



United Nations  
Educational, Scientific and  
Cultural Organization



Convention for the fight  
against the illicit trafficking  
of cultural property

### 3. SC

**C70/15/3.SC/Decisions**  
**Paris, October 2015**  
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**Third session of 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  
(UNESCO, Paris, 1970)**

**Paris, UNESCO Headquarters, Room XI**  
**28-30 September 2015**

**DECISIONS**

## **DECISION 3.SC 2**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Elects *Maria Vlazaki (Greece)* Chairperson of the Subsidiary Committee of the Meeting of States Parties;
2. Elects *Nevil Antonio Montenegro (Ecuador)* Rapporteur of the Subsidiary Committee of the Meeting of States Parties;
3. Elects India, Iraq, Nigeria and Poland Vice-Chairpersons of the Subsidiary Committee of the Meeting of States Parties.

## **DECISION 3.SC 3**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Having examined document C70/15/3.SC/3.Rev,
2. Adopts the agenda contained in the aforementioned document, as revised.

## **DECISION 3.SC 4**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Having examined document C70/15/3.SC/4,
2. Takes note with satisfaction of the Secretariat's report on its activities in 2014-2015;
3. Welcomes the strengthening of the Secretariat's human and financial resources allowing it to respond more effectively to the increasing number of tasks allocated to it;
4. Also welcomes emergency actions developed in countries in a situation of conflict or disaster where cultural property is especially at risk;
5. Further welcomes the many training activities carried out by the Secretariat and Field Offices in terms of training and implementing the global capacity-building strategy;

6. Finally welcomes actions taken to raise awareness of the fight against the illicit trafficking of cultural property, in particular the recent awareness-raising animated videos for tourists;
7. Thanks States Parties and institutions that have generously contributed extra budgetary support for the training and awareness-raising activities developed by the Secretariat;
8. Invites States Parties to strengthen their support for activities carried out to ensure effective implementation of the Convention;
9. Also invites States Parties to widely distribute the awareness-raising animated videos for tourists in airports and travel hubs;
10. Requests the Secretariat to produce more awareness-raising clips for those regions which have not yet benefitted from this initiative;
11. Further requests the Secretariat to update the documentary 'Actions to Combating Trafficking in Cultural Property' produced in 2010 presenting the activities of UNESCO and its partners, as well as to produce a short video containing footage provided by States Parties to be presented at the next session of the Subsidiary Committee of the Meeting of States Parties and to be broadcasted on UNESCO's website;
12. Asks the Secretariat to organize an exchange of views between representatives of the art market and the Subsidiary Committee of the Meeting of States Parties, subject to extra-budgetary resources;
13. Appeals to the Governing Bodies of UNESCO to rebalance the mismatch between workload and budget of the 1970 Convention Unit by providing more resources in the budget 2018/2019 (39C/5);
14. Also asks the Secretariat to finalise the standard action plan for the restitution or return of stolen or illicitly exported cultural property offered for sale in particular on the internet or by auction, within its financial resources and to present it to the next session of the Subsidiary Committee of the Meeting of States Parties;
15. Encourages the Secretariat to pursue its efforts to implement the Convention and invites it to submit a report on its activities at the Subsidiary Committee of the Meeting of States Parties' fourth session.

### **DECISION 3.SC 4.3**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Recalling the meeting of Chairpersons of all UNESCO Cultural Conventions (Bonn, 29 June 2015),
2. Having examined the Greek initiative to pursue the strengthening of synergies between the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention and the Committee for the Protection of Cultural Property in the Event of Armed Conflict, established by the Second Protocol to the Hague Convention of 1954,
3. Approves the initiative as proposed;
4. Requests the Secretariat to facilitate a meeting among the Bureaus of the respective Committees before the forthcoming meeting of the High Contracting Parties to the Hague Convention (8 December 2015);
5. Decides that such meeting will work on the following topics:
  - a. Exchange of relevant information on the destruction of cultural heritage in armed conflict,
  - b. Exchange of relevant information on the organization of awareness-raising and training of military, police and customs forces on the protection of cultural heritage in times of armed conflict and fight against the illicit traffic of movable heritage.

### **DECISION 3.SC 6**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Having examined document C70/15/3.SC/6,
2. Recalls Resolution 32C/38;
3. Welcomes the States Parties to the 1970 Convention having actively responded to the obligation to submit Periodic Reports and takes note of their efforts to guarantee relevant follow-up at national level;

4. Reminds States Parties of their obligations under the 1970 Convention in respect of effective implementation, and in particular their obligation to report under its Article 16;
5. Decides that the reports shall be made publicly available online, unless the State concerned objects to it;
6. Emphasizes that the content of such reports should be as detailed as possible to enable an accurate understanding and evaluation of the implementation of the 1970 Convention at national level;
7. Thanks the Secretariat for the summary provided;
8. Encourages States Parties to the 1970 Convention to assess the adequacy and effectiveness of national measures undertaken to implement the Convention so that areas of weakness may be identified and appropriate adjustments or improvements made;
9. Requests States Parties to submit their observations on the review of the process relating to Periodic Reports, whether in terms of format, relevance or the use and analysis of data, and on the efficacy of the Periodic Reporting exercise and synergies with other UNESCO cultural conventions, preferably through a questionnaire supplied by the Secretariat for this purpose;
10. Also requests the Secretariat to present to the Subsidiary Committee of the Meeting of States Parties an updated format of the questionnaire and proposals for improving the processing, relevance, analysis and use of data at its 4<sup>th</sup> session in 2016;
11. Invites the Director-General to send a summary of the reports received from Member States on measures taken to implement the 1970 Convention accompanied by comments from the Subsidiary Committee of the Meeting of States Parties, to the 38<sup>th</sup> session of the General Conference.

### **DECISION 3.SC 7**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Having examined Document C70/15/3.SC/7,
2. Supports the Secretariat to continue capacity-building and awareness-raising activities in accordance with the priorities following consultation with UNESCO Field Offices;

3. Requests the Secretariat with the support of States Parties to prepare a non-exhaustive list of interregional and international associations representing art-dealers and private collectors, as well as museum professionals, and invite their representatives to future sessions of the Subsidiary Committee of the Meeting of States Parties in order to strengthen ties with private sector;
4. Invites the Secretariat to organize a roundtable involving the art-market professionals, including auction houses, private collectors and internet service providers and present its outcomes at its next session;
5. Urges States Parties to use already existing tools, such as the Operational Guidelines to the 1970 Convention and the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, to strengthen measures against illicit trafficking of cultural property, in particular on the internet, and reinforce national and international cooperation;
6. Invites States Parties to use, wherever possible, the Object ID Standard and inventories that include provenance and photographs to document cultural property in order to prevent theft and facilitate the restitution of cultural property;
7. Calls upon States Parties to better promote and effectively implement the UNESCO Code of Ethics for Dealers and encourages States Parties to create and maintain up to date national lists of auction houses and galleries as an integral part of national awareness-raising strategies, in order to:
  - a. keep auction houses and galleries informed on recent national and international priorities in the fight against illicit trafficking of cultural property;
  - b. provide awareness-raising activities on the topic; and
  - c. invite their representatives to relevant conferences/symposiums;
8. Decides to identify problem areas that need to be addressed and will be discussed at the next session of the Subsidiary Committee of the Meeting of States Parties, recommendations being then submitted to the Meeting of States Parties;
9. Also decides to specify as priority topics to be examined at its fourth session the online sales of illicitly trafficked cultural property, including the establishment of standard and simplified procedures for search, seizure, confiscation orders and restitution orders of such property and the trafficking in documentary heritage.

### **DECISION 3.SC 8**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Requests the Secretariat to include an agenda item at the next session of the Subsidiary Committee of the Meeting of States Parties in 2016, concerning the possible amendment of the Rules of Procedure of the Subsidiary Committee of the Meeting of States Parties;
2. Invites States Parties to submit to the Secretariat proposals in English and/or in French for the amendment of the Rules of Procedure of the Subsidiary Committee of the Meeting of States Parties by 31 May 2016 at the latest;
3. Also requests the Secretariat to submit a draft document containing proposals for amendments of the Rules of Procedure of the Subsidiary Committee of the Meeting of States Parties for possible adoption at the next session of the Subsidiary Committee of the Meeting of States Parties in 2016.

### **DECISION 3.SC 9**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Considering the urgent need to foster the fight against the illicit trafficking of cultural property,
2. Acting in accordance with Rule 1 of its Rules of Procedure,
3. Taking into account the practice established in accordance with its Decision 1.SC4 (2013),
4. Decides to establish an informal reflection group until its 4<sup>th</sup> session composed of all 18 Members of the Subsidiary Committee of the Meeting of States Parties and open to Observers under the coordination of the Chairperson of this Committee;
5. Decides that the informal reflection group shall work on the priority topics identified in Decision 3SC/7, namely the online sales of illicitly trafficked cultural property, including the establishment of standard and simplified procedures for search, seizure, confiscation orders and restitution orders of such property and the trafficking in documentary heritage and may also reflect on the items related to the agenda of the next session of the Subsidiary Committee of the Meeting of States Parties;

6. The informal reflection group may invite experts on the expenses of their country to exchange views with the Group of the Committee on the abovementioned topics;
7. Requests the Secretariat to assist the informal reflection group as required;
8. Invites the Member States of the Subsidiary Committee of the Meeting of States Parties as well as the States Parties to the Convention to provide necessary resources for the sessions of the informal reflection group.

### **DECISION 3 SC 10**

*The Subsidiary Committee of the Meeting of States Parties,*

1. Decides to hold its 4<sup>th</sup> session in the second half of September 2016 at UNESCO Headquarters;
2. Agrees to include the following items in the provisional agenda of its 4<sup>th</sup> session:
  - a. Online sales of trafficked cultural property;
  - b. Illicit trafficking in documentary heritage;
  - c. Results of the roundtable meeting with the art market representatives;
  - d. Standard-setting document on return and restitution cases;
  - e. Amendment of the Rules of Procedure of the Subsidiary Committee of the Meeting of States Parties;
  - f. Follow up of the synergies between the 1970 Convention's Subsidiary Committee of the Meeting of States Parties and the Committee for the Protection of Cultural Property in the Event of Armed Conflict established by the Second Protocol to the 1954 Hague Convention.