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Fourth Meeting of States Parties to the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

Fourth Session
Paris, UNESCO Headquarters, Room XI
15-16 May 2017

Resolutions
RESOLUTION 4.MSP 2

The Meeting of States Parties,

1. Having examined document C70/17/4.MSP/2 Rev,

2. Adopts the agenda contained in the aforementioned document as amended.
RESOLUTION 4.MSP 3

The Meeting of States Parties,

1. Having examined document C70/17/4.MSP/3 Rev,

2. Adopts the timetable contained in the aforementioned document as amended.
RESOLUTION 4.MSP 4

The Fourth Meeting of States Parties,

1. Elects Mr Flavio Mendez Altamirano, Panama, Chairperson of the Fourth Meeting of States Parties;

2. Elects Ms Louise Graham, South Africa, Rapporteur of the Fourth Meeting of States Parties;

3. Elects Armenia, Canada, Iran and Morocco, Vice-Chairpersons of the Fourth Meeting of States Parties.
RESOLUTION 4.MSP 7

The Meeting of States Parties,

1. Having examined document C70/17/4.MSP/7 and its annexes,

2. Thanks those States Parties (China, Greece, Italy, the Netherlands, Norway, Spain, Sweden, Turkey and the United States) and the European Union as a regional organization, which have generously contributed with financial and human support to the activities conducted by the Secretariat;

3. Also thanks the Greek authorities for having organised two meetings of the informal Working Group (Delphi 2016, Crete 2017) and congratulates Ms Maria Vlazaki, Chair of the Subsidiary Committee, for her commitment and the work she has accomplished;

4. Takes note with satisfaction of the Secretariat's report on its activities from June 2015 to May 2017;

5. Welcomes the many training activities carried out by the Secretariat and the UNESCO Field Offices, with the support of the local authorities of the concerned countries, their growing scope and the continued effectiveness of the global capacity-building strategy;

6. Also welcomes actions taken to raise awareness on the fight against trafficking in cultural property;

7. Invites the 63 Member States of UNESCO which are not yet States Parties to become parties to the 1970 Convention and also encourages those states who have not yet done so to adhere to the 1995 UNIDROIT Convention;

8. Also invites States Parties concerned to share factual information with the Secretariat after each return and restitution in order to ensure the exchange of experiences and promotion of good practices;

9. Encourages States Parties to promote the Secretariat's actions regarding the implementation of the Convention through their communication channels including social media;

10. Also encourages the States Parties and the Secretariat to continue their joint efforts to strengthen the implementation of the Convention as complemented by the Operational Guidelines;

11. Requests States Parties to consider supporting the UNESCO Database of Cultural Heritage Laws with financial resources to ensure its sustainability;

12. Finally requests the Secretariat to present a further report on its activities at its Fifth Meeting.
RESOLUTION 4.MSP 8

The Meeting of States Parties,

1. Having examined Document C70/17/4.MSP/8 Rev,

2. Welcomes the creation of the UNITWIN network on the “Protection of Cultural Property Against Illicit Trafficking in the MENA region (ProCult)”;

3. Requests the Secretariat to continue capacity-building and awareness-raising activities, paying special attention to establishing enhanced follow-up mechanisms;

4. Also requests the Secretariat to include on the provisional agenda of the Fifth Meeting of the States Parties an item regarding governance in order to ensure the proper follow-up to the implementation of the recommendations made by the Working Group on Governance;

5. Urges States Parties to use the existing tools to strengthen measures against illicit trafficking of cultural property, in particular on the internet, and reinforce regional, national and international cooperation;

6. Welcomes the new questionnaire for periodic reporting which will pave the way for gathering more factual data on the implementation of the Convention as well as the trends in trafficking in cultural property;

7. Endorses Decision 3.SC.6 (4) of the Subsidiary Committee and reminds States Parties of their obligation to report under its Article 16 of the Convention;

8. Takes note with satisfaction of the efforts of the Subsidiary Committee and the Secretariat on the implementation of IOS Recommendations in accordance with the Resolution 3MSP 8 and further encourages the States Parties to consider these recommendations to strengthen their national strategy against illicit trafficking of cultural property;

9. Calls upon States Parties to better promote the International Code of Ethics for Dealers in Cultural Property and encourages State Parties to create and maintain up-to-date national lists of auction houses and galleries as an integral part of national awareness-raising efforts;

10. Invites the Chairperson of the Subsidiary Committee to launch a consultation with Members of the Committee two months prior to each Ordinary Session of the Subsidiary Committee, in order to facilitate the selection process of the priority topics to be addressed at the subsequent session;

11. Also invites States Parties to support the Secretariat with extra-budgetary resources.
RESOLUTION 4.MSP 9

The Meeting of States Parties,

1. Having examined document C70/17/4.MSP/9,

2. Recalling UN Security Council Resolutions 2199 and 2253 (2015),

3. Welcomes the adoption of the UN Security Council Resolution 2347 (2017) which is the first resolution by the Security Council focusing only on the protection of cultural heritage, underlining the central role played by UNESCO in this field and emphasizing that in several cases there is a link between the destruction or the smuggling of cultural properties on the one hand, and threats to international peace and security, on the other hand;

4. Recalling its Resolution 3.MSP/9 and relevant paragraphs (6-9) of the Decision 4.SC/6 of the Subsidiary Committee adopted at its Fourth Session,

5. Underlines the obligation, for all States Parties, to urgently implement the provisions of United Nations Security Council Resolution 2199, in its paragraphs 15 to 17, and 2253 (paragraph 15) and urges them to align their national legislation with the relevant international legal framework;

6. Recalls the mandate given to UNESCO by UN Security Council Resolution 2199 to facilitate the implementation of paragraph 17, which includes the safe return of illegally exported Iraqi and Syrian cultural property;

7. Invites States Parties to provide information regularly to the Secretariat on the implementation of UN Security Council Resolutions 2199, 2253 and 2347, including the list of artefacts, if possible with photos, seized within their territories originating in Syria and Iraq;

8. Also invites States Parties to provide information regularly on the artefacts seized within their territories which originate in Libya, Yemen, Afghanistan, Mali or any other country facing an emergency situation;

9. Encourages States Parties to use existing practical tools which are at their disposal, such as the UNESCO Database on National Laws on Cultural Heritage, the ICOM Red Lists, the INTERPOL Database of Stolen Works of Art, and the WCO ARCHEO information exchange network in order to facilitate the actions of law enforcement agencies;

10. Notes with concern the growing problem of fake objects, forgeries as well as fake provenance and requests States Parties to increase their vigilance on these cases;

11. Calls upon States Parties, which have not done so, to introduce due diligence principles in their art-market regulations, taking into account the world-wide moratorium brought by UN Security Council Resolution 2199, and based in particular on Article 4.4 on the 1995 UNIDROIT Convention;

12. Invites States which are not yet Party to the 1970 Convention and/or to the 1995 UNIDROIT Convention to consider ratifying these treaties in the nearest future with a view to harmonizing and strengthening efforts to prevent illicit trafficking.
RESOLUTION 4.MSP 14

The Meeting of States Parties,

1. *Having examined* document C70/17/4.MSP/14 and its Annex,

2. *Expresses* appreciation to China for its generous contribution to the Fund;

3. *Underlines* the financial constraints impacting the effective implementation of the Convention, and *invites* States Parties to contribute to the Fund;

4. *Approves* the draft budget for the use of the Fund for the biennium 2018-2019;

5. *Requests* the Secretariat to prepare, for the forthcoming ordinary session of the Meeting of States Parties in 2019, a draft budget on the use of the Fund for the biennium 2020-2021, as well as a Report on the use of the Fund during the previous biennium.
RESOLUTION 4.MSP 15

The Meeting of States Parties,

1. Having examined document C70/17/4.MSP/15, and its Annex,

2. Recalling Resolution 3.MSP 12,

3. Recognizing the work done so far by the informal Drafting Group;

4. Decides to inscribe on the Agenda of its next session an item concerning amendments to its Rules of Procedure, taking into consideration the work accomplished by the above-mentioned Drafting Group and to continue examining it on the basis of the discussion held during the Fourth Meeting of States Parties.
RESOLUTION 4.MSP 16

The Meeting of States Parties,

1. Having examined document C70/17/4.MSP/16,


3. Elects the following 9 States Parties as Members of the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention:

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<tr>
<th>Group</th>
<th>Member 1</th>
<th>Member 2</th>
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<tr>
<td>Group I</td>
<td>Sweden</td>
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<td>Group V(b)</td>
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RESOLUTION 4.MSP 17

The Meeting of States Parties,

1. Noting the high interest expressed by States Parties to continue the reflection on the Convention, and in view of the upcoming 50th Anniversary of the Convention,

2. Stresses the importance of an open and inclusive reflection in this regard, open to all States Parties; (we have “open” twice in this short sentence – it’s a bit repetitive, but it’s the same in French – maybe we can leave it)

3. Asks the Subsidiary Committee to include an item at its Fifth Session, to define and start a process of reflection in order to identify potential measures to strengthen the implementation, the efficiency and the visibility of the Convention, including the opportunity of establishing a List of Best Practices;

4. Also asks the Subsidiary Committee to report to the Fifth Meeting of States Parties on the progress done in this matter;

5. Decides to include this item on the Agenda of the Fifth Meeting of States Parties.