



Plenary sitting

B9-0169/2024

11.3.2024

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the return of Romanian national treasure illegally appropriated by Russia
(2024/2605(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the return of Romanian national treasure illegally appropriated by Russia
(2024/2605(RSP))**

The European Parliament,

- having regard to Article 167 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Preamble to the Treaty on European Union (TEU), which states that the signatories draw ‘inspiration from the cultural, religious and humanist inheritance of Europe’ and desire to ‘deepen the solidarity between their peoples while respecting their history, their culture and their traditions’, as well as to Article 3(3) TEU and Article 6 TFEU where culture is mentioned as a policy area under the ‘categories and areas of Union competence’ with different actions that can be undertaken by the EU to ‘support, coordinate or complement the action of Member States’,
- having regard to Article 36 TFEU, which enshrines Member States’ right to define their national treasures and to take the necessary measures to protect them,
- having regard to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict,
- having regard to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the UNESCO General Conference at its 16th session of 14 November 1970,
- having regard to Directive 2014/60/EU of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012¹,
- having regard to the Commission communication of 13 December 2022 on the EU Action Plan against Trafficking in Cultural Goods (COM(2022)0800),
- having regard to the Council of Europe Framework Convention of 27 October 2005 on the Value of Cultural Heritage for Society (CETS 199),
- having regard to the Council of Europe Convention of 19 May 2017 on Offences relating to Cultural Property (CETS 221),
- having regard to the general principles of international law recognised by states, such as the principle of sovereignty and non-interference, the principle of good faith and the principle of the peaceful settlement of disputes,
- having regard to Rule 132(2) of its Rules of Procedure,

¹ OJ L 159, 28.5.2014, p. 1.

- A. whereas a state's gold reserves serve as a crucial financial asset, providing stability to its currency, bolstering confidence in the nation's economic strength;
- B. whereas a state's gold reserves play a unique and long-term role in finance and economics, representing a key component of the currency reserves nations hold; whereas during financial crises, central bank gold reserves can function as a safe-haven asset during periods of market turmoil;
- C. whereas under Article 36 TFEU, Member States maintain the prerogative to define their national treasures within their jurisdiction and to implement the requisite measures to safeguard them;
- D. whereas EU law does not offer guidelines or a general classification of what constitutes a national treasure since its definition is not a competence of the EU; whereas the term 'national treasure' is often subsumed under a variety of umbrella terms such as 'cultural goods' and 'cultural objects';
- E. whereas the term 'Romanian national treasure' comprises the gold reserves of the National Bank of Romania, consisting of gold ingots and rare coins that have a numismatic and cultural value in addition to the value of the gold itself, as well as objects pertaining to the national cultural, religious, archival and artistic heritage of Romania;
- F. whereas there are legislative grounds for the return of cultural goods and national treasures that have been removed from the territory of an EU Member State unlawfully through breach of the legislation in force or breach of the conditions under which temporary authorisation was granted;
- G. whereas the illicit seizure of Romania's national treasure by Russia represents a breach of international law and customs, as the transfer of gold reserves along with the substantial collection of cultural, artistic and archival objects for safekeeping during exceptional circumstances was covered by a properly documented and legally valid official agreement with legal guarantees of return, the stipulated obligations of which were ignored;
- H. whereas in 2012 the Parliamentary Assembly of the Council of Europe adopted Resolution 1896 on 'The honouring of obligations and commitments by the Russian Federation', asking the Russian Federation to continue efforts to rapidly settle outstanding issues on the return of cultural and other property by direct negotiation with the countries concerned;
- I. whereas the restitution of the appropriated Romanian national treasure is of great importance for both the institutional and national memory of the country;
- J. whereas Romania has a fully valid legal claim to its gold deposits evacuated to Moscow during 1916-1917, as well as to the cultural, religious and archival objects transferred to Russia between 1916-1917 that were not returned in 1935 and 1956
- K. whereas bringing about the return of the Romanian national treasure demands a tailor-made European response;

1. Recalls that the illicit appropriation of Romania's national treasure by Russia is a unique international case in which a state's monetary gold reserves, together with cultural, religious and archival objects that are part of its national heritage, were entrusted for safekeeping to another state, under an agreement set out in legally valid documents giving legal guarantees of their return, but that these obligations were ultimately disregarded, in breach of international law and customs;
2. Recognises that the national treasure deposited for safekeeping in Moscow in 1916 and 1917 during the difficult times of the First World War with the Government of Imperial Russia's guarantee regarding the safety of transport, the safety of deposit and safety of return to Romania is an unparalleled international case of illegal appropriation of gold reserves and heritage objects and a matter of perpetual concern to Romanian society;
3. Notes that the First World War forced the Romanian Government of the time to entrust its national treasure to an allied state for protection against destruction; recalls that during the wartime hardships, dozens of train carriages transported the bulk of Romania's national treasure to Tsarist Russia for safekeeping until times of peace, with a detailed inventory documenting the gold reserves of the National Bank of Romania, under the Russian guarantee of protection and return, as witnessed by other states, at that time; underlines that the national treasure legally given in custody comprised 91.5 tonnes of fine gold belonging to the reserve of the Romanian National Bank, royal collections of jewels and rare coins, together with priceless cultural and historical assets such as state archives, documents, precious historical manuscripts, heritage paintings, rare books and collections from many public and private institutions spanning over five centuries of Romanian history;
4. Emphasises that despite several attempts at diplomatic negotiations in the aftermath of the First World War, the Romanian national treasure has never been fully returned by Russia, as had been legally stipulated in the official bilateral agreement between the two states;
5. Notes that some of the cultural, artistic and archival goods illegally appropriated by Russia were returned to Romania in 1935 and in 1956; highlights that to date, however, none of the outstanding 91.5 tonnes of fine gold, part of the reserves of the Romanian National Bank, have been returned;
6. Expresses its concern that despite the creation of the Romanian-Russian Joint Commission of experts mandated to enable discussions on this issue, efforts to bring about the return of the Romanian national treasure, thus to give back the illegally seized gold reserve of the Romanian National Bank, through bilateral diplomatic channels between Romania and Russia have faced Russia's reluctance to return what previous regimes have unlawfully kept thereby disregarding the restitution protocols signed, and that this reluctance makes it necessary to reassess previous discussions concerning the request for the return of the appropriated gold reserve and the unreturned cultural and religious objects to Romania;
7. Highlights that special attention must be paid to the preservation of Member States' national treasures, as stipulated in the European Treaties;
8. Welcomes the EU's significant efforts to protect national, cultural and historical

heritage by implementing legislation and cooperation mechanisms governing the return of cultural and heritage assets unlawfully taken from EU countries' territories and its efforts to combat the traffic in cultural goods; acknowledges that Directive 2014/60/EU is the key pillar of the EU's commitment to safeguarding national treasures and cultural objects, while the EU Action Plan against Trafficking in Cultural Goods has confirmed the EU's broader commitment to protect cultural heritage; emphasises that unlawfully removed cultural objects must be returned regardless of whether they have been relocated within the Union or exported to a non-EU state;

9. Notes that while under the relevant provisions of the TFEU, current EU legislation covers the return of cultural goods and national treasures unlawfully removed before 1 January 1993 by one Member State to another, the repatriation of the Romanian national treasure remains a special case requiring a specific solution; highlights that the exceptional nature of the Romanian national treasure's illegal appropriation underscores unique specificities that demand a tailor-made European response to facilitate its return, thus expanding the scope of EU's approach towards the restitution of cultural assets unlawfully removed from EU countries' territories;
10. Emphasises that achieving the return of the cultural assets and national treasures of an EU Member State unlawfully retained by a non-EU state requires substantial diplomatic discussions, both bilaterally and within international forums;
11. Calls on the Commission to expand the scope of the EU policies governing the protection of cultural goods to the extent of including the recovery of national treasures transferred during wartime under bilateral agreements between states;
12. Calls on the Commission and on the European External Action Service to envisage including the return of the Romanian national treasure on the future bilateral agenda for discussions with Russia once the end of Russia's war of aggression against Ukraine makes it possible to resume discussions on such requests between the parties; calls on the Commission to explore synergies with the Romanian State to prepare for the mobilisation of coordinated efforts that would bring about the return of the missing national treasure to where it belongs;
13. Calls on the Commission to explore the possibility of acting as a partner to the Romanian representatives involved in the Romanian-Russian Joint Commission mandated to discuss the return of the Romanian national treasure;
14. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.