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PRESERVATION AND FURTHER DEVELOPMENT OF CULTURAL VALUES

Report of the Third Committee

Rapporteur: Miss Ana RICHTER (Argentina)

I. INTRODUCTION

1. The item entitled "Preservation and further development of cultural values" was included in the provisional agenda of the thirty-third session of the General Assembly in accordance with its resolution 31/39 of 30 November 1976.
2. At its 4th and 5th plenary meetings, held on 22 September 1978, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.
3. The Committee considered this item at its 63rd, 71st and 72nd meetings, held on 30 November, and 7 and 8 December. The opinions expressed by the representatives of Member States and specialized agencies on this item are contained in the summary records of those meetings (A/C.3/33/SR.63, 71 and 72).
4. Under agenda item 79, the Committee had before it the following documents:
 - (a) Preservation and further development of cultural values: note by the Secretary-General, to which was annexed the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (A/33/157);
 - (b) Resolutions adopted by the Ninth Islamic Conference of Foreign Ministers, held at Dakar from 24 to 28 April 1978 (A/33/151).
5. At the 63rd meeting, on 30 November, the Assistant Director-General for Culture and Communications of UNESCO introduced the item (see A/C.3/33/SR.63, paras. 1-11).

II. CONSIDERATION OF DRAFT RESOLUTIONS

A. Draft resolution A/C.3/33/L.24

6. At the 63rd meeting, on 30 November, the representative of Poland introduced a draft resolution (A/C.3/33/L.24) sponsored by Iran, Jamaica, Philippines, Poland, Romania and Senegal, subsequently joined by Bangladesh, Barbados, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Ecuador, Guatemala, Guyana, Indonesia, Madagascar, Sweden, Togo, Trinidad and Tobago, United Republic of Cameroon and Zaire.

7. At the 72nd meeting, on 8 December, the representative of Poland revised the text so that it included, in the sixth preambular paragraph, the words "and people" between "nations" and "in the process".

8. At the same meeting, the Committee adopted without a vote the revised version of the draft resolution (see para. 11 below, draft resolution I).

B. Draft resolutions A/C.3/33/L.60 and A/C.3/33/L.60/Rev.1

9. At the 71st meeting, on 7 December, the representative of Egypt introduced a revised version (A/C.3/33/L.60/Rev.1) of the draft resolution (A/C.3/33/L.60) entitled "Protection, restitution and return of cultural and artistic property as part of the preservation and future development of cultural values", sponsored by Colombia, Ecuador, Egypt, Greece, Guatemala, India, Iraq, Libyan Arab Jamahiriya, Peru, Rwanda, Syrian Arab Republic, Yugoslavia and Zaire, subsequently joined by Bangladesh, Benin, Bolivia, Burundi, Ethiopia, Guatemala, Guyana, Honduras, Jordan, Mexico, Pakistan, Panama, Philippines, Sudan and Yemen.

10. At the 72nd meeting, on 8 December, the draft resolution was adopted by a recorded vote of 116 to none, with 14 abstentions (see para. 11 below, draft resolution II).

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines,

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Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Abstaining: Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Ireland, Israel, Italy, Luxembourg, Netherlands, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland.

Against: None.

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Preservation and further development of cultural values

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973 and 31/39 of 30 November 1976,

Noting the resolutions adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization 1/ at its nineteenth session, in particular its resolution 4.12 on preservation and presentation of the cultural heritage of mankind and resolution 4.13 on cultural development,

Taking into account the results of the meeting of the Committee of Experts on the Preservation and Further Development of Cultural Values, convened by the United Nations Educational, Scientific and Cultural Organization at Warsaw in 1977, 2/

Noting with appreciation the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the preservation and further development of cultural values, 3/

1/ Records of the General Conference, Nineteenth Session, Nairobi, 26 October-30 November, vol. 1, Resolutions.

2/ See the final report of the Committee of Experts on the Preservation and Further Development of Cultural Values, CC-77/CONF.614/COL.9.

3/ A/33/157.

Noting with satisfaction that, since the adoption of General Assembly resolution 3148 (XXVIII), the attention of Governments and international organizations, in particular the United Nations Educational, Scientific and Cultural Organization, has been focused on the importance of the preservation, renewal and continuous creation of cultural values and that co-operation between States has been developing to this end,

Conscious of the importance of cultural development which, along with progress in the economic and social field, should contribute to the improvement of living conditions and the well-being of nations and people in the process of establishing a new international economic order, as envisaged in the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 4/ adopted during the sixth special session of the General Assembly, in the Charter of Economic Rights and Duties of States 5/ and in the Declaration on Social Progress and Development, 6/

1. Welcomes with appreciation the work of the United Nations Educational, Scientific and Cultural Organization in promoting the cause of preservation and further development of cultural values and in assisting the co-operation between States in this respect;

2. Calls upon the United Nations Educational, Scientific and Cultural Organization to continue its activities in the field of preservation and further development of cultural values, and, in particular:

(a) To collect information relevant thereto and carry on interdisciplinary research on the role and place of cultural values in contemporary society;

(b) To encourage international exchange of information on modern methods used in preservation and development of cultural values;

(c) To promote and assist international co-operation among States and relevant international organizations aiming at preservation and further development of cultural values;

(d) To include on a continuing basis the problem of preservation and further development of cultural values in its medium-term and long-term plans.

4/ Resolutions 3201 (S-VI) and 3202 (S-VI).

5/ Resolution 3281 (XXIX).

6/ Resolution 2542 (XXIV).

DRAFT RESOLUTION II

Protection, restitution and return of cultural and artistic property as part of the preservation and further development of cultural values

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 and 32/18 of 11 November 1977,

Taking note with appreciation of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization, 7/

Noting also with satisfaction, the resolution of the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twentieth session, approving the statutes of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Taking into account the results of the meeting of the Committee of Experts held at Dakar in 1978 to study the mandate, means of action and working methods of the above-mentioned Committee,

Reaffirming that the restitution to a country of its objets d'art, monuments, museum pieces, manuscripts, documents and any other cultural or artistic treasures constitutes a step forward in the strengthening of international co-operation and the preservation and further development of cultural values,

1. Commends the United Nations Educational, Scientific and Cultural Organization for the work done in connexion with the restitution and return of cultural and artistic property;
2. Welcomes the establishment of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation;
3. Requests the United Nations Educational, Scientific and Cultural Organization to continue its valuable efforts to find suitable solutions for the problems relating to the restitution and return of cultural and artistic property and urges Member States to co-operate with that Organization in this field;
4. Invites Member States to take all possible steps for the restitution and return of cultural and artistic property, including manuscripts and documents, through, inter alia, the establishment of bilateral arrangements;
5. Invites all Governments to accede to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of

Cultural Property, 8/ adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970;

6. Decides to include in the provisional agenda of its thirty-fifth session an item entitled "Preservation and further development of cultural values, including the protection, restitution, and return of cultural and artistic property".

8/ United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Sixteenth Session, vol. 1, Resolutions, pp. 135-141.