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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**

**Eighteen Session
Paris, UNESCO Headquarters, Room II
22 June 2012**

Provisional agenda point 5: Discussions on the Fund of the Committee

Decision required: paragraph 9

I. HISTORY

1. The Fund of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (hereafter referred to as “the Fund” and “the Committee”) was initiated in January 1999 by Recommendation No. 6 of the 10th session of the Committee and adopted in November 1999 by Resolution 27 of the 30th session of the UNESCO General Conference. Nonetheless, the history of the conception and development of the Fund dates back several decades. In 1977, the International Council of Museums (ICOM) compiled a publication untitled *Study on the Principles, Conditions and Means for Restitution or Return of Cultural Property in View of Reconstituting Dispersed Heritages* in which the creation of a Fund to finance such projects was strongly encouraged. Additionally, the Committee recommended the elaboration of such a fund at its inception in November 1978.

II. BACKGROUND

2. The Fund was created with a view to facilitating the work of the Committee and supporting Member States in their efforts to pursue the return or restitution of cultural property and effectively fight against illicit trafficking. The main reasons for the creation of the Fund are, essentially, to cover the costs of:

- verifying the cultural objects by experts;
- training museum professionals in the country of origin;
- creating and maintaining comprehensive inventories; and
- setting up facilities to cover:
 - shipping and handling,
 - insurance costs, and
 - outfitting the venue to exhibit the objects in satisfactory conditions.

III. CONTRIBUTIONS TO THE FUND

3. At the 11th session of the Committee, which took place in March 2001, the Director-General at the time, Mr Koïchiro Matsuura, encouraged all States to contribute generously to the Fund to make possible the effective restitution of cultural property to its rightful owner. The Fund is financed exclusively by voluntary contributions. As of 1 June 2012, the balance of the Fund amounts to USD 123,225.

4. Who can contribute?

- UNESCO Member States
- Specialized agencies of the United Nations system
- Intergovernmental organizations¹

Contributions may also be made in the form of services (such as technical assistance, training) and in kind (such as equipment).

IV. CRITERIA FOR GRANTS

5. Requests for funding must

- be related to the requests by a UNESCO Member State or Associate Member of UNESCO for the return or restitution of a cultural object that constitutes fundamental significance from the point of view of the spiritual value and cultural heritage of the people of such State and which has been lost as a result of colonial or foreign occupation or a a result of illicit appropriation; and

¹ Contributions from Member States of the United Nations that are not UNESCO Member States, as well as from public and private organisations and individuals, are subject to prior approval of the Committee or, by delegation of authority, its Chairperson.

- be in conformity with the objectives and principles articulated in the Committee Statutes and mandate, taking into consideration cultural identity, educational needs and the policies of the countries or regions concerned, and;
- strengthen the national capacities to combat illicit traffic and facilitate its prevention or the restitution of cultural heritage objects or exchange of information in this area.

V. APPLICATION PROCESS TO REQUEST FUNDING

6. As per the Operational Guidelines of the Fund of the Committee, requests for application of the Fund are to be submitted to the Secretariat of the Committee by
- the national authority of the Member State responsible for relations with UNESCO; or
 - inter-governmental or non-governmental organizations (IGOs) and similar institutions with which UNESCO has official relations, if endorsed by a Member State.

VI. PRIORITIES OF THE FUND IN SELECTING PROJECTS

7. Priority is given to projects submitted by UNESCO Member States
- that aim to return cultural objects to their countries of origin where cultural heritage has become an object of extreme dispersion; or
 - that aim to strengthen regional and national capacities (particularly in developing countries) through public awareness-raising campaigns and the creation of museums and other institutions responsible for the preservation of cultural heritage objects.
8. In the event that a proposal is approved, the Director-General of UNESCO will administer funding through the resources available to the Secretariat of the Committee.

VII. DRAFT OF RECOMMENDATION 18.COM 5

9. The Intergovernmental Committee may wish to adopt the following resolution:

The Intergovernmental Committee,

1. *Having considered document ICPRCP/12/18.COM/4,*
2. *Takes note of the information contained in the aforementioned document.*
3. *Encourages States to increase further their voluntary contributions to the Fund in order to make it more operational.*
4. *Urges them to make use of the Fund for return or restitution of cultural property.*