

Framework Principles
for dealing with collections from colonial contexts
agreed by the Federal Government Commissioner for Culture and the Media,
the Federal Foreign Office Minister of State for International Cultural Policy,
the Cultural Affairs Ministers of the *Länder*
and the municipal umbrella organisations

13 March 2019

Preamble

We, the Federal Government Commissioner for Culture and the Media, the Federal Foreign Office Minister of State for International Cultural Policy, the Ministers of Cultural Affairs of the *Länder* and the municipal umbrella organisations, acknowledge the historical responsibility resulting from German colonialism and the responsibility deriving from actions marked by colonial attitudes. The injustices committed during the colonial era and their repercussions, some of which pertain still today, must not be forgotten.

Addressing Germany's colonial history, one aspect of our society's shared culture of remembrance, forms part of the basic democratic consensus in Germany and, beyond the realm of politics, is a task for all sections of society, including the cultural, education, scientific and academic spheres and civil society. This presents us with major historical, ethical and political challenges. A sincere, credible and sensitive approach to these challenges is a task for the whole of society. Such an approach should be based on dialogue in a spirit of partnership, understanding and reconciliation with the societies affected by colonialism.

It is our belief that all people should have the possibility to encounter their rich material cultural heritage in their countries and societies of origin, to engage with it and to pass it on to future generations. Germany recognises the importance of cultural objects for the cultural identity of the countries of origin and the relevant civil societies and, not

least for this reason, in 2007 ratified and implemented the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

We want to deal with collections from colonial contexts in a responsible manner in close coordination with the respective countries and societies of origin. In this connection, we want to create the conditions for the return of human remains and of cultural objects from colonial contexts which were appropriated in a way which is no longer legally and/or ethically justifiable. Together with the agencies concerned, we will handle returns with the requisite urgency and sensitivity.

Collections from colonial contexts come not only from former German colonies, but also from other parts of the world. Through the violent appropriation of cultural objects in the wake of European colonialism, many societies were robbed of cultural objects which are crucial in defining their history and their cultural identity. Cultural objects embody connections which are of fundamental importance for the cultural self-image of the society from which they come.

We recognise the need to heighten and spread an awareness and knowledge of colonial history and its repercussions down to the present day. All institutions whose collections include artefacts from colonial contexts have an important role to play in this regard.

The Federal Government Commissioner for Culture and the Media, the Federal Foreign Office Minister of State for International Cultural Policy, the Ministers of Cultural Affairs of the *Länder* and the municipal umbrella organisations regard the handling of collections from colonial contexts as a matter clearly distinct from the handling of cultural objects seized as a result of National Socialist persecution. It will not lead to any lessening of endeavours and measures to confront National Socialist injustice. The Holocaust was unprecedented and unparalleled.

We stand for dialogue and transparency. We regard the involvement of people from the countries and societies of origin in former colonised territories as being vital in overcoming traditional claims to the narrative and the Eurocentric perspective and for arriving at dialogue in a spirit of partnership. This also includes people from the

countries and societies of origin who today live in Germany or Europe.

An appropriate handling of collections from colonial contexts is a core task for cultural policy and an important contribution to our shared post-colonial culture of remembrance. Such collections, held in cultural heritage institutions and scientific or academic institutions, include ethnological, natural historical, historical, art historical and cultural historical objects and documents. They also include human remains.

Many German cultural institutions have long begun to address collections from colonial contexts and can build on the experience gained with completed or ongoing projects. We welcome the fact that the German museums have adopted guidelines and recommendations on the sensitive handling both of cultural objects and of human remains. At international level, these are the International Council of Museums (ICOM) “Code of Ethics for Museums”, and at national level the German Museums Association’s “Recommendations for the Care of Human Remains in Museums and Collections” and the “Guidelines on Dealing with Collections from Colonial Contexts”. We welcome the creation of a new field of activity, “Cultural goods from colonial contexts”, at the German Lost Art Foundation, the plans to develop an “International Museum Cooperation Agency” at the Federal Foreign Office and initiatives by the *Länder*, municipalities and Federation to digitise their collections and develop online platforms.

The provisions of the Act on the Protection of Cultural Property have applied to trade in cultural objects from colonial contexts since it entered into force.

We agree on the following areas of activity and objectives. Key aspects yet require to be specified and will be further developed ready for final positioning in a further process in cooperation with and involving national and international experts, in particular the German Museums Association, the International Council of Museums (ICOM) and the German Federal and *Länder* Cultural Foundations, and with the participation of the countries and societies of origin concerned.

We call on all public institutions and organisations whose collections contain artefacts from colonial contexts, but also non-public museums, collectors and art dealers, to play an active role in addressing the history of collections from colonial contexts and to

take the necessary steps to this end in keeping with the spirit of these Framework Principles.

Areas of activity and objectives

Transparency and documentation

1.) The precondition for the responsible handling of collections from colonial contexts and the related processing of history is the greatest possible degree of transparency, because transparency facilitates global ownership.

A comprehensive approach to the history and origin of collections from colonial contexts requires that such artefacts held in Germany be documented and disclosed. Disclosure of the relevant holdings will make it possible to enter into dialogue about these artefacts with the countries and societies of origin.

We therefore acknowledge the importance of conducting inventories of and digitising collections from colonial contexts and we are examining ways to support institutions which hold such collections. We will consider whether the institutions concerned entering digitised inventories into the German Digital Library might be an appropriate instrument in this regard.

2.) In working through collections, priority is attached to human remains from colonial contexts. Given the great number of cultural objects, it is necessary to prioritise in the measures to be taken in the short and medium term. Owing to the circumstances of their appropriation, those cultural objects which were removed from their societies and transported to Germany within the framework of formal colonial rule by the German Empire, as well as cultural objects from other colonial rules for which requests for return have been submitted, are particularly relevant.

3.) We will give people and institutions from the countries and societies of origin in particular the possibility to learn about the collections from colonial contexts held in Germany and to obtain concrete advice, also as regards possible return and cooperation.

In order to greatly facilitate and improve access to such information, we will draw up a proposal for the establishment and organisation of a contact point. The legal

preconditions for obtaining information about the holdings of public collections are guaranteed by Federal and *Land* freedom of information acts. We welcome the steps being taken to publish archival material on colonial history and collections from colonial contexts, for example the digital version of the Imperial Colonial Office's files published by the Federal Archives.

Provenance research

4.) Provenance research is the foundation for assessing the origins of artefacts and the circumstances of their acquisition.

Research into the provenance of collections from colonial contexts should also investigate whether they were acquired violently or without the consent of the rightful owner. In this context, it must be remembered that not every cultural object from colonial contexts was violently seized, and that in many cases the documentation of the actual circumstances surrounding the acquisition of artefacts from colonial contexts is inadequate. This makes it all the more necessary to create the conditions for making a sound, fact-based assessment of the circumstances of acquisition in each case.

5.) The institutions in Germany which hold artefacts from colonial contexts are called upon to research their collections.

We will provide ongoing support to German cultural heritage institutions in researching the provenance of human remains on the one hand and cultural objects from colonial contexts on the other.

Over the past few years, the Federation, *Länder* and municipalities, as the responsible authorities for museums and collections, have already made considerable efforts in this connection and have funded collection inventory and provenance research projects.

Presentation and information

6.) We call upon cultural heritage institutions and scientific institutions engaged in cultural preservation to present the circumstances surrounding the acquisition of artefacts from colonial contexts in a transparent manner and to develop suitable

formats to ensure target-group-specific information regarding the facts, questions and possible solutions. Fulfilling these tasks is crucial.

Return

7.) The general willingness to return artefacts from colonial contexts, in particular human remains, to the countries and societies of origin is important for the dialogue in a spirit of partnership for which we strive, as well as for genuine understanding.

Identifying cultural objects from colonial contexts which were appropriated in a way which is no longer legally and/or ethically justifiable and enabling their return is a moral and ethical obligation and an important political task for our age. Human remains from colonial contexts are to be returned.

8.) Requests for the return of artefacts from colonial contexts are to be processed promptly. At the same time, cultural heritage institutions are called upon to take an independent and proactive approach to identify artefacts in their collections which might be returned, even if there has been no request for return.

9.) In principle, returns should only be made in agreement with the countries and societies of origin.

10.) In Germany, the vast majority of institutions whose collections include artefacts from colonial contexts are funded by and under the responsibility of the *Länder* and municipalities.

The legal preconditions for the possible return of artefacts from colonial contexts depend on the Federal, *Land* and organisational law applicable to these institutions, in particular the financial regulations of the Federation, *Länder* and municipalities. These provide for return in principle. Where there is a need for legal action to facilitate the return of artefacts from colonial contexts, such action is taken.

Cultural exchange, international cooperation

11.) The responsible handling of collections from colonial contexts depends on dialogue, exchange and cooperation with the countries and societies of origin as well

as with their diaspora in Germany. The exchange of experience and knowledge is especially important in this connection.

We intend to strengthen relevant international cooperation arrangements as well as cultural exchange. This may be done, for example, via grant programmes for curators, funding for joint research projects, or capacity-building for cultural infrastructure. The Federal Government, its intermediary organisations and the German Federal Cultural Foundation are already engaged in this area. The *Länder*, too, are engaged in many different scientific, academic and cultural exchanges, and have intensified their activities.

It is equally important to seek direct exchange with the countries and societies of origin at an early stage when it comes to researching and presenting cultural objects in German museums, libraries, archives and scientific collections. Intensive dialogue and exchange in a spirit of partnership must be conducted here. One-sided, Eurocentric claims to the narrative are no longer in keeping with the times.

Science and research

12.) The often violent appropriation of both human remains and cultural objects from colonial contexts in the course of German and European colonial history and its repercussions to this day need to be subjected to wide-ranging scrutiny covering many issues – from the circumstances surrounding acquisition and the history of collections to the ethical and legal framework and the impact of Germany's colonial past on society. This requires competences from various scientific and academic spheres, as well as cooperation on an equal footing between scientists and academics from Germany and the relevant countries and societies of origin.