

**Forum:** The Fourth General Assembly

**Issue:** Addressing the repatriation of cultural artifacts to countries of origin

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## Introduction

The repatriation of cultural artifacts has become a key issue in international relations, with several countries calling for the return of their treasures. Nations like Greece, Nigeria, and Egypt have been at the forefront of these efforts, seeking the return of artifacts such as the Parthenon marbles, Benin Bronzes, and the bust of Nefertiti, all of which were removed during periods of colonialism or conflict. The Fourth committee of the General Assembly has addressed these issues with the broader context of decolonization and the protection of cultural heritage. Through resolutions and conventions like the 1970 UNESCO convention, the UN encourages member states to take steps toward the restitution of cultural property, emphasizing the importance of returning these artifacts to their rightful owners as part of efforts to correct historical grievances.

This issue has deep historical roots, primarily linked to colonialism, imperialism, and war. Mainly during the 18th and 19th centuries, European empires expanded across Asia, Africa, often seizing cultural artifacts from indigenous populations, sacred sites, and ancient ruins. Many of these artifacts were taken under the guise of scientific study or cultural “protection” and found their way into museums and private collections in Europe and the United States. These items were often taken without consent, undermining the cultural identity and sovereignty of the communities involved. After World War II and with the wave of decolonization in the 20th century, newly independent nations began

calling for the return of their cultural heritage, viewing these artifacts as symbols of their national identity and pride

## **Definition of Key Terms**

### **Repatriation**

The process of returning cultural artifacts, artworks, to their country or community of origin to restore cultural heritage and address historical injustices.

### **Cultural property**

Physical items such as artworks, artifacts, monuments, and historical buildings that hold significant cultural, historical, or spiritual value for a group or society, representing its heritage and identity across generations.

### **Illicit trade**

The illegal trafficking, smuggling, or sale of cultural artifacts, often involving the unauthorized removal of these items from their country of origin, can lead to the loss of cultural heritage, historical knowledge, and national identity for affected communities.

### **Restitution**

The authority of a state to govern itself without external interference. In the context of neocolonialism, sovereignty is often compromised by external pressures from powerful nations or institutions.

### **Provenance**

The documented history of an artifact, including its origin and ownership, which is crucial for determining its rightful ownership and potential for repatriation.

## **Key Issues**

## Historical Injustice and the Legacy of Colonialism

A large number of cultural artifacts were removed from their countries of origin during colonial rule or in times of war, often without the knowledge or consent of the nation. Countries such as India, Nigeria, and Egypt and many others have argued about the removal of these items representing their heritage represents a broader historical injustice.

## Legal Control and International Cooperation

The 1970 UNESCO convention was held to address the means of prohibiting and preventing the illicit import, export of cultural property. This enforcement is quite limited, regarding the fact that artifacts have been taken before the convention and many museums and institutions argue that the acquisitions were legal during that time and that the convention only applies to artifacts taken after 1970.

Nations are calling for the repatriation of these artifacts that were once part of them but institutions as well as nations holding these artifacts are resisting these calls. The national legal frameworks governing cultural property across different countries is another challenge that must be faced with nations that house many significant collections of foreign artifacts. Some laws in countries provide strong protection for museums, making it difficult for the return of these artifacts.

## Diplomatic Tensions

The call of the return of these cultural properties has often led to tensions between nations. The relations between Greece and UK have been strained due to Greece's long time request of the return of their cultural artifact from the British museum. Similar to this is Nigeria with European museums, these have prompted debates and negotiations over ethical responsibilities of institutions that store the looted artifacts.

The United Nations plays a facilitating role in these negotiations to avoid escalation to any negative disagreements and also promoting cooperation for a peaceful resolution to all conflicts

## Major Parties Involved and Their Views

### India

India has been actively pursuing the return of its cultural artifacts taken during British colonial rule. One of the most prominent artifact is the Koh-i-Noor diamond, which is now part of the British Crown jewels. India has been urging the request of the diamond's return as well as seeking the return of sculptures and manuscripts taken from them by the British East India Company during the British rule.

### Nigeria

Thousands of brass and bronze plaques and sculptures were looted by British forces during an expedition in 1897. These artifacts are now scattered across numerous museums with significant being held in the British museum. Nigeria has requested the return of their cultural artifacts and has seen success but not entirely as they still negotiate for further restrictions

### Egypt

Egypt has long advocated for the return of several significant cultural artifacts, with one of the most prominent being the bust of Nefertiti, which is currently housed in the Neues Museum in Berlin. Discovered in 1912 by a German archaeological team, the bust is a symbol of ancient Egyptian civilization, and Egypt argues that it was removed under questionable circumstances. Egypt has consistently maintained that the bust, along with other key artifacts such as the Rosetta Stone, should be returned to their country of origin, as they are vital to the nation's cultural identity and heritage.

## United Kingdom

The United Kingdom is home to a large number of cultural artifacts taken from former colonies and other countries during periods of imperial expansion. The British Museum holds some of the most contested artifacts, including the Parthenon Marbles, the Benin Bronzes, the Rosetta Stone, and many Egyptian antiquities. While the UK has returned some items to their countries of origin, the British government and museums have generally resisted large-scale repatriation, arguing that these artifacts are legally owned and are part of a shared global heritage.

## Germany

Germany houses several significant artifacts, including the Nefertiti Bust in the Neues Museum and numerous Benin Bronzes in various museums, including the Humboldt Forum in Berlin. Germany has recently taken a more progressive stance on repatriation, agreeing to return many of the Benin Bronzes to Nigeria. However, there is still ongoing debate about other artifacts, such as the Nefertiti Bust, which Egypt continues to request for return.

## Development of Issue/Timeline

Date	Event	Outcome
31/07/1801	The Parthenon Marbles are removed from the Acropolis in Athens and shipped to UK	The Parthenon Marbles were stripped down by Lord Elgin and sold to the British and now are in the British museum on display to be seen. This has caused a dispute between Greece and the UK for a long time.
18/02/1897	British forces seize thousands of Benin Bronzes during expedition in the Kingdom of Benin	The dispersal of the Benin Bronzers to Europeans and American museums created awareness of African art but also

		has raised concerns of the ethics of these acquisitions. Nigeria has put in efforts to reclaim the bronzes, and recent agreements with Germany and the UK reflect a shift toward the restitution
<b>06/12/1912</b>	The bust of the Queen Nefertiti is removed from Egypt by German archaeologists	The Nefertiti Bust became a cultural symbol in Germany but Egypt seeks its return to be made. This controversy has drawn attention to broader issues of artifact removal during expeditions.
<b>29/07/1914</b>	The Koh-i-Noor diamond is incorporated into the British Crown Jewels	The Koh-i-Noor diamond is one of the largest and most prominent piece of diamond. It is has become a powerful symbol of colonial exploitation for India. There have been many requests by India to have the return of the diamond has it was once taken from them by the British East India Company in 1849.
<b>14/11/1970</b>	The UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property is adopted	The convention created a pivotal legal framework for countries to prevent the illicit trade of cultural property and foster cooperation for repatriation. While it does not

		retroactively apply to items removed before 1970, it has played a critical role in promoting ethical standards for museums and collectors. The convention has also encouraged nations to develop bilateral agreements for the return of looted cultural objects
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### Previous Attempts to Solve the Issue

Agreements between countries on the repatriation of cultural artifacts are often achieved through lengthy diplomatic negotiations, fostering cooperation between the country of origin and the institution holding the artifacts. One of the most notable recent examples is the agreement reached in 2021 between Germany and Nigeria for the return of over 1,100 Benin Bronzes. These artifacts were looted by British forces in 1897 during a punitive expedition in the Kingdom of Benin and subsequently dispersed across European and American museums. Germany's commitment to returning these culturally significant items followed years of diplomatic negotiations involving museum officials, government representatives, and Nigerian authorities.

The UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin plays a vital role in helping countries recover cultural artifacts removed from their territories, particularly those taken during colonization or through illicit trade. The committee facilitates diplomatic dialogue and encourages member states to form agreements that resolve disputes over cultural property. While it lacks direct legal authority, UNESCO serves as a mediator, promoting cooperation and mutual understanding between nations.

### Possible Solutions

#### **Strengthening Legal Frameworks and Cultural Cooperation**

Potential solution to the issue of artifact repatriation is to strengthen international legal frameworks while also encouraging greater cultural cooperation and exchange programs

between countries of origin and institutions holding the artifacts. Expanding the scope of agreements like the 1970 UNESCO Convention can address legal gaps, particularly for artifacts taken before these frameworks were in place, and help facilitate the return of looted or stolen cultural property. Alongside these strengthened legal mechanisms, fostering cultural cooperation programs through temporary exhibitions, shared custody, and long-term loans can allow both parties to benefit.

## **Bibliography**

UNESCO. “Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. | UNESCO.” *Www.unesco.org*, 1970,

[www.unesco.org/en/legal-affairs/convention-means-prohibiting-and-preventing-illicit-import-export-and-transfer-ownership-cultural](http://www.unesco.org/en/legal-affairs/convention-means-prohibiting-and-preventing-illicit-import-export-and-transfer-ownership-cultural).

The British Museum. “The Parthenon Sculptures.” *The British Museum*, 2023,

[www.britishmuseum.org/about-us/british-museum-story/contested-objects-collection/parthenon-sculptures](http://www.britishmuseum.org/about-us/british-museum-story/contested-objects-collection/parthenon-sculptures).

UNESCO. “Fight Illicit Trafficking (Convention 1970).” *Unesco.org*, 2021,

[www.unesco.org/en/fight-illicit-trafficking](http://www.unesco.org/en/fight-illicit-trafficking).

“1995 Convention - Unidroit.” *UNIDROIT*,

[www.unidroit.org/instruments/cultural-property/1995-convention/](http://www.unidroit.org/instruments/cultural-property/1995-convention/).



Appendix