

Opening address

by

**Ms Françoise Rivière
Assistant Director-General for Culture**

on the occasion of the Expert meeting

Seoul, Republic of Korea, 26 November 2008

Mr Director of the Cultural Heritage Administration,
Distinguished Ambassadors,
Ladies and gentlemen,

It is an honour for me, acting on behalf of the Director-General of UNESCO, Mr Koïchiro Matsuura, to open the Expert meeting of this extraordinary session held to mark the thirtieth anniversary of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation.

This commemoration is being held on the initiative taken by the Republic of Korea at the 14th ordinary session of the Intergovernmental Committee, in June 2007. It was an unprecedented initiative in the Committee's 30 years of existence and was thus immediately and unanimously approved by the Committee's 22 Member States, which made a recommendation on the subject to the Director-General of UNESCO.

This initiative, however, would undoubtedly never have come to fruition so soon had it not been for the generosity of the Korean authorities, who have made every effort to ensure that it would be achieved in full. Furthermore, the Republic of Korea has also extended its generosity to the 22 States Member of the Intergovernmental Committee by defraying the expenses of one member of each delegation.

The financial commitment of the Republic of Korea gave rise to an additional contribution of \$30,000 for use in producing a compendium on the issue of the return of cultural property, which will permit a state-of-the-art review and appraisal. This is yet another unique initiative on which Professor Prott will report in detail to the Expert Committee tomorrow evening.

I am therefore delighted that so many of you – museum directors, curators, lawyers, experts, journalists and representatives of governmental and non-governmental organizations specialized in the return of cultural property – have taken up the invitation to meet here today.

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As you know, the commemoration has been organized jointly by the Cultural Heritage Administration of the Republic of Korea and UNESCO's Culture Sector, of which I am Assistant Director-General.

Accordingly, it has been decided, by common agreement and close consultation between the Republic of Korea's Cultural Heritage Administration and UNESCO's Culture Sector that the session would convene on the first day as an expert meeting, chaired by the Republic of Korea, for a general and public debate on the Committee's role, on recent and symbolic cases of restitution and on return and restitution in Asia. In that connection, none of the conclusions – and here I say "conclusions" and not "declarations" – adopted at the expert meeting and set out formally in any document will be binding on UNESCO or its Member States.

Furthermore, all of the experts have been invited in a personal capacity and their statements here will not bind the States of which they are nationals.

It was also agreed that the next two days would be devoted to the extraordinary session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation, a permanent body established by the UNESCO General Conference at its 20th session in 1978 and comprising 22 Member States elected from among the Member States of the Organization. As a result, any recommendations adopted at the end of this extraordinary session will naturally be a document of the Intergovernmental Committee and will be legally binding on it.

The invitation extended by the Republic of Korea afford an opportunity not only to commemorate the 30th anniversary of the Committee by associating an important date in its history with an assessment of achievements since its establishment in 1978 but also, exceptionally, to continue the discussions initiated at two events held by UNESCO and its Member States, namely the February 2007 Forum on “Memory and Universality: New challenges facing museums” and the Athens International Conference on the Return of Cultural Property to its Countries of Origins held in March 2008.

Allow me to remind you of the context of the February 2007 discussions on “Memory and Universality”. The purpose of the reflection on museums initiated in 2005 by UNESCO and resumed during the second public debate, held at the Organization’s Headquarters on 5 February 2007, was to establish constructive dialogue between museum professionals, academics and representatives of UNESCO Member States on the transfer of cultural works and property. The contradiction between the universal mission of museums and massive transfers of cultural property throughout history has indeed given rise to lively debate in professional circles.

Many countries have thus become aware of the importance of the museum as a place for preserving, studying and displaying their cultural past. Some countries have therefore appealed to the international community, particularly to UNESCO, for assistance in reconstituting their cultural memory and traditional knowledge by requesting the return of objects held in foreign collections. Such requests suggest that new forms of cooperation, satisfactory to all, should be studied and established between museums, governments and heritage professionals.

To achieve this goal, UNESCO has endeavoured for many years, in meetings such as today’s, to ensure that all stakeholders are closely involved in addressing the application of normative instruments and the social and political use of cultural property from the same critical and constructive standpoint.

Tomorrow afternoon, Ms Korka will speak in greater depth of the Athens International Conference on the Return of Cultural Property to its Countries of Origin held in March 2008. Nonetheless, I should like to highlight some salient points in the conclusions adopted at the conference.

- The experts gathered in Greece stressed the importance of international conferences held by UNESCO to enable specialists, lawyers, museum and art market professionals to study the issue of the return of cultural property to its country of origin more intensively in order to produce viable and realistic solutions. The commemorative session here in Seoul is one concrete action and other opportunities will arise in 2009, especially on the occasion of the 15th ordinary session of the Committee.
- The experts also stressed that it was essential to make the public and, in particular, the younger generation aware of trafficking in cultural property. In that connection, I must point out that last spring the Director-General of UNESCO launched a campaign to raise awareness of the vulnerability of the Mesopotamian region’s archaeological heritage, considerably affected in recent years owing to pillaging in Iraq. The action taken involved all UNESCO Member States, as well as IGOs, NGOs and major players in the global art market. That was only the first step – and I know that it was not sufficient – in a wide-ranging endeavour that will be pursued in 2009 and will include a tourist-oriented audio-video campaign on world heritage sites and other features. I take this opportunity to call on patrons of the arts, tour operators, airline companies and major airports to give their financial support to this initiative.
- The experts gathered in Athens then called for the Committee’s role to be strengthened by the necessary means, resources and infrastructure and for particular efforts to be made to encourage mediation either through the Committee or by other means of alternative dispute resolution. I think that the three days of reflection ahead are vital in this respect. I believe that particular attention will be paid to the proposals that the Committee members, with the

experts' assistance, will prepare, particularly next Friday. We shall thus meet another expectation expressed last March in Athens, namely that "requests and negotiations for the return of cultural goods can work as a vehicle for cooperation, collaboration, sharing, joint research and economic promotion".

The Proceedings of the Conference will be published next spring by UNESCO, with the financial support of Greece, and made available to Member States and the public in several languages during the 15th session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation, in June 2009.

Lastly, I draw attention to the link, pointed out in Athens, between the enjoyment of cultural property and the fundamental rights of the individual: everyone knows how much cultural identity embodies heritage in all its forms – whether immovable or movable, tangible or intangible – the common thread being the dialogue on the return of cultural goods of importance to their country or community of origin, for which museums must be prepared. I shall conclude on this note: dialogue must be encouraged, not imposed, in accordance with codes of ethics and on the basis of the moral, scientific and humanitarian principles promoted by UNESCO for more than 60 years now.

I hope that our discussions will contribute by enriching this dialogue and proposing long-lasting solutions.

Thank you.

