UNESCO Sub-regional Symposium for the Fight against Illicit Trafficking of Cultural Heritage in Southeast Asia
19 - 21 November, 2014, Bangkok, Thailand

EXPERIENCES
IN FIGHTING AGAINST ILLICIT TRAFFICKING OF CULTURAL PROPERTIES
IN VIETNAM

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Viet Nam has ratified the UNESCO Convention 1970 since December 2005.

The principles on monitoring the import and export of cultural property are provided in the following legislative documents:

- Law Cultural Heritage in 2001 (amended in 2009);
I. The real situation on management and protection of antiquities and prevention of illicit traffic in cultural property in Viet Nam

• **Real situation:**
  To date, in Viet Nam, there are:
  - 145 museums,
  - 8 cultural and natural world heritage,
  - 48 special national monuments,
  - 3,211 national landscapes
  - over 7,484 provincial relics stretching throughout 63 provinces and cities in the nationwide.

There are around 3 million of objects of antiquities that have been inventoried and registered for management purpose at these museums and relics.
The protection and management of antiquities have made remarkable progress.

However, the protection, management and use of antiquities have appear more complicated and triggered worrying issues:

a. Thefts of antiquities
b. Illegal excavation of archaeological vestiges
c. Illegal excavation of antiquities and fishing out on sale in defiance of legal regulations

As a result, a lot of valuable antiquities are illegally exported abroad through frontiers, hided in normal goods’ tanks and brought out of the country by tourists, businessman.
II. Causes of the above situation

- Lack of awareness of:
  - People.
  - Authorities of all levels.
  - Professional agencies, executive and justice institutes on the significance and value of antiquities.
  - The protection of cultural heritage is not considered as important as other socio-economic tasks.
As a result:

• The management in relics is haphazard.
• The directive and guidance role of cultural organs and local authorities is dim.
• The supervision, in many places, is put under the care of the old people or the head monks.
• The supervision forces to thefts can hardly have an effective way to cope with the situation.
• The responsibility of the relics’ watchers for the loss of antiquities is not clearly stated.
The decentralized administration in localities has many shortcomings:

- The illegal excavation of archaeological vestiges is not effectively prevented by administrative levels.
- The coordination among cultural institutes from the Central to the localities, authorities of different levels and executive and justice institutes in the protection of antiquities is not close and inefficient.
- The punishment against those violating and appropriating the cultural heritage is not strict.
- The investment in the protection of relics and archaeological excavation is not appropriate.
The black market for trading antiquities has been in operation for a long time.

Professional skills and the ability to assess antiquities of local staff and customs officers are not qualified.
III. Experiences in fighting against illicit traffic of cultural properties in Vietnam

• Actions taken by the Ministry of Culture, Sports and Tourism to prevent illicit traffic of cultural property in Viet Nam:

  ✓ Promulgating instructions on protection of relics and antiquities.
  ✓ Including new points in The Law on Cultural Heritage relating to the protection and management of cultural heritage.
  ✓ Sending thousands of copies of documents listing the regulations of Viet Nam law on antiquities to related institutions to make legal dissemination on this matter known by foreigners.
✓ Working with the Ministry of Industry and Trade, Ministry of Public Security and General Department of Viet Nam Customs to discuss about the measures to prevent the production of fake antiquities.

✓ Directing functional Departments, Services and Inspection Board of the Ministry to check the hot points nationwide.

✓ Compiling and publishing a book on Vietnam Antiquities, listing antiquities forbidden to be exported to provide professionals basic handbooks for their inspection and treatment of cases relating to illegally trafficking antiquities.
✓ Connecting and sharing information with Department of Culture, Sports and Tourism in all provinces in the nationwide, and related agencies about lost antiquities or illegal excavation.

✓ Directing the Department of Cultural Heritage to work with the Labour Newspaper, the Cultural Newspaper in improving the report of news on antiquity protection and to translate and print documents by UNESCO on prevention of illegally trafficking cultural heritage.

✓ Becoming a party member of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
IV. Suggestions

• Setting up a system of data information
• Enhancing further the cooperation at international level
• Returning the illegal original cultural property to its original country.
• Promoting the cooperation between ASEAN countries (bilateral and multilateral) in order to prevent the illicit traffic in cultural property.
• Encouraging countries to adopt the 1970 UNESCO Convention.
• Encouraging experienced countries to assist the others.
Thank you!