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Return or restitution of cultural property
to the countries of origin

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980, 36/64 of 27 November 1981, 38/34 of 25 November 1983, 40/19 of 21 November 1985, 42/7 of 22 October 1987, 44/18 of 6 November 1989 and 46/10 of 22 October 1991,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Taking note with satisfaction of the report of the Secretary-General submitted in cooperation with the Director-General of the United

Nations
Educational, Scientific and Cultural Organization,

Noting with satisfaction that, following its appeal, other
Member States
have become parties to the Convention,

Aware of the importance attached by the countries of origin to
the
return of cultural property which is of fundamental spiritual and
cultural
value to them, so that they may constitute collections representative
of their
cultural heritage,

Reaffirming the importance of inventories as an essential tool
for the
understanding and protection of cultural property and for the
identification
of dispersed heritage and as a contribution to the advancement of
scientific
and artistic knowledge and intercultural communication,

Deeply concerned at the clandestine excavations and the illicit
traffic
in cultural property that continue to impoverish the cultural
heritage of all
peoples,

Again supporting the solemn appeal made on 7 June 1978 by the
Director-General of the United Nations Educational, Scientific and
Cultural
Organization for the return of irreplaceable cultural heritage to
those who
created it,

1. Commends the United Nations Educational, Scientific and
Cultural
Organization and the Intergovernmental Committee for Promoting the
Return of
Cultural Property to Its Countries of Origin or Its Restitution in
Case of
Illicit Appropriation on the work they have accomplished, in
particular
through the promotion of bilateral negotiations, for the return or
restitution
of cultural property, the preparation of inventories of movable
cultural
property, the reduction of illicit traffic in cultural property and
the
dissemination of information to the public;

2. Reaffirms that the restitution to a country of its objets
d'art,
monuments, museum pieces, archives, manuscripts, documents and any
other
cultural or artistic treasures contributes to the strengthening of
international cooperation and to the preservation and flowering of
universal
cultural values through fruitful cooperation between developed and
developing

countries;

3. Recommends that Member States adopt or strengthen the necessary protective legislation with regard to their own heritage and that of other peoples;

4. Requests Member States to study the possibility of including in permits for excavations a clause requiring archaeologists and palaeontologists to provide the national authorities with photographic documentation of each object brought to light during the excavations immediately after its discovery;

5. Invites Member States to continue drawing up, in cooperation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of cultural property existing in their territory and of their cultural property abroad;

6. Also recommends that Member States should ensure that inventories of museum collections include not only the items on display but also those in storage, and that they comprise all necessary documentation, particularly photographs of each item;

7. Also invites Member States engaged in seeking the recovery of cultural and artistic treasures from the seabed, in accordance with international law, to facilitate by mutually acceptable conditions the participation of States having a historical and cultural link with those treasures;

8. Appeals to Member States to cooperate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose;

9. Also appeals to Member States to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to its countries of origin;

10. Requests States parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property to keep the Secretary-General of the United Nations and the Director-General of the United Nations Educational,

Scientific
and Cultural Organization fully informed of the measures taken to
ensure
implementation of the Convention at the national level;

11. Requests the Secretary-General, in collaboration with the
United
Nations Educational, Scientific and Cultural Organization, to
continue to
develop all possibilities for bringing about the attainment of the
above-mentioned objectives;

12. Welcomes the steady increase in the number of States
parties to
the Convention;

13. Invites once again those Member States that have not yet
done so
to sign and ratify the Convention;

14. Requests the Secretary-General of the United Nations, in
cooperation with the Director-General of the United Nations
Educational,
Scientific and Cultural Organization, to submit to the General
Assembly at its
fiftieth session a report on the implementation of the present
resolution;

15. Decides to include in the provisional agenda of its
fiftieth
session the item entitled 'Return or restitution of cultural property
to the
countries of origin'.