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### Return or restitution of cultural property to the countries of origin

## Return or restitution of cultural property to the countries of origin

### Report by the Secretary-General

#### *Summary*

The present report contains a summary of the activities undertaken by the United Nations Education, Scientific and Cultural Organization with relevant partners in the United Nations system and beyond in combating illicit trafficking in cultural property and promoting its return to the countries of origin or restitution in the case of illicit appropriation, since the previous report submitted to the General Assembly on the matter ([A/76/321](#)) in view of an enhanced protection of cultural property.

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\* [A/79/150](#).



## I. Introduction

1. The present report is submitted in accordance with General Assembly resolution [76/16](#), in which the Assembly requested the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), to submit to it, at its seventy-ninth session, a report on the implementation of the resolution. The report contains information regarding activities pertaining to the return or restitution of cultural property to the countries of origin undertaken between August 2021 and July 2024. In addition, section VI of the report contains information on several key actions that have been implemented by UNESCO in emergency situations to protect cultural heritage. This reflects the Organization's support of its member States to alleviate the growing number of crises in different regions of the world that frequently affect the culture and heritage of the countries affected.

2. In the declaration adopted by 150 member States at the UNESCO World Conference on Cultural Policies and Sustainable Development (the MONDIACULT 2022 declaration),<sup>1</sup> member States reiterated their commitment to enhancing the fight against illicit trafficking of cultural property by ensuring the effective implementation of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (the 1970 Convention), and called for an open and inclusive international dialogue for the return and restitution of cultural property to countries of origin under the aegis of UNESCO, as an ethical imperative to foster the right of peoples and communities to the enjoyment of their cultural heritage.

3. In 2021, in the Rome Leaders' Declaration, the Group of 20 emphasized the importance of addressing threats to irreplaceable cultural resources and protecting and preserving cultural heritage damaged, trafficked or endangered by conflicts and disasters, recalling the objectives of Security Council resolution [2347 \(2017\)](#). Furthermore, the protection and restitution of cultural property was one of the priority areas of the presidency of India of the Group of 20, as it is in the ongoing presidency of Brazil. In the New Delhi Leaders' Declaration adopted in September 2023,<sup>2</sup> Group of 20 leaders reiterated their commitment to strengthen the fight against the illicit trafficking of cultural property at the national, regional or international levels to enable its return and restitution to their countries and communities of origin as relevant.<sup>3</sup>

## II. UNESCO efforts to promote the universal ratification of the 1970 Convention

4. Since 2021, the Gambia, Kenya, Malawi, Malta and Turkmenistan have become parties to the 1970 Convention, bringing the number of States parties to 146.

5. Furthermore, since 2021, Madagascar, Mexico, Morocco and Togo have become parties to the International Institute for the Unification of Private Law (UNIDROIT)

<sup>1</sup> Available from [www.unesco.org/sites/default/files/medias/fichiers/2022/10/6.MONDIACULT\\_EN\\_DRAFT%20FINAL%20DECLARATION\\_FINAL\\_1.pdf](http://www.unesco.org/sites/default/files/medias/fichiers/2022/10/6.MONDIACULT_EN_DRAFT%20FINAL%20DECLARATION_FINAL_1.pdf).

<sup>2</sup> Available at [www.mea.gov.in/Images/CPV/G20-New-Delhi-Leaders-Declaration.pdf](http://www.mea.gov.in/Images/CPV/G20-New-Delhi-Leaders-Declaration.pdf).

<sup>3</sup> In the outcome document entitled the "Kashi culture pathway", Culture Ministers' of the Group of 20 called for a strengthened and effective global coalition to bolster the fight against the illicit trafficking of cultural property, particularly by encouraging the ratification and effective implementation of the 1970 Convention. They also welcomed progress made towards resolving issues and enabling the return and restitution of cultural property to their countries and communities of origin.

Convention on Stolen or Illegally Exported Cultural Objects, adopted in 1995, bringing the number of States parties to 54.

6. The secretariat of the 1970 Convention works relentlessly to promote its universal ratification. The Convention provides a unique common framework for States parties on the measures to prohibit and prevent the import, export and transfer of ownership of cultural property. Its ratification is indeed crucial, as it enables States to benefit from an international and coordinated response against the illicit trafficking of cultural property and in favour of its return and restitution, by providing a platform for regional and bilateral negotiations in this field. In addition, States parties can benefit from technical and financial support for the establishment of preventive measures. Each State that does not ratify the 1970 Convention is more vulnerable to illicit trafficking and can represent an additional threat to neighbouring States that have ratified. Furthermore, ratifying the Convention also contributes to the implementation of the Sustainable Development Goals – in particular target 11.4, on strengthening efforts to protect and safeguard the world's cultural and natural heritage, and target 16.4, to significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime by 2030 – and to achieving the 2030 Agenda for Sustainable Development.

### **III. Activities of the governing bodies of the 1970 Convention on the illicit trafficking of cultural property and for its return and restitution**

7. The twenty-second session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation was held from 27 to 29 October 2021. The Committee discussed, inter alia, the pending cases before it. Regarding the case of the Parthenon sculptures, the Committee called upon Greece and the United Kingdom of Great Britain and Northern Ireland to intensify their efforts with a view to reaching a satisfactory settlement of this long-standing issue. Regarding the case of the Broken Hill Man Skull, the Committee urged the United Kingdom and Zambia to make every effort to ensure that the request for its return is resolved with a mutually acceptable solution. The Committee also acknowledged the submission of the Ife Bronze Head (Belgium, Nigeria and United Kingdom) and further welcomed the initiation of consultations with the art market regarding possible amendments to the International Code of Ethics for Dealers in Cultural Property,<sup>4</sup> requesting UNESCO to pursue consultations on it. The Committee also adopted the amendments to its rules of procedure

8. At its tenth session, held on 16 and 17 May 2022,<sup>5</sup> the Subsidiary Committee of the Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property took note of the measures to strengthen the implementation of the 1970 Convention and decided to establish a working group with the mandate to propose a wide-ranging strategy to reinforce public awareness on the impact of illicit trafficking of cultural property. The Subsidiary Committee also examined the list of documents to be submitted to the Director-General for public statements in accordance with paragraph 5 of UNESCO resolution 40 C/42 of the General Conference.

9. The twenty-third session of the Intergovernmental Committee was held from 18 to 20 May 2022. The Committee requested UNESCO to create a web page dedicated

<sup>4</sup> See paras. 13 and 55.

<sup>5</sup> See [www.unesco.org/en/fight-illicit-trafficking/subsidiary-committee?hub=416](https://www.unesco.org/en/fight-illicit-trafficking/subsidiary-committee?hub=416).

to mediation and conciliation procedures<sup>6</sup> and to put in place tools to simplify the use of these procedures by member States. Regarding the Parthenon sculptures, the Committee expressed its deep concern that the issue still remained pending and called upon Greece and the United Kingdom to intensify their efforts with a view to reaching a satisfactory settlement. Regarding the Broken Hill Man Skull, the Committee called upon the two parties to agree on the road map to resolve the restitution case. Regarding the case of the Ife Bronze Head, the Committee invited Belgium, Nigeria and the United Kingdom to maintain their dialogue on the case and urged the three member States to reach a mutually agreeable solution as a matter of priority.

10. At the seventh Meeting of States Parties to the 1970 Convention, held on 30 and 31 May 2023, participants took note of the draft model provisions on the prevention and fight against illicit trafficking of cultural property and requested the Subsidiary Committee to proceed with the final review of the proposed model provisions and report to the next Meeting of the States Parties, in 2025.

11. At its eleventh session, held on 1 and 2 June 2023, the Subsidiary Committee took note of the discussions on return and restitution held at its seventh session and the guidelines to be followed for the restitution of cultural property, and called upon States parties to reinforce their cooperation with the Intergovernmental Committee.

12. At its twelfth session, held on 27 and 28 May 2024, the Subsidiary Committee took note of the preliminary draft of the theory of change and its associated overall results framework for the 1970 Convention.<sup>7</sup> At the session, the Committee also welcomed the elaboration of a social media pack on the 1970 Convention and requested UNESCO to persist in discussions with big-tech companies in anticipation of the meeting with them on combating the illicit trafficking of cultural property.

13. At its twenty-fourth session, held from 29 to 31 May 2024, the Intergovernmental Committee requested UNESCO to pursue consultations with the art market and member States regarding the Code of Ethics and to present a revised version of the draft Code to it at its twenty-fifth session, in 2026. Regarding the case of the Parthenon sculptures, it expressed its deep concern that the issue remained pending and called upon the parties to intensify their efforts with a view to reaching a satisfactory settlement of this long-standing issue; as for the case of the Ife Bronze Head, the Committee urged the three member States involved to make every effort to find a mutually agreeable solution as a matter of priority. Regarding the Broken Hill Man Skull, it invited the concerned parties to engage in negotiations with the view to reaching an agreement on the road map for its return, which should be submitted to it at its twenty-fifth session.

14. The Intergovernmental Committee also took note of the initial recommendations proposed by the experts<sup>8</sup> for the timely return and restitution of cultural property lost as a result of colonial or foreign occupation, and decided to organize a second consultation with a view to finalizing the recommendations, for their examination at the twenty-fifth session of the Committee, in 2026.

<sup>6</sup> See [www.unesco.org/en/fight-illicit-trafficking/mediation-and-conciliation](https://www.unesco.org/en/fight-illicit-trafficking/mediation-and-conciliation).

<sup>7</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000389557>.

<sup>8</sup> See [https://unesdoc.unesco.org/ark:/48223/pf0000389379\\_eng](https://unesdoc.unesco.org/ark:/48223/pf0000389379_eng). The consultation meeting was held on 4 October 2022; 14 experts took part in the meeting, and delegates from over 45 Member States followed the debates online.

## **IV. Development and implementation of legal and practical tools for the fight against illicit trafficking of cultural property and for its return and restitution**

15. The legal and practical tools developed by UNESCO and its partners to facilitate and improve implementation and awareness-raising of the 1970 Convention, as well as awareness-raising of the Intergovernmental Committee, have continued to be promoted in statutory meetings, capacity-building and sensitization activities, and on the UNESCO website.<sup>9</sup>

### **A. UNESCO Database of National Cultural Heritage Laws**

16. The UNESCO Database of National Cultural Heritage Laws currently contains 3,110 national cultural heritage laws from 189 countries and is viewed on average by 1,000 unique users per month. At the time of writing, the Database was being updated to improve the search tool and visual quality of archived documents and to translate a selection of the existing laws into English.

### **B. Web alerts in the event of theft of cultural property**

17. UNESCO receives regular requests from States to publish international online alerts on stolen cultural property, thereby contributing to international awareness-raising and cooperation efforts to facilitate the restitution of objects. Such alerts are communicated to partners and other member States and published on the 1970 Convention website.<sup>10</sup> In addition, the International Criminal Police Organization (INTERPOL) and other relevant specialized police units, customs offices and main art market operators are alerted immediately.

### **C. Model provisions on the prevention and fight against illicit trafficking in cultural property**

18. UNESCO is working on elaborating model provisions on the prevention and fight against illicit trafficking in cultural property. This initiative aims to assist States in strengthening their regulatory framework for the protection of movable cultural heritage and in transposing the provisions of the 1970 Convention into their domestic law.

### **D. Toolkit for European judiciary and law enforcement**

19. Between May 2021 and February 2023, UNESCO translated into Arabic, Polish, Romanian, Serbian, Spanish and Ukrainian the training material entitled “Fighting the illicit trafficking of cultural property: a toolkit for European judiciary and law enforcement”,<sup>11</sup> financed by the European Union. The toolkit has also been updated in English and French to reflect developments since its publication.

<sup>9</sup> [www.unesco.org/en/fight-illicit-trafficking?hub=416](http://www.unesco.org/en/fight-illicit-trafficking?hub=416).

<sup>10</sup> [www.unesco.org/en/node/66431?hub=416](http://www.unesco.org/en/node/66431?hub=416).

<sup>11</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000266098>.

## **E. Practical guidebook on inventories**

20. UNESCO also developed a practical guidebook on inventories,<sup>12</sup> providing States parties to the Convention with inventory policies to help them implement the necessary measures to fight the illicit trafficking of cultural property.

## **F. Awareness-raising activities to promote good practices and their exchange**

21. Since 2020, 14 November has been declared International Day against Illicit Trafficking in Cultural Property. Furthermore, UNESCO, together with UNIDROIT, the United Nations Office on Drugs and Crime (UNODC), INTERPOL, the World Customs Organization (WCO) and the Confédération internationale des négociants en oeuvres d'art (CINOA), continues to issue calls to fight against the illicit trafficking of cultural property, especially when the cultural heritage of a member State is particularly endangered. This was the case for Ukraine on 1 April 2022, for Afghanistan on 26 October 2022 and for the Sudan on 1 August 2024,<sup>13</sup> following information received about the threats for the cultural property of those countries to be illegally removed within the context of ongoing emergencies.

22. In November 2023, UNESCO published the executive summary of the regional study on the implementation of the 1970 Convention and the Recommendation concerning the Protection and Promotion of Museums and Collections, their Diversity and their Role in Society on museums and collections in Africa.<sup>14</sup> This study was based on online surveys sent to relevant member States to gather data and experiences, as well as existing literature, expert consultations and observed dynamics. The executive summary on the regional study on Latin America and the Caribbean is under preparation.

23. A joint awareness-raising campaign entitled “Protect your legacy” was also launched by UNODC and UNESCO in Mexico in November 2023, urging illicit trafficking in cultural property to be recognized as a global security concern and sharing information on the implications and risks of this crime.

## **G. Virtual museum of stolen cultural objects**

24. UNESCO is currently developing a virtual museum of stolen cultural objects, which will be launched in 2025. The project aims to design the first virtual museum of stolen cultural objects on a global scale. This ambitious project will contribute to raising awareness among relevant authorities, culture professionals and the general public on the importance of protecting cultural heritage.

25. The activities of this flagship project, ranging from the creation of 3-D models and high-quality images and the development of educational narratives, will allow visitors to become immersed in missing collections, and gain access to instructive digital material, community testimonials and detailed information about artworks from all regions. In addition, it will monitor return and restitution efforts, as appropriate, with the aim of ensuring the full recovery of all identified objects. The

<sup>12</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000389556>.

<sup>13</sup> See [www.unesco.org/en/articles/call-unesco-and-partners-concerning-risk-illicit-trafficking-ukrainian-cultural-property](http://www.unesco.org/en/articles/call-unesco-and-partners-concerning-risk-illicit-trafficking-ukrainian-cultural-property), [www.unesco.org/en/articles/call-unesco-and-partners-fight-against-illicit-trafficking-afghan-cultural-property](http://www.unesco.org/en/articles/call-unesco-and-partners-fight-against-illicit-trafficking-afghan-cultural-property) and [www.unesco.org/en/articles/call-unesco-and-partners-fight-against-illicit-trafficking-sudanese-cultural-property](http://www.unesco.org/en/articles/call-unesco-and-partners-fight-against-illicit-trafficking-sudanese-cultural-property).

<sup>14</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000387496>.

museum will be in a constant state of evolution; its size will expand as new thefts are recorded and, conversely, will decrease as objects are recovered and returned. The underlying premise of the virtual museum is unprecedented: it is a museum whose goal is not to expand its collections, but rather to gradually empty them.

26. In October 2023, an information meeting to present the project to member States was held at UNESCO headquarters in Paris. On that occasion, Francis Kéré, recipient of the 2022 Pritzker Architecture Prize, presented his first sketches and design for the Museum and explained his basic architectural principles inspired by a baobab tree, which holds significant cultural and spiritual value in Africa, as a symbol of resilience, identity and belonging.

27. In April 2024, member States were invited to select objects of particular importance and whose disappearance and theft represent an appreciable impoverishment to their national cultural heritage.

## **H. UNESCO action to promote new forms of agreements and cooperation in the field of return and restitution of cultural property**

28. In line with the MONDIACULT 2022 declaration, UNESCO organized a first round table on 27 June 2023 on the theme “New forms of agreements and cooperation in the field of return and restitution of cultural property”.<sup>15</sup> The day reaffirmed the central role of UNESCO in this field, notably through the Intergovernmental Committee, to whose work it will contribute. The meeting brought together member States, cultural heritage and law enforcement professionals, experts and partner organizations, as well as representatives from the art market.

29. Structured around 10 examples of successful return or restitution of cultural property from different regions of the world, jointly presented by experts of the parties concerned, the event provided an opportunity to promote recent and innovative examples of partnerships and to discuss the evolution of international cooperation in this field. Following the round table, and as a result of strengthened cooperation between the parties involved, a hand-over ceremony was organized in September 2023 at the Manchester Museum, with the participation of UNESCO for the restitution of 174 artefacts to the Anindilyakwa community of Groote Eylandt in the Northern Territory of Australia. In addition, a summary report of the round table was published.<sup>16</sup>

30. This round table was the first of a series of dialogue events in the field of return and restitution, both at the international and regional levels, in the upcoming months. UNESCO is currently working on the organization of a first regional dialogue on the return and restitution of cultural property in Africa, in partnership with the African Union, that will take place in Addis-Ababa. A second dialogue will take place in Antigua, Guatemala, for the Central American region.

## **I. Return and restitution ceremonies**

31. UNESCO is regularly contacted by its member States with requests for assistance regarding the return or restitution of cultural property, for which it provides expertise and technical assistance. Each restitution ceremony allows UNESCO to

<sup>15</sup> See [www.unesco.org/en/fight-illicit-trafficking/agreement-and-cooperation-return-and-restitution](https://www.unesco.org/en/fight-illicit-trafficking/agreement-and-cooperation-return-and-restitution).

<sup>16</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000388845>.

communicate globally on the importance of protecting cultural heritage for communities and future generations.

32. In September 2021, a significant victory in the fight against the illicit trafficking of cultural objects was hailed when the “Gilgamesh Tablet”, one of the oldest literary works in history, was handed back to Iraq by the United States of America at a ceremony at the Smithsonian Institution in Washington, D.C., in the presence of the UNESCO Director-General. Besides this exceptional piece, the Government of the United States facilitated the return to Iraq of 17,000 artefacts discovered to have been looted in recent decades. The restitution of this valuable artefact was the culmination of decades of cooperation between both countries, which are parties to the 1970 Convention.

33. In October 2021, UNESCO hosted the voluntary handover by a private collector of a fragment of stela 9 from the Piedras Negras archaeological site in Guatemala to the Permanent Delegate of Guatemala to UNESCO. This stela had disappeared from the Piedras Negras site in the 1960s and reappeared in Paris in 2019 during an auction. Thanks to the joint mobilization of France, Guatemala and UNESCO, the sale was suspended, and mediation initiated.

34. In June 2023, UNESCO took part in a ceremony at the Egyptian Embassy in Paris, during which France restituted to Egypt two stone blocks inscribed with hieroglyphs from the tomb of the priest Haou. The blocks had been discovered in 2000 at the Tabbet el-Guech site by archaeologist Vassil Dobrev.

35. In October 2023, UNESCO joined the restitution ceremony at the Libyan Embassy of a Libyan marble bust seized by the French authorities. The bust, originating from the Cyrenaica region, had been taken during recent illicit excavations and had been listed among the categories of artifacts recorded in the International Council of Museums “red list” dedicated to Libyan cultural heritage at risk. This restitution was exemplary, particularly due to the manner in which professionals from various sectors – the art market, museums, the French Ministry of Culture, justice and law enforcement – had collaborated to identify the bust’s illicit status and facilitate its return.

## **J. Implementation of capacity-building activities to strengthen national and regional networks of professionals**

36. UNESCO has continued to undertake extensive training and capacity-building programmes in all regions of the world, particularly in Africa, the Middle East, Latin America and Asia and the Pacific.

37. In Africa, among other activities, UNESCO, in partnership with the School of African Heritage, organized training for heritage professionals from 16 African countries between July and December 2021 on the challenges of the fight against illicit trafficking of cultural property, with the participation of UNIDROIT, the Economic Community of West African States and the International Council of Museums. In September 2021, awareness-raising and capacity-building workshops were organized with the participation of key stakeholders in the Comoros and Djibouti to strengthen national capacities for the implementation of the Convention. In October 2021, UNESCO, in collaboration with the Ministry of Education, Arts and Culture of Namibia, organized a subregional capacity-building workshop on the theme “Strengthening regional cooperation in the fight of illicit trafficking of cultural property in Southern Africa”.

38. In the context of its Priority Africa Flagship Programme 3, on the theme “Fostering cultural heritage and capacity development”, UNESCO implemented a



project entitled “Combating illicit trafficking in cultural property in Central and Eastern Africa: ratification, training and inventories”. Two regional capacity-building workshops were held in Gabon and in Kenya in December 2022, with the involvement of relevant partners, such as UNODC, UNIDROIT, the International Council of Museums and INTERPOL, to strengthen the capacities of over 70 professionals involved in the fight against illicit trafficking and the return and restitution of cultural property. In total, 21 African countries benefited from this activity, including four small island developing States: Comoros, Mauritius, Sao Tome and Principe and Seychelles.

39. In parallel to the workshop for Central Africa held in Libreville, the Gabonese authorities, with support from UNESCO, organized a two-day ministerial meeting, bringing together seven Ministers of Heritage, Culture and Arts from the region to discuss the importance of a concerted regional response to the fight against illicit trafficking of cultural property, and to promote museums and their role. In this regard, the States unanimously adopted the Libreville Declaration to initiate a new common dynamic in this area.<sup>17</sup>

40. In the context of the Priority Africa Flagship Programme 3, UNESCO organized a regional workshop in December 2023 on “Strengthening operational networks to combat theft and illicit trafficking of cultural property in West Africa”, with the involvement of relevant partners, such as UNODC, UNIDROIT, the International Council of Museums and INTERPOL. Held in close coordination with the School of African Heritage in Porto-Novo, the workshop strengthened the capacities of 35 professionals and supported museum professionals in the development of inventories. In total, 15 African countries benefited from the activity, including two small island developing States: Cabo Verde and Guinea-Bissau. In October 2023, a subregional workshop was also organized in Addis Ababa on the importance of ratifying the 1970 Convention and other relevant international tools, gathering 22 representatives from seven member States.

41. In the Arab region, in line with the 2015 Recommendation, UNESCO organized two online workshops for museum professionals from the Department of Antiquities of Jordan and other public and private national institutions in July 2021 and August/September 2021.

42. In addition, UNESCO supported the National Museum of Iraq in March 2021 by providing conservation and storage materials, based on the priority needs identified by the Museum and the Iraqi Ministry of Culture. The project helped museum staff to take an inventory and update the database of the collections, and thus improve collection documentation and storage management. By September 2021, a similar project was concluded with the National Museum of Beirut, on the rehabilitation of the storage facilities of the Museum.

43. In Latin America, UNESCO supported the Government of Peru in the organization of the II Cuzco Forum, on the theme “Towards the strengthening of international cooperation for the protection, return and restitution of cultural heritage under the 1970 Convention”, on 22 and 23 November 2022.

44. In October 2023, UNESCO organized a regional workshop in Rio de Janeiro, Brazil, for over 80 law enforcement, judiciary and museum professionals from 14 countries in Latin America and the Caribbean, and Africa, including two small island developing States: Cabo Verde and the Dominican Republic. The workshop, supported financially by Brazil and with the participation of the International Council of Museums, INTERPOL, UNIDROIT and UNODC, focused on securing museums,

<sup>17</sup> See [https://articles.unesco.org/sites/default/files/medias/fichiers/2023/01/D%C3%A9claration%20de%20Libreville%20VF\\_260103.pdf](https://articles.unesco.org/sites/default/files/medias/fichiers/2023/01/D%C3%A9claration%20de%20Libreville%20VF_260103.pdf).

providing training for customs, police, judiciary and museum professionals, as well as addressing the return and restitution of cultural property.

45. UNESCO also supported museums in Central Asia in enhancing and promoting the prevention of illicit trafficking and the role of museums as platforms of education and dialogue in society. In 2021, 16 online webinars for Central Asian member States were organized with the participation of international experts. In October 2021, UNESCO and the Ministry of Culture of Mongolia organized a virtual capacity-building workshop on the implementation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the 1970 Convention by building a common platform for the leading authorities and concerned agencies to share their knowledge and to promote cooperation of concerned agencies in Mongolia.

## **V. International cooperation**

### **A. Cooperation with intergovernmental and non-governmental organizations**

46. UNESCO has strengthened cooperation with partners such as the International Atomic Energy Agency (IAEA), INTERPOL, UNIDROIT, the Counter-Terrorism Committee Executive Directorate (CTED), UNODC, WCO, and the International Council of Museums. These strong partnerships are based on the complementarity of activities and expertise within the field of illicit trafficking of cultural property and are key to promoting the restitution of stolen and/or illicitly exported cultural property, capacity-building, recovery and reconstruction, and assessment and monitoring of information.

47. In September 2022, CTED, in close collaboration with UNESCO and the Permanent Mission of Italy to the United Nations, organized a round-table discussion on the theme “Threat and trends: the traffic and illicit trade of cultural property for terrorist purposes”. In addition, with the support from the Permanent Mission, a side-event on “Addressing the linkages between the destruction and illicit trafficking of cultural property and terrorism: scope of the threat and responses to the phenomenon” was organized in June 2023 during the counter-terrorism week. On 12 June 2024, UNESCO organized a policy event on the investigation into and prosecution of the destruction, looting and illicit trafficking of cultural property linked to terrorism, jointly with CTED, the Soufan Center and the Permanent Missions of France and Norway to the United Nations.

48. Under the umbrella of the Co-action against Trafficking in Cultural Heritage (CATCH) initiative, launched in June 2023, UNESCO, UNODC and INTERPOL have joined forces to strengthen the fight against illicit trafficking in cultural heritage, whether found on land or underwater, with a specific focus on crime prevention and criminal justice responses. Through a coordinated and concerted effort, CATCH will, within a 36-month period, deliver support to partners under three complementary pillars: (a) research, analysis and information exchange; (b) building specialized law enforcement and national criminal justice entities’ capacities; and (c) fostering international cooperation in crime prevention and criminal justice.

49. UNESCO is currently in discussions with IAEA regarding the implementation of joint capacity-building activities in the framework of a project for Arab States in Asia entitled “Combatting illicit trafficking of art and archaeological artefacts by authentication using nuclear analytical techniques”. Spanning from 2024 to 2027, the project aims to enhance the capabilities of scientists in utilizing nuclear analytical techniques for the characterization and authentication of cultural property.

## **B. Cooperation with the European Union**

50. On 13 December 2022, the European Commission adopted the European Union action plan against trafficking of cultural goods, to which UNESCO contributed, which foresees joint activities, particularly regarding the cooperation with the art market. The action plan aims at providing a comprehensive and effective framework to the European Union's contribution to the fight against trafficking of cultural property and encourages the European Union member States to put in place solutions to curb this crime.

51. On 9 June 2022, a joint conference was organized by UNESCO and the European Union entitled "Strengthening the fight against illicit trafficking of cultural property", bringing together representatives of international organizations, the art market, government officials and experts from academia, the financial sector, the judiciary and law-enforcement, as well as young people. The conference was attended by more than 150 people, with 200 others joining online, and aimed at promoting tools for the prevention of the illicit trafficking and the facilitation of the return and restitution of cultural property.

## **C. Cooperation with the art market**

52. UNESCO strives to strengthen dialogue and cooperation with the art market in the fight against the illicit trafficking of cultural property, and has an essential role in promoting the 1970 Convention by pushing for better acquisition policies and insisting on strict ethical rules. In this context, and in line with the MONDIACULT 2022 declaration, on 5 December 2022 UNESCO organized at its headquarters a workshop on the research of provenance in cooperation with Drouot Patrimoine, with the participation of representatives of the art market in continental Western Europe, experts from regions particularly affected by illicit trafficking and representatives of various organizations involved in the protection of cultural heritage. The workshop was an opportunity to discuss good practices, as well as the challenges and issues facing the art market in provenance research, and marked an important step in strengthening dialogue and cooperation between all stakeholders involved in the fight against illicit trafficking in cultural property.

53. In that spirit, UNESCO is working closely with the art market on the revision of its Code of Ethics, in order to strengthen and clarify the ethical principles that should govern the art market and, in particular, the obligations of professionals in terms of provenance research. Since 2022, UNESCO has organized three consultation meetings with the art market to discuss revisions to the Code and will pursue consultations with the art market and its member States in 2024 and 2025, with the aim to adopt a revised Code at the twenty-fifth session of the Intergovernmental Committee, in 2026.<sup>18</sup>

54. Since 2021, UNESCO has intervened at the request of member States to suspend 36 sales of cultural property. To date, seven of these – related to cultural property from Mexico, Nepal, South Africa, Tunisia and Viet Nam – have been suspended, and some have resulted in the return of cultural property to Mexico, Tunisia and Viet Nam.

<sup>18</sup> See para. 13.

## VI. Emergency activities for the preservation of movable cultural heritage

55. UNESCO is determined to support the implementation of Security Council resolutions 2199 (2015) and 2347 (2017) in cooperation with its partners, building on the important role of culture and heritage for dialogue and reconciliation in peacebuilding processes. This is why UNESCO undertakes initiatives on a regular basis to raise awareness among art market and financial services professionals in the prevention and countering of the illicit trafficking of cultural property as a source of financing terrorism.

56. Indeed, a UNESCO-European Union project entitled “Interregional and crosscutting action aiming to strengthen the fight against illicit trafficking of cultural property” has enhanced human and institutional capacities on the compliance and implementation of the Security Council resolutions related to the protection of cultural heritage, as well as on the art and bank sector’s role in the fight against money-laundering and the financing of terrorism.

57. In addition to its follow-up activities to the relevant Security Council resolutions, UNESCO continues to implement emergency actions, notably in Afghanistan, the Sudan, Ukraine and the Gaza strip.

58. Pursuant to its decision 215 EX/Decision 5.I.G,<sup>19</sup> UNESCO prepared an action plan to fight against the illicit trafficking of cultural property in Afghanistan, which was presented to the Executive Board at its 217th session, in October 2023. The action plan focuses on four main lines of action: (a) advocacy and awareness-raising; (b) technical assistance and capacity-building; (c) monitoring and assessment; and (d) engaging local communities.

59. Regarding advocacy and awareness-raising, UNESCO organized on 10 June 2024 an awareness-raising workshop for the international art market and museums to fight against illicit trafficking of Afghan cultural property. Concerning technical assistance and capacity-building, from 5 to 7 June 2023, UNESCO trained over 50 law enforcement and judiciary authorities in Tashkent to fight against the illicit trafficking of cultural property in Central Asia and Afghanistan. This regional capacity-building workshop benefited six Central Asian countries and contributed to reinforcing the network of trained and committed professionals across Central Asia. The workshop has yielded tangible results, such as several seizures of cultural property by the customs in Kyrgyzstan and Pakistan.

60. Regarding monitoring and assessment, regular coordination meetings with international partners have been conducted to share information, provide updates on activities on the ground and strengthen synergies. UNESCO has established a pool of experts on Afghan cultural heritage and its safeguarding and supported the International Council of Museums in launching an update of its “red list” of Afghanistan antiquities at risk. Regarding engaging local communities, UNESCO delivered two online courses to 30 Afghan students on the fight against the illicit trafficking of cultural property. One course was organized by the Qatar National Library, and the second by the American University of Afghanistan.

61. UNESCO has been monitoring the situation in Ukraine regarding illicit trafficking in close collaboration with the Ministry of Culture and Information Policy of Ukraine and its key partners. As at 21 August 2024, 435 cultural sites had been verified as damaged (140 religious sites, 215 buildings of historical and/or artistic interest, 31 museums, 32 monuments, 16 libraries and 1 archive) within the

<sup>19</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000383611>.

framework of the UNESCO-UNITAR/United Nations Satellite Centre partnership. Three online capacity-building workshops were organized between September and October 2022, each of which reinforced the capacities of more than 250 Ukrainian cultural heritage and museum professionals on the preventive conservation of collections and the fight against illicit trafficking of cultural property. The workshops were organized with support of the Ministry of Culture and Information Policy of Ukraine, the Permanent Delegation of Ukraine to UNESCO, the Ukrainian National Commission for UNESCO, the Emergency Group for Museums in Ukraine, as well as key international partners, such as INTERPOL, the International Centre for the Study of the Preservation and Restoration of Cultural Property and the International Council of Museums.

62. From 18 to 20 January 2023, UNESCO trained over 35 law enforcement and judiciary professionals from Hungary, Poland, the Republic of Moldova, Romania, Slovakia and Ukraine on the fight against illicit trafficking of Ukrainian cultural property. The activity was implemented with the support of the UNESCO Heritage Emergency Fund and in partnership with the National Institute of Cultural Heritage of Poland.

63. In the framework of the UNESCO Culture Hub in Lviv, Ukraine, two workshops for Ukrainian museum professionals were organized, in October 2023 and February 2024. In collaboration with the Getty Conservation Institute, the Smithsonian Cultural Rescue Initiative, the Louvre and other national organizations, 86 museum professionals from Ukraine were trained in collection management, digitization and sustainability themes.

64. Due to the ongoing hostilities in the Gaza Strip, UNESCO has been monitoring the situation regarding the illicit trafficking of cultural property, in close collaboration with its key partners. Since 7 October 2023, and as at July 2024, UNESCO and UNITAR/United Nations Satellite Centre have verified damage to 64 sites, including 37 buildings of historical and/or artistic interest, 11 religious sites, 7 archaeological sites, 6 monuments, 2 depositaries of movable cultural property and 1 museum. In addition, pursuant to General Conference resolution 42 C/COM.APX/DR.2,<sup>20</sup> UNESCO is implementing a programme of emergency assistance for Gaza, including an action plan with immediate implementation, which includes monitoring of cultural heritage.

## VII. Conclusion

65. Since 2021, threats to movable cultural property have continued to increase and have taken new forms, while the issue of return and restitution of cultural property has gained unprecedented visibility. Efforts will be pursued to promote the universal ratification and implementation of the international normative instruments dedicated to the protection of cultural heritage and cultural property. Efforts will also continue to promote an open and inclusive international dialogue for the return and restitution of cultural property to countries of origin, as stated in the MONDIACULT 2022 declaration, and to promote new forms of agreements and cooperation in this field. In addition, continued dialogue with the art market and big-tech companies is key to establish stricter ethical rules and ensure the application of due diligence principles, while promoting the regulation of online sales of cultural property.

66. Member States are encouraged to:

(a) Promote the universal ratification and effective implementation of the 1970 Convention and the 1995 UNIDROIT Convention;

<sup>20</sup> Available at <https://unesdoc.unesco.org/ark:/48223/pf0000387432>.

- (b) Submit regularly to UNESCO their reports on the implementation of Security Council resolutions [2199 \(2015\)](#) and [2347 \(2017\)](#);
  - (c) Report to UNESCO any information regarding seizures of cultural property, especially those originating from a conflict zone;
  - (d) Put in place preventive measures for the protection of their cultural property and the cultural property of their neighbours;
  - (e) Promote due diligence principles among art market professionals;
  - (f) Regulate online sales of cultural property, notably by drawing the attention of relevant stakeholders on the need to verify provenance to ensure that the cultural property has not been illegally exported from its country of origin;
  - (g) Intensify cooperation at the national, regional and international levels among all relevant stakeholders;
  - (h) Participate in capacity-building workshops to ensure the mobilization of relevant stakeholders, including government officials, police, customs and museum professionals;
  - (i) Promote the implementation of educational and awareness-raising activities on the fight against the illicit trafficking of cultural property;
  - (j) Continue to forge relationships with the private sector, including the art market and the financial and trade sectors, to combat money-laundering in the art market.
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