

EVENTS AND CONFERENCES

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The 1995 Unidroit Convention Academic Project: Facilitating the Study of the Unidroit Convention on Stolen or Illegally Exported Cultural Objects

Background Information

Recent intentional destructions of world cultural heritage and the increased illicit trafficking of smuggled artefacts has resulted in a significant rethink of educational systems and models. Understanding the fundamental value of cultural heritage as a messenger of humankind's identity will improve measures of preservation. Due to the need for global action at various levels via a multilateral approach, Unidroit is providing institutional and legal assistance, complementing the actions relating to exchange and cooperation and the operational measures provided by its partners.

The Project

Education is a key tool in protecting cultural property and combating illicit trafficking. In an attempt to involve educators, scholars, college students, lawyers, and art professionals and increase their awareness about the instruments aiming at protecting cultural heritage from illicit conduct, in November 2017, Unidroit launched the 1995 Unidroit Convention on Stolen or Illegally Exported Cultural Objects Academic Project ("UCAP").

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UCAP is an online platform of shared materials related to the 1995 Unidroit Convention, Unidroit-UNESCO Model Provisions on State Ownership of Undiscovered Cultural Objects, and their synergy with other related instruments. A searchable electronic storage contains legal texts, preparatory materials, acts and proceedings from diplomatic conferences, commentaries, national implementation materials, case-law, scholarly articles, and professional materials.

The Project's Objectives

UCAP's main objective is to provide an opportunity to assess the significance, the distinctive features, and the operational aspects of the 1995 Unidroit Convention and its interaction with other regional and international instruments, with a view towards also assessing their legal impact. To accomplish this, UCAP needs the assistance of scholars and professionals. Thus, for the time being UCAP has emerged as a joint undertaking between Unidroit and universities holding courses in the field of cultural heritage law, art law, or simply interested in the topic.

UCAP also aims to promote a favourable legal environment for the restitution and return of stolen or illegally exported cultural objects through knowledge-sharing and dissemination, as well as projects pursued individually by the partners and members or on the basis of joint initiatives. In this context a key role is played by the divulgation and implementation of treaties and soft law instruments.

Sponsors and Partners

Apart from its main sponsors such as UNESCO, INTERPOL, and UNODC, as of today UCAP counts ten institutional partners, mainly universities, and 15 individual partners in different parts of the world. Individual partners include professors, experts in the field of cultural heritage law and/or art market experts. Other universities, professors, and professionals are finalizing their application procedures.

Universities are encouraged to hold courses and carry out activities and projects in partnership with Unidroit and other partners, with the aim of establishing an academic network which will serve as a basis for advanced international cooperation.

As UCAP also seeks to assist practising lawyers, judges, other government officials, as well as art market players such as art collectors, dealers, auction houses, and museums by providing information about the 1995 Unidroit Convention, it is in the process of inviting such stakeholders to become involved in the project.

Addressing the Art Market

Taking a step further into cultural heritage education, studies, and research carried out under the auspices of UCAP will facilitate the identification of best practices in the art market in order to provide innovative means of implementation of the aforementioned instruments.

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Under the menu “Selected Topic” are listed eight topics that need to be more extensively discussed. Among those topics, the issues of “due diligence”, “art collections”, “compensation”, and “cultural objects” directly involve the art market.

Future Activities

With the aim of giving visibility to the activities of partner organizations, the Academic Project is planning to organize an Annual Conference which will present the results of the research carried out within the framework of the Project, whereby universities or entities engaged in this field in general will be able to interact with particular professionals. The Annual Conference will be hosted in turn by one of the *Leading partners* and the Conference and presentations will be given enhanced visibility on the UCAP website.

The new research, studies, and case law provided by UCAP’s partners and dealt at the Annual Conference will feed the discussions at the meetings of the Ratification Task Force on the 1995 Unidroit Convention, which was established in 2017 at the UN Headquarters in New York to enhance ratifications/accessions to the Convention and which will meet annually in New York.

A legal advisory panel will be established to supervise the achieved results, work being carried out, and papers submitted. Periodic calls for papers will stimulate participation and research on both generic and specific topics falling within the scope of the 1995 Unidroit Convention. The panel will also assess the legal impact of the Unidroit Convention in States Parties to the Convention, as well as in States which are not yet parties.

Useful links

UNIDROIT website: www.unidroit.org
The 1995 UNIDROIT Convention Academic Project: www.1995unidroitcap.org

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