



Forum: General Committee 4

Issue: Taking measures to prevent the illicit trafficking of cultural artifacts

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Introduction

The cultural artifacts of a country are important because they represent the history of a country and they are considered as treasures. Illicit trafficking of cultural artifacts is not only a national issue, but also an international issue that should be taken seriously. Illicit trafficking is basically illegally obtaining goods or replicates of goods and selling them. This can happen through land, water or air and therefore makes it hard to take action to prevent this from happening.

Taking action to prevent this crime from happening is important in order to maintain the culture of a society. The history and value is at stake when cultural artifacts of a country are illegally bought and sold as well as the well being of the artifact. The replicates harm the original piece and lose its authenticity. Artifacts should be protected from theft and no harm should be made from the environment in which they are kept in.

Definition of Key Terms

Illicit trafficking: Illegally obtaining goods or replicates of goods and selling them, illegal "trading, selling or dealing" in specified goods.

Cultural artifacts: a term used in the social sciences, particularly anthropology, ethnology and sociology for anything created by humans which gives information about the culture of its creator and users.

Background Information

There have been items that were returned to their culture. These items were trafficked and found in the borders of another country. The trafficked items can be found anywhere around the world, therefore it is hard to track them. Also, replicates of the items can be very similar to the original one since there are successful con artists, therefore it needs to be authenticated by an exceptionally good authenticator. It is very important that museums and other art facilities do not take in artifacts without a proper documentation of where it came from. A database has been created by UNESCO called UNESCO Database of National Cultural Heritage Laws and Interpol is also interested in the issue, they can arrest and recover the objects.

Major Events, Major Organizations and Attempts To Solve This Issue (Chronologically)

- 1954: The Hague Convention for the Protection of Cultural Properties in the Event of Armed Conflict- “UNESCO has developed specific instruments of international law in order to protect cultural heritage.”
- 1956: INTERPOL- Aims for countries police forces to work together to solve crime on a large scale more efficiently.
- 1970: UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property- This convention talks about laws in relation to stopping not only the trafficking of goods but also the stealing of these goods.
- 1972: World Heritage Convention- This convention assists with the way people and nature interact, with a goal of security for both the people and nature.
- 1978: Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation- This committee advertises anti-trafficking research, helps with countries that are victims of illegal trafficking, and wants to help negotiations.
- 1995: Convention on Stolen or Illegally Exported Cultural Objects- This convention was made to be in harmony with the UNESCO convention in 1970. It works toward putting an end to the crime of exported cultural objects. This convention can also be called the ‘UNIDROIT (International Institute for the Unification of Private Law) Convention.
- 2001: Protection of Under Water UNESCO Convention- This convention investigates underwater cultural artifacts while making principles for their protection. Parts of these principles include the fact that exploitation of the objects is illegal. The main goal is to preserve the objects found.
- 2003: Database of National Cultural heritage Laws- This is a resource stating where an object came from. This resource also states laws. It is available for people to use in order to ensure what they are buying is legal and within the laws set forth. United Nations Educational, Scientific and Cultural Organization (UNESCO): This is not a law; it is an organization that promotes education regarding different cultures and the importance of preserving it.
- UNESCO International Code of Ethics for Dealers in Cultural Property: This is not a law, but UNESCO hopes for countries to follow it by expressing anti-trafficking opinions.

This timeline is taken directly from the website:

https://www.isturin.it/uploaded/Website_uploads/TOMUN_MeasuresforProtection.pdf

Possible Solutions

1. More money should be spared to track the artifacts.
2. Organizations should train good authenticators.
3. The present authenticators should be aware of the fact that replicates could be made using the same materials that were used in the original.
4. The location and the condition of the artifact should be confidential with only the access of high ranking officials. The artifacts should be accessible only to that particular person. The security measures should only be available to one person and only their biological features should grant an access to the artifact.
5. The time when the artifact is in transit to another museum/facility should be confidential with a password that changes frequently. There should be armed securities guarding the artifact.

6. The location in which the artifact will be delivered should be kept confidential. No one except for high ranking officials should know when an artifact is going to go to another facility.

Useful Links For Further Research

1. <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property>
2. https://www.isturin.it/uploaded/Website_uploads/TOMUN_MeasuresforProtection.pdf
3. https://ec.europa.eu/culture/policy/culture-policies/trafficking_en
4. <https://digitalcommons.law.scu.edu/cgi/viewcontent.cgi?referer=https://www.google.com.tr/&httpsredir=1&article=1175&context=scujil>
5. http://www.italyun.esteri.it/rappresentanza_onu/resource/doc/2016/09/protect.pdf

Bibliography

1. https://www.isturin.it/uploaded/Website_uploads/TOMUN_MeasuresforProtection.pdf
2. <https://definitions.uslegal.com/i/illicit-trafficking/>
3. <https://definitions.uslegal.com/c/cultural-items/>



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