



United Nations
Educational, Scientific and
Cultural Organization



Convention for the fight
against the illicit trafficking
of cultural property

3 MSP

C70/15/3.MSP/RESOLUTIONS
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Original English/ French

Limited distribution

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 (UNESCO, Paris, 1970)

Third Meeting
Paris, UNESCO Headquarters, Room II
18-20 May 2015

RESOLUTIONS

RESOLUTION 3.MSP 2

The Meeting of States Parties,

1. Elects *Mr Mounir Anastas (Palestine)* Chairperson of the Third Meeting of States Parties;
2. Elects *Mr Arūnas Gelūnas (Lithuania)* Rapporteur of the Third Meeting of States Parties;
3. Elects Argentina, India, Italy and Senegal Vice-Chairpersons of the Third Meeting of States Parties;
4. Decides to maintain this Bureau operational until its next election.

RESOLUTION 3.MSP 3

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/3.Rev,
2. Adopts the agenda contained in the aforementioned document.

RESOLUTION 3.MSP 5A

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/5A,
2. Welcomes the Report of the Subsidiary Committee contained in the aforementioned document;
3. Encourages the Subsidiary Committee to continue its work in terms of revitalization of the Convention;
4. Invites the Subsidiary Committee to provide impetus to the synergies with the other cultural Conventions in UNESCO and, in this regard, to support the Secretariat in the cooperation with the relevant international and United Nations bodies;
5. Also invites the Subsidiary Committee to report to the Meeting of States Parties at its next session.

RESOLUTION 3.MSP 5B

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/5B,
2. Welcomes the adopted roadmap for the fulfillment of the functions of the Subsidiary Committee contained in the aforementioned document;
3. Requests the Secretariat to cooperate with the Subsidiary Committee in order to develop recommendations for implementation mechanisms.

RESOLUTION 3.MSP 6

The Meeting of the States Parties:

1. *Having examined* document C70/15/3.MSP/6,
2. Thanks those States Parties which have generously contributed financial support for the activities conducted by the Secretariat;
3. Takes note with satisfaction of the Secretariat's report on its activities from June 2012 to May 2015;
4. Welcomes the many training activities carried out by the Secretariat and UNESCO Field Offices, their growing scope and the continued effectiveness of the global capacity-building strategy;
5. Also welcomes action taken to raise awareness on the fight against trafficking in cultural property;
6. Invites States Parties and UNESCO to strengthen their support for activities carried out to ensure the effective implementation of the Convention by making financial and/or human resources available;
7. Encourages the Secretariat to continue its efforts to implement the Convention and identify new partners, and invites it to present another report on its activities at its Fourth Meeting.

RESOLUTION 3.MSP 7

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/7,
2. Recalling Articles 14.4 and 14.5 of the Rules of Procedure of the Meeting of States Parties to the 1970 Convention, adopted at the Second Meeting of States Parties to the 1970 Convention, in June 2012,
3. Elects the following 9 States Parties as Members of the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention:

Group I	Cyprus	
Group II	Armenia	Poland
Group III	Plurinational State of Bolivia	
Group IV	Afghanistan	India
Group V(a)	Democratic Republic of Congo	
Group V(b)	Iraq	Libya

RESOLUTION 3.MSP 8

The Meeting of States Parties,

1. *Having examined* Document C70/15/3.MSP/8 and its Annex, as well as the 'Evaluation of UNESCO's Standard-setting Work of the Culture Sector: Part II – 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property' (Document IOS/EVS/PI/133 REV.2),
2. Welcomes the findings of the evaluation and the Recommendations in the aforementioned Evaluation;
3. Takes note, with appreciation, of the decision to create in 38C/5 two P2 posts to strengthen the Secretariat of the 1970 Convention, thus following up Recommendation 21 of the aforementioned Evaluation, and invites States Parties to provide further financial and human resources support;
4. Urges the States Parties, the Subsidiary Committee and the Secretariat to implement the IOS recommendations set forth in the Annex to the document C70/15/3.MSP/8;
5. Requests the Subsidiary Committee, in cooperation with the Secretariat, to prioritize the areas of work related to the implementation of the above mentioned recommendations, as well as the activities included in the Roadmap, and to report on the status of their implementation at the next Meeting of States Parties.

RESOLUTION 3.MSP 9

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/9,
2. Takes note of the information provided by the Secretariat's on the initiatives in relation to emergency actions contained in the aforementioned document;
3. Also takes note of the increase in activities related to emergency actions assigned to the Secretariat, and of the need to strengthen its human and financial resources;
4. Highlights the obligation for all States Parties to urgently implement the provisions in paragraphs 15 to 17 of the United Nations Security Council Resolution 2199, in reference to the cultural heritage at risk in Iraq and Syria;
5. Encourages all States Parties to implement the following measures, in emergency situations of armed conflict or natural disaster:
 - a. revise their legislation to strengthen controls of exports, imports and acquisitions of cultural property,
 - b. make provisions in their national legislations regarding due diligence and checking of provenance,
 - c. consider adopting the principles of the 1995 UNIDROIT Convention, particularly on the reversal of the burden of proof with respect to due diligence,
 - d. strengthen investigative and seizure procedures, and facilitate the restitution procedures to the country of origin,
 - e. establish appropriate criminal sanctions and prosecute those individuals or entities involved in trafficking of cultural property,
 - f. implement the "International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences", as adopted under United Nations General Assembly Resolution 69/196,
 - g. share information, where possible, in order to coordinate efforts in the fight against illicit trafficking of cultural property with UNESCO, INTERPOL, WCO, UNODC, or other international organizations, as appropriate,
 - h. reinforce bilateral regional and international cooperation and ensure greater transparency, concerning transactions of cultural property,
 - i. strengthen the monitoring of the export and import of cultural property and, where appropriate, keep registers of acquisitions updated,
 - j. promote, in collaboration with UNESCO, educational programmes at all levels, especially directed at younger generations, on the importance of fighting against illicit trafficking of cultural property and its impact at local, regional and global level.
6. Also encourages all States Parties in the same spirit of paragraphs 15 to 17 of the United Nations Security Council Resolution 2199, to apply the same measures to Libya and Yemen;
7. Further encourages all States Parties to initiate outreach activities related to the fight against the illicit trafficking in cultural property in emergency situations and support already existing ones, such as the #unite4heritage campaign;

8. Also encourages all States Parties to cooperate with the Secretariat to develop new mechanisms to fight against illicit trafficking in cultural property at the international level, including greater consideration of the cultural dimension in strategies for action in times of crisis or conflict situations;
9. Invites all States Parties to provide UNESCO with a copy of their report on the measures taken in accordance with paragraphs 15 to 17 of United Nations Security Council Resolution 2199, concerning safeguarding of Iraqi and Syrian cultural heritage by 12 June 2015;
10. Also invites the UNESCO Director-General to continue to reinforce the Secretariat with appropriate financial resources and, in particular, human resources to continue its emergency action initiatives.

RESOLUTION 3.MSP 10

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/10 and its Annexes,
2. *Recalling* Decision 1.SC 8,
3. *Acknowledging* the need to enhance the implementation of the 1970 Convention on a long-term basis, in order that it may better respond to the wishes and needs of States Parties,
4. Expresses its appreciation to the States Parties that have already provided funds or support to the Secretariat to enhance its resources;
5. Considers that it is desirable to establish a dedicated Fund for the 1970 Convention;
6. Invites the Director-General to establish such a Fund;
7. Takes note of the draft Financial Regulations of this Fund as contained in Annex 1 in document C70/15/3.MSP/10;
8. Approves the planned budget for the use of the resources to be financed by the Fund of the 1970 Convention, as contained in Annex 2 in document C70/15/3.MSP/10. If the amount of the Fund is insufficient to meet all the activities of the plan, the Secretariat, in consultation with the Bureau of the Meeting of States Parties, shall make a choice on which activities to finance;
9. Also invites States Parties, and other interested institutions, to contribute to the Fund;
10. Requests the Secretariat to prepare, for the forthcoming ordinary session of Meeting of States Parties in 2017, a draft budget for the use of the Fund for the biennium 2018 – 2019.

RESOLUTION 3.MSP 11

The Meeting of States Parties,

1. *Having examined* document C70/15/3.MSP/11 and its Annex,
2. Appreciates the efforts undertaken by the Subsidiary Committee in providing a consensual draft of the Operational Guidelines;
3. Decides to adopt the Operational Guidelines for the Implementation of the 1970 Convention included in the Annex of the document C70/15/3.MSP/11;
4. Recalls that these Operational Guidelines may be revised by the Meeting of States Parties.

RESOLUTION 3.MSP 12

The Meeting of States Parties,

1. Requests the Secretariat to include an item on the agenda at the next Meeting of States Parties in 2017, concerning the possible amendment or revision of the Rules of Procedure 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 Meeting of States Parties to the 1970 Convention by 31 January 2017 at the latest;
3. Also requests the Secretariat to submit to it a draft document containing proposals for amendments or revisions of the Rules of Procedure of the Meeting of States Parties for possible adoption at the next Meeting of States Parties in 2017.