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Türkiye's Struggle for the Restitution of Cultural Property



**Zeynep Boz is an archaeologist by training and has been heading the Department for Combatting Illicit Trafficking at the Ministry of Culture and Tourism of Türkiye since 2020. She began her career at the Ministry in 2007, working in the same department, and from 2014 to 2017 she served at the Secretariat of the 1970 UNESCO Convention. Her expertise includes return and restitution, as well as awareness-raising and capacity-building to strengthen efforts against illicit trafficking. She is also the author of the UNESCO Toolkit on Fighting Illicit Trafficking of Cultural Property, designed primarily for European law enforcement and the judiciary.*

“The primary method employed by our Ministry to secure the return of cultural property illegally removed from the country is to negotiate with the relevant foreign country and institutions and establish constructive relationships by presenting additional evidence obtained over time. Firstly, it is important to note that in so-called ‘market countries’ such as those in Europe, North America, East Asia, and the Gulf states, possessing, purchasing, and selling items classified as cultural property or cultural heritage is permitted, and collections are not subject to strict oversight unless a criminal investigation is underway. However, the current situation arising from international treaties, such as UNIDROIT, and principles, such as the UNESCO Code of Ethics for the Art Market, may encourage those involved in buying and selling to conduct more thorough provenance research to protect their reputations and avoid potential legal liabilities.”

**This interview was conducted with Zeynep Boz by Dr. Hande Günözü,
a member of the BRIQ Editorial Board.**

What efforts is your department making to prevent the smuggling and illicit trafficking of cultural property?

Zeynep Boz: Within the scope of combating the illicit trafficking of cultural property, our Ministry carries out a wide range of tasks, procedures, and activities. Department for Combating Illicit Trafficking of Cultural Prop-

erty within The General Directorate of Cultural Assets and Museums consists of three sub-directorates dedicated to local, international, and educational initiatives.

First and foremost, we implement security measures in line with international standards to protect archaeological sites within our country against criminal acts such as illegal excavations and unauthorised searches for cultural property.

Museum directorates under our Ministry operate 24/7. They carry out these duties in cooperation with the police or gendarmerie forces, depending on their areas of responsibility. When a crime involving cultural property trafficking is committed, the Museum Directorates under our Ministry also provide the reporting services required by Public Prosecutor's Offices and law enforcement agencies, as well as the safekeeping of seized artifacts. In summary, our provincial organisations, under the supervision, control, and guidance of the Department for Combating Illicit Trafficking of Cultural Property, are responsible for preventing illegal excavations and trafficking within the country, as well as for the judicial follow-up of such crimes when they occur.

Recognising that preventing the illicit trafficking of cultural property requires public awareness, significant emphasis is placed on educational and awareness-raising initiatives to protect cultural property and prevent trafficking attempts from the outset. As part of these efforts, training programmes targeting a broad audience, including judicial authorities, law enforcement personnel, and cultural heritage professionals, are being designed, alongside projects tailored to the needs of citizens of all ages. Additionally, printed and online materials are being produced for use in these activities or for optional access.

The return of cultural property illegally removed from Türkiye also serves a preventive function, as it encourages buyers in the destination countries to be more cautious when dealing with works of Turkish origin.

Rigorous National and International Monitoring

What efforts have been undertaken regarding the repatriation of cultural property returned to our country from abroad over the past five years?

Zeynep Boz: We strive to ensure that cultural property protected under the Cultural and Natural Assets Protection Law No. 2863 are tracked as comprehensively as possible across international markets and collections. Our Ministry's experts regularly screen auctions, gallery sales, and inventories of global collections using open-source data. Literature and archival research are conducted on works of art believed to be of Turkish origin and to have been illegally removed from the country. Reports are also requested from academics and museum experts. The data, information, and evidence obtained through these efforts are submitted to the relevant authorities in the countries in question via our Ministry of Foreign Affairs, with a request for the return of the said asset. To ensure these processes are managed accurately and comprehensively, our Ministry's experts evaluate Turkish legislation, international law, and the legal systems and practices of the relevant countries.

Thanks to our Ministry's initiatives, a total of 13,448 cultural artifacts have been returned to Türkiye between 2002 and 2025.

Legal Challenges in International Restitution

What legal challenges do you face in the process of repatriating cultural property?

Zeynep Boz: The primary method employed by our Ministry to secure the return of cultural property illegally removed from the country is to negotiate with the relevant foreign country and institutions and establish constructive relationships by presenting additional evidence obtained over time. Firstly, it is important to note that in so-called 'market countries' such as those in Europe, North America, East Asia, and the Gulf states, possessing, purchasing, and

selling items classified as cultural property or cultural heritage is permitted, and collections are not subject to strict oversight unless a criminal investigation is underway. However, the current situation arising from international treaties, such as UNIDROIT, and principles, such as the UNESCO Code of Ethics for the Art Market, may encourage those involved in buying and selling to conduct more thorough provenance research to protect their reputations and avoid potential legal liabilities.

The return of cultural property illegally removed from Türkiye requires legal action, as it cannot be returned without the consent of

the person or institution holding it. This is a particularly complex and challenging process, especially in countries where the relevant market is located. The most important international instrument in this field is the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. This convention sets standards and has been ratified by the vast majority of countries worldwide, including market economies. However, this convention is not automatically enforceable within a country's legal system, nor is its retroactive application mandatory.



A Roman-era stele of Zeugma origin, returned from Italy. As a result of the meticulous efforts of the Ministry of Culture and Tourism, the stele was officially received at a ceremony held at the Turkish Embassy in Rome on April 28, 2023. The artifact, now in Türkiye, is on display at the Zeugma Mosaic Museum in Gaziantep (KVMGM, 2023).

Two key factors that determine restitution are the legal provisions of the country that claims ownership of the cultural property and the rules in force in the country where the work is located. These rules govern the rights of individuals and legal entities. Clearly, legal situations requiring consideration of these rights and international obligations do not always result in restitution. Conversely, receiving countries are increasingly compelled to act more cautiously and cooperatively due to growing demands from countries of origin and heightened public awareness.

Anti-Smuggling Agreement with 14 Countries

What international cooperation initiatives are being undertaken in this context?

Zeynep Boz: Since the illicit trafficking of cultural property is a transnational crime, international cooperation is of great importance. UNESCO-led multilateral mechanisms bring together all participating countries to address issues such as cultural heritage, ownership, and the prevention of trafficking, and establish standard practices. For this reason, we can consider UNESCO's role in this field to be vital. Beyond multilateralism, another important mechanism for us is bilateral relations. These can establish highly effective collaborations and communication channels with the destination, transit, and countries of origin. To date, we have signed agreements or memoranda of understanding with 14 countries to combat the illicit trafficking of cultural property. These countries are Greece, Bulgaria, Romania, Serbia, Hungary, Switzerland, Italy, Iran, Turkmenistan, Uzbekistan, China, Ecuador, Peru, and the United States.

The Nexus Between Cultural Property Trafficking and Terrorism

What is the extent of the link between the illicit trade in cultural property and terrorism?

Zeynep Boz: The link between the trafficking of cultural property and terrorism is a matter that has been frequently addressed and proven by researchers in this field. This issue has also been identified in United Nations Security Council resolutions, which ban the sale of any artifacts originating from Iraq and Syria and require the relevant countries to take measures in this regard. This has enabled the suppression of demand for artifacts linked to terrorism. Although a formal link between cultural property trafficking and terrorism in every single case cannot always be established through a United Nations Security Council resolution, it remains a critical issue requiring careful attention in many regions. It must remain on the agenda to ensure the protection of cultural heritage.

A Comprehensive Inter-Institutional Approach and Future Outlook

What measures has our country taken to combat the looting of cultural heritage, and what initiatives are planned for the future?

Zeynep Boz: The preservation of cultural heritage is an established field, yet it is also directly influenced by innovations. Our country's experience and expertise in this area, spanning over a century, has created a system that has been developed through academic research and bureaucratic practices. Based on our own experiences

and through international cooperation in the fight against the trafficking of cultural property, we anticipate that artificial intelligence applications will become increasingly important in areas such as digital inventory, advanced imaging and control systems, and the identification, classification, and comparison of artifacts. Our Ministry's digital inventory system, MUES, aims to digitise our entire collection and store it in a database. Additionally, cross-functional applications are being designed through various modules within this system. One of these is the Anti-Smuggling module. This module will enable the Department for Combating Illicit Trafficking of Cultural Property to record the issues and cultural property being tracked and retrieve data tailored to different needs.

Department for Combating Illicit Trafficking of Cultural Property will strengthen its central role in the fight against illicit trafficking within the country and abroad by leveraging technological, legal, and scientific advancements, combined with its own expertise and mission. The goal is to accelerate the monitoring of incidents and legal proceedings domestically and ensure that the information obtained is processed by experts, providing a broad perspective and transforming it into detailed narratives. This will enhance the depth and quality of operations conducted in coordination with domestic law enforcement agencies and judicial authorities. This investment in expertise and capacity building will further consolidate our country's leading global position in this field, which can be viewed as a crime-fighting and protective measure.

We intend to maintain an active presence within international organisations to combat the illicit trafficking of cultural property and to enhance

the effectiveness of our bilateral relations. We will prioritise tracking cultural property illegally removed from our country using new technologies. Given the complexity of the data, legal framework, and evidence-gathering processes involved in these efforts, we hope these developments will foster a more comprehensive perspective.

Communication will continue to grow in importance in the near and distant future, becoming a defining factor in quality across virtually every field. For this reason, we will organise training programmes for all public officials and other relevant experts, whether directly or indirectly involved in the protection of cultural property, covering both general principles and specific areas tailored to new needs. These specialised training programmes will play a key role in developing specific skills and keeping pace with developments. We will continue to produce content for children and young people in schools, museums, and other venues, as well as on digital media. We will also provide materials to enable third parties, such as teachers and museum educators, to develop projects with a much broader range of content.

As in other fields, the extensive use of technology in efforts to preserve cultural heritage further highlights the importance of information management and specialisation. For technology to deliver its expected benefits, it is also essential that we preserve the traditional working methods and perspectives that have been developed in cultural heritage over the centuries. Maximising communication among universities, ministries, and other relevant stakeholders is therefore crucial. As the Ministry of Culture and Tourism, we are committed to fulfilling our mission of bridging the past and the future within this framework. 🌸