

CULTURAL HERITAGE AT STAKE

CONCEPT NOTE

UN General Assembly High-Level Week Side Event

23 September 2026 | CR 12, UN HQ, 15:00-16:30

Hosted by the Permanent Missions of Greece and Italy, in cooperation with EPLO

Addressing Looting, Illicit Trafficking and Restitution through International Law, Operational Cooperation and Cultural Diplomacy

Armed conflicts, the deliberate destruction of cultural sites, looting, and the illicit trafficking of cultural property have proved to be recurrent threats to cultural heritage protection over time. Far from being isolated phenomena, these activities cause irreparable damage to the historical memory and cultural identity of nations and communities, while simultaneously fueling transnational organized crime and, in situations of conflict and political instability, contributing to the financing of armed and terrorist groups. As such, the protection of cultural heritage becomes a matter that extends well beyond the cultural sector, encompassing international relations and security, as well as the rule of law. Addressing these interconnected threats therefore requires a coordinated international response capable of combining legal, operational and diplomatic efforts.

A paradigm shift

As complex challenges, these phenomena call for a broader understanding of cultural heritage protection issues at the international level. While statutory and regulatory instruments remain essential in preventing such activities, experience has shown that legal responses alone cannot adequately address the broader political, cultural and security implications of these phenomena. Therefore, international cooperation, cultural diplomacy and shared responsibility increasingly represent not only the outcome of legal processes, but also concrete tools in their own right to counter and ultimately prevent these phenomena. As a result, they also contribute to build mutual trust and reinforce long-term partnerships among States and cultural institutions involved.

The evolving international framework

This approach is increasingly reflected in the development of international and regional legal and policy frameworks. Recent initiatives demonstrate a growing commitment to strengthening both the legal and ethical dimensions of the protection and restitution of cultural property. While international conventions have established the fundamental principles governing the prevention of illicit trafficking, restitution and international cultural cooperation, subsequent developments at both UNESCO and European Union level have progressively strengthened specific aspects of this framework, including the return of unlawfully removed cultural objects, the regulation of the import of cultural property, due diligence obligations, provenance research and ethical standards for market actors. Yet, the complexity of contemporary challenges demonstrates that hard-law provisions alone cannot always provide comprehensive solutions. Instead, soft-law instruments, institutional dialogue, ethical standards and voluntary forms of cooperation increasingly complement binding legal rules, facilitating mutually agreed solutions. In this regard, the work of UNESCO's Intergovernmental Committee for Promoting the Return of Cultural Property (ICPRCP) in facilitating the return and restitution of cultural property to the countries of origin, the ongoing revision of the International Code of Ethics for Dealers in Cultural Property, as well as the European Union's regulatory framework and Action Plan against trafficking in cultural property are examples of a more comprehensive approach based on international cultural cooperation and shared responsibility among States, cultural institutions and

other actors. Most importantly, a soft-law instrument of this kind is UN General Assembly Resolution 79/133 (2024), entitled “Return or restitution of cultural property to the countries of origin”. The Resolution underscores the role of cultural diplomacy as both a vehicle and a bridge enabling states to negotiate the return of cultural property.

However, translating these evolving legal, policy and organizational frameworks into effective action and initiatives requires strong cooperation across institutions and borders. Specialized law-enforcement authorities, judicial bodies, customs services, cultural institutions (*e.g.*, museums), international organizations, market actors and academic institutions all play complementary and pivotal roles in preventing the illicit trafficking of cultural property, facilitating restitution and safeguarding cultural heritage. At the same time, technological innovation (including provenance research, interoperable databases, digital monitoring tools and artificial intelligence) is opening up new opportunities for preventing, detecting and investigating crimes related to cultural property. Experiences developed through international cooperation among organizations such as UNESCO, ICOM, INTERPOL, Europol, Eurojust and specialized national authorities (*e.g.*, Italy’s Carabinieri Tutela Patrimonio Culturale) further demonstrate the importance of operational coordination, information-sharing, coordinated action and capacity-building in responding to increasingly sophisticated forms of cultural property crime.

The initiative

Greece and Italy are seeking to promote this integrated approach. As countries whose cultural heritage has long been affected by looting, illicit excavation and unlawful export, they share a strong commitment to the protection of cultural property and extensive experience in international cultural cooperation. At the same time, their experience extends beyond the pursuit of individual returns. Their legal, diplomatic and operational practices demonstrate how cultural cooperation can form part of a lasting framework. Experiences of voluntary return and institutional dialogue, including the return of the Fagan Fragment from Italy to Greece, illustrate how cooperation among cultural institutions and shared responsibility can complement formal legal mechanisms and enable cultural property issues to contribute to trust-building and renewed cultural relations. An approach also consistent with UNESCO’s longstanding efforts to strengthen international cooperation in the prevention of illicit trafficking and the return and restitution of cultural property, notably through the 1970 Convention and the work of its Intergovernmental Committee. Within the framework of this initiative and by joining forces, Greece and Italy therefore intend to place this experience at the service of the international community by working together to promote dialogue on these issues, bringing together different actors and fostering mutual exchange. Ultimately, the initiative seeks to contribute to the development of international strategies for the protection of cultural property.

The side event

The side event aims to highlight crucial issues, including the deliberate destruction of cultural sites, looting, and the illicit trafficking of cultural property, while providing an opportunity to examine these challenges further and identify effective solutions through an international conference to be held in Rome in 2027.