

Second Meeting of States Parties to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

DRAFT RESOLUTION 2.MSP X

The Meeting of States Parties,

1. Recalling that the Constitution of UNESCO calls for the effective conservation and protection of the world's inheritance;
2. Bearing in mind that the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property is the most important instrument available to the international community to fight against the illicit trade of cultural objects, which is one of the main causes of the impoverishment of the cultural heritage of the countries of origin of such property;
3. Taking into consideration that the lack of formal governing bodies specific to the 1970 Convention has significantly affected its adequate implementation;
4. Considering that it is in our common interest to establish bodies with specific competences for monitoring and promoting the implementation of the 1970 Convention;
5. Having examined document C70/12/2.MSP/6;
6. Thanking the Secretariat for its work;
7. Decides to establish the *Intergovernmental Committee for protecting cultural heritage, promoting licit trade in cultural property and combating its illegal trafficking*, hereinafter referred as "the Committee":

Composition

The Committee shall be composed of representatives of 12 States Parties, elected by the Meeting of States Parties. The election to the Committee shall obey the principles of equitable geographical representation and rotation.

States Parties of the Committee shall be elected for a term of four years. However, the term of office of half of the States Parties of the Committee elected at the first election is limited to two years. These States shall be chosen by lot at the first election. Every two years, the Meeting of States Parties shall renew half of the States Parties of the Committee. A State Party of the Committee may not be elected for two consecutive terms.

Functions

The functions of the Committee shall be to:

- a. promote the purposes and objectives of the Convention, and to encourage and monitor the implementation thereof;

- b. examine the national reports on the implementation of the Convention and to summarize them for the meeting of States Parties;
- c. prepare and submit to the Meeting of States Parties for its approval operational guidelines for the implementation of the Convention;
- d. discuss problems arising from the implementation of the Convention;
- e. provide guidance on best practices on the implementation of the Convention, and make recommendations on measures for its enactment by States Parties;
- f. discuss cases of restitution falling within the scope of the Convention and, for those that do not, improve coordination with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation;

For the discharge of its functions, the Committee will be assisted by the Secretariat.

Convening

The Committee shall be convened by the Secretariat every year.

Working methods

- a. The Committee shall be answerable to the Meeting of States Parties. It shall report to it on all its activities and decisions;
- b. The Committee shall adopt its own Rules of Procedure by a two-thirds majority of its Members;
- c. The Committee may establish, on a temporary basis, whatever ad hoc consultative bodies it deems necessary to carry out its task.
- d. The Committee may invite to its meetings any public or private bodies, as well as private persons, with recognized competence in the various fields of protection of cultural heritage and illegal trafficking of cultural goods, in order to consult them on specific matters.