



**CALMUN'25**  
**UNITED NATIONS**  
**EDUCATIONAL, SCIENTIFIC**  
**AND CULTURAL**  
**ORGANISATION (UNESCO)**  
**STUDY GUIDE**



**Agenda Item: The Repatriation and Ownership of Stolen Artefacts**

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## **1. Letter from the Secretary-General**

Esteemed Participants,

As the Secretary-General of Çağaloğlu Model United Nations, it is my distinct honor to welcome you all to the 7th edition of CALMUN, which will take place on May 16th, 17th, and 18th, 2025. It is with great pleasure that we present the study guide for UNESCO, which aims to equip you with the essential knowledge and context for the upcoming three days.

After months of preparation and dedicated effort, I am proud to say that we are now just one step away from CALMUN 2025. We hope that, by reading this guide, you will feel as ready and enthusiastic as we are.

Without a doubt, this conference would not be possible without the contributions of our remarkable academic team. I extend my gratitude to our Head of Academy, Özge Öztürk; our Co-Heads of Crisis, Meryem Sultan Çok and Akay Engin; our devoted and hardworking team members; and our motivated trainees. Their commitment and passion have brought this vision to life and elevated CALMUN's academic quality to its peak.

Furthermore, I would also like to extend my best wishes to all delegates participating in CALMUN 2025. Whether this is your first conference or you are a seasoned MUNer, I thank each of you for taking a step forward and joining us. We truly hope that CALMUN will be a special experience that you will remember warmly in the future. From my perspective, MUN is about motivation, enjoyment, meaningful discussion, and connection. I wish each delegate an inspiring, engaging, and memorable experience.

Warm regards,

Ceylin Gürsoy

Secretary-General

## 2. Glossary

**Artefact:** An object made or modified by humans that holds historical or cultural significance.

**Repatriation:** The process by which cultural objects are returned to a nation or state at the request of a government.

**Restitution:** The act of returning something lost or stolen to an individual or community, often referring to cultural objects.

**Usurp:** To take a position of power or control illegally or by force, often used to mean seizing authority, property, or rights.

**Memorial:** A structure, object, event, or action designed to honour and remember the memory of a person or event.

**Colonisation:** The act of establishing control over foreign territory and its people, often through force, and exploitation of resources and cultures.

**Looting:** To steal goods, often during a war, riot, or chaotic situation, typically involving the raiding of cultural sites.

**Plunder:** The violent or forceful seizure of goods, often associated with war or conquest, where cultural objects, valuables, or resources are taken without consent.

**War campaign:** A series of military operations aimed at achieving a specific goal during a conflict, often resulting in territorial gain, destruction, and looting or plundering.

**Cultural heritage:** The legacy of cultural assets, including structures, artefacts, traditions, and sacred practices, that are passed down through generations, representing the history and national identity of a community.

### 3. Introduction

Throughout history, nations have documented their history through art, literature, and craftsmanship. Artefacts represent the period in which they were created and give humanity an insight into the past, where records remain scarce due to the lack of technology or are destroyed during wars, invasions, natural disasters, or due to the passage of time. Now, these artefacts are more valuable than ever, as they represent the period of their creation, and pose as culturally significant memorials. But most of these artefacts don't remain where they were created. For centuries, powerful nations and empires have taken valuable objects, including cultural property, from those they have conquered and colonised. These objects have always been seen as tools for trade and a valuable asset to loot, instead of being preserved. As a result, artefacts of these usurped lands remain scattered all over the world.

Records show that the importance of this issue was recognised as early as 70 B.C. in [Marcus Tullius Cicero's](#) speeches, a Roman scholar and philosopher. However, it was not until the 1950s, after World War II, that colonisation and war crimes against humanity began to be exposed and repatriation and restitution cases came to light. Since then, numerous stolen works have been returned to their rightful owner from museums, universities, and private collections.

Repatriation is also not just about ownership. It is about learning and recognising the wrongdoings of the past and showing respect to those who have been negatively impacted. Communities have gone through great suffering under wars and conflict, and in most cases, the culture and history of the land remain unrecognised and hidden. It is essential to address this topic at UNESCO to preserve world history and consider the wishes of both sides. In this committee, we will discuss the ethics of the ownership of artefacts, the forgotten history, how to protect objects of significance, and how the actions we take regarding repatriation should change in the future.

## 4. History

### a. Colonialism Period

War and the subsequent looting of defeated peoples have been common practices since ancient times. For thousands of years, victors have been claiming artefacts of defeated countries and justifying their trade and destruction. From the 17th to the 20th century, European powers took huge quantities of artefacts from the regions they took and colonised. One of the most significant examples of large-scale looting is [Napoleon's](#) campaign. His armies plundered treasures from all of the vast lands under the French Empire, which extended from Europe to overseas colonies in America, Asia, and Africa. Their theft was justified by a false idea of superiority, as they claimed that their artistic taste made them better suited to appreciate the art. With the founding of the Louvre museum in Paris in 1793, Napoleon's aim was to establish an [encyclopaedic exhibition](#) of art history, which later both Joseph Stalin and Adolf Hitler attempted to replicate.

However, the practice of looting was not exclusive to France. The British Empire, for example, seized cultural treasures from its colonies, notably the [Elgin Marbles](#) from Greece and the [Benin Bronzes](#) from Nigeria, which were previously housed in British museums. Similarly, Belgium's exploitation of the Congo led to the acquisition of numerous artefacts that were transported to Europe, as did Germany's involvement in Tanzania and Namibia, where cultural objects were looted during colonial rule. Some of these artefacts still remain in European museums, sparking ongoing media coverage and debates about repatriation and cultural justice.

Additionally, indigenous peoples worldwide were heavily affected by cultural theft during colonisation. In the Americas, Australia, and Africa, sacred objects linked with their religions, traditional art, and even human remains were looted. Indigenous communities, such as the Maori of New Zealand and Native American tribes in the U.S., continue to advocate for the return of these objects as part of the broader movement for reparative justice.

## **b. The Modern Era**

Nazi Germany's looting campaigns during World War II represent the biggest example of cultural theft in modern history. Between 1933 and 1945, the Nazis systematically seized artworks and cultural objects from museums, galleries, and private collections, particularly targeting Jewish families. The regime sought to enrich German collections and construct a grand museum in Linz, Austria, called the "[Führermuseum](#)", much like the Louvre established by Napoleon. Millions of works of art were taken, with some estimates suggesting as many as [20% of Europe's artworks](#) were looted. The Nazis focused not only on valuable paintings but also on manuscripts, books, religious relics, and other cultural heritage items. Some of the most famous works stolen include masterpieces by artists like Vermeer, Rembrandt, and Leonardo da Vinci.

Since then, laws of repatriation and foundations to support the cause have been established. For example, the Monuments, Fine Arts, and Archives Section Unit (MFAA) was a program established in 1943 to protect cultural property in war areas during and after World War II. Appointed service members and civilians worked with military forces to protect historic and cultural monuments from war damage, and as the conflict came to a close, to find and return items stolen by Nazis or hidden for safekeeping." As of today, the organisation continues its duty under the name [Monuments Men and Women](#) to honour those who have served to protect artefacts during times of war, and continue the efforts of repatriation.

## **c. Current State of the World**

Currently, there are numerous ongoing wars where art and culture no longer hold any worth. As we have seen previously, cultural property -including architecture, antiquities, artworks, and even human remains- perishes during conflicts. Most of the time, bombings cause the most damage, but during the chaos, artefact trafficking from abandoned archeological sites, or even deliberate destruction of historical evidence, is common. The protection of these artefacts falls on the general public. A notable modern example is the destruction carried out by ISIS in Iraq and Syria, where significant ancient sites like [Palmyra were deliberately demolished](#). Additionally, ISIS engaged in the trafficking of cultural artefacts to finance its operations.

The major ongoing conflicts between Russia and Ukraine, as well as Israel and Palestine, have already led to the destruction of cultural heritage and looting. According to the [International Bar Association](#), by the end of December 2023, 872 objects of cultural heritage were destroyed or damaged in 17 regions of Ukraine. In addition, over 2,000 exhibits were looted, and Russian occupiers had stolen thousands of artefacts from almost 40 Ukrainian museums. Furthermore, in January of 2024, UNESCO verified the destruction of at least 10 historical buildings and five religious sites in Gaza. Other channels share that the destruction of museums has already caused the loss of 3,000 artefacts.

## **5. Cultural Nationalism and Internationalism**

There are two prevailing schools of thought regarding cultural property: cultural nationalism and cultural internationalism. These ideologies significantly influence domestic cultural property laws and international policies. States often gravitate toward the perspective that aligns with their historical experiences, institutional capacities, and cultural priorities.

Cultural nationalism considers cultural heritage as an inseparable part of a nation's identity, whether the country where the object was created, discovered, or currently resides. According to this perspective, the ownership, control, and interpretation of artefacts fall within the sovereign rights of the state. It empowers nations to decide whether to preserve, display, or even remove cultural property based on national values and contexts. Countries with long histories of colonisation or cultural displacement often favour this view as a form of reclamation and historical justice.

However, this outlook is not without complications. In some cases, it allows governments to dismiss or destroy artefacts associated with marginalized cultures or minority groups. For example, the destruction of the Bamiyan Buddhas by the Taliban was not recognized as a cultural loss by the ruling regime at the time. Similarly, places of worship belonging to the Rohingya, Uyghur, Yazidi, or other persecuted communities have often faced deliberate erasure, raising questions about who defines cultural value in such contexts.

On the other hand, cultural internationalism views cultural property as part of a shared human heritage, belonging to all humanity regardless of origin. Under this model, artefacts can be housed in institutions best equipped to preserve them and make them accessible to a global audience. Proponents emphasize that museums and universities across the world act as guardians of world culture, preserving knowledge and artefacts for future generations.

Nonetheless, cultural internationalism is not without criticism. It is often viewed as a continuation of colonial logic, retaining artefacts taken during times of war or under unequal power structures, and framing it as a service to humanity. Critics argue that this dilutes the historical, spiritual, and cultural meaning of artefacts for the communities from which they originate. Furthermore, claims of "universal accessibility" can be questioned when these artefacts are displayed in institutions located in wealthier nations, inaccessible to many from their places of origin.

In reality, this debate is not purely black and white. Some institutions and countries are exploring middle-ground approaches: long-term loans, collaborative exhibitions, shared custodianship, and digital repatriation are emerging as potential alternatives that aim to respect both the global significance and the local roots of cultural heritage.

## **6. Overview**

The principle of returning stolen cultural property is widely acknowledged in international discourse. However, the practical implementation of repatriation remains a complex and often contentious process. While the moral directive behind restitution may seem clear, a wide range of legal, logistical, political, and ethical challenges make such efforts far from straightforward. Returning a looted object -whether taken during war, colonial occupation, or illicit trade- can carry profound implications, including an implicit acknowledgment of historical wrongdoing or complicity.

In recent years, global awareness of the issue has grown, but a number of recurring obstacles continue to complicate repatriation claims. These challenges are often interpreted differently depending on national priorities, legal traditions, and geopolitical standing.



### **a. Capability Discrepancies**

One of the most frequently cited reasons for resisting repatriation is the perceived lack of infrastructure in source countries. Institutions currently housing contested artefacts often argue that they are better equipped to protect, preserve, and display these items. This argument is particularly common when the country of origin is affected by poverty, political instability, or conflict, and may lack the necessary conservation technology or museum security systems.

However, this reasoning can reflect underlying assumptions about institutional superiority, and in some cases, may echo colonial attitudes that deemed certain cultures incapable of safeguarding their own heritage. Critics argue that such claims ignore both the right of communities to access their history and the potential for international cooperation in capacity-building. As some states continue to assert stewardship on the basis of resources rather than rightful ownership, others see this as a barrier to equitable cultural relations.

### **b. Cultural Internationalism**

Proponents of universal museums often advocate for the idea that artefacts from various cultures should be displayed collectively, to foster cross-cultural understanding and promote a shared global heritage. These institutions present themselves as encyclopaedic, offering a comparative lens through which humanity's development can be viewed across time and geography. This model is deeply rooted in the notion of cultural internationalism, which holds that heritage should transcend borders and be preserved for all mankind.

Yet, this view is contested. Many argue that such institutions primarily exist in economically advanced countries, where access is often limited to a privileged segment of the global population. In practice, this means that artefacts originating in formerly colonized or less affluent nations are often accessible only to those who can afford to travel. Critics also question the neutrality of such institutions, as their collections often reflect historical imbalances in power and acquisition.

### **c. Multinational Borders**

A further complication arises when cultural artefacts are tied to ancient civilizations that no longer exist or whose territories spanned several modern-day states. This creates ambiguity over which contemporary nation, or ethnic group, has the strongest claim to ownership. In regions where historical empires crossed current borders, disputes may arise between multiple countries that view the same artefact as integral to their national story.

Additionally, some artefacts may hold cultural value that extends beyond any single nation-state. This raises complex questions about whether they should be repatriated at all, or instead be housed in shared regional institutions or rotated between claimants under multilateral agreements. While some countries advocate for exclusive return, others promote collective stewardship, highlighting tensions that may shape bloc positions and negotiation strategies during committee debate.

### **d. Legal Difficulties**

The legal status of artefacts is often contested. In many cases, objects were acquired through mechanisms that were technically legal at the time, such as purchases, diplomatic gifts, or treaty-based exchanges. However, questions arise as to whether these transactions were conducted under coercive or unequal circumstances, especially in colonial or wartime settings.

Moreover, documentation for many artefacts is incomplete, lost, or deliberately obscured, making it difficult to verify ownership or establish provenance. Even when transactions were recorded, modern international law increasingly places weight not only on legality, but also on ethical considerations, such as the intent and context of acquisition, and the impact on the communities affected.

The distinction between legality and legitimacy is at the heart of many repatriation debates. Some nations emphasize historical legality as a basis for preservation, while others focus on moral restitution, arguing that past laws do not excuse present injustice. These differing legal philosophies often reflect broader divides in how history is interpreted, justice is defined, and cultural rights are prioritized.

#### **e. National Priorities and Structural Realities**

Beyond legal frameworks and ethical considerations, the repatriation debate is deeply shaped by the differing priorities and structural positions of states within the international system. While all countries may agree in principle on the value of protecting cultural heritage, their approaches to repatriation are often informed by historical experience, institutional capacity, and geopolitical identity.

Some states approach repatriation through the lens of compensation for historical injustice. Often shaped by past experiences of colonisation, conflict, or systematic cultural erasure, these countries tend to view the return of cultural property as a vital step in reclaiming agency over their own narratives. For such states, restitution is closely linked with national dignity, cultural sovereignty, and postcolonial recovery. In contrast, states that currently hold large collections of foreign cultural objects may place greater emphasis on legal ownership, responsibility, and the safeguarding of artefacts. Institutions in these countries often highlight their capacity for conservation, public exhibition, and academic research. This position is frequently accompanied by calls for thorough documentation and due process before repatriation decisions are made, and may also reflect concerns about setting precedents that could affect the broader museum sector.

Other states, particularly those experiencing ongoing conflict or in post-conflict recovery, face practical limitations that influence their positions. For them, the urgent priorities of preserving what remains, securing archives, and rebuilding institutional trust may take precedence. In such cases, temporary custodianship arrangements, regional partnerships, or emergency interventions by neutral parties may be considered necessary before full restitution can be realised.

At the same time, some highly globalised or culturally influential states adopt a position that seeks to balance diplomatic sensitivity with institutional interests. These governments may support restitution in theory, but favour negotiated returns, joint custodianship models, or long-term loans as compromise solutions. Their institutions often play a dual role, hosting international exhibitions while participating in broader discussions on cultural diplomacy.

## **7. The Role of Non-State Actors in Repatriation**

Although the repatriation of cultural artefacts is often framed as a matter of international law and intergovernmental negotiation, it is far more complex. Non-state actors -including indigenous communities, religious institutions, private collectors, academic and cultural institutions, and civil society organisations- play a critical and often underappreciated role in shaping how repatriation is pursued, challenged, and achieved.

### **a. Indigenous and Local Communities**

Indigenous communities are among the most prominent and vocal non-state stakeholders in cultural repatriation efforts. For these groups, cultural artefacts are often not merely historical or artistic objects but hold deep spiritual, ceremonial, and ancestral significance. Items such as sacred masks, burial objects, ceremonial garments, or human remains are essential to the preservation of cultural continuity and identity, especially for communities that have endured colonisation, forced assimilation, and systemic marginalisation.

Historically, many such artefacts were removed without consent during missionary activities, scientific expeditions, or colonial administrative campaigns. Today, indigenous-led movements advocate for the return of these objects to their rightful communities, often invoking ethical arguments alongside international legal instruments such as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

However, their involvement is not without challenges. Indigenous voices are sometimes excluded from formal state processes or lack the resources to pursue claims through legal avenues. Repatriation involving indigenous artefacts therefore demands meaningful consultation, inclusion, and capacity-building, particularly when engaging with national governments or institutions that may not share the same cultural values or priorities.

## **b. Religious Institutions**

Religious institutions have historically been custodians of cultural heritage, particularly in regions where faith and culture are deeply intertwined. Many artefacts that are now displayed in museums or private collections -such as relics, manuscripts, liturgical objects, or icons- were originally used in religious rituals or held sacred meaning within their communities.

In many cases, such items were removed during periods of conquest, religious persecution, or missionary activity. Churches, mosques, temples, synagogues, and other faith-based organisations have since emerged as key actors in calls for restitution, particularly when artefacts are believed to have been taken in violation of religious autonomy or sacred space.

Their participation in repatriation dialogues often brings moral authority and community legitimacy, but also introduces questions. For instance, should religious claims override national or legal claims? What happens when a religious object is significant to more than one community? How should repatriation be approached when a religious institution is no longer active or recognized by the state?

## **c. Private Collectors and the Art Market**

A substantial portion of the world's cultural property exists outside of public institutions, held by private collectors, dealers, and galleries. These actors can significantly influence repatriation outcomes, either by returning objects voluntarily, resisting restitution claims, or facilitating illicit sales that complicate provenance tracking.

Private collections often include items acquired through inheritance, auction, or private sale, and the legality of their acquisition is frequently contested, particularly for artefacts with vague or incomplete documentation. While some collectors and dealers cooperate with restitution efforts and work closely with provenance researchers, others may be reluctant to part with valuable pieces, especially in the absence of binding legal obligations.

The role of the art market also raises questions about regulation, transparency, and ethics. International auction houses, antiquities dealers, and art fairs operate across borders, sometimes beyond the reach of national laws.

A third-century Roman silver plate, reportedly linked to convicted antiquities trafficker Gianfranco Becchina, was re-listed for auction by [Bonhams](#) despite questions surrounding its provenance. The case highlights ongoing challenges in verifying the legality of objects circulating through private collections and the international art market.



#### **d. Academic and Research Institutions**

Universities, libraries, archaeological missions, and scientific institutions have long been involved in the collection, study, and exhibition of cultural artefacts. These institutions often possess extensive holdings, ranging from manuscripts and textiles to human remains and ritual items, acquired during periods of imperial expansion or international scholarship.

While academic institutions may claim that these items are preserved for educational and research purposes, the circumstances of their acquisition, particularly when expeditions involved local coercion or unequal power dynamics, are questionable. In recent years, many universities and museums have begun to re-evaluate their collections, develop repatriation policies, and return objects to their rightful communities.

### **8. Recent Updates**

The global conversation around repatriation and restitution intensified significantly in 2023. Tens of thousands of formal requests for the return of cultural property were submitted to museums, private collections, and national authorities. Thousands of these claims resulted in successful returns, reflecting a growing international consensus on the moral and legal imperatives to restore displaced heritage to its rightful communities. These activities have been fuelled by increased public awareness, political advocacy, and institutional willingness to revisit the circumstances under which many objects were acquired.

A notable milestone occurred on June 3rd, 2024, with the launch of the [Museum of Looted Antiquities \(MOLA\)](#), a digital institution founded by Jason Felch, who is a former investigative journalist known for his work uncovering art trafficking networks and documenting restitution cases. MOLA represents a new phase in the global repatriation movement, blending technology, transparency, and scholarship to document and share the stories behind returned artefacts.

MOLA's core mission is to digitally record and publicly archive cultural property that has been returned to its country or community of origin. As of 2024, its database contains information on over 860 repatriation cases, accounting for more than one million artefacts. A curated selection of approximately 100 objects is already featured in its virtual galleries, and the collection continues to expand as more data is contributed by art historians, archaeologists, and heritage professionals from around the world.

One of MOLA's most innovative contributions is its commitment to digitization and open access. By maintaining a comprehensive online record of each artefact's history -including its removal, journey through the art market, and eventual return- MOLA provides a valuable educational tool for schools, universities, and museums. The digital format also protects these stories from the loss or damage that can affect physical records or fragile artefacts themselves.

While widely praised as a model of transparency and international cooperation, MOLA also introduces new points for discussion within the repatriation debate. Some cultural institutions may question the extent to which virtual repatriation, through digital archives or 3D models, can or should substitute for the physical return of objects. Others argue that digital tools, though valuable, may risk detaching communities from the tactile, spiritual, or symbolic significance of actual artefacts. Furthermore, digital archiving raises questions of control and access. Who curates these narratives, and which histories are emphasized? How can platforms like MOLA ensure inclusivity and avoid replicating the very hierarchies they seek to challenge?

## 9. Timeline of the Important Events

- **1815:** After Napoleon's defeat, European powers agreed to return some of the cultural objects looted during his campaigns during the Congress of Vienna. This early effort at repatriation marked the beginning of formal attempts to restore cultural property seized during wars.
- **1954:** The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict was held by UNESCO. This international treaty, developed after the widespread looting and destruction during World War II, aimed the protection of cultural property during conflicts. Protocols for repatriating cultural objects taken during wartime were established.
- **1945-1951:** Following World War II, a group of 400 officers and experts known as the Monuments Men were tasked with recovering and returning cultural treasures looted by the Nazis. This effort led to the return of thousands of artworks and cultural items to their countries of origin.
- **1970:** The UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property was held with the goal of mitigating illegal trafficking of cultural objects and promoting the return of looted or illegally exported objects to their rightful owners.
- **1991:** During and after the Gulf War, destroyed and looted museums and archaeological sites in Iraq showed the vulnerability of cultural heritage during conflicts. This event sparked international discussions on strengthening measures to prevent looting and illegal markets during times of war.
- **2001:** The Taliban destroyed two [Bamiyan Buddha statues](#) in Afghanistan, calling attention to the stronger protection of cultural heritage in conflict zones. This event highlighted the dangers of disregarding cultural heritage from those in power.
- **2007:** The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted, recognizing the rights of indigenous peoples to control and repatriate their cultural heritage. It marked a significant step toward addressing historical wrongs and supporting indigenous claims for the return of artefacts and sacred objects.



- **2015:** During the Syrian Civil War, ISIS destroyed ancient sites in Palmyra, using deliberate destruction of cultural heritage as an attack on national identity.
- **2020:** The International Council of Museums (ICOM) published the updated [Red List](#) to combat the trafficking of cultural heritage with identification for categories of objects vulnerable to looting during conflict or instability.

## 10. Previous Attempts to Solve the Issue

**UNESCO 1970 Convention:** The UNESCO 1970 Convention is considered to be the framework for preventing the illegal import, export, and transfer of ownership. By promoting the return of stolen items to their countries of origin, the convention reinforces the importance of cultural heritage and national identity. Its significance lies in fostering cooperation among nations to safeguard cultural heritage, thus recognizing that cultural artifacts are not merely objects but vital links to the history and identity of peoples around the world.

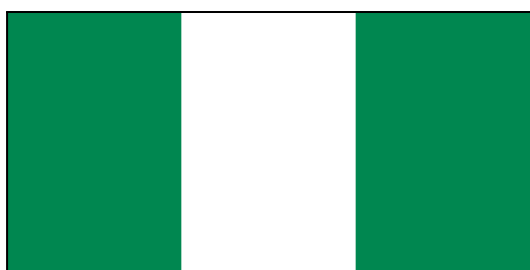
**UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995):** The UNIDROIT Convention further supported the previously established UNESCO framework by providing a legal mechanism for the restitution of stolen cultural objects. It establishes clear rules regarding the return of artefacts based on their conditions and sets out the rights of countries to reclaim items illegally exported. This convention is crucial as it empowers nations to reclaim their cultural heritage.

**The 1998 Washington Conference Principles on Nazi-Confiscated Art:** The Washington Conference Principles address the restitution of art and cultural property confiscated during the Nazi regime, and encourage countries to develop processes for resolving claims and returning such items to rightful owners. This framework not only aids in undoing the wounds of the past but also sets an example for addressing similar claims related to other periods of unjust confiscation.

**Bilateral Agreements:** Bilateral agreements between countries, such as the one between the [United States and Italy](#), facilitate the simple and safe return of looted artefacts. These agreements recognize the importance of cultural heritage and establish specific protocols for cooperation in repatriation efforts, and set a precedent for other nations to follow. By fostering partnerships based on trust and shared values, they help the global effort significantly to combat the illicit trade of cultural artefacts and ensure that nations are held accountable.

**The 2016 International Guidelines for the Repatriation of Cultural Property:** The 2016 International Guidelines, established by the International Council of Museums (ICOM), provide a framework for museums and institutions to address repatriation claims. These guidelines set an ethical responsibility for museums to recognize the rights of the origin nations and the return of cultural property. These guidelines promote transparency and accountability in museum practices and help address the claims of restitution or repatriation.

## 11. Major Parties and Stakeholders Involved



**Nigeria:** Nigeria has been a prominent advocate in the global repatriation movement, with its demands for the return of the Benin Bronzes serving as one of the most widely recognized restitution campaigns to date. These artefacts, taken during the British punitive expedition of 1897, are now housed in numerous museums across Europe and North America. Nigeria positions repatriation not only as a legal and diplomatic issue but as an act of postcolonial justice - a means of restoring cultural identity, healing historical wounds, and reclaiming narratives that were forcibly interrupted during colonial rule.

In recent years, Nigeria has expanded its domestic infrastructure to accommodate returned cultural property, including the development of new museums and the renovation of existing heritage institutions. The government has also engaged in bilateral discussions and cooperative arrangements, including partnerships with German institutions and other European stakeholders.



**Greece:** Greece has maintained a decades-long campaign for the reunification of the Parthenon Marbles, many of which are currently displayed in the British Museum. The country's position is grounded in the belief that these sculptures are integral components of the Parthenon, a UNESCO World Heritage Site, and that their removal during the early 19th century by Lord Elgin constitutes an act of cultural dismemberment.

To reinforce its claim, Greece has established the Acropolis Museum, a modern facility with purpose-built galleries that await the marbles' return. The country has used both diplomatic dialogue and public engagement to maintain international support for the restitution campaign. While the UK maintains legal ownership under British law, the Greek argument resonates with broader concerns about colonial-era acquisitions and the modern responsibilities of cultural institutions.



**Germany:** Germany has become a leading example of voluntary repatriation, particularly through its recent returns of the Benin Bronzes to Nigeria. These efforts have signaled a shift in German policy, prioritizing transparency, historical accountability, and ethical museum practices. While the German government and several major museums had long maintained artefacts acquired during the colonial period, recent public debate and academic research have pushed institutions to acknowledge the origins of contested objects and pursue restitution in collaboration with source countries.

Germany's approach is firmly rooted in provenance research, with dedicated funding and institutional support to investigate the histories of artefacts held in public collections. Its returns have been accompanied by joint exhibitions, long-term cultural partnerships, and capacity-building initiatives in the recipient countries. However, the broader conversation on colonial legacy in Germany remains ongoing, with some domestic actors advocating for broader reforms in education, museum curation, and public memory.



**The United Kingdom:** The United Kingdom holds some of the world's most prominent and contested cultural artefacts in national institutions such as the British Museum and the Victoria and Albert Museum. Many of these objects were acquired during the colonial period and include high-profile examples like the Parthenon Marbles and the Benin Bronzes. The UK's approach traditionally emphasizes legal ownership, conservation standards, and the principle of universal access to global heritage. Existing legislation often restricts national museums from permanently returning artefacts, creating legal barriers to restitution.

However, this position has come under increasing scrutiny from both international claimants and domestic critics. While some argue that the UK's museums provide a neutral space for global education, others view continued possession of contested objects as a legacy of imperialism. In recent years, a number of smaller institutions and universities have initiated returns or explored alternative models such as long-term loans, co-curation, or digital repatriation.



**The United States:** The United States occupies a unique position in the global repatriation landscape as both a major collector of foreign cultural artefacts and a country with its own heritage that has been subject to removal and displacement. Its museums, universities, and private collections hold a vast range of objects originating from ancient civilizations, colonial territories, and indigenous communities. Over the past few decades, the U.S. has adopted a more structured approach to restitution, strengthening domestic laws such as the Native American Graves Protection and Repatriation Act (NAGPRA) and entering into bilateral agreements with several countries to limit the import and trade of looted antiquities.

Despite these measures, the U.S. continues to face criticism and legal challenges regarding the retention of contested artefacts, especially those linked to the indigenous peoples of North America and to archaeological material from conflict zones. High-profile cases involving the seizure of objects from auction houses or private collections have highlighted ongoing issues with provenance research and market regulation.



**China:** China has emerged as one of the most active states in the pursuit of repatriation of cultural property, particularly with regard to artefacts removed during the 19th and early 20th centuries - often in the context of imperial conflict, unequal treaties, or wartime looting. Many of these items, including bronzes, ceramics, calligraphy, and religious sculptures, were taken during events such as the looting of the Old Summer Palace in 1860 or later during periods of foreign occupation. Repatriation is framed by the Chinese government as both a diplomatic priority and a matter of cultural sovereignty, closely tied to national identity and historical redress.

China has invested heavily in building new museums, digital archives, and heritage research institutions to receive and preserve returned artefacts, while also collaborating with foreign institutions on provenance research. Its government has made use of diplomatic channels, legal claims, and even public auctions to recover cultural property, while also imposing stricter controls on domestic export of heritage items. However, critics have raised concerns about transparency and access within China's own museum system, as well as about the politicization of repatriation cases.



**United Nations Educational, Scientific, and Cultural Organization (UNESCO):** UNESCO has long been a protector of the world's cultural heritage, especially as it relates to the repatriation of stolen artefacts. Their work extends beyond legal measures, as they actively encourage cooperation between nations, mediating negotiations for the return of cultural objects that have been taken during times of conflict or colonisation.



**International Criminal Police Organization (INTERPOL):**

INTERPOL plays a critical role in international efforts to combat the trafficking of stolen cultural property. With its database of over 50,000 stolen works of art, INTERPOL helps nations track down and recover artefacts that have been lost to looting, theft, or illicit trade.



**International Court of Justice (ICJ):** The International Court of Justice is the principal judicial organ of the United Nations, and it plays an essential role in settling disputes between nations over cultural property. When diplomatic efforts fail, nations can turn to the ICJ to resolve claims involving stolen or misappropriated cultural artefacts. The ICJ's decisions reaffirm the importance of international law in restoring

justice.



**International Council of Museums (ICOM):**

ICOM serves as a global network of museums and professionals dedicated to the protection and promotion of cultural heritage. Beyond its role in preserving and displaying cultural objects, ICOM establishes ethical guidelines for the ownership and return of artefacts. Its Code of Ethics for Museums is widely regarded as the gold standard for museum practices. They work closely with communities and nations who seek the return of their cultural property. By establishing cooperation between museums and setting ground rules, ICOM helps bridge the gap between institutions and nations.



**Cultural Heritage Partners:** This organisation offers specialised legal and consulting services focused on the protection and restitution of cultural heritage. Cultural Heritage Partners

work closely with governments, museums, and cultural institutions in their legal struggles. Their expertise is essential for settling complex legal matters, especially when the topic is repatriation.



**The Art Loss Register:** The Art Loss Register has the world's largest private database of stolen

art, and their comprehensive records help identify stolen artefacts and provide crucial information for legal ownership disputes. By connecting buyers, sellers, and law enforcement, the Art Loss Register promotes transparency in the art market and promotes ethical practices in art collection.

## 12. Possible Solutions

- Providing international funding and establishing long-term partnerships between institutions can help improve security measures, train staff in artefact preservation practices, and transfer of knowledge and resources, such as sharing expertise in conservation and display techniques. In addition, cultural tourism programs that generate revenue for local communities and museums could provide economic benefits and improve the overall state of museums worldwide.

- In cases of war or political instability, temporary safekeeping agreements could be arranged with war-neutral nations such as Switzerland, where artefacts can be securely stored until they can be safely returned to their country of origin. Once the situation stabilises, the artefacts could be returned to their rightful locations. Alongside safekeeping agreements, the creation of international emergency response teams could help evacuate and protect cultural artefacts from conflict zones. These teams, coordinated with war-neutral nations, could swiftly assess and relocate vulnerable items to secure locations, minimising the risk of loss or destruction.

### **13. Points to Cover**

1. How can existing international legal frameworks be strengthened or reinterpreted to facilitate more effective and equitable repatriation of cultural property?
2. What role do museums and cultural institutions play in the repatriation process, and how can they promote ethical practices?
3. In what ways can the principles of cultural nationalism and internationalism be reconciled to uphold the rights of origin communities while maintaining global access to cultural heritage?
4. How can the protection and preservation of cultural artefacts be secured in ongoing conflicts?
5. How can local, indigenous, and descendant communities be meaningfully engaged in decisions regarding the restitution of cultural heritage?
6. To what extent should cultural artefacts be regarded as the property of individual nations versus part of a shared global heritage?
7. Who holds the authority, or should hold the authority, to define which cultural objects merit recognition and protection as heritage of significant value?



8. Can digital preservation and virtual access provide a meaningful alternative to the physical return of cultural artefacts, or do they risk detaching objects from their cultural and historical contexts?
9. What forms of international cooperation -legal, diplomatic, or institutional- can be enhanced to improve transparency, accountability, and fairness in repatriation processes?

#### **14. Resources and Links for Further Research**

[The Law on Looting – Repatriation of Stolen Artifacts to Their ...](#)

[The story of Nigeria's stolen Benin Bronzes, and the London ...](#)

[\(PDF\) Cicero's Prosecution of Gaius Verres: A Roman View of the ...](#)

[From Stolen Heritage to Restitution: The Story Behind Looted Art](#)

[The Fate of Cultural Property in Wartime: Why it Matters and What ...](#)

[History of UNESCO](#)

[Widescale destruction of cultural heritage in Gaza](#)

[Museum of Looted Antiquities](#)

[Preservation of Cultural Heritage in Conflict Zones - TDHJ.org](#)

[Was 2023 the Year Looted Art Returned Home?](#)

[Return and Restitution Cases - UNESCO](#)