordination in the field of jurisdictional rules, which leads to forum shopping when it comes to claims for the restitution of looted art; notes that Articles 3 and 4 of the 1995 UNIDROIT Convention on stolen or illegally exported cultural objects offer a key compromise between civil law and common law jurisdictions when resolving problems concerning stolen or illegally exported cultural objects resulting from differences among national rules; urges the Commission to consider *the harmonisation of the rules on provenance research and the incorporation of some basic principles* of the 1995 UNIDROIT Convention *on stolen or illegally exported cultural objects*;

Or. en

**Amendment 56**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

**5 a. Considers that a first step towards harmonisation concerning restitution claims of works of art and cultural goods would be the adoption of a common definition of “cultural property”, “works of art” and “cultural goods”**

Or. en

**Amendment 57**  
**Heidi Hautala**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

**5 a. Considering that EU legislative action, including the private international law dimension, would be appropriate for future transactions only;**

Or. en

**Amendment 58**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

*Amendment*

6. Considers that it is time to put an end to the years of convolutions and nuances if a responsible and ethical European art market is to be established; calls on the Commission, in this regard, to identify civil law measures to help overcome the difficult problems encountered by private parties seeking the restitution of works of art genuinely belonging to them;

6. Considers that it is time to put an end to the years of convolutions and nuances if a responsible and ethical European art market is to be established; calls on the Commission, in this regard, to identify civil law measures to help overcome the difficult problems encountered by private parties seeking the restitution of works of art genuinely belonging to them; **at the same time, calls on the Commission to develop a new debating framework for the identification of best practices and solutions for the present and the future;**

**Amendment 59**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. Considers that it is time to put an end to the years of convolutions and nuances if a responsible and ethical European art market is to be established; calls on the Commission, in this regard, to identify civil law measures to help overcome the difficult problems encountered by private parties seeking the restitution of works of art genuinely belonging to them;

*Amendment*

6. Considers that it is time to put an end to the years of convolutions and nuances if a responsible and ethical European art market is to be established; calls on the Commission, in this regard, to ***encourage the Member States to*** identify civil law measures to help overcome the difficult problems encountered by private parties seeking the restitution of works of art genuinely belonging to them;

Or. fr

**Amendment 60**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 a (new)**

*Motion for a resolution*

*Amendment*

***6 a. Welcomes the Commission's proposal for a regulation on the import of cultural goods of 13 July 2017, as well as the amendments adopted by the European Parliament on 25 October 2018 on the proposal for a regulation of the European Parliament and of the Council on the import of cultural goods; considering the global scope of the art market and the number of objects in private hands, underlines the need for further efforts concerning the cross-border restitution of works of art and cultural goods looted in armed conflicts and wars [P8\_TA-PROV(2018)0418];***

**Amendment 61**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 a (new)**

*Motion for a resolution*

*Amendment*

**6 a. Urges the EU competent authorities the EU to introduce a general prohibition of sale and acquisition for looted, stolen and illegally exported/imported cultural property;**

Or. en

**Amendment 62**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 b (new)**

*Motion for a resolution*

*Amendment*

**6 b. Regrets that due to the absence, laxity or differences of rules between Member States concerning provenance research and due diligence, many cross-border restitution claims cannot be carried out in an effective and coordinated way, which may as a result foster looting and trafficking and incentivise smuggling; as a result of the lack of common standards the applicable procedure often remains unclear for all stakeholders, including museums, art dealers, collectors, tourists and travellers; asks, therefore, the Commission to harmonise the rules on provenance research and to incorporate some basic principles of the 1995 UNIDROIT Convention on stolen or illegally exported cultural objects;**

Or. en

**Amendment 63**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 c (new)**

*Motion for a resolution*

*Amendment*

**6 c. Emphasises that there is an urgent need to actively promote the systematic recourse to high-quality and independent provenance research in order to identify looted art works, to facilitate their restitution to the legitimate owners, to achieve a fully transparent, responsible and ethical art market, and to effectively prevent and deter looting and trafficking of art and cultural goods; notes the possibilities offered by European financial instruments in this direction;**

Or. en

**Amendment 64**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 d (new)**

*Motion for a resolution*

*Amendment*

**6 d. Calls on the Commission and Member States to encourage and support special training programmes in provenance research at Union and national level, in order to enable in particular those involved in the fight against the illicit trade in cultural goods to develop and improve their expertise, including through cross-border projects;**

Or. en

**Amendment 65**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 e (new)**

*Motion for a resolution*

*Amendment*

**6 e.** *Underlines that provenance research and European cooperation have proved to be useful for the identification of looted objects and subsequently enabling them to be restituted and in some cases preventing the financing of terrorist groups or wars;*

Or. en

**Amendment 66**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 6 f (new)**

*Motion for a resolution*

*Amendment*

**6 f.** *Considers that provenance research is closely linked to the due diligence obligation applicable when acquiring works of art and constitutes a major concern for all the actors in the art market as acquiring, knowingly or by negligence, stolen artworks is punishable under certain national laws;*

Or. en

**Amendment 67**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

*Amendment*

**7.** Considers that care should obviously be taken to create a comprehensive listing of all Jewish-owned cultural objects plundered by the Nazis and

**7.** Considers that care should obviously be taken to create a comprehensive listing of all Jewish-owned cultural objects plundered by the Nazis and

their allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by public entities and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;

their allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by public entities and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;  
***urges the Commission to support digitization projects that would establish or connect existing digital databases in order to facilitate the exchange of such data and provenance research;***

Or. en

#### **Amendment 68**

**Kosma Złotowski, Anna Elżbieta Fotyga**

#### **Motion for a resolution**

##### **Paragraph 7**

##### *Motion for a resolution*

7. Considers that care should obviously be taken to create a comprehensive listing of all ***Jewish-owned*** cultural objects plundered by ***the Nazis and their*** allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by ***public entities*** and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;

##### *Amendment*

7. Considers that care should obviously be taken to create a comprehensive listing of all cultural objects, ***belonging both to Jewish owners and to people of other nationalities,*** plundered by ***Nazi Germany and its*** allies, ***as well as by the USSR,*** from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by ***state and local government institutions, religious associations*** and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;

Or. pl

#### **Amendment 69**

**Kostas Chrysogonos**

#### **Motion for a resolution**

##### **Paragraph 7**

*Motion for a resolution*

7. Considers that care should obviously be taken to create a comprehensive listing of all Jewish-owned cultural objects plundered by the Nazis and their allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by public entities and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;

*Amendment*

7. Considers that care should obviously be taken to create a comprehensive listing of all Jewish-owned cultural objects plundered by the Nazis and their allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by public entities and private art collections, to gather data on the situation of looted, ***stolen or illegally obtained*** cultural goods and the exact status of existing claims;

Or. en

**Amendment 70**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

7. Considers that care should obviously be taken to create a comprehensive listing of all Jewish-owned cultural objects plundered by the Nazis and their allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by public entities and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;

*Amendment*

7. Considers that care should obviously be taken to create a comprehensive listing of all ***cultural objects, including*** Jewish-owned cultural objects, plundered by the Nazis and their allies, from the time of their spoliation to the present day; urges the Commission to support a cataloguing system, to be used also by public entities and private art collections, to gather data on the situation of looted cultural goods and the exact status of existing claims;

Or. en

**Amendment 71**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 7 a (new)**



*Motion for a resolution*

*Amendment*

**7 a.** *Considers that to enable proper provenance research, the creation of a documentary record or transaction register that is as detailed as possible is needed; asks the Commission to actively support the drafting of common guidelines on such registers and to adopt appropriate measures in order to encourage Member States to introduce a general obligation for art market professionals to maintain such a transaction register and, more generally, to adhere to the 1995 UNIDROIT Convention on stolen or illegally cultural objects;*

Or. en

**Amendment 72**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

**7 a.** *Underlines that retroactive legislative measures that change the status of otherwise valid legal acquisitions of Nazi looted art in the past, e.g. by good faith acquisitions or acquisition by a longer period of possession after the Second World War, would not be in conformity with guarantees under the European Convention on Human Rights, the EU Charter of Human Rights and national constitutional guarantees; stresses that such measures should not be permitted;*

Or. en

**Amendment 73**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

**7a.** *Notes that theft and looting are on increasing with each conflict and that the aim must therefore also be to prevent the illegal trade in such goods; Calls on Member States to take appropriate action to put an end to the illegal trade in cultural goods from the territories of states at war such as Syria and Iraq, thereby preventing cultural goods from being used as a source of terrorist financing;*

Or. fr

**Amendment 74**  
**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

**7a.** *Notes that the issue of cultural and artistic works stolen by the USSR during and after the Second World War in the countries of Central and Eastern Europe is often overlooked in the development of international regulations on cross-border claims for the return of works of art and cultural goods stolen during armed conflicts and wars;*

Or. pl

**Amendment 75**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 7 b (new)**

*Motion for a resolution*

*Amendment*

**7 b. Urges the EU in respect to future transactions, that it shall consider defining minimum standards for pre-contractual information on the provenance of the object to be sold, in particular whether and to what extent there is reason to suspect that the object is spoliated;**

Or. en

**Amendment 76**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 7 b (new)**

*Motion for a resolution*

*Amendment*

**7 b. Urges the Commission to encourage, and support financially, provenance research activities throughout the Union; suggests that the Commission organise a discussion forum in order to exchange best practices and find the best solutions for the present and the future;**

Or. en

**Amendment 77**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 7 c (new)**

*Motion for a resolution*

*Amendment*

**7 c. Urges the EU to further consider clarifying and harmonizing the buyer's remedies in case of non-compliance with the seller's pre-contractual duties to inform the buyer;**

Or. en

**Amendment 78**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Calls on the Commission to promote the use of alternative dispute resolution mechanisms for works of art looted in armed conflicts and wars; calls on the Commission to look into practical ways to help overcome existing legal obstacles, such as a **hybrid form** of arbitration and mediation; stresses the importance of clear standards and transparent and neutral procedures;

*Amendment*

8. Calls on the Commission to promote the use of alternative dispute resolution mechanisms for works of art looted, ***stolen or illegally obtained*** in armed conflicts and wars; calls on the Commission to look into practical ways to help overcome existing legal obstacles, such as a **hybridform** of arbitration and mediation; stresses the importance of clear standards and transparent and neutral procedures;

Or. en

**Amendment 79**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Calls on the Commission to ***promote the use of*** alternative dispute resolution ***mechanisms for*** works of art ***looted in armed conflicts and wars; calls on the Commission to look into practical ways to help*** overcome existing legal obstacles, such as a hybrid form of arbitration and mediation; stresses the importance of clear standards and transparent and neutral procedures;

*Amendment*

8. Calls on the Commission to ***consider establishing a specific*** alternative dispute resolution ***mechanism for dealing with cases of restitution claims of looted*** works of art ***and cultural goods in order to*** overcome existing legal obstacles, such as a hybrid form of arbitration and mediation; stresses the importance of clear standards and transparent and neutral procedures;

Or. en

**Amendment 80**  
**Kostas Chrysogonos**

**Motion for a resolution**

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## Paragraph 8 a (new)

*Motion for a resolution*

*Amendment*

**8 a.** *Calls on Member States to take appropriate action to put an end to the illegal trade in cultural goods, thereby preventing cultural goods from being used as a source of terrorist financing;*

Or. en

## Amendment 81

**Kosma Zlotowski, Anna Elżbieta Fotyga**

### Motion for a resolution

#### Paragraph 9

*Motion for a resolution*

9. Notes that statutes of limitation often create difficulties for claimants in restitution matters; calls on the Commission to assess the issue and strike the right balance for the limitation period applicable to ***Nazi-looted art restitution claims***, which should take into account both the protection of the interests of the victims of looting and theft and those of the market; considers that the US Holocaust Expropriated Art Recovery Act could serve as an example;

*Amendment*

9. Notes that statutes of limitation often create difficulties for claimants in restitution matters; calls on the Commission to assess the issue and strike the right balance for the limitation period applicable to ***restitution claims relating to art stolen by Nazi Germany and its allies, as well as by the USSR***, which should take into account both the protection of the interests of the victims of looting and theft and those of the market, ***as well as the principle of legal certainty and the protection of the cultural heritage of the Member States***; considers that the US Holocaust Expropriated Art Recovery Act could serve as an example;

Or. pl

## Amendment 82

**Kostas Chrysogonos**

### Motion for a resolution

#### Paragraph 9

*Motion for a resolution*

*Amendment*

9. Notes that statutes of limitation often create difficulties for claimants in restitution matters; calls on the Commission to assess the issue and strike the right balance for the limitation period applicable to Nazi-looted art restitution claims, which should take into account both the protection of the interests of the victims of looting and theft and those of the market; considers that the US Holocaust Expropriated Art Recovery Act could serve as an example;

9. Notes that statutes of limitation often create difficulties for claimants in restitution matters; calls on the Commission to assess the issue and strike the right balance for the limitation period applicable to ***looted art restitution claims, including*** Nazi-looted art restitution claims, which should take into account both the protection of the interests of the victims of looting and theft and those of the market; considers that the US Holocaust Expropriated Art Recovery Act could serve as an example;

Or. en

**Amendment 83**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

***9 a. Highlights that in order to have a set of rules that can effectively prevent looting and smuggling of works of art and cultural goods, and to achieve a fully transparent, responsible and ethical global art market, the Commission should seek to cooperate with third countries with a view to establishing fruitful partnerships, taking into account, to this end, the principles set out in the 1995 UNIDROIT Convention on stolen or illegally exported cultural objects;***

Or. en

**Amendment 84**  
**Heidi Hautala**

**Motion for a resolution**  
**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

**9 a. Calls on the Commission to consider taking legislative action to strengthen the legal system for cross-border restitution claims of works of art and cultural goods looted in armed conflicts and wars on the basis of private international law tools;**

Or. en

**Amendment 85**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 9 b (new)**

*Motion for a resolution*

*Amendment*

**9 b. Calls on the competent EU institutions to encourage Member States to share information on existing practices with regard to the provenance check of cultural goods and to intensify their cooperation in order to harmonise the control measures and administrative procedures aiming at determining the provenance of cultural goods;**

Or. en

**Amendment 86**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 9 c (new)**

*Motion for a resolution*

*Amendment*

**9 c. Asks the Commission and all competent authorities to encourage Member States to share information on existing practices with regard to the provenance check of looted, stolen or illegally obtained or exported cultural goods and to intensify their cooperation in order to harmonise the control measures and administrative procedures aiming at**

*determining the provenance of cultural goods;*

Or. en

**Amendment 87**

**Daniel Buda**

**Motion for a resolution**

**Paragraph 10**

*Motion for a resolution*

10. Calls on the Commission to clarify the notion of due diligence in relation to good faith; points, as an example, to Article 16 of the Swiss Federal Law on the International Transfer of Cultural Property, which bans dealers and auctioneers from entering into an art transaction if they have any doubt as to the provenance of the object; notes that under this law the burden of proof is partly transferred to the seller; however, the possessor of an artwork cannot rely on the principle of good faith if he or she is unable to prove that he or she paid due attention at the time of acquisition;

*Amendment*

10. ***Points to the lack of coordination at Member State level regarding interpretation of the notion of 'due diligence'***, calls on the Commission to clarify the notion of 'due diligence' in relation to good faith; points, as an example, to Article 16 of the Swiss Federal Law on the International Transfer of Cultural Property, which bans dealers and auctioneers from entering into an art transaction if they have any doubt as to the provenance of the object; notes that under this law the burden of proof is partly transferred to the seller; however, the possessor of an artwork cannot rely on the principle of good faith if he or she is unable to prove that he or she paid due attention at the time of acquisition;

Or. ro

**Amendment 88**

**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**

**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

***10a. Calls on the Commission to take action to stop the authorities of the Russian Federation and its cultural institutions from illegally exporting from the occupied territory of Ukraine and the***



*illegally annexed Crimea exhibits that are part of Ukraine's cultural heritage, in clear violation of international instruments, including the Convention on the Law and Customs of War, the Convention for the Protection of Cultural Property in the Event of Armed Conflict, the Convention on measures to prohibit and prevent the unlawful import, export and transfer of cultural property, the Convention for the Protection of the World Cultural and Natural Heritage and UN Security Council Resolution 2347;*

Or. pl

**Amendment 89**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. ***Calls on*** the Commission to develop common principles on access to public or private archives containing information on property identification and location and ***tying together*** existing databases ***of*** information ***about title to disputed properties;***

*Amendment*

11. ***Urges*** the Commission to develop common principles on access to public or private archives containing information on property identification and location and ***to carryout a mapping of*** existing databases ***in order to create a central database, to be accessed by all relevant actors, that takes account of all relevant*** information; ***such a database should be connected with INTERPOL's "Stolen Works of Art Database" and be updated regularly;***

Or. en

**Amendment 90**  
**Kosma Zlotowski, Anna Elżbieta Fotyga**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to

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*Amendment*

11. Calls on the Commission to

develop common principles on access to public or private archives containing information on property identification and location and tying together existing databases of information about title to disputed properties;

develop common principles on access to public or private archives containing information on property identification and location and tying together existing databases of information about title to disputed properties, *so that the claims of private individuals, state and local authorities and religious associations are regulated in the same way*;

Or. pl

**Amendment 91**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

***11 a. Urges the Commission to proceed to a thorough mapping of existing databases of cultural goods and to envisage the creation of a central meta-database that takes account of the available information, is updated regularly and can be accessed by all relevant actors; considers that on the basis of this central meta-database, a common cataloguing system should be put in place which could use standardised object IDs; asks therefore the Commission to encourage introducing the object IDs developed and promoted by ICOM and other organisations as the market standard within the entire internal market;***

Or. en

**Amendment 92**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

**11 a.** *Considers that another useful complement to the above mentioned database should be the creation, for the purposes of enabling a more thorough and accurate provenance research, of a documentary record or transaction register of cultural property; asks the Commission to adopt appropriate measures in order to encourage Member States to introduce a general obligation for art market actors to maintain such documentary records or transaction registers and, more generally, to adhere to the 1995 UNIDROIT Convention on stolen or illegally cultural objects;*

Or. en

**Amendment 93**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 11 b (new)**

*Motion for a resolution*

*Amendment*

**11 b.** *Considers that the central database should function on the basis of a common cataloguing system whereby objects would be identified in a standardised manner (taking into account characteristics such as materials, techniques, measurements, inscriptions, title, subject, date or period, etc.)*

Or. en

**Amendment 94**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

*Amendment*

12. Calls on the Commission to identify common principles on how ownership or title are established as well as rules on prescription and standards of proof and the concept of looting and art;

12. Calls on the Commission to ***establishing an agency based on Article 167 TFEU on the protection of looted art in order to advise Member States and market professional on questions related to trafficking in cultural goods and*** identify common principles on how ownership or title are established as well as rules on prescription and standards of proof and the concept of looting and art; ***This agency should also collect the results of provenance research, link existing databases, issue object IDs, set-up the meta-website mentioned above and investigate cases of trafficking of cultural property,***

Or. en

#### **Amendment 95**

**Kosma Zlotowski, Anna Elżbieta Fotyga**

#### **Motion for a resolution**

##### **Paragraph 12**

##### *Motion for a resolution*

12. Calls on the Commission to identify common principles on how ownership or title are established as well as rules on prescription and standards of proof and the concept of looting and art;

##### *Amendment*

12. Calls on the Commission to identify common principles on how ownership or title are established as well as rules on prescription and standards of proof and the concept of looting and art, ***taking into consideration the relevant rules in force in the Member States;***

Or. pl

#### **Amendment 96**

**Kostas Chrysogonos**

#### **Motion for a resolution**

##### **Paragraph 13**

##### *Motion for a resolution*

13. Calls on the Member States and candidate countries to make all necessary

##### *Amendment*

13. Calls on the Member States and candidate countries to make all necessary

efforts to adopt measures to ensure the creation of mechanisms which favour the return of the property referred to in this resolution and to be mindful that the return of artworks looted in the course of crimes against humanity to the rightful claimants is a matter of general interest under Article 1 of Protocol 1 to the European Convention on Human Rights;

efforts to adopt measures to ensure the creation of mechanisms which favour the return of the property referred to in this resolution and to be mindful that the return of artworks looted, ***stolen or illegally obtained*** in the course of crimes against humanity to the rightful claimants is a matter of general interest under Article 1 of Protocol 1 to the European Convention on Human Rights;

Or. en

**Amendment 97**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

13. ***Calls on the Member States and candidate countries to make all necessary efforts to adopt measures to ensure the creation of mechanisms which favour the return of the property referred to in this resolution and to be mindful that the return of artworks looted in the course of crimes against humanity to the rightful claimants is a matter of general interest under Article 1 of Protocol 1 to the European Convention on Human Rights;***

*Amendment*

13. ***Considers that, in view of a fully transparent, accountable and ethical global art market, the Commission should seek to cooperate with third countries and to establish partnerships favouring the return of the property referred to in this resolution while taking into account both the principles set out in the 1995 UNIDROIT Convention on stolen or illegally exported cultural objects and Article 1 of Protocol 1 to the European Convention on Human Rights;***

Or. en

**Amendment 98**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

***13 a. Recalls that education fosters respect and appreciation for art works and other cultural goods as symbols of***

*Amendment*

*cultural heritage, and that it therefore plays an important role in preventing and discouraging looting and illicit trade of cultural goods; calls on the Commission and Member States to encourage and support educational and awareness-raising activities in this regard, including in non-formal and informal settings;*

Or. en

**Amendment 99**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

*13 a. Calls on the Commission and all the competent authorities to adopt measures aimed at making the art market and also the potential buyers of artefacts aware of the importance of provenance research, given that such research is linked to the due diligence obligation;*

Or. en

**Amendment 100**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

*13a. Recalls that close cooperation between police and customs services at European and international level is essential in combating the illicit trafficking in works of cultural heritage;*

Or. fr

**Amendment 101**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 13 b (new)**

*Motion for a resolution*

*Amendment*

***13 b. Underlines that the cross-border nature of most restitution claims requires a clear and coherent cross-border approach that can overcome existing difficulties and facilitate the achievement of just and fair solutions; calls on the Commission to envisage setting up an advisory body at Union level to assist Member States and other actors in their efforts to locate and identify looted art works and other cultural goods and expedite their restitution to the legitimate owners;***

Or. en

**Amendment 102**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 13 b (new)**

*Motion for a resolution*

*Amendment*

***13 b. Urges the EU to seek, under Article 167 TFEU, to encourage those Member States to accede to the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, that have not yet done so;***

Or. en

**Amendment 103**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 13 c (new)**

***13 c. Supports the idea that cross-border restitution procedures concerning works of art and cultural goods looted, stolen or illegally obtained, and the active promotion of provenance research, should be addressed in the context of the 2018 European Year of Cultural Heritage ('EYCH') initiative; calls therefore on the Commission and the working group it has set up to include this item in their working plan detailing the activities for 2018 EYCH;***

Or. en