



American Model United Nations
General Assembly Plenary (Concurrent)

GA Plen/II/2

SUBJECT OF RESOLUTION: Return or restitution of cultural property to the countries of origin

SUBMITTED TO: The General Assembly Plenary (Concurrent)

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- 1 *Affirming* the priority of the United Nations to return stolen cultural artifacts to their original home cultures,,
2 *Seeing* that there is an overwhelming amount of stolen cultural property that has yet to be returned to its
3 proper owner,
4 *Recognizing* the massive amount of stolen artifacts still improperly owned by Member States and other
5 parties as a failure in the policy of the United Nations aimed at restoring cultural property,
6 *Noting* the importance of restitution in regards to affirming Indigenous cultures and belongings,
7 *Asserting* the rights of Indigenous groups to be involved in diplomatic negotiations carried out by the United
8 Nations and its Member States,
9 *Acknowledging* the need for recognition within former colonizing Member States regarding their wrongful
10 confiscation of cultural property from formerly colonized States during the era of imperialism,
11 1. *Calls* for the expansion of the definition of “stolen cultural property” to be any “cultural property” as
12 defined by the United Nations that has been removed from a cultural group or region during any time, including
13 artifacts removed during periods of colonization, war, famine etc;
14 2. *Requests* that the “Return and Restitution” Intergovernmental Committee of UNESCO appoint diplo-
15 matic delegates to negotiate directly between parties concerning stolen cultural property where:
16 (a) Parties involved may be governments of Member States, leaders of Indigenous tribes/organizations,
17 or other legitimate governing bodies;
18 (b) The goals of these delegates are as follows;
19 (i) To establish and encourage diplomatic negotiations regarding the restitution of cultural property
20 between relevant parties;
21 (ii) To ensure diplomatic negotiations are productive and cordial;
22 (iii) To return such cultural property to its original and rightful owner;
23 (c) Diplomats will represent the agenda of the United Nations, not any individual Member States;
24 3. *Requests* that the Human Rights Council (HRC) appoint a Special Rapporteur to investigate the wrongful
25 confiscation of cultural property by working in collaboration with international and national organizations for the
26 purpose of collecting and sharing intelligence, where:the role of the Special Rapporteur should be as follows:
27 (a) Investigating and identifying stolen cultural artifacts;
28 (b) Assisting UNESCO in the gathering of relevant information in preparation for their diplomatic
29 efforts to return the property to States of origin;
30 (c) To enter and use information relevant to the return of cultural property into a comprehensive
31 database, with the primary purpose of tracking stolen cultural artifacts in accordance with current UNESCO and
32 ICOM standards, guidelines, Red Lists and databases;
33 (d) To combine existing databases and guidelines in order to centralize the highest quality and
34 quantity of information possible;

35 (e) To ensure that this database will be available for viewing by the public for the sake of trans-
36 parency, excluding classified material that is sensitively related to ongoing criminal investigations of illegal markets
37 and/or trafficking;

38 (f) The information used will be shared with organizations including but not limited to INTER-
39 POL or Cultural Property, Art and Antiquities (CPAA) and/or Investigations of the US Immigration and Customs
40 Enforcement;

41 4. *Calls* for States of origin to determine the manner in which their cultural property is restored to them
42 while encouraging UNESCO to maintain its role in advising countries on the safe transport of cultural property back
43 to the State of origin;

44 5. *Recommends* UNESCO to establish guidelines in the case an item cannot be returned, where the involved
45 States should reach an agreement for fair compensation and note the legitimate reasons as to why the item is not
46 returned;

47 6. *Requests* UNESCO establishes “Zones of Interest” (ZOIs), which are to be defined as any region particu-
48 larly vulnerable to the theft of cultural artifacts native to its culture -such as conquest by another power, civil war,
49 military coup or oppression done to Indigenous groups by a Member State;

50 7. *Further recommends* that ZOIs be of particular focus for UNESCO to investigate, gather information on
51 and track in order to limit the number of cultural artifacts that may be stolen during times of strife in particular
52 regions, which can be achieved through measures such as:

53 (a) Enhancing physical site protection mechanisms in communities, tribes nations and, in particular,
54 to unstable regions and underwater areas to ensure better protection of their cultural sites during ZOIs;

55 (b) The dissemination of information on how global citizens can contribute to identifying stolen
56 cultural artifacts in online markets;

57 8. *Suggests* that UNESCO and other non-United Nation organizations should collaborate more with United
58 Nations peacekeeping forces when necessary to protect cultural artifacts and rescuers of cultural artifacts from harm
59 during times of conflict;

60 9. *Notes that* Member States may lend artifacts of cultural significance to them to other Member States to
61 be placed in public or private collections but that:

62 (a) Lending only applies when both the receiving and giving parties consent via diplomatic measures;

63 (b) Consent is ongoing and may be revoked by either party at any time, in which case the cultural
64 artifact(s) in question would be returned to the country of origin;

65 (c) In the case of a trade in artifacts between nations or cultures, any relevant party may revoke
66 their ongoing consent at any time and the trade shall be reversed;

67 10. *Requests* for the “Return and Restitution” Intergovernmental Committee under UNESCO to develop a
68 plan to purchase cultural artifacts from private collectors at legal public auctions so that they are returned to their
69 home country, where funding should be donated to the committee by willing Member States and NGOs.

Passed, Yes: 52 / No: 4 / Abstain: 13