

RECOMMENDATIONS FOR THE CARIBBEAN

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On the occasion of the 42nd anniversary of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the Regional Office for Culture for Latin America and the Caribbean of UNESCO in Havana and the Saint Lucia National Commission for UNESCO, agreed to organize a regional workshop entitled "Sub-regional Capacity Building and Awareness Raising Programme to enable Caribbean Member States to effectively fight illicit trafficking in Cultural Property". This activity was part of a UNESCO Capacity Building Program worldwide financed by the Director General Emergency Fund and also received additional funds from the UNESCO Havana Regular Program and from the Ministry of Culture and Education of the Netherlands.

Caribbean states are confronted with illicit trafficking of pre-Columbian, religious and colonial cultural heritage, as well with the illicit commercialization of the underwater cultural heritage recovered from shipwrecks and other submerged structures.

Participants from Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, St Maarten, Saint Vincent and the Grenadines, Suriname and Saint Lucia responded to the invitation by sending one representative. Saint Lucia, the host country, had a representation of fourteen participants coming from the various target groups.

The main objectives of the workshop were:

- To promote the effective implementation of UNESCO's standard-setting instruments in the field of culture, particularly the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; and the 2001 Convention for the Protection of the Underwater Cultural Heritage, as well as the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.
- To provide training on the effective use of existing legal and operational tools to safeguard and to preserve cultural heritage.
- To encourage international cooperation with specialized institutions and amongst the member states
- To raise awareness on the need to fight illicit trafficking of cultural objects.

Opening remarks were made by the Honorable Senator Dr. Kentry Jn. Pierre, Parliamentary Secretary of the Ministry of Tourism, Heritage and Creative Industries in Saint Lucia, Mr. Eustace Monroe, Permanent Secretary, Ministry of Education, Human Resources Development and Labor in Saint Lucia, and Ms. Marcia Symphorien, Secretary-General of the Saint Lucia National Commission for UNESCO.

The first working session was devoted to UNESCO's standard setting instruments in the field of culture, particularly the 1954, 1970 and 2001 Conventions. Emphasis was made in the interrelation of these legal instruments and the need to consider them as a united

force to best protect cultural heritage in the Caribbean, particularly victim of plundering and looting of underwater archaeological sites and of the introduction of stolen artifacts from these sites into the illicit market of antiquities.

This was followed by a presentation on the UNIDROIT Convention, the analysis of the term "cultural objects", the UNESCO database on National Cultural Heritage, and a presentation on the model provisions on State ownership of undiscovered cultural objects. Indeed one of the main problems that the region is confronted with is the illicit traffic of cultural objects extracted from archaeological sites.

For the following two days the agenda was organized around four thematic debates: the status of national registries and inventories, the use of export certificates, national data basis, recovery statistics in and out; the mechanisms of control; the mechanisms for setting standards and risk assessment and the raising awareness.

During the debates the participants expressed several needs and requirements such as develop regional awareness raising campaigns, especially for tourists and young people, and a general request by participants was to organize trainings of trainers and to develop efficient regional strategies to improve networking among the different police forces and custom bodies to share information and cooperate regionally and internationally in this field.

Conclusions and recommendations

The participants of the Sub-regional Capacity Building Program to enable Caribbean Member States to effectively fight illicit trafficking in Cultural Property that took place in Gros Islet, Saint Lucia, from 3 to 5 December, 2012.

Thank the Director-General of UNESCO, Ms Irina Bokova, for providing the necessary funding for the workshop, out of the emergency funds of UNESCO.

Express their deep gratitude to the government of Saint Lucia for hosting the workshop.

Further thank the Government of the Netherlands as well as the UNESCO Regional Office for Culture for Latin America and the Caribbean for their financial support to the organization of the workshop.

Recognizing the current vulnerable situation of the underwater and land cultural heritage of the Caribbean, invite all participants in the seminar (Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, St Maarten, Saint Vincent and the Grenadines, Surinam and Saint Lucia) to strengthen their cooperation with national, regional and international institutions in the development of a joint strategy for the preservation of cultural heritage in the Caribbean to fight against illicit trafficking of cultural objects.



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Referring to the discussions and suggestions during the workshop, the participants propose to the States and governmental and non-governmental organizations as a priority action plan the following recommendations:

A. Short term actions

1. Establish or complete inventories of cultural properties, both in public and private ownership, and archaeological sites, with a priority emphasis on cultural objects that are particularly vulnerable to destruction, theft and illicit exportation, as well as on archaeological sites vulnerable to illicit excavations.
2. Encourage the inclusion of an item dealing with the illicit traffic of cultural property on the agenda of the 19th Forum of Ministers of Culture and officials in charge of Cultural Policies of Latin America and the Caribbean and the first meeting of Ministers of Culture of the CELAC (Community of Latin American and Caribbean States) to take place in Surinam in the first trimester of 2013.
3. Create or identify specialized law enforcement services responsible for the prevention of and the fight against illicit traffic of cultural property; and develop the coordination between those services and relevant regional and international organizations.
4. Develop the training of police, customs and all civil and military personnel involved at the front line of the fight against this trafficking (collection and dissemination


- of information, communication, customs control, supervision of sites, control on Internet, etc.) at a national level and sub-regional involving the international organizations and specialized police forces.
5. Strengthen the cooperation between police, customs and cultural heritage services, together with the relevant regional and international organizations (e.g. UNESCO, UNIDROIT, INTERPOL, WCO, ICOM) and share the relevant information in order to fight against illicit traffic in cultural objects.
 6. Contribute to update the UNESCO database of national cultural heritage laws.
 7. Create national databases of stolen cultural objects and enhance diffusion, consultation and transmission of data to the INTERPOL stolen works of art database.
 8. Encourage professionals of museums and the art market to diffuse and apply the UNESCO and ICOM codes of ethics.
 9. Closely involve media in the spread of information concerning the heritage threatened or in danger in view of the media's ability to mobilize together with the heritage stakeholders.
 10. To encourage the Caribbean State Parties to the 1970 Convention to lobby to have representatives in the newly established subsidiary committee to this Convention (18 members) in order to ensure that the voice of the Caribbean be heard.
 11. Sensitize politicians to the need to fight illicit trade of cultural property.

B. Medium-term actions

1. Consider becoming Party to the relevant conventions especially the UNESCO 1954 (The Hague), 1970 and 2001 Conventions, as well as the 1995 UNIDROIT Convention.
2. Adopt or update legislation concerning protection, management and promotion of the cultural heritage with an emphasis on:
 - the definition of cultural objects,
 - ownership and transfer of ownership of cultural objects,
 - the creation of inventories,
 - regulation of archaeological excavations,
 - the prevention and the fight against the theft of cultural objects,
 - the control of trade, including via Internet,
 - export certificates and customs controls,
 - restitution procedures,
 - the creation of services specialized in the protection of cultural heritage,
 - administrative and criminal sanctions in order to impose severe penalties.
3. Develop campaigns of information, awareness raising and education in order to mobilize all members of society in preventing and fighting against the illicit trafficking of cultural properties with emphasis on young population;
4. Identify partner countries in order to negotiate and conclude bilateral agreements on the reciprocal

protection and restitution of stolen or illegally exported cultural properties, while ensuring the implementation of the existing international conventions in this field.

C. Long-term actions

1. Enhance the legal and regulatory tools for the prevention and the fight against illicit trafficking of cultural properties while applying relevant international conventions.
2. Guarantee on-going training of the personnel of the services mentioned above.
3. To meet again within two years in a regional workshop on the same theme with the objective to evaluate both experiences and results obtained, and to draft a new action plan.
4. Encourage the inclusion of matters dealing with the fight against illicit traffic of cultural property on the CARICOM agenda. 



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