Restitution report 2020 pdf

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In 2017, the French President expressed his desire to establish a temporary and final restitution of African heritage, which is being held in French institutions. This declaration led to the commissioning of the African Cultural Heritage Restitution Report: a new relational ethic prepared by Felvin Sarr and Binedikt Savoy and issued in November 2018. At the heart of museum collections, this report sporadically evokes manuscripts, archives and books, and looks at some depth in the context of acquiring collections in French collections, as a basis for making recommendations about what needs to be done with them now. The Sarr-Savoy report resonated in both France and Africa. What is in the Sarr-Savoy report? This report proposes to examine the various forms and methods of appropriating cultural property as a process of enslavement and deculture in the French colonial context. It focuses on the period before the adoption of the Hague Convention of 1899, which prohibited looting and the taking up of cultural treasures during military campaigns. It highlights the differences between properly acquired collections and those that have been acquired as a result of the unequal balance of power between colonized peoples and colonial Powers. In particular, it states that the transfer of cultural property to the economy often takes the form of a forced agreement, which cannot be considered a voluntary exchange. The Sarr-Savoy report focuses on the term restitution. It is about the return of property to its rightful owners, allowing peoples to re-release their own history. He responds not to the need to destroy colonial history, but to allow these peoples, deprived of about 90% of their heritage, to reconstruct the discourse about themselves through these objects. The document also proposes recommendations and criteria for restitution so that countries can establish lists of sites acquired illegally by force or coercion on unequal terms or in war. If the mission opposed temporary restitution, preferring permanent restitution to the continued turnover of works, the report recognized that this might be a temporary solution. This will allow for the time needed to deal with the judicial issues related to the Code of Patrimoine (Codex of French Heritage), in particular, the inalienability of French public collections. What are the recommendations of the report? The report states that before determining potential restitution, it is necessary to identify or collect all available information relating to the collection in order to understand its origin. This means that collections need to be studied in order to determine were fair or not. The Sarr-Savoy report offers a number of opportunities to respond to requests for restitution from African countries by distinguishing between them: rapid restitution without further research into contextualized artifacts taken in Africa by force or in unjust conditions (military clashes; military or administrative personnel operating on the African continent during the colonial period; during scientific missions prior to 1960; museums in which the works were never returned). Additional research when requested works entered museums after 1960 and through donations, but nevertheless it can be assumed that they left Africa before 1960 (in the case of parts that remained for several generations in families). Where studies do not establish certainty as to the circumstances of their acquisition during the colonial period, the items requested may be returned on the basis of evidence of their interest in the requested country. (Sarr-Savoy Report). The maintenance of African works in French collections, which is found to have been acquired through a document on a consensual transaction, free and fair, and with respect to the provision without taking the ethical risk developed during the 1970 Convention. Another recommendation is the creation of a portal for restitution collections, with the proposal that both parties should be given the right to freely access and use these collections. This portal will require the development of a policy on image rights for collections based on images already collected through digitization campaigns. The report notes that all collections entitled to restitution should be subjected to a systematic digitization campaign, including a reorganization of reproductive rights policies. Finally, the Sarr-Savoy report proposed legal provisions allowing amendments to the French Heritage Code (Patrimoine Code) to allow legal restitution to legitimate owners, which was currently prevented, in particular, by the inalienable nature of public collections. It also proposes bilateral agreements between countries and newsletters for the return of artifacts that are outside heritage collections, as well as how to process donations and wills of these sites. What are the next steps, what will be the international implications? This report is the first document prepared on this issue at the request of the Government, and therefore paves the way for reflection in other countries that are likely to face increasing demand from African Governments and other previously colonized countries to return their In addition to Governments, these requests for restitution will potentially affect all heritage sites, including archives and libraries. In July 2020, the French government announced that drafting a bill on the return of the sites, giving a concrete form to the Sarr-Savoy report. This project will require a limited deviation from the principle of inalienability of collections, including the removal from national collections and the transfer of ownership. At the same time, Benin and Senegal, having already made a desire to return their heritage to them, have already witnessed the restitution of items from the collections of the Abomey Palace. IFLA will continue to report on developments in this area. The Sarr-Savoy report on the restitution of African cultural heritage, published in November 2018, proposes to rethink the presence of African artefacts in French heritage collections. The purpose of this report is to develop, in view of the role of the French State in colonization, recommendations for updating relevant laws relating to restitution, as well as in promoting bilateral agreements with countries following requests for restitution. Among its recommendations, the report suggests that collections that return should be digitized in advance, with digitized files then available for use within free and open access to all. This recommendation was easily missed in the report, as the paragraphs relating to it were restrained. However, this raises questions on two important issues: who owns physical and digital collections and who has the right to choose the policy of digitization and openness of these artifacts? This blog examines the approach of the report, and presents some of the problems expressed in this, particularly through a letter prepared by Matilda Parvis and Andrea Wallace. First of all, the proposal to digitize and make collections accessible may seem like an interesting initiative in the context of advocacy by heritage institutions. Over the years, it has become clear that access to digital collections is a key mission of cultural institutions, as the report summarizes. However, questions were being raised as to whether this should be the subject of a decision by the French State or should be pre-set for restitution. The term restitution, as defined in the report, is closely related to the question of legitimate ownership of the property. This can't be pushed aside when it comes to digital collections. It could be argued that the legitimate ownership of returned goods by African Governments should give them the power to decide on the appropriate policies to be put in place for digital collections. Could it be appropriate for the Government of the former colonial Power to establish such requirements in the restitution agreement when it comes to a legacy that may never have been at its disposal in the first place? Indeed, as Matilda Parvis and Andrea Wallace's reply perfectly emphasizes: it must be up to the communities to about the artifacts of their heritage. Indeed, the proposal or imposition in bilateral agreements of policies on digitization and open access to collections seemed to run counter to the principle of policy recognition. Furthermore, the report's proposals for free and open access to and use of images do not appear to be in line with the policy of depicting images in French collections. Indeed, the French policy towards openGLAM is not based on centralized ministerial stimulation, but on the will of cities and organizations, independently of each other (while the German glam institutions are much more organized and supported). Therefore, the request made to African Governments to open access to digital collections is contrary to the policy that applies to the digital collections of France's own institutions. It is clear that openness should be welcomed as a whole as the

best way to enable as many people as possible to pursue a legacy where other issues (e.g. the right to privacy or the rights of indigenous peoples) do not stand in the way. However, in these circumstances it risks being seen as an imposition rather than a virtue. Thus, Parvis and Wallace's response identifies several ways to revise the recommendations of the Sarr-Savoy report, such as: - Clearly define the scope of open access - commercial, non-profit, public domain, the possibility of reuse. Clearly determine who owns digital image reproductions. Research on how these recommendations are consistent with African laws. - Do not separate digital reproductions from returned objects, because reproductions are also subject to cultural appropriation. As part of plans to reform the French Heritage Code, we will now be closely monitoring how this debate is reflected in any proposed amendments. Amendments.