

Forum: General Assembly

Issue: Preventing the illegal trade in cultural artifacts

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Introduction

From Native American holy objects to Egyptian treasures, people throughout history have sought to profit from selling national cultural artifacts. While the majority are sold to private collectors, some are also sold to museums of foreign countries under the pretense that they were legally obtained. In the process of excavating antiquities, they often do not follow internationally recognized safety standards and damage heritage and historical sites, destroying history that may never be rediscovered or unearthed. Cultural artifacts are valued not just because they help paint a picture of a society's culture during a certain period of time for people to appreciate (such as in museums), but they also allow historians to rewrite history with the knowledge gained from these artifacts. Despite the numerous international attempts to control and reduce these deplorable acts, there has been little progress made as the people responsible are not easy to track and similar to money laundering, it is easy to mistake illegal transactions for legal ones. Even in this economic recession, there are still increasing sales and trades of cultural artifacts and action needs to be taken with assistance from the United Nations.

Definition of Key Terms

Prevent

To keep from happening or occurring, in some cases again.

Cultural Artifacts

Any man-made item that show details of the culture of its users and creators. The term is not limited to archeological artifacts. Cultural artifacts are also known as illicit antiquities.

Illegal Trade

Illegal trade is considered the trade of any material, substance or item without proper authorization (ex: certified arms dealer) or considered to be violating the law (ex: trading cocaine for non-medical purposes).

General Overview

Artifacts thought to be lawfully acquired

Almost in every case, cultural artifacts that are obtained illegally are thought to be legal by potential buyers. This is because dealers or historians connected to the theft try and make it seem as if the artifact was legitimately extracted. Methods include false legal documents and bribing the appropriate officials. In addition, with a highly valued object, a buyer will not question its source or how it was attained. Without an internationally recognized validation system, this will most likely continue.

Damage to historical sites

The International Council of Museums (ICOM) keeps a Red List that notes the destruction of various archeological sites worldwide, with the majority being in South America and Africa. While some can be attributed to actions taken by conquistadors and colonists before the 1900s, there are many signs indicating recent excavations as some historical sites which are monitored regularly have been seen to degrade rapidly.

Benefits of cultural artifacts

Educational

Cultural artifacts play a large role in education today. Similar to how a student can appreciate different types of literature by reading and experiencing novels and short stories from different backgrounds, students can also learn to understand the different cultures that exist from these artifacts.

Historical

While important documents and writings often tell many things to historians, they are often biased because of the author. However, cultural artifacts generally are not because they are usually “everyday objects” during the historical period and provide a new facet for them to view life back then.

National Identity

Many countries feel that these items are part of their identity and proudly display them in museums and galleries. One could argue that they do belong to the country and should be returned.

Timeline of Events

Date	Description of event
1910-1945	Japanese relocate thousands of cultural artifacts from Korea to Japan during occupation.
1961	Terracota warriors discovered to be forgeries in the Metropolitan Museum of Art
1999	Sevso Treasure case (silver from the Roman empire)
2006	Euphronios krater returned to Italy after discovery of it's illegal status in the Metropolitan Museum of Art

UN Involvement, Relevant Resolutions, Treaties and Events

The United Nations, specifically the United Nations Educational, Scientific and Cultural Organization (UNESCO) have in the past made progress on the issue. However, the growth of illegal trade of in cultural artifacts and the lack of action in recent times have only encouraged more illicit activity. Changes in the world since then like the collapse of the Union of Soviet Socialist Republics and new advances in technology and communication have only emphasized the need for a new resolution. Note that the following are not retroactive, meaning they only apply to incidents in the member states after they have signed each convention.

- Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, May 14, 1954
- Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 14 December 1970
- UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects, 24 June 1995

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