



### **Our approach to the return of artefacts**

MAA's governing body is the Museum Committee of the University's Faculty of Human, Social and Political Sciences. The committee approves the loan of artefacts for analysis and exhibition, short- and long-term; and may approve the de-accessioning of artefacts owned by the University of Cambridge, cared for by the Museum, to enable them to be returned to communities or nations of origin.

The Museum's collections, which range widely over archaeological periods and inhabited regions of the world, are notably diverse. Therefore, claims made for the return of material are considered on a case-by-case basis.

Collections have reached the Museum in many different ways. Some artefacts, in common with those in similar museums, were acquired in a manner that was not considered legitimate or appropriate at the time, or would not be considered legitimate or appropriate today. The Museum is supportive of research into the histories of the collections, and will engage with claimants and potential claimants in an open and respectful way.

Potential claimants should note that some artefacts cared for at MAA are not legally owned by the University. In these cases, it may be necessary for claimants to submit requests to other organisations; MAA staff will provide guidance and where necessary contact details.

### **Scope**

This policy does not deal with claims relating to human remains. The University's guidance regarding claims for the transfer of stewardship of human remains can be found at: <http://www.admin.cam.ac.uk/offices/secretariat/remains/>

### **Eligibility**

For artefacts and specimens closely associated with communities of living descendants, claims should be made by recognised organisations, representing the descendants of the customary owners of the artefacts in question. Such claims may be submitted by individuals, by institutions such as museums, or by national governments, with evidence of formal support from the relevant representative community organisations. If the status of claimants is disputed, the museum's governing body will defer formal consideration of a claim until such issues are resolved.

Claims should be supported by government authorities, or explicitly state why such support is inapplicable in the particular case.

For natural specimens, archaeological artefacts or antiquities not closely associated with communities of living descendants, claims may be made by relevant national governments, explicitly explaining why community support is inapplicable in the particular case. Claims made by third parties will not be considered.

### **Criteria**

In keeping with a 'case by case' approach, claims may be based on histories of acquisition, the secret and/or sacred nature of particular artefacts, educational and public benefit, or other grounds.

Claimants should outline the significance of the artefacts concerned, for example, in cultural, historical or spiritual terms.

The Museum Committee will consider whether artefacts were illegitimately acquired:

- if they were, or may have been, acquired illegally, or exported from the nation of origin illegally
- if they were, or may have been, appropriated in the aftermath of violence
- if they were, or may have been, acquired under circumstances whereby owners were compelled to sell them, or from people who were demonstrably not legitimate owners

It should be acknowledged that existing documentation and scholarship may not establish object histories authoritatively or definitively. Further research may be required to clarify the nature and context of transactions, or their probable nature and context. Such research should draw fully on relevant expert advice, including advice from local or indigenous communities when relevant, and be undertaken in a consultative manner by curators and members of originating communities.

The Committee will also consider the academic, cultural and public benefits of returning artefacts to a community or nation of origin, taking into account considerations that may include:

- whether the continuing sacred and/or secret significance of artefacts makes exhibition and/or continuing research access inappropriate or unethical
- whether specific artefacts may be of exceptional importance to communities and nations, such that their presence is vital to belief, culture and wellbeing
- whether specific artefacts are part of a historically significant collection, associated for example with a particular expedition or encounter, that should itself be considered an important historic formation and scholarly resource, which may be diminished through dispersal
- what educational, research and public value the artefacts have in their MAA setting.

In this context, claimants' proposals concerning the future location, conservation, exhibition and accessibility of artefacts will be fully considered.

## **Process**

Prospective claimants are encouraged to liaise informally with the Director and curatorial staff of the Museum in advance of any formal claim. The Museum welcomes research visits from community members and prospective claimants which may clarify areas of common ground and help shape the most feasible and appropriate approaches to the future of particular artefacts and collections.

Formal claims should be submitted to the Chair of the Museum Committee, c/o Museum of Archaeology and Anthropology, Downing Street, Cambridge. Claims will be promptly acknowledged. The Chair of the Museum Committee will ask the Director and curators to provide a preliminary assessment of eligibility and an initial response to the claim. The Committee may establish a Sub-Committee including additional members with relevant expertise. The Committee will formally confirm claimants' eligibility, and may seek expert opinion on any aspect. The Committee may consider it necessary to commission further research, which should normally be undertaken within three to six months. The Committee should normally reach a decision regarding a claim within twelve months, and will in any case provide a response to claimants within that time frame, outlining what stage consideration has reached.

Should the University's decision be disputed by the claimant, an appeal may be submitted and will be reviewed by a panel of five individuals, who may be members of the University or external experts, nominated by the Registry.

The Committee should also consider whether, in the particular case, there are alternatives to retention and permanent return which should be considered. These might include the loan of artefacts for exhibition and study purposes, potentially on a medium or long-term basis; or, in the case of collections, the return of a proportion of material alongside retention of sufficient numbers of artefacts to maintain displays dealing with the culture or region in question. In all cases, collaboration with communities, museums and scholars in the nation of the collections' origin should be sought. Where MAA artefacts are associated with collections elsewhere, for example in other European museums, the Director and curators should liaise regarding the scope for a shared approach.

This framework above forms part of the Museum's Collections Development Policy, which was formally adopted in November 2019. It will be periodically reviewed, and reviewed no later than November 2024.