

# United Nations Office on Drugs and Crime

**Hamburg Model United Nations**  
*“Shaping a New Era of Diplomacy”*  
28<sup>th</sup> November – 1<sup>st</sup> December 2019



## Welcome Letter by the Secretary Generals

Dear Delegates,

we, the secretariat of HamMUN 2019, would like to give a warm welcome to all of you that have come from near and far to participate in the 21st Edition of Hamburg Model United Nations. We hope to give you an enriching and enlightening experience that you can look back on with joy.

Over the course of 4 days in total, you are going to try to find solutions for some of the most challenging problems our world faces today. Together with students from all over the world, you will hear opinions that might strongly differ from your own, or present your own divergent opinion. We hope that you take this opportunity to widen your horizon, to, in a respectful manner, challenge and be challenged and form new friendships.

With this year's slogan "Shaping a New Era of Democracy" we would like to invite you to engage in and develop peaceful ways to solve and prevent conflicts. To remain respectful and considerate in diplomatic negotiations in a time where we experience our political climate as rough, and to focus on what unites us rather than divides us. As we are moving towards an even more globalized and highly military armed world, facing unprecedented threats such as climate change and Nuclear Warfare, international cooperation has become more important than ever to ensure peace and stability.

During the last year our team has worked tirelessly to turn HamMUN into a platform for you, where you can grow as a person, step out of your comfort zone and be the best delegate you can possibly be. We can't wait to share it with you and are looking forward to an unforgettable time.

Yours Sincerely,

Leah Mathiesen & Tobias Hinderks

Secretary Generals



## Introduction Letter by the Chairs

Dear Delegates,

Welcome to Hamburg Model United Nations 2019, and to the UNODC! We are looking forward to meeting all of you and facilitating some fiery debates over the course of the conference.

Before the conference begins, we would like to invite each and every one of you to speak up during committee; whether that be through raising your placard, getting involved during unmods, or lobbying your fellow delegates, we would love to see everyone being engaged with the debates we have forthcoming. For those newer to MUN, we wish to encourage you to get involved. Nobody becomes confident without practice and raising your country's position is a great way to do that. Other than people wanting to see to see their resolutions pass, MUN is about making connections and pushing boundaries that you may have set in your mind. It's about taking part and seeing what you can achieve with like-minded (and sometimes very differently minded) people around you.

We hope to see everybody working towards solutions, something which will require compromise and understanding. A large part to having a successful and focused debate is knowledge of country policies so we hope to see everyone coming prepared to the debate. With the topics being very relevant to present day society we hope that all of you enjoy engaging with the content and coming up with some innovative solutions.

Besides all of the formalities, we look forward to getting to know all of you over the course of the conference!

Abi and Anna Lisa



## Introduction to the Committee

### 1. The UNODC

The United Nations Office of Drugs and Crime (UNODC) was founded in 1997 in order to improve international cooperation in response to drug and crime matters which affect the world where these issues are not limited to a certain jurisdiction.<sup>1</sup> When it comes to transnational crime the limits of jurisdictional and territorial independence often prevent the effective response to crisis. This is because states are presumed to be sovereign and equal; interference in the internal matters of a state is prohibited under the UN Charter<sup>2</sup> and cemented in the General Assembly Declaration on principles of international law friendly relations and co-operation among states in accordance with the charter of the united nations:

*All States enjoy sovereign equality. They have equal rights and duties and are equal members of the international community, notwithstanding differences of an economic, social, political or other nature. In particular, sovereign equality includes the following elements:*

- a. States are judicially equal;*
- b. Each State enjoys the rights inherent in full sovereignty;*
- c. Each State has the duty to respect the personality of other States;*
- d. The territorial integrity and political independence of the State are inviolable;*
- e. Each State has the right freely to choose and develop its political, social, economic and cultural systems;*
- f. Each State has the duty to comply fully and in good faith with its international obligations and to live in peace with other States.*

*The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter-:*

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<sup>1</sup>'About UNODC' (UNODC, 2019) accessed 14 September 2019  
<https://www.unodc.org/unodc/en/about-unodc/index.html?ref=menutop>

<sup>2</sup>Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS 16 Art. 1



*Every State has the duty to fulfil in good faith the obligations assumed by it in accordance with the Charter of the United Nations.*

*Every State has the duty to fulfil in good faith its obligations under the generally recognized principles and rules of international law.*

*Every State has the duty to fulfil in good faith its obligations under international agreements valid under the generally recognized principles and rules of international law.<sup>3</sup>*

The UNODC was created as a means for member states to coordinate their response and support each other as to limit the extra-territorial effects.<sup>4</sup> It is also an agency in its own right which takes independent actions to prevent, combat and mitigate issues of narcotic drugs and transnational crime.

## 2. The CCPCJ

Contrary to popular belief, the UNODC is not a governing body as such. Instead, the UNODC has two governing bodies which are divided by their subject areas. The two ‘commissions’ where states are confronted with each other to discuss crises are the Commission on Narcotic Drugs (CND) and the Commission on Crime Prevention and Criminal Justice (CCPCJ). As we will be focusing on the crime aspect of the UNODC at this year's HamMUN, we will be simulating the CCPCJ.

The CCPCJ is the principal policy making body when it comes to international crime.<sup>5</sup> It was created in 1992 by the Economic and Social Council in Resolution 1992/1 under the authority given to it by Article 68 of the UN Charter, upon the request of the General Assembly.<sup>6</sup>

*The Economic and Social Council shall set up commissions in economic and social fields for the promotion of human rights, and such other commissions as may be required by the performance of its functions.*

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<sup>3</sup> UNGA Declaration on principles of international law friendly relations and co-operation among states in accordance with the charter of the united nations (24 October 1970) A/RES/2625(XXV)

<sup>4</sup>‘About UNODC’ (UNODC, 2019) accessed 14 September 2019 <https://www.unodc.org/unodc/en/about-unodc/index.html?ref=menutop>

<sup>5</sup> UNGA Resolution 61/252 (22 December 2006) A/RES//61/252

<sup>6</sup>‘Mandate and Functions’ (UNODC, 2019) accessed 14 September 2019 [https://www.unodc.org/unodc/en/commissions/CCPCJ/CCPCJ\\_Mandate-Functions.html](https://www.unodc.org/unodc/en/commissions/CCPCJ/CCPCJ_Mandate-Functions.html)



The goal of the CCPCJ was to give more attention to the issues of crime prevention and criminal justice which impact all member states, especially those states which request assistance from the international community.<sup>7</sup> The CCPCJ will either undertake actions to either facilitate the process of collaboration or, when requested, implement the measures themselves.

1. *Decides that, under the guidance of the Commission on Crime Prevention and Criminal Justice, the secretariat of the programme should be responsible for facilitating the planning, coordination and implementation of practical activities in the field of crime prevention and criminal justice, in close collaboration with Governments and interregional and regional institutes, specialized agencies, funding agencies, intergovernmental and non-governmental organizations, the activities of which should be promoted in this field.*<sup>8</sup>

### 3. Financing

The CCPCJ approves the budget when it comes to fighting crime via the United Nations.<sup>9</sup> It allocates funds and determines areas of special concern.

When decisions on the budget are made, they are automatically done subject to the availability of funding.<sup>10</sup> This means that regardless what is decided in a session, the success of a resolution will depend on the voluntary contributions of the member states subsequent to the passing of that resolution. The resolutions passed by the CCPCJ are primarily concerned with the substance of the issue. Individual financial contributions and budget are determined after the resolution has passed, depending on the voluntary contributions that are made by member states.

A CCPCJ resolution can include an invitation for member states to contribute additional funds, however it typically does not go into specifics. Here is an example of a resolution's statements on funding:

*Invites Member States and other donors to provide extrabudgetary resources for the purposes of the present resolution in accordance with the*

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<sup>7</sup> ECOSOC Resolution 1992/22 (6 February 1992) 1992/22

<sup>8</sup> *ibid*

<sup>9</sup> 'Mandate and Functions' (UNODC, 2019) accessed 14 September 2019  
[https://www.unodc.org/unodc/en/commissions/CCPCJ/CCPCJ\\_Mandate-Functions.html](https://www.unodc.org/unodc/en/commissions/CCPCJ/CCPCJ_Mandate-Functions.html)

<sup>10</sup> CCPCJ Resolution 26/5 (26 May 2017) 26/5 Art. 10



*rules and procedures of the United Nations and to support the work of the United Nations Office on Drugs and Crime, within its mandate, in countering maritime piracy, including through its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism used to track the illegal financial flows, its relevant regional programmes, the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and other related bilateral technical assistance efforts;*<sup>11</sup>

This means that while the resolutions are not binding *per se* as they do not create any obligations for specific member states, supporting actions are nevertheless taken to ensure an adequate response to the issue at hand. This includes the voluntary contributions of member states to the financing of the measures.

#### 4. Resolutions

CCPCJ resolutions follow the same structure as most UN resolutions; however, the content and language of the clauses varies slightly, since it is more specialized and technical. This means that precision and accuracy is important as these resolutions will determine the precise action which is to be taken.

Here are some examples of past resolutions within the topic areas that the UNODC/CCPCJ will deal with within HamMUN 2019:

[https://www.unodc.org/documents/commissions/CCPCJ/Crime\\_Resolutions/2010-2019/2012/CCPCJ\\_Resolution-21-2.pdf](https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/2010-2019/2012/CCPCJ_Resolution-21-2.pdf)

[https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_27/CCPCJ\\_res2018/CCPCJ\\_Resolution\\_27\\_5.pdf](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_27/CCPCJ_res2018/CCPCJ_Resolution_27_5.pdf)

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<sup>11</sup> UNODC Resolution 21/2



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## Topic A: Optimizing the response to Piracy and Maritime crime in the Indian Ocean

### 1. The Law of the Sea and the High Seas

When it comes to the Law of the Sea, the most important convention which regulates the behaviour of maritime actors is the United Nations Convention on the Law of the Sea (UNCLOS). For the purposes of our committee, it is advisable to become familiar with this convention.

You can find this convention here:

[https://www.un.org/Depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](https://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf)

Under International law, piracy, which is to be defined at a later point, is limited to the high seas or any other place which is outside of the jurisdictional control of any state.<sup>12</sup> This means that areas on the seas where a state has the exclusive right to exercise its sovereignty are not within the scope of our discussion. These include the 12 nautical miles measured from the baseline of the state's territory, subject to more specific rules and limitations which are not relevant at this point.<sup>13</sup> A state may also claim rights to an Exclusive Economic Zone (EEZ) which allow it to exploit the economic rights of that area; this may not be more than 200 nautical miles from the territory's baseline.<sup>14</sup> As EEZs of neighbouring countries tend to overlap, they are continuously subject to dispute and negotiation between states.

Any area of the seas which is not the EEZ, the internal waters or territorial sea of a state constitutes the high seas. Here, no state can claim jurisdiction and all states have the following rights when navigating the high seas:

- a) *Freedom of navigation,*
- b) *Freedom of overflight,*

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<sup>12</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 101

<sup>13</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Arts 2 and 3

<sup>14</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 56



- c) *Freedom to lay submarine cables and pipelines, [subject to part VI of the UNCLOS]*
- d) *Freedom to construct artificial islands and other installations permitted under international law, [subject to part VI of the UNCLOS]*
- e) *Freedom of fishing, subject to the conditions laid down in section 2 [these freedoms shall be exercised by all states with due regard for the interests of other states...]*
- f) *Freedom of scientific research, [subject to parts VI and XIII of the UNCLOS]*

When it comes to the exploitation of the high seas, states are limited in the name of protection of the high seas, since they are seen to be as a part of the common heritage of mankind which cannot be claimed or fully exploited by any group of individuals.

In order to explore the high seas and territorial limits within the Indian ocean please take a look at this map: <http://www.marineregions.org/gazetteer.php?p=details&id=26562>

Another obligation which states have on the high seas is the ‘duty to co-operate in the repression of piracy’ which shows that the issue of piracy was agreed on by all states to be one of universal concern which can be addressed by every state.<sup>15</sup> States must assist in the repression of piracy to the fullest extent possible when that piracy occurs outside of the jurisdiction of any member state. This territorial limitation again is connected to the sovereign equality of states as when piracy occurs within the territorial waters of a state, other nations cannot enter those waters to combat that behaviour (unless they are in hot pursuit<sup>16</sup>).

## 2. Piracy

### 2.1. Definition

While there is no universally agreed upon definition for piracy, especially when it comes to the understanding of what piracy is, the international community has defined piracy in Article 101 of the UNCLOS:

*Piracy consists of any of the following acts:*

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<sup>15</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 100

<sup>16</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 111



- a) *any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:*
- i. *on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;*
  - ii. *against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;*
- b) *any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;*
- c) *any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).*

Usually, piracy is connected to violence, armed robbery or other predatory behaviour which occurs in an area outside of the jurisdiction of any member state.<sup>17</sup> However, since each state has the ability to prescribe its own laws and to determine what an ‘illegal act of violence’ is, there is great potential for misunderstanding between states and disputes on the application of the rules.<sup>18</sup> The three main methods of piracy which measures usually focus on addressing are: kidnapping individuals onboard the ship for ransom, hijacking for cargo theft and robbery in general.<sup>19</sup>

A ship will be regarded as a pirate ship once its main purpose, based on the people who have control of the ship, is one of the acts included in Article 101 of UNCLOS. This status will endure as long as the person or people in charge of the ship maintain control after the illegal act has been committed.<sup>20</sup> In the case where a ship becomes a pirate ship, it is possible for that ship to lose its ‘nationality’, which is the country where it was registered. The so-called ‘flag state’ has jurisdiction and control over the matters which arise upon that ship.<sup>21</sup> The loss of

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<sup>17</sup> Martin Murphy, *Contemporary Piracy and Maritime Terrorism* (Routledge 2007) p 11-13

<sup>18</sup> *ibid*

<sup>19</sup> Curtis Bell, ‘Three Models of Piracy’ (Stable Seas) accessed 14 September 2019 <https://stableseas.org/issue-areas/piracy#1>

<sup>20</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 103

<sup>21</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 94



‘nationality’ will be determined in accordance with the laws of that state, however, for the most part, it is recognized that if piracy occurs nationality is lost, and any state has the obligation to interfere.<sup>22</sup>

In the case that a pirate ship is identified by a state, that state has the right to seize that ship in order to arrest the individuals responsible and force the cessation of the violating behaviour.<sup>23</sup>

In this case, the arresting state can determine the penalties and procedure which these individuals will be subjected to in accordance with their national laws. Nevertheless, there must be sufficient and adequate grounds for a seizure to take place.<sup>24</sup>

In rare cases, states may enter the territorial waters of another state when they are in ‘hot pursuit’ of a suspected pirate ship, when that pursuit is uninterrupted.<sup>25</sup> This means that a ship which wants to seize a pirate ship can enter the territorial waters or EEZ of a second state if in the uninterrupted pursuit of a pirate ship.

## 2.2. Reasons for Piracy

There are various theories that stipulate factors which enable or encourage piracy to occur. The reason for identifying these factors is that it assists in addressing the problem itself. These factors are:

- *Legal and jurisdictional weakness*
- *Favorable geography;*
- *Conflict and disorder (in the region);*
- *Under-funded law enforcement/inadequate security;*
- *Permissive political environments;*

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<sup>22</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art

United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 104

<sup>23</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art

United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 105

<sup>24</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 106

<sup>25</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397 Art 111



- *Cultural acceptability;*
- *Promise of a high reward with a low risk.*<sup>26</sup>

In order to get you and your research started, some of these will be discussed here.

### **2.2.1. Legal and jurisdictional weakness**

As previously mentioned, jurisdictional limits can severely impair the ability of both state and non-state actors to combat piracy; this is because the investigation and application of measures will be limited both in territorial reach and procedural promptness. Furthermore, the limitation of piracy in the UNCLOS to private acts excludes politically motivated attacks (such as terrorist attacks).<sup>27</sup> It is unclear whether the Convention for the Suppression of Unlawful Acts of Violence against the Safety of Maritime Navigation (SUA convention) would include the latterly mentioned attacks. The SUA refers to certain behaviors which are considered sufficiently grave to warrant a similar response to piracy, yet when it comes to piracy for public grounds, it is not explicit: it only refers the response to catastrophic attacks in the maritime domain and the SUA's function is to facilitate prosecution, not to respond immediately.<sup>28</sup>

### **2.2.2. Favourable geography**

In areas where the environment only poses a low to moderate risk to a group of pirates the rates of piracy will be much higher.<sup>29</sup> This includes geographical and weather conditions and the frequency of control within that area.

### **2.2.3. Permissive political environments**

Often, the states themselves will be accepting of piracy even when it comes with violence, which often leads governments to avoid dealing with the issue altogether. It is widely accepted that engaging in piracy can be incredibly economically rewarding both for the pirates

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<sup>26</sup> Martin Murphy, *Contemporary Piracy and Maritime Terrorism* (Routledge 2007) p 13

<sup>27</sup> Martin Murphy, *Contemporary Piracy and Maritime Terrorism* (Routledge 2007) p 14

<sup>28</sup> James Kraska, 'Effective Implementation of the 2005 Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation' (2017) 70 *NWCR* 1 p 1

<sup>29</sup> Martin Murphy, *Contemporary Piracy and Maritime Terrorism* (Routledge 2007) p 15



themselves and the nations that will benefit from the piracy;<sup>30</sup> for example, in 2011, piracy brought \$150 Million into the Somalian economy.<sup>31</sup> It is only understandable, in this case, that the enforcement of related rules might not be as vigorous when the benefit to the economy can be so large. Politically speaking, states have to balance the physical and economic harm to external actors (such as traders and foreign states) and the instability of the region with the economic benefit that can arise out of allowing piracy to occur. In cases where the economic benefits of piracy outweigh its disadvantages, states will be more accepting of maritime crimes which occur in their jurisdiction.

If you are interested, you can find a live piracy map here: <https://www.icc-ccs.org/piracy-reporting-centre/live-piracy-map>

### 3. The Indian Ocean

For this simulation of the CCPCJ, the focus will be on what measures can be taken to improve the response to piracy in the Indian Ocean. While in the last years the rate of piracy has decreased (especially in previously hot areas such as Somalia), the economic costs and personal danger remain very high. The cost of piracy in Somalia remains at \$1.4 Billion and 1102 seafarers were put in physical danger due to these attacks in 2017.<sup>32</sup>

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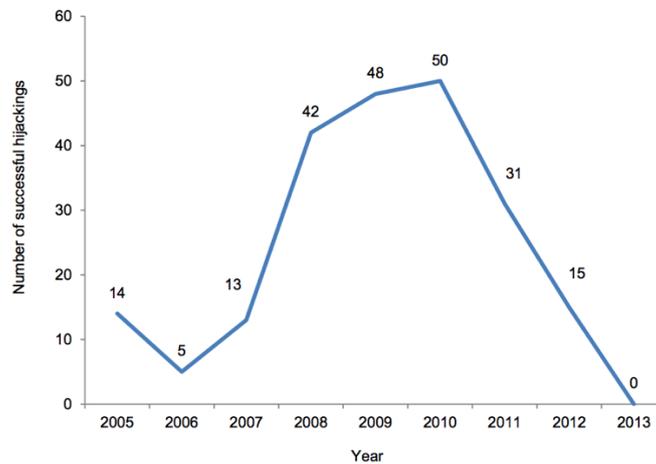
<sup>30</sup> 'Industry Issues - Piracy' (World Shipping Council Partners in Trade 2019) accessed 14 September 2019 <http://www.worldshipping.org/industry-issues/security/piracy>

<sup>31</sup> CCPCJ World crime trends and emerging issues and responses in the field of crime prevention and criminal justice (7 March 2017) E/CN.15/2017/10

<sup>32</sup> 'The State of Maritime Piracy 2017 Executive Summary' (Oceans Beyond Piracy, 2017) accessed 14 September 2019 <http://oceansbeyondpiracy.org/reports/sop/summary>



Number of successful hijackings attributed to Somali pirates, 2005-2013



Source: UNODC-World Bank database.

Figure 1 - Trends in Crime CCPCJ 2017 [https://www.unodc.org/documents/data-and-analysis/statistics/crime/ccpj/World\\_crime\\_trends\\_emerging\\_issues\\_E.pdf](https://www.unodc.org/documents/data-and-analysis/statistics/crime/ccpj/World_crime_trends_emerging_issues_E.pdf)

In 2013, there were no successful hijackings in Somalia; however, in recent years, the concerned events have been on the rise again, especially in the Indian Ocean as a whole. In 2017 alone, there were a total of 54 incidents in Eastern Africa, half of which occurred in international waters.<sup>33</sup>

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<sup>33</sup> ‘The State of Maritime Piracy 2017 East-Africa’ (Oceans Beyond Piracy, 2017) accessed 14 September 2019 <http://oceansbeyondpiracy.org/reports/sop/east-africa>





Figure 2 - Mapping of Attacks in East Africa <http://oceansbeyondpiracy.org/reports/sop/east-africa>

Furthermore, areas which are subjected to more frequent attacks are found in other parts of the Indian Ocean, such as the region which is closer to South-East Asia. For our purposes, regions 2 and 3, as marked on the map below, are relevant:



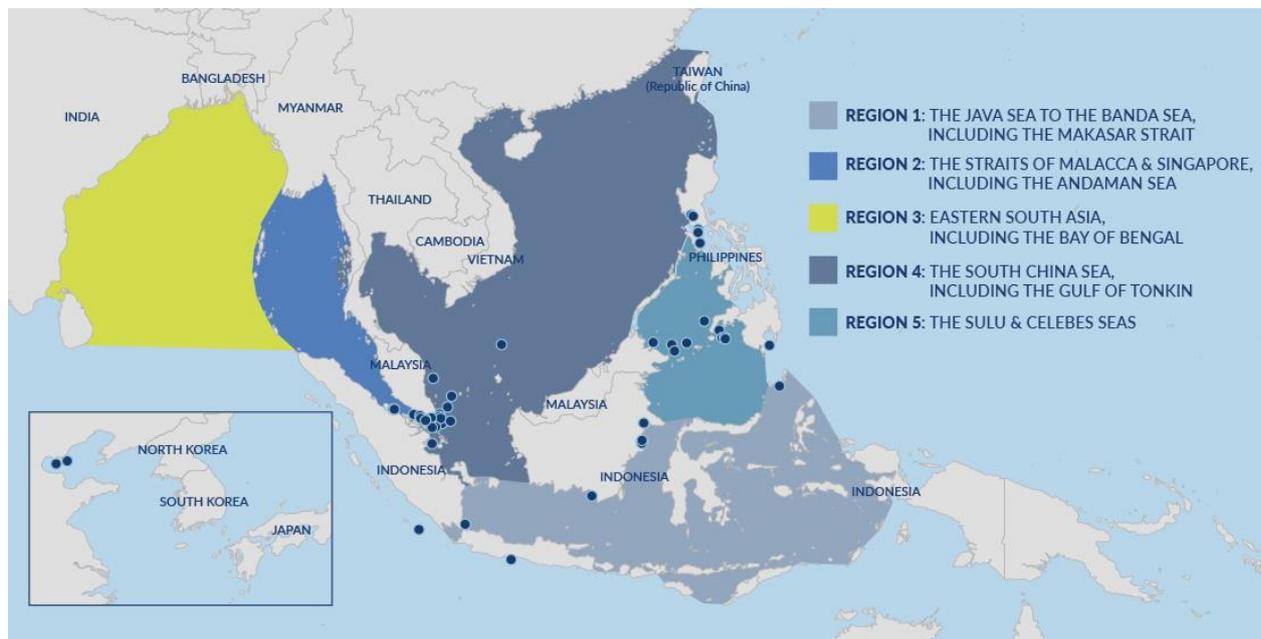


Figure 3 - Mapping of Attacks in Eastern Asia <http://oceansbeyondpiracy.org/reports/sop/se-asia>

Overall, in 2018 the UNODC Indian Ocean team again saw an increase in piracy and maritime crime within the area.<sup>34</sup>

#### 4. Current Approach to Piracy in the Indian Ocean

The UNODC has identified several areas in which it addresses its response to maritime crime. While these areas will be described in this study guide and possible problem areas will be identified, this will by no means be an exhaustive depiction. It is up to you as a delegate to research other methods in which the response to maritime crime can be optimized and improved. This can be within the mentioned areas or you can research further into other alternatives.

##### 4.1. Supporting regional cooperation

For the most part, regional initiatives exist when it comes to piracy, but they often lack in efficiency and effectiveness. In the past, the UNODC has worked on supporting these regional networks to emphasize the importance of combating piracy and to encourage collaboration.<sup>35</sup> The following initiatives have been subject to work by the UNODC:

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<sup>34</sup> UNODC Annual Report on Piracy (United Nations 2019) p 18

<sup>35</sup> Ibid.



- The Southern Route Partnership<sup>36</sup>
- The Indian Ocean Forum on Maritime Crime, which is convened by the UNODC, it focuses on various areas of importance such as:
  - The creation and convention of the Indian Ocean Prosecutors Network
  - Charcoal Trafficking
- The Contact Group on Piracy off the Coast of Somalia<sup>37</sup>
  - Meeting of the Law enforcement task force which brought together law enforcement officers in order to coordinate measures

The question now is how further steps can be taken to improve the work with these initiatives and which further initiatives could be important when it comes to improving the status of piracy within the Indian ocean.

#### 4.2. Legislative Reform

The UNODC regularly hosts conferences for local legislators, academics and legal practitioners in order to produce documents or guides for a certain question. In the past they have tackled ‘The Treatment of Vessels Without Nationality’ and created a manual for criminal practitioners within the area of maritime crime.<sup>38</sup> The types of issues which will be addressed in future conferences remain to be determined.

#### 4.3. Capacity Building

The UNODC has identified three lines of defence that can be achieved through capacity building. Capacity building means that training is given to individuals and financing is provided in order to improve the response to maritime crime. The lines of defence are:

- Support for maritime law enforcement
- Support the criminal justice process

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<sup>36</sup> ‘About Us’ (Southern Route Partnership) accessed 14 September 2019  
<http://www.southernroute.org/>

<sup>37</sup> ‘Contact Group on Piracy off the Coast of Somalia’ (US Bureau of Political-Military Affairs, 20 January 2017) accessed 14 September 2019  
<https://www.state.gov/contact-group-on-piracy-off-the-coast-of-somalia/>

<sup>38</sup> UNODC Annual Report on Piracy (United Nations 2019) p 20



- Support to correctional services<sup>39</sup>

While there is general agreement that these lines of defence are to be followed, there is always room for improvement, especially when it comes to the specifics of the actions required. While some geographical areas receive support, this needs to be expanded into areas which are recently more frequently subject to piracy. Moreover, when it comes to capacity building, the guidance from states and international organizations could be more specific, concrete and readily available.

#### 4.4. Introduction of Technology and Infrastructure

The effectiveness of the fight against maritime crime can be seriously inhibited by the lack of technology and infrastructure. This is why the UNODC has, in the past, assisted with the improvement of radio coverage in the Indian Ocean region, provided patrol boats to police in Bangladesh, and gave thermal imaging technology to the Sri Lankan government.<sup>40</sup> The question now is what further steps can be taken alongside states in order to improve their response to maritime crime. What could every state use in order to fight piracy and how can this be delivered for them?

### 5. Next Steps

When conducting your research, it is important that you exhaust both the legal arm when defining piracy is and the framework within which it operates, and the practical arm when measuring the effectiveness of operations within the Indian Ocean. You should come prepared with possible areas for improvements and the direction these improvements should take.

This means that you should look at all methods in which the fight against piracy can be improved, identify specific zones where improvement is necessary, and together with the committee come up with concrete ways in which this can all be improved.

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<sup>39</sup> UNODC Annual Report on Piracy (United Nations 2019) p 20-22

<sup>40</sup> *ibid* p 25



For this the following sources can be helpful:

A UN Guide on Piracy under International Law:

<https://www.un.org/Depts/los/piracy/piracy.htm>

The CCPCJ Website:

<https://www.unodc.org/unodc/en/commissions/CCPCJ/index.html?ref=menuside>

The Report on Maritime Crime:

[https://www.unodc.org/documents/Maritime\\_crime/20190131\\_-\\_GMCP\\_Annual\\_Report\\_2018.pdf](https://www.unodc.org/documents/Maritime_crime/20190131_-_GMCP_Annual_Report_2018.pdf)

The UNODC page on Piracy and Maritime Crime:

<https://www.unodc.org/unodc/en/piracy/index.html>

The UNODC page on the Indian Ocean team:

<https://www.unodc.org/unodc/en/piracy/Indian-Ocean.html>

The ICC page on maritime piracy:

<https://www.icc-ccs.org/icc/imb>



## Topic B: Addressing the Theft of Cultural Property

### 1. What is Cultural Property?

For numerous years, the terms 'cultural heritage' and 'cultural property' have been used interchangeably. UNESCO has defined 'cultural heritage' as incorporating tangible and intangible cultural heritage, natural heritage, and heritage in the event of an armed conflict;<sup>41</sup> whereas the first appearance of the term 'cultural property' appears in the 1954 Hague Convention for the Protection of Cultural Property in the Event of an Armed Conflict. Here the convention covers movable and immovable cultural heritage, particularly focusing on the events of the Second World War involving art, monuments, manuscripts and books, and archaeological sites to name a few.<sup>42</sup> Article 1 of the 1954 Hague Convention defines cultural property as:

*For the purposes of the present Convention, the term 'cultural property' shall cover, irrespective of origin or ownership:*

- a. Movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of building which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above;*
- b. Buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries, and depositories or archives, and refuges intended for shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph a);*

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<sup>41</sup> 'What is Meant by "Cultural Heritage"' (UNESCO, 2017) accessed 13<sup>th</sup> September 2019 <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/unesco-database-of-national-cultural-heritage-laws/frequently-asked-questions/definition-of-the-cultural-heritage/>

<sup>42</sup> 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (adopted 14<sup>th</sup> May 1954, entered into force 7<sup>th</sup> August 1956)



- c. Centers containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as 'centers containing monuments'.<sup>43</sup>*

In slightly more recent years, the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property provided another definition for cultural property. Currently, this is the most widely accepted and updated version of the definition, which defines 'cultural property' it as:

- a. ...property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories:*
- b. Rare collections and specimens of fauna, flora, minerals and anatomy, and objects of paleontological interest;*
- c. Property relating to history, including the history of science and technology and military and social history, to the life of national leaders, thinkers, scientists and artist and to events of national importance;*
- d. Products of archaeological excavations (including regular and clandestine) or of archaeological discoveries;*
- e. Elements of artistic or historical monuments or archaeological sites which have been dismembered;*
- f. Antiquities more than one hundred years old, such as inscriptions, coins and engraved seals;*
- g. Objects of ethnological interest;*
- h. Property of artistic interest, such as:*
- i. Pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand);*

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<sup>43</sup> 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (adopted 14<sup>th</sup> May 1954, entered into force 7<sup>th</sup> August 1956) Art 1



- ii. *Original works of statutory art and sculpture in any material;*
- iii. *Original engravings, prints and lithographs;*
- iv. *Original artistic assemblages and montages in any material;*
- i. *Rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections;*
- j. *Postage, revenue and similar stamps, singly or in collections;*
- k. *Archives, including sound, photographic and cinematographic archives;*
- l. *Articles of furniture more than one hundred years old and old musical instruments.*<sup>44</sup>

## 2. The Trafficking of Cultural Property

### 2.1. Types of Trafficking

The trafficking of cultural property can occur through various means. In previous years, there have been cases of both individuals and organised criminal groups being involved in the trafficking of cultural property.<sup>45</sup> Traffickers are likely to proceed through different methods: through legitimate markets, including auctions and via the internet, or through the black market.<sup>46</sup> In recent years, the trafficking of cultural property has been increasingly used to fund other endeavours such as terrorism.<sup>47</sup> For those participating in the selling of stolen art, the involvement or assistance from someone within the art industry whether through art galleries, auction houses, government officials, or insurance companies, are likely to be involved.<sup>48</sup> One of the most well-known cases of stolen art since previous, historical examples is the 2002 case

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<sup>44</sup> UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Property (adopted 14<sup>th</sup> November 1970, entered into force 24<sup>th</sup> April 1974) Art 1

<sup>45</sup> 'Trafficking in Cultural Property' (UNODC, April 2018) accessed 13<sup>th</sup> September 2019 <https://www.unodc.org/e4j/en/organized-crime/module-3/key-issues/cultural-property-trafficking.html>

<sup>46</sup> 'Trafficking in Cultural Property: Stealing from the Past is Destroying our Future' (UNODC, 2019) accessed 14<sup>th</sup> September 2019 <https://www.unodc.org/unodc/en/organized-crime/intro/emerging-crimes/trafficking-in-cultural-property.html>

<sup>47</sup> 'Trafficking in Cultural Property: Stealing from the Past is Destroying our Future' (UNODC, 2019) accessed 14<sup>th</sup> September 2019 <https://www.unodc.org/unodc/en/organized-crime/intro/emerging-crimes/trafficking-in-cultural-property.html>

<sup>48</sup> 'Trafficking in Cultural Property' (UNODC, April 2018) accessed 13<sup>th</sup> September 2019 <https://www.unodc.org/e4j/en/organized-crime/module-3/key-issues/cultural-property-trafficking.html>



of the two Van Gogh paintings being stolen from the Van Gogh museum in Amsterdam. The paintings spent around 15 years in the criminal underground having been stolen by two thieves using a ladder to climb through the roof of the museum; they were returned to their places in the museum in 2017.<sup>49</sup> However, the trafficking of cultural property can easily be more transnational.

## 2.2. Transnational Trafficking

A large source of transnational trafficking has stemmed from past colonial rule. During colonial rule, many ruling countries would take cultural property from their origins to be placed in museums in their own territory. In Vietnam, during the French colonial rule, many of the cultural sites were excavated in what was known as the French Indochina comprising of Vietnam, Laos, and Cambodia. Many of the artefacts taken during this time since ended up in French museums, particularly the Louvre. Since 1945, Vietnamese leaders have been pledging to restore their cultural property back to their origins, as shown in Article 34 of the Vietnamese Constitution. In 2001, they passed the Law on Cultural Heritage aiming to protect both tangible and intangible cultural heritage.<sup>50</sup> There are numerous other cases of trafficking resulting from colonial rule including India and the British, and many cases throughout West Africa. Another way in which the trafficking of cultural property can transition to transnational is through illegal exportation. One of the largest problems facing the international community regarding illegal exportation is the definition of what comprises of the illegal importation and/or exportation of cultural property. Since each Member State has variations between what they constitute as being theft, it is difficult for the crime of illegal international trafficking to be universally defined. At present, the UNESCO and UNIDROIT Conventions are the closest to an internationally accepted definition and internationally recognised framework on how to deal with these cases.<sup>51</sup>

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<sup>49</sup>‘Stolen Van Goghs back on display after years in criminal underworld’ *BBC* (London, 21<sup>st</sup> March 2017) accessed 13<sup>th</sup> September 2019 <https://www.bbc.com/news/world-europe-39343740> and ‘Two Van Gogh Works Are Stolen in Amsterdam’ *New York Times* (New York, 8<sup>th</sup> December 2002) accessed 13<sup>th</sup> September 2019 <https://www.nytimes.com/2002/12/08/world/two-van-gogh-works-are-stolen-in-amsterdam.html>

<sup>50</sup> J Kila and M Balcells *Cultural Property Crime: an overview and analysis on contemporary perspectives and trends* (Leiden: BRILL 2014)

<sup>51</sup> UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Property (adopted 14<sup>th</sup> November 1970, entered into force 24<sup>th</sup> April 1974) and UNIDROIT



Under the 1970 UNESCO Convention, the illegal trafficking of cultural property is solely reserved to items that have been stolen from institutions such as museums, public monuments or similar institutions. It also requires the items to have been inventoried under correct procedure prior to them being illegally exported.<sup>52</sup> Additionally, under this convention, States are not obligated to return said cultural property if the items did not come from one of these institutions or if it was not listed down within inventory. Therefore, the 1970 Convention is limited in its scope of shielding cultural property from illegal trafficking. In comparison, the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects goes further than the UNESCO Convention when, under Article 3, paragraph 2, it states that:

*For the purposes of this Convention, a cultural object which has been unlawfully excavated or lawfully excavated but unlawfully retained shall be considered stolen, when consistent with the law of the State where the excavation took place.*

Already the UNIDROIT Convention gives more leeway under which items can be categorised as being illegally trafficked. It has also been shown to be more resourceful than the UNESCO Convention in aiding international abilities to track and collaborate on stopping the trafficking.

### **3. Challenges and Solutions Facing the International Community**

#### **3.1. Regional Efforts**

##### **3.1.1. West Africa**

Many regions around the world have been focusing on developing their own solutions to the trafficking of cultural property. In 2012, UNESCO-BREDA (UNESCO's regional office in Dakar, Senegal) brought together numerous countries in West Africa to hold a workshop focused on the countering illicit trafficking of cultural property in West Africa. Fourteen countries and three partner institutions of UNESCO attended the event where they discussed the current frameworks in place to counter illicit trade, from international legislation to national measures. During talks, both the cases of Mali and Nigeria were discussed. Despite various in-depth laws within Mali, these have not prevented the illicit

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Convention on Stolen or Illegally Exported Cultural Objects (adopted 24<sup>th</sup> June 1995, entered into force 1<sup>st</sup> July 1998)

<sup>52</sup>UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Property (adopted 14<sup>th</sup> November 1970, entered into force 24<sup>th</sup> April 1974)



trafficking of cultural property during a time of conflict. One of the primary solutions proposed to the situation was for Mali's neighbouring countries to offer their help and support to preserve cultural heritage sites. Three sets of recommendations were made in the case of Mali, based upon short, medium, and long-term actions. Regarding short-term actions, the countries were urged to develop inventories on their cultural property and create national databases listing the stolen pieces. In the medium-term, they were pushed to continue to develop their legislation on the matter, ensuring they ratified the UNESCO and UNIDROIT conventions. Additionally, they were pushed to create specialised police forces to deal with the issue of stolen cultural property. Finally, in the long-term they were pushed to advance their institutional frameworks for dealing with the issue.<sup>53</sup>

### 3.1.2. European Union

Another institution heavily involved in the fight against illegal trafficking of cultural property is the European Union. The EU has partnered with UNESCO to develop a manual detailing their extended cooperation and dedication to working with the UN in countering and aiming to stop the illegal trafficking of cultural property. Alongside EU efforts, in early 2017 the Council of Europe adopted the Council of Europe Convention on Offences relating to Cultural Property. The primary objective of this is to build upon the international measures already in place. The convention offers several solutions; promote the use of inventories, increase the use of databases, introduce procedures to control imports and exports, persuade Members to develop national services dedicated to cultural heritage, and promote and increase the use of awareness campaigns.<sup>54</sup>

## 3.2. International Efforts

### 3.2.1. UN Security Council

Over the years, the UN Security Council has adopted various resolutions aimed at countering specific examples of the trafficking of cultural property. UNSC-RES1483 (2003) prevented the

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<sup>53</sup> Foralin Shyllon 'UNESCO-BREDA Workshop on Capacity-Building and Awareness-Raising on the Fight against Illicit Trafficking of Cultural Property in West Africa: Dakar, Senegal, 17-19 September 2012' [2013] International Journal of Cultural Property

<sup>54</sup> UNESCO 'Fighting the Illicit Trafficking of Cultural Property: A Toolkit for European Judiciary and Law Enforcement' (UNESCO, 2018)  
[http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/movable/pdf/Toolkit\\_01.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/movable/pdf/Toolkit_01.pdf)



imports of commodities from Iraq or Kuwait in a larger implementation of sanctions against Iraq. The block was also aimed at preventing the trafficking of cultural property which could in turn also fund military equipment. The resolution further requested that measures be taken to ensure the safe return of cultural property back to Iraq.<sup>55</sup> Additionally, in 2015, the UNSC passed UNSC-RES2199 focused towards stopping the destruction of cultural heritage in Iraq and Syria by entities including ISIS. The resolution further highlighted that these organisations were utilising the illicit trade of cultural property as a means of generating funds to further enable their ability to conduct recruitment and carry out plans such as terror attacks. Once again, the resolution emphasised that Member States should take all measures possible to return cultural property to Iraq and to Syria.<sup>56</sup> This was further followed by the most recent UNSC Resolution 2347, passed in 2017 which further condemns the act of unlawful destruction of cultural heritage.<sup>57</sup>

### 3.2.2. Interpol

Alongside UNSC efforts and the wider UN efforts to restrict illicit trafficking of cultural property, the Interpol has been working towards aiding the situation. The Interpol's main method at aiding the situation is through its Work of Arts Database. The Database provides descriptions and pictures of over 50,000 items as a way to facilitate information sharing to help States recover cultural property. Moreover, the Database is the only one at the international level with accurate and certified police information.<sup>58</sup> In addition to the Database, the Interpol uses other methods to ensure that information is shared among States about cultural property. These methods include: holding workshops and conferences through bringing experts together to discuss the issue, they provide training on how to counter the illicit trafficking, providing alerts of the most highly sought after cultural property twice a year.<sup>59</sup>

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<sup>55</sup> UNSC Res 1483 (2003) S/RES/1483

<sup>56</sup> UNSC Res 2199 (2015) S/RES/2199

<sup>57</sup> UNSC Res 2347 (2017) S/RES/2347

<sup>58</sup> 'Stolen Works of Art Database' (Interpol, 2019) accessed 14<sup>th</sup> September 2019 <https://www.interpol.int/en/Crimes/Cultural-heritage-crime/Stolen-Works-of-Art-Database>

<sup>59</sup> 'How we fight cultural heritage crime' (Interpol, 2019) accessed 14<sup>th</sup> September 2019 <https://www.interpol.int/en/Crimes/Cultural-heritage-crime/How-we-fight-cultural-heritage-crime>



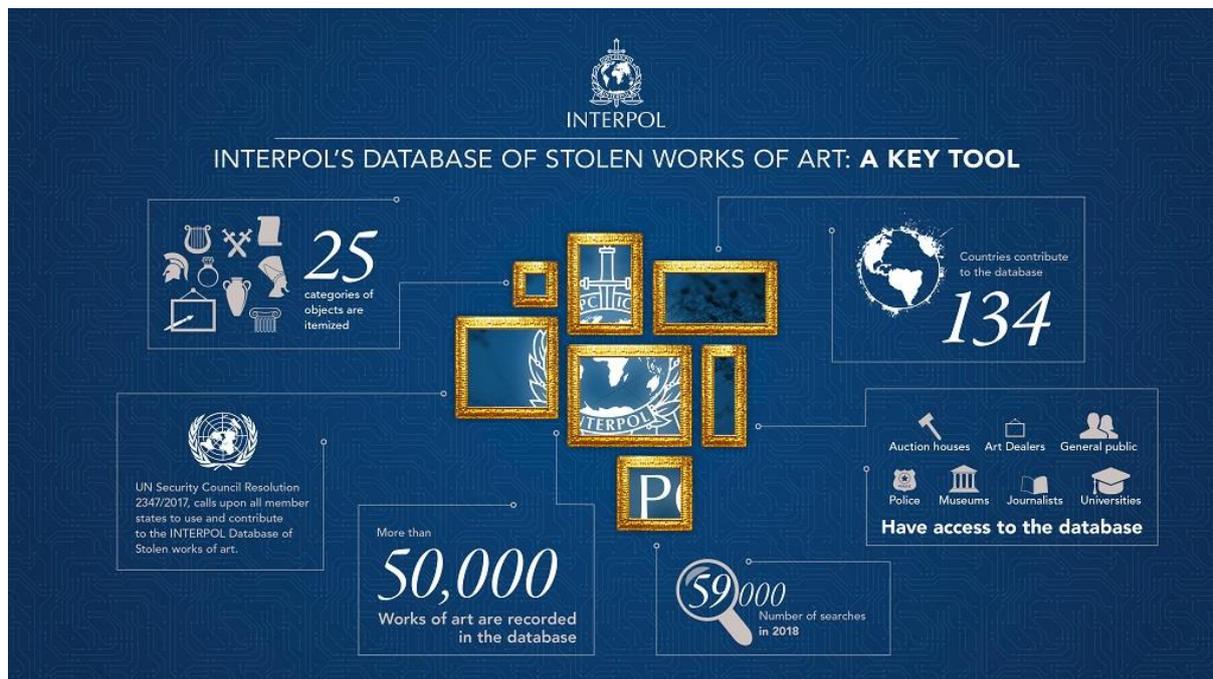


Figure 4 – Interpol's Database of Stolen Works of Art <https://www.interpol.int/en/Crimes/Cultural-heritage-crime/Stolen-Works-of-Art-Database>

### 3.2.3. UNODC

The role of the UNODC in the matter is clear. The UNODC has used conventions such as the United Nations Convention on Organised Crime, the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences adopted by the General Assembly, and the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property, to name a few. In addition, they are partnered with the Interpol, UNESCO, UNIDROIT, the World Customs Organisation, the Organisation for Security and Cooperation in Europe, and the International Council of Museums to further enable their capabilities in dealing with the problem.<sup>60</sup> The International Guidelines focus on four key parts: crime prevention strategies, criminal justice policies, international cooperation, and the scope of application.<sup>61</sup> Once again information and data collection feature as a solution, alongside

<sup>60</sup>'Trafficking in Cultural Property: Stealing from the Past is Destroying our Future' (UNODC,2019)accessed14<sup>th</sup>September2019 <https://www.unodc.org/unodc/en/organized-crime/intro/emerging-crimes/trafficking-in-cultural-property.html>

<sup>61</sup> International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, UNGA Res 69/196 (26<sup>th</sup> January 2015)



education, investigations, and return, restitution, and reparations.<sup>62</sup> Additionally, in response to the ECOSOC resolutions 2008/23 and 2004/34, an open-ended intergovernmental expert group on protection against trafficking in cultural property was created to provide a forum within which recommendations could be made to the CCPCJ.<sup>63</sup> The most recent document the UNODC has been working with on the trafficking of cultural property is the CCPCJ resolution 27/5. The resolution promotes international cooperation and emphasises the importance of the International Guidelines. Furthermore, it requests Member States to criminalise the trafficking of cultural property and to focus on developing their national capacities to deal with the issue.<sup>64</sup> Currently the UNODC is working in conjunction with the Islamic Republic of Iran and UNESCO in a collaboration effort to provide innovative initiatives to Iran to aid them in protecting their cultural heritage. They have been working together in the fields of capacity building, legislation, and advocacy among others to create a multidimensional approach to protecting the cultural property of Iran. An example of this work can be seen in the 2012 three-day training course to increase the capacity of Iranians to protect their cultural property and as a means of increasing international cooperation.<sup>65</sup>

#### 4. Next Steps

Despite increased efforts towards combatting the illicit trafficking of cultural property, it is still very much present today. Many efforts towards international cooperation have been made by organisations such as the UNSC, Interpol, UNESCO, the EU, and the UNODC. However, the ways in which transnational trafficking of cultural property is to be dealt with is still a broad discussion point.

The main research points that should be considered are:

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<sup>62</sup> International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, UNGA Res 69/196 (26<sup>th</sup> January 2015)

<sup>63</sup> ‘Open-ended intergovernmental expert group on protection against trafficking in cultural property’ (UNODC, 2019) accessed 15<sup>th</sup> September 2019 <https://www.unodc.org/unodc/en/organized-crime/trafficking-in-cultural-property-expert-groups.html>

<sup>64</sup> International Cooperation Against Trafficking in Cultural Property, CCPCJ Res 27/5 (2018)

<sup>65</sup> ‘Iran Reviews Good Practices in Protection of Cultural Property’ (UNODC, 2019) <https://www.unodc.org/islamicrepublicofiran/en/cultural-property.html>



1. What can be done in the international sphere with regards to the illicit trafficking of cultural property? Can a universally accepted definition be created, and if so, what should it include?
2. Should more be done on a regional basis? And if so, should international organizations also be involved?
3. What can Member States do on a national level? How should these interact with international efforts?
4. For cultural property recovered from illicit trafficking, what should happen to them?



## Bibliography

### 1. Primary Sources

CCPCJ Resolution 26/5 (26 May 2017) 26/5

CCPCJ World crime trends and emerging issues and responses in the field of crime prevention and criminal justice (7 March 2017) E/CN.15/2017/10

Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS 16

ECOSOC Resolution 1992/22 (6 February 1992) 1992/22

Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (adopted 14<sup>th</sup> May 1954, entered into force 7<sup>th</sup> August 1956)

International Cooperation Against Trafficking in Cultural Property, CCPCJ Res 27/5 (2018)

International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, UNGA Res 69/196 (26<sup>th</sup> January 2015)

UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Property (adopted 14<sup>th</sup> November 1970, entered into force 24<sup>th</sup> April 1974)

UNGA Declaration on principles of international law friendly relations and co-operation among states in accordance with the charter of the united nations (24 October 1970) A/RES/2625(XXV)

UNGA Resolution 61/252 (22 December 2006) A/RES//61/252

United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS 397

UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (adopted 24<sup>th</sup> June 1995, entered into force 1<sup>st</sup> July 1998)

UNODC Annual Report on Piracy (United Nations 2019)

UNODC Resolution 21/2 (2012) 21/2

UNSC Resolution 2347 (2017) S/RES/2347



UNSC Resolution 2199 (2015) S/RES/2199

UNSC Resolution 1483 (2003) S/RES/1483

## 2. Secondary Sources

‘About UNODC’ (UNODC, 2019) accessed 14 September 2019  
<https://www.unodc.org/unodc/en/about-unodc/index.html?ref=menutop>

‘About Us’ (Southern Route Partnership) accessed 14 September 2019  
<http://www.southernroute.org/>

‘Contact Group on Piracy off the Coast of Somalia’ (US Bureau of Political-Military Affairs, 20 January 2017) accessed 14 September 2019 <https://www.state.gov/contact-group-on-piracy-off-the-coast-of-somalia/>

‘How we fight cultural heritage crime’ (Interpol, 2019) accessed 14<sup>th</sup> September 2019  
<https://www.interpol.int/en/Crimes/Cultural-heritage-crime/How-we-fight-cultural-heritage-crime>

‘Industry Issues - Piracy’ (World Shipping Council 2019) accessed 14 September 2019  
<http://www.worldshipping.org/industry-issues/security/piracy>

‘Iran Reviews Good Practices in Protection of Cultural Property’ (UNODC, 2019)  
<https://www.unodc.org/islamicrepublicofiran/en/cultural-property.html>

‘Mandate and Functions’ (UNODC, 2019) accessed 14 September 2019  
[https://www.unodc.org/unodc/en/commissions/CCPCJ/CCPCJ\\_Mandate-Functions.html](https://www.unodc.org/unodc/en/commissions/CCPCJ/CCPCJ_Mandate-Functions.html)

‘Open-ended intergovernmental expert group on protection against trafficking in cultural property’ (UNODC, 2019) accessed 15<sup>th</sup> September 2019  
<https://www.unodc.org/unodc/en/organized-crime/trafficking-in-cultural-property-expert-groups.html>

‘Stolen Works of Art Database’ (Interpol, 2019) accessed 14<sup>th</sup> September 2019  
<https://www.interpol.int/en/Crimes/Cultural-heritage-crime/Stolen-Works-of-Art-Database>

‘Stolen Van Goghs back on display after years in criminal underworld’  
*BBC* (London, 21<sup>st</sup> March 2017) accessed 13<sup>th</sup> September 2019  
<https://www.bbc.com/news/world-europe-39343740>



‘The State of Maritime Piracy 2017 East-Africa’ (Oceans Beyond Piracy, 2017) accessed 14 September 2019 <http://oceansbeyondpiracy.org/reports/sop/east-africa>

‘The State of Maritime Piracy 2017 Executive Summary’ (Oceans Beyond Piracy, 2017) accessed 14 September 2019 <http://oceansbeyondpiracy.org/reports/sop/summary>

Curtis Bell, ‘Three Models of Piracy’ (Stable Seas) accessed 14 September 2019 <https://stableseas.org/issue-areas/piracy#1>

‘Trafficking in Cultural Property: Stealing from the Past is Destroying our Future’ (UNODC, 2019) accessed 14<sup>th</sup> September 2019

<https://www.unodc.org/unodc/en/organized-crime/intro/emerging-crimes/trafficking-in-cultural-property.html>

‘Trafficking in Cultural Property’ (UNODC, April 2018) accessed 13<sup>th</sup> September 2019  
<https://www.unodc.org/e4j/en/organized-crime/module-3/key-issues/cultural-property-trafficking.html>

Two Van Gogh Works Are Stolen in Amsterdam’ *New York Times* (New York, 8<sup>th</sup> December 2002) accessed 13<sup>th</sup> September 2019 <https://www.nytimes.com/2002/12/08/world/two-van-gogh-works-are-stolen-in-amsterdam.html>

‘What is Meant by “Cultural Heritage”’ (UNESCO, 2017) accessed 13<sup>th</sup> September 2019 <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/unesco-database-of-national-cultural-heritage-laws/frequently-asked-questions/definition-of-the-cultural-heritage/>

Foralin Shyllon ‘UNESCO-BREDA Workshop on Capacity-Building and Awareness-Raising on the Fight against Illicit Trafficking of Cultural Property in West Africa: Dakar, Senegal, 17-19 September 2012’ [2013] *International Journal of Cultural Property*

James Kraska, ‘Effective Implementation of the 2005 Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation’ (2017) 70 *NWCR* 1

J Kila and M Balcells *Cultural Property Crime: an overview and analysis on contemporary perspectives and trends* (Leiden: BRILL 2014)



Martin Murphy, Contemporary Piracy and Maritime Terrorism (Routledge 2007)

UNESCO ‘Fighting the Illicit Trafficking of Cultural Property: A Toolkit for European  
Judiciary and Law Enforcement’(UNESCO,2018)

[http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/movable/pdf/Toolkit\\_01.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/movable/pdf/Toolkit_01.pdf)



## Information about the Conference

### 1. Conference Schedule

HamMUN 2019 "Shaping a New Era of Diplomacy"						
November 27, 2019	November 28, 2019		November 29, 2019	November 30, 2019	December 1, 2019	
Wed	Thurs		Fri	Sat	Sun	
			Session II	Session IV	Session VI	
	Registration		9:00 - 13:00	9:00 - 13:00	10:00 - 12:00	
	10:00 - 14:30				Committee Debriefing 12:00 - 13:00	
	Chair Briefing 12:30 - 13:45	RoP - Workshop 12:15 - 13:45	Lunch Break 13:00 - 14:00	Lunch Break 13:00 - 14:00	Chair Debriefing 13:30 - 14:00	
	Opening		Session III	Session V	Closing Ceremony 14:00 - 15:30	
	Ceremony		14:00 - 18:00	14:00 - 18:00		
Pre-Program 16:00 - 19:00	15:30 - 17:30					
	Session I					
	18:00 - 20:00		Break	Break		
Get Together						
19:00	Committee Evening					
	20:00		Silent Disco	Delegate Ball		
			21:00	21:00		

Please note: This schedule is subject to change. For the most up-to-date schedule, please check: [hammun.de/conference-schedule](http://hammun.de/conference-schedule)



## 2. Rules of Procedure

HamMUN 2019 session will follow the Rules of Procedure which can be found here: <http://hammun.de/rops/>.

For first time delegates we recommend participating in the *Rules of Procedure workshop* on Thursday.

## 3. Emergency Phone Numbers

Police: 110

Fire Brigade: 112

Casualty doctor: 112

## 4. Important Addresses

Conference venue: Edmund-Siemers-Allee 1, 20146 Hamburg (*and other places at Hamburg University main campus*)

Opening ceremony: Laeishalle, Kleiner Konzertsaal, Johannes-Brahms-Platz, 20355 Hamburg

Registration: Audimax Garderobe, Von-Melle-Park 4, 20146 Hamburg

Committee Evening: *Different places, your chairs will inform you*

Silent Disco: Club Hamburg, Reeperbahn 48, 20359 Hamburg

Delegate Ball: Gruenspan, Große Freiheit 58, 22767 Hamburg

## 5. Public Transport

During the conference, **your badge will be your ticket**. Please have your badge with you **all the time!** Public Transport in Hamburg will provide you with busses, tubes and city railroads.

Service Times:

Wednesday + Thursday: Service stops at **1 am**, afterwards you can only take night busses

Friday – Sunday: Whole night service

Stops near to conference venues:

Conference venue + Registration + Committee Evening:



*(different places at Hamburg main campus)*

S-Bahn Station **Dammtor**: Lines S11, S21, S31

Bus Station **Dammtor**: Line 109

Bus Station **Universität/Staatsbibliothek**: Lines 4, 5

Opening Ceremony:

Walking distance from Registration: 20 Minutes

Bus Station **Johannes-Brahms-Platz**: Line 3

Tube Station **Messehallen**: Line U2

Silent Disco (*Fridays Social*) + Delegates Ball (*Saturdays Social*):

S-Bahn Station **Reeperbahn**: Lines S1, S2, S3

Bus Station **Davidstraße**: Line 111

Tube Station **St. Pauli**: Line U3

## 6. HamMUN App

HamMUN is proud to offer a mobile app during the conference. You can get it on your phone by typing this URL <https://hammun.lineupr.com/2019> into your mobile browser.

Please note that the app is not to be installed via your app store but is a desktop shortcut of a mobile website!

## 7. Water Supply

In case you are thirsty (or sober), don't worry. Water out of the tap is perfectly drinkable!

## 8. Please bring cash!

Unlike in other European nations, many stores, cafeterias and especially the social venues often do not accept credit cards! Make sure to have cash with you.

