

## Draft Resolution



### Economic and Social Council

**Topic: The Protection and Return of Cultural Artefacts to their Countries of Origin**

**Sponsors: United Kingdom, France, United States of America, Japan, Russian Federation, Italy, Columbia, Burkina Faso**

**Signatures: Korea, Mauritius, Brazil, Indonesia, Dominican Republic, El Salvatore, Antigua and Barbuda, New Zealand, Georgia, Benin, India, Tunisia**

**The Economic and Social Council,**

*Deeply Convinced* that cultural properties, with deep and close connections with the national identity of its original countries, is of significant value and importance and should be protected and preserved by all member states,

*Recalling* the valuable contribution of UN subsidiary bodies, NGOs, relevant regional and subregional organisations and arrangements for the protection and restitution of cultural properties and commending in this regard the convention documents signed on the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (abbr. 1970 Convention) and the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, in order to mainstream protection and restitution mechanisms, in close partnership with UNESCO, as well as the EU Guidelines on the Property Right Claim of Cultural Properties, in close collaboration with the General Assembly, UNESCO, UNIDROIT and ICPRCP of the detailed implementation of the protection and restitution issues,

***Noting*** that the 20th session of the Committee will be held on 1 and 2 October 2016 at UNESCO Headquarters in Paris, France to further revise and examine the follow-up to the recommendations adopted by its 22 Members at the 19th session (October 2014),

***Revising*** the ICPRCP implementation of Decisions and Resolutions in the 1970 Convention on multiple cases of restitution requests for cultural properties and artefacts,

***Expressing deep concern*** about the illegal occupation of cultural properties by certain countries and private collectors in contravention of applicable international law,

***Taking further notice*** that the solution to this issue is of great importance and impact to all member states,

***Delivering further concern*** regarding the high number of cultural artefacts that are being illegally sold and transported by international blackmarkets,

***Urging*** all countries to sign and ratify the above conventions mentioned and other instruments of the framework to ensure the protection and restitution of cultural artefacts and properties,

***Welcoming*** all countries to improve the current situation of the protection and restitution of cultural artefacts,

***Fully aware*** that the loss of cultural assets is of great tragedy to any member nations,

**To act under the guidance of UN General Assembly, as well as implementing the Resolutions of the 1970 Convention,**

1. ***Urges*** the international community especially countries with requests for further restitution of certain cultural artefacts to submit formal ICPRCP forms in accordance with providing clear evidence to prove the historical ownership of certain object;

2. ***Requires*** the ICPRCP to adopt the supervision and evaluation system of Standard System for Cultural Property Evaluation(abbr. SSCPE), the overall factors of the SSCPE consists of the following, The Fragility Level of the Object, The Historical Value of the Object, The Transportation Difficulty Degree of the Object, The Impact and Importance of the Object, The Social Stability Factor of the Requesting Country, The Long-Term Financial Credit of the Requesting Country, The Technological Perseverance Support Level of the Requesting Country;

3. ***Proposes*** the ICPRCP to establish an expert team with diverse background from all member states to accurately value the factors mainly of the Historical Value of the Object in SSCPE, and to this end decides the ICPRCP should include the following departments of The Globalised Expert Team in addition to the existing Teams of Officials from Member States and The Supervise Teams;

4. ***Recognises*** the importance of fund raising from all member states to support the operations including the Routine Support for the research and evaluation of export teams, the Cost and Insurance of the restitution process of cultural properties;

5. ***Proclaims*** that the non-retrospective law should be thoroughly implemented in the judgement of restitution issues of cultural properties due to the following reasons of the complexity of historical ownership and national identity reasons;

6. ***Further Proclaims*** that there is no clear ownership of certain cultural artefact, as all cultural properties belongs to the universal human race;

7. ***Decides*** to open the financial info to the public so as to make the financial data transparent and accept donations from public funds and charities;

8. ***Further Decides*** to be in close partnership with Museums in member states to held up global exhibitions of certain cultural properties unable to be restituted or

transported in accompany with top-class educators and researchers to provide educational and academical mutual beneficial opportunities for all member states;

**9. *Reiterates*** the importance of cultural artefacts protection in conflict zones requires the assistance from related UN entities, ICPRCP and member states to rescue cultural properties that remain undetected;

**10. *Further invites*** NGOs from all over the world to contribute to the implementation of the protection and restitution of cultural artefacts;

**11. *Calls upon*** on all member states to join and participate in the common establishment of the SSCPE and oversees the implementation of the SSCPE in related committees;

**12. *Suggests*** all countries not to interfere with indirect cases of restitution;

**13. *Emphasises*** the significant contribution on the long-term perseverance and research of cultural artefacts in multiple museums and private collectors;

**14. *Further urges*** Member States, United Nations entities and other parties concerned to this issue to ensure that the protection and restitution of cultural artefacts is well implemented by related states and countries;

**15. *Reiterates*** its request to the Secretary-General to continue to ensure that in all his reports on Cultural Properties the matter of protection and restitution is included as a specific aspect of the report;

**16. *Decides*** to remain actively seized of the issue.