



*Brussels, 14.12.2017
C(2017) 8496 final*

Dear President,

The Commission would like to thank the Camera dei Deputati for its Opinion on the proposal for a Regulation of the European Parliament and of the Council on the import of cultural goods {COM(2017) 375 final}.

The proposal aims to prevent the import and storage in the European Union of cultural goods illegally taken from third countries. Such illicit trade is fostering organised crime, terrorism financing, money laundering and tax evasion as well loss of cultural identity and heritage to source countries.

The proposal follows up on ad hoc legislation prohibiting trade in cultural goods from Iraq and Syria (Regulations 1210/2003 and 36/2012) and places a particular focus on endangered heritage, such as archaeological objects in third countries which are affected by armed conflict or natural disasters.

The Commission is pleased that the Camera dei Deputati shares the view that action at the Union level, as envisaged in the proposal, is required in order to introduce harmonised rules.

The Commission welcomes the Camera dei Deputati's broad support for customs controls at the external border of the Union. The Commission has, however, doubts with regard to the Camera dei Deputati's suggestion to expand the scope of application by decreasing the minimum 250-year age limit for cultural goods that would be covered by the measure. As previously mentioned, the proposal has to strike the right balance between protecting particularly vulnerable cultural heritage that is targeted by terrorist and other warring factions in third countries and avoiding to impede disproportionately legitimate, law-abiding traders in cultural goods.

The Commission takes seriously the concerns expressed by the Camera dei Deputati with regard to setting up an electronic database for the storage and exchange of information between Member State authorities. The Commission has been examining currently existing systems which would permit to accomplish such actions and formalities digitally.

With regard to the matter of more restrictive arrangements currently in force in specific Member States, the Commission is only aware of one Member State (Greece) where it is currently mandatory to obtain an import licence, and this only for archaeological cultural

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goods. Italy has an import licence scheme in place, but it is only voluntary, i.e. import licences are only issued at the request of an importer.

The Commission is pleased to have this opportunity to provide a number of clarifications on its proposal. In particular, with regard to importer statements submitted by operators for less sensitive categories of cultural goods, cultural authorities can always be consulted in cases of doubt about the licit provenance of such goods; they are in no way excluded from the import control process and would be in fact encouraged to assist customs with their task.

The Camera dei Deputati's Opinion has been made available to the Commission's representatives in the ongoing negotiations with the co-legislators and will inform these discussions. Currently, a first reading of the proposal has been completed at Council level in the Customs Union Working Party and discussion is ongoing on a compromise text prepared by the Estonian Presidency.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Camera dei Deputati and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Pierre Moscovici
Member of the Commission*