



May 2023

Bilateral agreements

Pursuant to the Federal Act on the International Transfer of Cultural Property (CPTA; SR 444.1), the Federal Council may conclude international agreements on the import and repatriation of cultural property to protect cultural and foreign affairs interests and to secure the cultural heritage with countries that have ratified the 1970 UNESCO Convention (bilateral agreements).

The bilateral agreements serve, on the one hand, to protect the cultural heritage of foreign states, while also maintaining Swiss cultural heritage. They regulate the legal requirements for importing cultural property to the sovereign territory of one of the two parties to the agreement. Furthermore, the agreements set forth the modalities of repatriating illicitly imported cultural property. Finally, the agreements contain various provisions on mutual reporting, cooperation on fighting the illicit transfer of cultural property and maintenance of cultural heritage.

- Bilateral agreements are intended to prevent the illicit trade of cultural property between the parties to the agreement and the maintenance of cultural heritage.
- Bilateral agreements apply exclusively to the categories of cultural property that are of significant importance to the cultural heritage of the respective party to the agreement and are listed in the appendices to the agreements. It primarily deals with categories of archaeological objects that are recognized as being of significant importance for the cultural heritage of a state (Official bulletin 2003 N 32 and 2003 p. 549 f. in German).
- Whoever imports or transits cultural property subject to an agreement into or through Switzerland must document to the customs authorities the export provisions of the foreign contracting state are fulfilled. If the foreign contracting state requires a permit to export such cultural property, the permit must be presented to the customs authorities (Art. 24, para. 3 Cultural Property Transfer Ordinance; SR 444.11).
- Whoever possesses cultural property illicitly imported into Switzerland, can be sued for repatriation by the country from which the cultural property was illicitly exported (Art. 9, para. 1 CPTA). Whoever acquires cultural property in good faith and must return the same, has a claim for compensation at the time of repatriation (Art. 9, para. 5, CPTA).
- The Federal Office of Culture provides financial assistance as part of the implementation of the agreement to the benefit of maintaining moveable cultural heritage. Projects by third parties can be supported through this financial assistance with a one-time payment of up to CHF 100'000, as long as said contribution on the part of the Swiss Confederation does not exceed 50% of the project costs ([Financial assistance movable cultural heritage \(admin.ch\)](#)).

The regulations become legally binding once the respective bilateral agreements enter into force. The agreement with Italy entered into force as of April 27, 2008, the agreement with Egypt entered into force as of February 20, 2011, the agreement with Greece entered into force as of April 13, 2011, the agreement with Colombia entered into force as of August 4, 2011, the agreement with China entered into force as of January 8, 2014, the agreement with Cyprus entered into force as of February 15, 2014, the agreement with Peru entered into force as of October 19, 2016, the agreement with Mexico entered into force as of July 25, 2018 and the agreement with Türkiye entered into force as of May 4, 2023.

The homepage of the Federal Office of Culture reports on the entry into force of additional agreements. The final and legally binding text is published as part of the official chronological collection of federal law once the date of the entry into force is determined ([Classified Compilation \(admin.ch\)](#)).