Briefing Paper – Special Committee

**The Issue of the Repatriation of Cultural Property**

The repatriation of cultural property is a pressing global issue that demands the attention of the international community. Repatriation of cultural property refers to the process by which cultural, historical, or artistic artefacts and objects that have been taken, acquired, or removed from their country of origin, often under colonial or illicit circumstances, are returned to their rightful place or owners. Finding solutions that balance the rights of countries of origin, institutions, and collectors is essential for a just and equitable resolution to this ongoing challenge.

Background information:

The issue of cultural property repatriation has its roots in centuries of colonisation, imperialism, and cultural appropriation. During these periods, countless cultural artefacts were looted, stolen, or acquired through coercion from their places of origin. Many of these items found their way into museums, private collections, and institutions in foreign countries. Repatriation honours the cultural and historical significance of objects to their countries of origin. It promotes the preservation of cultural heritage and identity, fostering healing and reconciliation between countries and indigenous communities that have suffered cultural loss. Repatriation can involve negotiations, legal actions, or diplomatic efforts, guided guided by principles of cultural heritage preservation and respect for the cultural rights of indigenous peoples and nations.

There are a few challenges with repatriation of cultural property, such as ambiguities in international law that make it challenging to navigate repatriation cases. As well as this, determining rightful ownership can be complicated, especially when multiple parties claim an object. Furthermore, some museums and institutions may resist repatriation due to concerns about the loss of valuable collections.

Past examples to consider:

* Greece has long sought the repatriation of the Elgin Marbles, a collection of classical Greek marble sculptures taken from the Parthenon by Lord Elgin in the early 19th century. The dispute over their return has strained relations between Greece and the British Museum, where the sculptures are currently housed. Greeks argue that the repatriation of these cultural treasures is essential to their national heritage and identity.
* Egypt has sought the repatriation of various artefacts, including the Rosetta Stone, which is currently in the British Museum, and the bust of Queen Nefertiti, located in the Neues Museum in Berlin. These artefacts were removed during the colonial era, and Egypt argues that they should be returned as they are essential to understanding the country's rich history and culture.
* Indigenous Australian communities have been affected by the repatriation of cultural items, such as ancestral remains and sacred objects, which were taken from their communities and placed in museums and collections around the world. Efforts have been made to repatriate these items to their rightful owners, allowing Indigenous communities to reconnect with their cultural heritage.

These examples illustrate the complex and often contentious issues surrounding the repatriation of cultural property and the impact it can have on the cultural identity and heritage of communities and nations.

Useful links:

* <https://collectionstrust.org.uk/cultural-property-advice/restitution-and-repatriation>
* [https://www.museumsassociation.org/museums-journal/features/2020/11/a-new-approach-to-repatriation/#](https://www.museumsassociation.org/museums-journal/features/2020/11/a-new-approach-to-repatriation/)
* <https://en.unesco.org/fighttrafficking/icprcp>
* <https://westportlibrary.libguides.com/ArtRepatriation>