The United Nations Educational, Scientific, and Cultural Organization (UNESCO) was created on November 16, 1945, following desires from affected World War II countries to reconstruct their systems of education once peace was restored. 1 195 Members and 8 Associate Members make up the organization and are governed by the General Conference and the Executive Board. Headquartered in Paris, the organization has more than 50 field offices around the world. UNESCO’s mission revolves around creating a culture of peace, the eradication of poverty, sustainable development, and intercultural dialogue through education, the sciences, culture, communication and information. UNESCO has taken a lead role under Sustainable Development Goal four and strives to instill a dialogue where people come together based upon respect for commonly shared values. 2

I. Education Responses to COVID-19

Statement of the Issue:

Governments around the world have responded to the COVID-19 pandemic by temporarily closing down educational institutions in an attempt to mitigate the spread of the virus. These closures, as of June 2020, have affected 87% of the world’s student population, leaving around 1.5 billion students and youth worldwide without access to in-person educational instruction. UNESCO is supporting countries in their efforts to diminish the short-term impact of school closures, especially in more vulnerable and disadvantaged communities, as well as facilitating the novel educational approaches required for remote learning.

History:
Education as a fundamental human right was enshrined in the Universal Declaration for Human Rights in 1948. Twelve years later, the UNESCO General Conference adopted the Convention Against Discrimination in Education- the first international document that extensively covered the right to education and has a binding force in international law. The Convention affirmed that education is a fundamental human right and not a luxury. Highlighted in the Convention are the obligations of states to ensure free and compulsory education and promoting equality of educational opportunity while banning any form of discrimination.³ 104 Member States have now ratified the convention and are now obligated to adhere to the main provisions of the treaty, including: free and compulsory primary education, secondary education in its different forms, equal access to higher education to all on the basis of individual capacity, equivalent standards of education in all public educational institutions, opportunities for continued education, and training for the teaching profession without discrimination.⁴

Several organizations within the United Nations have passed resolutions in support of UNESCO’s mission. In 2016, 42 member states in the GA adopted “Education for Democracy,” a resolution aimed at promoting education for democracy while recognizing the central role of education in achieving the Sustainable Development Goals. It encouraged educational institutions at all levels (national, regional, and local) to integrate civic education and human rights education into standard practice as a way to increase citizen participation in political life and facilitate empowerment by giving citizens the capital needed to have a voice in policy-making decisions.⁵

One year later, UNHCR supported UNESCO’s efforts in leading Sustainable Development Goal 4 by adopting a resolution stressing the importance of ensuring the human right to education as defined by international conventions. States were called upon to promote technical vocational education and training as well as establishing a regulatory framework for education providers guided by international human rights obligations. The resolution encouraged states to measure progress in the realization of the right to education by developing national indicators and determining the best way to give domestic legal effect to the right of education.⁶

When COVID-19 began spreading across the world in late February and early March, states and governments responded by immediately shutting down their educational institutions. Global school closures extended well into May and June, with countries like Spain and the United States shutting down in-person education until the end of the academic year.

Analysis:
Education is an empowering right and one of the most important tools by which economically and socially marginalized children and adults can lift themselves out of poverty and successfully become contributing members to society. This is just one reason why education is such a fundamental right. The statistics on the intersection of worldwide poverty and education are endless. If all students in low-income countries gained basic reading skills, 171 million people could be lifted out of poverty. The likelihood of infant mortality decreases by 10% for every year of additional schooling a mother receives. Yet millions of children and adults around the world remain deprived of educational opportunities in large part due to a variety of social, cultural, and economic factors. In order for the power of education to be realized, equality of opportunity and universal access must exist.

The current COVID-19 pandemic has exacerbated the battle for equal educational opportunities and has prompted UNESCO along with many other organizations to establish programs and aid in an attempt to mitigate the virus’s effect on access to education and opportunities for upward mobility. It quickly became clear that “partnership was the only way forward” because “never before have we witnessed educational disruption on such a scale,” as stated by UNESCO Director-General Audrey Azoulay. On March 25th of 2020, UNESCO launched the Global Education Coalition to help countries in mobilizing resources and implementing innovative and appropriate solutions to provide effective remote learning. Seeking equitable solutions and universal access, along with coordinating re-entry plans for students once schools reopen to avoid dropouts, are at the forefront of the Global Education Coalition’s goals. Longer term goals include a focus on how to better harness the use of technology in education and to ensure more inclusive and creative learning models. The private sector, philanthropic and non-profit organizations, and media outlets have all been invited to take part in the Coalition in a joint effort to maintain educational opportunities throughout the pandemic.

Remote learning presents extreme challenges on both the teacher and student perspective that immediately need to be addressed. For educators, the delivery of content has to be completely adapted into a new format where students can understand the material and feel comfortable asking questions through online tools. For students, there is an issue of connectivity. Those from low-income backgrounds are less likely to have stable internet access let alone an adequate computer where virtual education can take place. Even if they have a computer, there is no guarantee that they will have the skills necessary to use the machine properly, effectively, and often times without parental supervision.

The loss of in-person schooling also means the loss of community, and with it a vital safety net of nutrition, protection, and emotional support. UN Deputy Secretary General Amina
Mohamed expressed the UN's full commitment to the coalition, reiterating the responsibility “as a global community to leave absolutely no one behind.” The Coalition plans to respond to each countries' individual needs with the goal of matching needs with free and secure solutions in an effort to ensure data security and protect the privacy of learners and teachers.

**Conclusion:**

The COVID-19 pandemic has affected education in a way never seen before. While it is not feasible to create an equal educational experience in a virtual format, the vast amount of technological tools available make it possible to maintain at least some of the values that inherently exist with in-person learning environments. The full potential of technology can only be reached if worldwide institutions come together in a joint effort to try and save education for the foreseeable future. The international community strongly believes in the importance of childhood and secondary education, and should reflect these beliefs in their effort to facilitate student success now and in the future.

**Questions:**

1. What will the long term impact of COVID-19 be on education? How can UNESCO work to mitigate that impact?
2. Will educational institutions have to forever change the way learning is conducted? If so, how can international institutions facilitate this process?
3. Does the disruption to traditional education have the potential to encourage a reform in tuition at higher learning institutions?
4. Are there any positive externalities/unintended benefits in education that the pandemic will cause now that there is greater attention being placed on educational opportunities?

**Resources**


II. Restitution of Cultural Property to Countries of Origin

Statement of Issue:

Repatriation or restitution of cultural property refers to the return of art or cultural heritage to their places of origin. In recent years, museums, especially, have come under serious scrutiny over the artifacts that make up their collections. No less than 90% of African cultural property resides in European museums, most of which was acquired within the context of war, imperialism, or colonialism. With independent countries now intent on reclaiming their stolen history, their demands for restitution have been met with mixed responses from European leaders.
The UNESCO established an “Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin” to facilitate bilateral negotiations for the return of artifacts to the now independent states they were taken from. The international legal framework governing the restitution of cultural property has expanded considerably since the 20th century, however, greater cooperation is needed from state governments, private institutions, and individuals on behalf of these repatriation efforts.

History:

In 1976, a committee of experts met in Venice to discuss the question of the restitution of lost cultural property of the 1970 Convention, an international treaty that details a common framework on measures to be taken to prohibit and prevent the import, export, and transfer of cultural property. In recognizing the lack of international mechanism to facilitate negotiations between parties, an independent governmental body, called the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation, was thus created in 1978 at the 20th Session of the UNESCO General Conference. Some years later, the 1995 UNIDROIT (International Institute for the Unification of Private Law) Convention on Stolen or Illicitly Exported Cultural Objects was created as a complementary instrument to the 1970 Convention, in which states commit to uniform treatment for restitution of stolen or illegally exported cultural objects and allow restitution claims to be processed directly through national courts.

The concept of cultural repatriation has existed for centuries, however, the public interest in art restitution gained traction more recently, with museums in Europe being grounds for public controversy. One of the most famous controversies over cultural ownership involves Greece and Britain -- for decades, Greece has sought the return of the 2,500 year old sculptures of the Parthenon that were taken by British Lord Elgin two centuries ago and have been housed at the London museum since the 1800s. As a symbol of national pride and identity, Greece rejects the British museum officials’ proposals for the sculptures (otherwise known as the Elgin Marbles) to be offered on loan.

Outside of Europe, calls for repatriation have echoed throughout Africa. Leaders from Benin have called for the return of cultural artifacts that were taken without consent during the French rule of the region at the turn of the 20th century. A formal request was made to France’s foreign ministry in 2016, and ministers of foreign affairs and culture from Benin visited Paris in 2017 for formal negotiations. Current President Emmanuel Macron has taken considerable strides in repatriating stolen goods, as he announced in 2017 that the return of African artifacts
would be a top priority. He commissioned a study of the amount of African art residing in French museums, which includes recommendations on returning objects that were taken without documented consent.

Analysis:

Despite the existence of a legal framework that mandates the restitution of cultural property, a number of objections typically arise. Countries that wish to take back ownership of art or artifacts are often scrutinized regarding their capacity to protect and preserve the returned artifacts. Opponents of restitution commonly argue that developing nations lack the infrastructure needed for proper care or that cultural heritage should not be returned to places affected by war and conflict. Such logistical concerns should be taken into account and adequately addressed throughout the process of restitution. To use such arguments as justification for maintaining possession of cultural heritage, however, should be viewed with a great deal of skepticism, as going against international law that recognizes cultural property as objects of importance to the cultural identity of a group of people, or other items representing significant figures, events, achievements and as such. The international community should work together to ensure that cultural property can be returned to their places of origin with adequate protections. The developed nations can support developing nations in their efforts to develop cultural and museum infrastructure.

Another point of contention that complicates restitution processes concerns “burden of proof.” According to the UNIDROIT Convention that pertains to illicit trafficking of cultural property, the burden of proof is on the possessor to demonstrate that he or she “neither knew nor ought reasonably to have known that the object was stolen and can prove that it exercised due diligence when acquiring the object.” Claims regarding artifacts that crossed borders centuries ago fall outside the legal purview of the UNIDROIT Convention, as it is not a retroactive treaty. Thus, assessing the burden of proof often becomes next to impossible and is one of the many technical issues that must play out in national and local courts.

In reality, the process of restitution is rarely a streamlined process within a set legal framework. Rather, restitution involves extensive coordination of customs officials, government, and private institutions, as well as a great deal of political will. High profile leaders such as Emmanuel Macron have the ability, as demonstrated, to set a precedent for leaders of other nations moving forward. Convening leaders of former colonial territories to discuss repatriations can be an effective strategy in advancing diplomatic relations. Conventions alone will likely not
be enough to settle disputes over cultural property; rather, disputes will likely have to play out through diplomatic channels, mutual agreements, or rulings of domestic courts.  

**Conclusion:**

The calls for restitution echoing around the world are not likely to cease anytime soon. The demands for repatriation underscore the larger context of former imperial powers needing to reconcile with their violent and oppressive pasts. While international law has expanded to facilitate the restitution of cultural property, there is no single solution favorable to the many parties involved. Rather, national governments, courts, and private institutions will need to work together to reach solutions that acknowledge the violence of colonial legacies, while also honoring the right to ownership of culturally significant artifacts.

**Questions:**

1. How do we define cultural ownership in the 21st century? Are the lines clear cut, given that cultures do not always line up with the current boundaries of nation state?
2. How can developing nations support the developing world in preserving cultural heritage?
3. How and where can art best be appreciated?

**Resources:**


