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**INTERGOVERNMENTAL COMMITTEE
FOR PROMOTING THE RETURN OF CULTURAL PROPERTY
TO ITS COUNTRIES OF ORIGIN OR ITS RESTITUTION
IN CASE OF ILLICIT APPROPRIATION**

Fifteenth Session

Paris, 11-13 May 2009

Recommendations

Recommendation No. 1

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation

Acknowledging relevant UNESCO resolutions and recommendations,

Expressing its continuing concern for a solution to the issue of the Parthenon Marbles:

1. Welcomes in this respect the meeting held on 23 April 2009 in London between the Hellenic and British Ministries of Culture, together with observers from UNESCO and the British Museum,
2. Acknowledges the fruitful co-operation between Greece and the UK on cultural matters and expresses the wish that this should continue and work as a catalyst in this respect,
3. Acknowledges with great satisfaction the accomplishment and opening of the New Acropolis Museum on 20 June 2009 wherein it will be possible for the Parthenon Marbles to be exhibited in a special hall in direct visual contact with the monument,
4. Thanks Greece for inviting the Director General of UNESCO and representatives from the UK to the opening ceremony of the Museum,
5. Takes note that three sculptural fragments have respectively been returned from the University of Heidelberg and loaned from Italy and the Vatican to Greece to be co-exhibited in the Parthenon Hall for the sake of their reunification with the original parts from which they were detached,

6. Invites the Director General to assist in convening necessary meetings between Greece and the UK with the aim of reaching a mutually acceptable solution to the issue of the Parthenon Marbles.

Recommendation No. 2

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation

Recalling the request of Turkey for the Sphinx of Boğazköy, which is currently on display in the Berlin Museum,

Noting the legal and cultural arguments, that have been made by both States concerned over a number of years,

Recalling the previous Recommendations (No. 2) adopted by the Committee on this question at its sixth, tenth, eleventh, twelfth, thirteenth and fourteenth sessions,

Acknowledging the continuing concern of Turkey for the long-awaited resolution of the issue of the Sphinx,

Noting that Turkey has transmitted a new dossier to the German side regarding the Sphinx during the 17th Session of the Turkish-German Joint Cultural Commission Meeting which took place in Ankara on 16-17 October 2006,

Recalling that the issue of the return of the Sphinx is a pending agenda item of the Committee since 1987,

Noting with satisfaction that the 7,400 cuneiform tablets which were part of the original request of Turkey from the German Democratic Republic were returned in November 1987, following the 5th Session of the Committee in April 1987,

Noting also that the Boğazköy Sphinx was situated at Boğazköy (Hattusha) where it was excavated, which was the capital of the Hittite Empire and is currently inscribed in the UNESCO World Heritage List,

1. Expresses its hope that the pending request of Turkey with regard to the issue of the Sphinx will be solved through bilateral negotiation,
2. Takes note of the fact that the last bilateral negotiations on this issue took place on 19 November 2002 in Berlin, without reaching a solution,
3. Invites both Parties to hold comprehensive bilateral negotiations as soon as possible with a view to bringing this issue to a mutually acceptable solution,
4. Also invites the Director-General to continue his good offices towards the resolution of this issue and to report to the Committee at its sixteenth session.

Recommendation No. 3

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation

Recalling the previous Recommendation No.3 on this question at its fourteenth session;

Acknowledging the role of Switzerland to act as a facilitator in the negotiations between the United Republic of Tanzania and the Museum Barbier-Muller,

1. Welcomes the constructive negotiation process which is carried out with a view to the return of the Makonde Mask;
2. Notes the assurance statement for the protection of the Makonde Mask provided by the United Republic of Tanzania on 5 May 2009;
3. Encourages the United Republic of Tanzania and Switzerland to continue their efforts to resolve this matter in a positive manner.

Recommendation No. 4

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation

Taking note of the progress achieved during the examination of the draft rules of procedure on mediation and conciliation;

4. Decides, in the application of Rule 10.1 of its Rules of Procedure, to constitute a sub-committee to continue inter-sessional discussions on the draft text and to present the results of its work during the next session of the Committee,
5. Decides that the sub-committee, which will be open-ended, will be composed in accordance with the principles of a balanced geographic distribution after consultation with the Presidents of the regional groups.

Recommendation No. 5

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation

Decides to hold its 16th ordinary session at UNESCO Headquarters during the first half of 2010.