

## Import of cultural goods

Currently, with the exception of two specific measures for Iraq and Syria, there is no EU legislation covering the import of cultural goods from third countries entering the EU. In July 2017, the European Commission adopted a legislative proposal to ensure that imported cultural goods are subject to effective and uniform treatment throughout the EU. The European Parliament is expected to vote on the proposal during its October II plenary session.

### Background

Illicit trade in looted cultural goods not only damages or destroys archaeological sites and the artefacts themselves, but has also been identified as an income source for terrorist and organised crime groups. The EU applies common rules subjecting the [export](#) of EU cultural goods to prior authorisation, as well as common rules on the [return of cultural objects](#) unlawfully removed from the territory of a Member State. However, there are no common rules for the import of cultural goods into the EU's customs territory from third countries, apart from two specific measures for [Iraq](#) and [Syria](#).

### European Commission proposal

In July 2017, the Commission adopted a [proposal](#) to set out rules for licit import of cultural goods into the EU to prevent the introduction and storage in the EU of goods that have been illegally removed from a third country; thereby combating trafficking in cultural goods, depriving terrorists of an income source, and protecting cultural heritage. For this purpose, the proposal to complement the existing EU legislation would provide for a common definition of cultural goods at import, introduce certain documentation requirements to prove licit provenance, and ensure that importers and buyers exercise diligence when purchasing cultural goods from third countries. The proposed regulation would include a minimum age limit of 250 years for all the goods categories to be covered; no financial threshold has been set. The proposal also aims to simplify the work of EU customs authorities and to provide legal certainty to trade operators and buyers. However, various [art dealers' associations](#) have expressed their concerns regarding the potential negative impact of the proposal on trade in art.

### European Parliament position

On 27 September 2018, the European Parliament's Committees on International Trade (INTA) and on Internal Market and Consumer Protection (IMCO) adopted a [joint report](#) on the proposal, aiming to ensure a balance between curbing the illegal import of cultural goods and avoiding a disproportionate burden for licit art market operators and customs authorities. They recommend the introduction of different minimal age thresholds depending on the categories of goods, and the application of thresholds to most goods categories; financial thresholds for certain categories of goods would also be introduced. They also recommend that the '[Red Lists](#)' of the International Council of Museums (ICOM) should be taken into account to establish further criteria for cultural objects most vulnerable to illicit trade. Other points include recommendations concerning documentation requirements, transit of cultural goods through the EU, and adequate assistance for micro, small and medium-sized enterprises to implement the regulation.

First-reading report: [2017/0158\(COD\)](#); Committees responsible (jointly under Rule 55): INTA and IMCO; Rapporteurs: Alessia Maria Mosca (S&D, Italy) and Daniel Dalton (ECR, United Kingdom). See also our 'EU Legislation in Progress' [briefing](#).

