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UNESCO-UNIDROIT Model Provisions on State Ownership of Undiscovered Cultural Objects

These Model Provisions, established by a group of experts convened by the UNESCO and UNIDROIT Secretariats, are intended to assist domestic bodies in the establishment of a normative framework for heritage protection, to adopt effective legislation for the establishment and recognition of the State's ownership of undiscovered cultural objects with a view, *inter alia*, to facilitating restitution in case of unlawful removal. They are followed by guidelines aimed at better understanding the provisions.

The close cooperation between the Secretariats of UNESCO and UNIDROIT through the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation and the UNIDROIT Governing Council, demonstrates that international and inter-institutional coordination is paramount for developing solutions to the recurring problems facing the protection of cultural heritage, particularly when dealing with archaeological artefacts.

These provisions are a legal tool, but by no means a binding instrument, made available to all UNESCO and UNIDROIT Member States to adopt sufficiently explicit legal principles to guarantee their ownership of such objects. It is also a tool aimed at facilitating the application of the 1995 UNIDROIT Convention and the 1970 UNESCO Convention. In developing or strengthening their national legislations, States are encouraged to integrate these provisions into their own body of law or adapt them nationally in accordance with their specific legal traditions.

- [Introduction by Prof. Manlio FRIGO](#) (Unif. L. Rev. 2011-4, 1024-1034)
- Text of the [Model Provisions](#) on State Ownership of Undiscovered Cultural Objects with explanatory guidelines