

ESSENTIAL BRIEFING

HEARINGS OF THE ALL-PARTY PARLIAMENTARY GROUP
ON AFRIKAN REPARATIONS ON RESTITUTION OF STOLEN
AFRICAN ARTEFACTS AND ANCESTRAL REMAINS



October 2023

Dear Colleagues,

Welcome to this essential briefing on the hearings of the All-Party Parliamentary Group on Afrikan Reparations (APPG-AR) on restitution of stolen African artefacts and ancestral remains.

Our first session on African restitution in July 2022 examined issues of mapping and provenance: vital processes to begin the return of African artefacts and ancestral remains to their origin communities. The session explored barriers to mapping and provenance that even the most sympathetic heritage institutions face. To date, the total number of African artefacts held in UK collections is unknown. The estimated total number is likely to be hundreds of thousands, if not higher.

Not all UK museums have catalogued African artefacts in their collections. So, there does not exist a comprehensive joined-up approach to the management, preservation, documentation and restitution of the controversial looted collections from the period of slavery and empire, held within UK public cultural heritage institutions. The APPG-AR brought together key scholars, researchers and communities working on African artefacts and issues of return in the UK and Europe, and museum professionals advocating alternatives to restitution, to discuss the challenges facing the location, provenance research and documentation of African artefacts and ancestral remains.

The July session in the UK parliament happened amid changes within the restitution debates in Europe and the UK. That month, we saw the historic return of Benin artefacts to the Nigerian government and the signing of the *Joint Declaration on the Return of Benin Bronzes* between Germany and Nigeria.

Summer 2022 saw the publication by the Arts Council England of *Restitution and Repatriation: A Practical Guide for Museums in England*, swiftly followed by the decision by trustees at London's Horniman Museum to hand back 72 Benin Bronzes to the Nigerian government.

Last Autumn, the Charities Act came into force, with a new provision allowing trustees of those institutions to seek authorisation from the Charity Commission for ex gratia transfers. Thus, giving national institutions leeway to dispose of objects on moral grounds.

The APPG-AR session explored ways to address funding, guidelines for restitution, de-centring provenance research, engagement with claimants and defining issues of consent.

Between this session and June 2023, the APPG-AR invited written submissions on the legal frameworks relating to the restitution of stolen African artefacts and human remains. A roundtable meeting was convened to consider these legal frameworks.

We make recommendations to enable the restitution of stolen African artefacts and human remains.

- guidance on best practice and support to heritage institutions with processing of restitution claims.
- a national funding mechanism to support the costs of returns to claimants.
- a role for the Charity Commission in approving decisions on returns.
- a Department of Culture, Media and Sport (DCMS) and the Arts Council England review on the treatment and restitution of ancestral remains within English heritage/museum settings.
- a hearing by CMS Committee on provenance research and restitution
- the proposal of new legislation that applies similar provisions of the 2009 Holocaust (Return of Cultural Objects) to stolen African artefacts and human remains in UK collections.

We seek to continue the work of the Honourable Bernie Grant MP on the restitution of African artefacts and ancestral remains. We look forward to exploring new ways to progress the restitution dialogue.

Bell Ribeiro-Addy, MP

Chair, All-Party Parliamentary Group on Afrikan Reparations

Recommendations

The two APPG-AR hearings and the policy APPG-AR roundtable in June 2023 provided an important platform for diverse voices and perspectives to contribute to the ongoing discourse on restitution.

In particular, they highlighted the need for proactive measures, collaboration between academia and museums and the allocation of resources to address the challenges associated with restitution. By supporting restitution efforts and implementing necessary changes to legislation and museum practices, the UK government can take significant steps towards rectifying historical injustices and fostering a more equitable and inclusive approach to cultural heritage.

The hearings and the roundtable further underscored the urgency of the issue, emphasising that the countries of origin must be given the opportunity to care for their own cultural heritage, which requires a comprehensive understanding of what items are in possession.

Based on this process, the following recommendations were made to enable the return of stolen African artefacts and human remains to their rightful heirs and/or countries or regions of heritage:

i. Recommendation:

The DCMS be tasked with exploring the establishment of a national resource to provide guidance on best practice and support to museums and heritage collections in England with the processing and the negotiation of restitution claims.

ii. Recommendation:

A national funding mechanism should be established to support the costs of the return of artefacts and ancestral remains to claimants.

iii. Recommendation:

Guidelines on the display of ancestral remains such as those in the British Museum should be further tightened and apply to remains older than the 1000 years that apply under the Human Tissue Act 2004.

iv. Recommendation:

The requirement for approval by the Charity Commission for England and Wales of repatriation decisions should also be explored, particularly in the light of the Charities Act 2022, to ensure that this does not create additional restrictions or delays. The impact of the Charities Act 2022 on the British Museum Act and the National Heritage Act should also be explored

v. Recommendation:

The DCMS be tasked to explore a simplified approach to export licensing for items that are being repatriated.

vi. Recommendation:

The DCMS and Arts Council England conduct a review on the treatment and restitution of ancestral remains within heritage/museum settings in England.

vii. Recommendation:

The CMS Committee should undertake an urgent and comprehensive hearing into provenance and restitution.

viii. Recommendation:

Parliamentarians should consider proposing new legislation that applies similar provisions of the 2009 Holocaust (Return of Cultural Objects) to stolen African artefacts and remains in UK collections.



The All-Party Parliamentary Group on Afrikan Reparations

The All-Party Parliamentary Group on Afrikan Reparations (APPG-AR) brings together parliamentarians, campaigners, communities and other stakeholders to examine issues of African reparations and the restitution of cultural artefacts and ancestral remains. APPG-AR explores policy proposals on reparations and development and how best to redress the legacies of African enslavement and colonialism.



AFFORD

The African Foundation for Development (AFFORD) is an international organisation established in 1994, with a mission 'to expand and enhance the contributions Africans in the diaspora make to African development'.

AFFORD's mission is achieved through programmes and projects within the following overlapping themes: enterprise and employment, diaspora remittances and investments, diaspora engagement and capacity and action research, policy and practice.

AFFORD acts as a co-secretariat for the APPG-Afrikan Reparations through its Return of the Icons programme which focuses on restitution of looted African artefacts and human remains to their country of heritage.

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**The media can address inquiries to:
bell.ribeiroaddy.mp@parliament.uk**

**Or contact:
AFFORD
info@afford-uk.org
+44 020 3326 3750
afford-uk.org**

Front page picture: Asante gold pectoral disc (1850-74), V & A Museum