



**APA/ Res/2010/05**  
**30 November, 2010**

**Resolution**  
**on**

**Protecting and Respecting Cultural Diversity in Asia**

*We, the Members of the Asian Parliamentary Assembly,*

*Recalling* APA Resolutions, APA/Res/2009/05, APA/Res/2008/17 and APA/Res/2007/02 on Protecting and Respecting Cultural Diversity in Asia;

*Welcoming* the report of the Secretary-General on Protecting and Respecting Cultural Diversity, SG/Rep/2010/13 Dated 22 June, 2009, submitted to the meeting of the Sub-Committee held in Phnom Penh, Cambodia on 5-6 July, 2010;

*Recognizing* the significant role of parliaments both in strengthening national cultural policies and in harmonizing Asian approach for respecting cultural diversity, and protecting Asian cultural heritage, including tangible, non-tangible cultural objects as well as hereditary cultural heritage;

*Relying on* the cultural diversity as well as the common heritage of Asian civilizations in promoting the inter- religious and inter-cultural dialogue;

*Expressing determination* to facilitate integration in Asia through respecting cultural diversity and promoting dialogue and understanding;

*Expressing Concern* about smuggling of cultural items, particularly those that are in areas under foreign occupation;

*Encouraging* relevant government agencies to increase facilitation, consular services as appropriate for citizens of Asian countries to allow for greater people-to-people interaction;

1. Welcome the Report of the Secretary-General contained in SG/Rep/2010/13, dated 22 June 2010;
2. *Affirm* the role of parliaments to raise public awareness about the imperative of promoting respect for cultural diversity as a source of strength in Asia;
3. *Recognize* that tolerance is one of the fundamental values of humanity, which entails an active promotion of respect for cultural diversity, culture of peace and dialogue among civilizations;
4. *Condemn* Israeli attempt to alter the cultural heritage of Palestinian population under occupation, particularly in and around the city of Al-Qods, *urge* international organizations, including the United Nations to continue to demand Israeli forces to withdraw troops from the Haram Ibrahim Mosque in the city of Al-Khalil, and from Bilal Bin Rabah Mosque, to allow unimpeded access to Muslims and Christians to their places of worship and request APA Troika Plus to continue to inform, on a regular basis, the APA Member Parliaments about the unfolding developments on the ground;
5. *Express determination* to prevent cultural homogenization in the context of globalization and the fast-growing technology, through increased intercultural and interreligious exchanges guided by the promotion and protection of cultural diversity;
6. Urge Asian states, including parliaments and governments to develop an approach to sustainable development that takes into account not only politico-economic factors but also psych-cultural factors;
7. *Recognize* the responsibility of parliaments to actively promote values against racism and intolerance; optimize the benefits of diversity within and among all nations, particularly Asian nations, and promote principles and values such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and among communities and nations, in particular through public information and educational programs to raise awareness and understanding of the benefits of cultural diversity;
8. *Call upon* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and fundamental human rights, and to reject all manifestations of exclusion and arrogance that are based on racism, racial discrimination, xenophobia and related intolerance;
9. *Condemn* all forms of contemptuous actions against religions, particularly the recent desecration of the Holy Quran;

10. *Underline* the importance of strengthening coordination between APA and international and regional organizations such as UNESCO, ISESCO and relevant Asian NGOs active in this field, to both exchange experience and provide technical support for the implementation of APA Plan of Action on Protecting and Respecting Cultural Diversity;
11. *Consider* the outbound smuggling of cultural objects from Asia to constitute a threat to the richness of Asian cultural heritage, and *underline* the important role of parliaments to both raise public awareness about this challenge and to strengthen, where necessary, legislative basis to fight smuggling of cultural objects and return the stolen items back to the original location, in Asia;
12. *Urge* Member Parliaments to ratify international conventions such as the International Convention for the Safeguarding of World Natural and Cultural Heritage and also the International Convention for the Safeguarding of the Intangible Cultural Heritage;
13. *Endorse* Section A under Common Legislation in Secretary-General's Report, particularly the principles enumerated there and annexed to this resolution to serve as guidelines for further work to develop a model legislation with a view to eventually developing a legislation that Member Parliaments may consider adopting, as common legislation, on the basis of their own internal procedure, to enhance Asian capacity to combat smuggling of cultural objects in Asia;
14. *Decide* to establish an open-ended ad-hoc working group composed of APA delegates from at least three member parliaments, including delegates from Cambodia, Iran, and Indonesia to work together, as appropriate and in the context of paragraph 12 above, to prepare a draft common legislation to enhance Asian capacity to combat smuggling of cultural objects in Asia and to present a progress report, in coordination with the Secretary-General, to the meeting of the Sub-Committee in 2011;
15. *Request* the Secretary-General to continue to engage artists in this endeavor and sponsor an award to be presented annually to an Asian artist; author, poet, film maker, painter, etc, who best conveys the APA message of Asian cooperation and integration;
16. *Encourage* Parliaments and governments of Asian countries to promote dialogue and understanding among cultures and religions to foster Asian common values and enhance cooperation, harmony and integration, peace and friendship;
17. *Welcome* The proposal contained in Secretary-General's Report about the decision of the Islamic Parliament of Iran and the Iranian Center for

Inter-religious Dialogue (CID) to jointly host an “International Conference on Dialogue among Religions and Culture in Asia” in 2011 and request the hosts to provide timely and detailed information on substantive and organizational arrangements for the Conference to member Parliaments through the Secretary-General so as to ensure wide participation from across Asia;

18. *Request* the Secretary-General to seek the views of Member Parliaments on their efforts to implement this resolution and to submit a report thereon to the next meeting of the Sub-Committee.

### **Annex to draft Resolution**

#### **Principles to study for drafting common legislation**

1. Lawful exchange of cultural and historical properties enriches cultural and social existence of nations; strengthens mutual respect and leads to amity and friendship among them,
2. Movable cultural heritage of every nation is considered as fundamental elements of culture and civilization of that nation, and an integral part of

regional and human culture and civilization and thus necessitates regional cooperation to fight theft and smuggling of cultural properties,

3. Protection and safeguarding of historical cultural properties from the perils of unlawful excavations, theft and smuggling, is inter alia the duty of the governments,

4. Clandestine excavations in archeological sites, theft, illicit import and export of cultural properties constitutes as one of the main reasons for the cultural impoverishment of the countries of the origin of these objects.

5. Establishment and strengthening of a proper system of management to protect immovable cultural heritage and reinforce coordination and cooperation among concerned institutions for combating theft and smuggling of cultural properties,

6. Documentation, preparation and completion of an inventory of national cultural properties,

7. Proper supervision over archeological excavations, standardization of the means to protect cultural items at the site of discovery,

8. Taking educational steps to enhance public awareness on the necessity of protecting cultural objects,

9. Encouraging and developing the educational, scientific and technical institutions required for protecting cultural items; expanding museums; supporting cooperation and exchanging cultural objects among museums in Asian countries,

10. Issuing special permit for those cultural objects the export of which is authorized; and thwarting illicit import and export of cultural items with no permit, and restitution thereof to the country of origin,

11. Promoting international cooperation to combat smuggling of cultural items with the countries of origin on restitution of cultural properties as well as extradition of those charged with theft and smuggling of cultural items,

12. Stress on the inalienable right of every country concerning classification and declaring as non-transferable certain cultural properties and preventing entry into the national territory of those items.