



Economic and Social Council

Distr.: Limited
14 May 2003

English
Original: Spanish

Commission on Crime Prevention and Criminal Justice

Twelfth session
Vienna, 13-22 May 2003
Agenda item 7

Use and application of United Nations standards and norms in crime prevention and criminal justice

Peru: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

Model Treaty for the 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 fundamental 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,¹ the preamble to which establishes 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 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,

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



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

1. *Urges* States to take account, when signing agreements with other States on the prevention of crimes against movable property that forms part of the cultural heritage of peoples, of 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;²

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

3. *Also calls upon* all Member States to inform the Secretary-General of efforts to conclude treaties for the prevention of crimes against cultural property that forms part of the cultural heritage of peoples;

4. *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.

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