

ECOSOC Resolution 2003/29

Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property

The Economic and Social Council,

Aware of the serious harm done to States and to the objects themselves by the theft and illicit export of objects regarded as part of States' cultural heritage, in particular as a result of the plundering of archaeological sites and of other sites of historical and cultural value,

Recognizing the importance for States of protecting and preserving their cultural heritage in accordance with the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 November 1970,¹ the preamble to which refers, inter alia, to the duty of every State to protect the cultural property existing within its territory against the dangers of theft, clandestine excavation and illicit export, and also the commitment by States and relevant international organizations to combat such practices with all the means at their disposal, in particular with regard to international cooperation on the return of such property,

Wishing to promote mutual cooperation in preventing illegal acts against the historical and cultural legacy of peoples,

Aware of the urgent need to establish standards for the restitution and return of movable property forming part of the cultural heritage of peoples after it has been stolen or illicitly exported, and for its protection and preservation,

Recognizing that one of the main objectives of the United Nations in the field of crime prevention and criminal justice is the promotion and strengthening of international cooperation in the fight against transnational organized crime,

Recalling General Assembly resolution 45/121 of 14 December 1990 on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990,

Recalling also the Model Treaty for the Prevention of Crimes that Infringe on the Cultural Heritage of Peoples in the Form of Movable Property, adopted by the Eighth Congress,²

Welcoming the organization by the Andean Community of Nations and the Government of France of a regional workshop on theft and illicit trafficking of cultural property, held in Lima from 14 to 16 May 2003,

¹ United Nations, *Treaty Series*, vol. 823, No. 11806.

² See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B, para. 2.

1. *Encourages* Member States to consider, where appropriate and in accordance with national law, when concluding relevant agreements with other States, the Model Treaty for the Prevention of Crimes that Infringe on the Cultural Heritage of Peoples in the Form of Movable Property, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990;³

2. *Calls upon* all Member States to continue to strengthen international cooperation and mutual assistance in the prevention and prosecution of crimes against movable property that forms part of the cultural heritage of peoples;

3. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its thirteenth session on the implementation of the present resolution.

*44th plenary meeting
22 July 2003*

³ Ibid.