



Advisory Committee on the Restitution and Repatriation of Cultural Heritage



Rialtas na hÉireann
Government of Ireland



An Chomhairle Oidhreachta
The Heritage Council

**ADVISORY COMMITTEE ON RESTITUTION
AND REPATRIATION OF CULTURAL HERITAGE**
FINAL REPORT MAY 2026

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FOREWORD

It has been my privilege to serve as Chairperson of the Advisory Committee on the Restitution and Repatriation of Cultural Heritage and to submit this report.

It was not difficult to agree the Terms of Reference with the Government which define the role of the Committee. Within that mandate, the Committee was asked to examine the existing position in Ireland in relation to restitution and repatriation of cultural objects, to consider relevant legal, ethical, procedural, and institutional issues, to review international practice, and to make recommendations for the establishment of an appropriate national framework. This report is the outcome of that work.

The matters considered by the Committee are of considerable importance and sensitivity. Questions of restitution and repatriation engage not only legal principle and institutional responsibility, but also wider issues of history, justice, cultural identity, and international obligation. In recent years these questions have assumed increasing prominence internationally, and it is both timely and necessary that Ireland should now put in place a clear, principled, and credible framework through which such matters may be addressed.

From the outset, the Committee recognised that its function was not to determine individual claims, nor to express conclusions upon particular objects or collections. Its role, rather, was to consider what structures, standards, legal mechanisms, and practical supports ought to be established so that claims may in future be examined and addressed in a manner that is fair, transparent, informed, and consistent. That required careful consideration of the law, of museum and archival practice, of provenance research, of the position of claimant communities, and of the realities and constraints affecting collecting institutions in Ireland.

A central conclusion of the Committee's work is that, while there is evident goodwill and a strong sense of ethical responsibility across the sector, many institutions face real practical and legal impediments in responding to claims. These include limitations in provenance research capacity, cataloguing and digitisation deficits, restricted access to specialist expertise, and in some instances statutory or trust-based constraints affecting disposal or return. It is therefore clear that a coherent national response is required, one which supports institutions while also ensuring that claimants have access to a fair and authoritative process.

For that reason, this report recommends the establishment of a formal national framework with three key elements: the publication of national guidance, a draft of which we have provided; the development of a properly supported provenance research programme; and the creation, by legislation, of a Ministerial power exercisable on the advice of an expert advisory panel to facilitate and enable restitution. This will provide a remedy for claims arising from the colonial past, the Nazi era on the continent of Europe and

other exceptional historical periods. The Committee considers that these measures are necessary if Ireland is to respond appropriately to claims concerning cultural heritage and to do so in a manner consistent with international best practice and with the requirements of procedural fairness.

I wish to record my sincere thanks to my fellow Committee members for the depth of their expertise, the seriousness of their engagement, and the generosity with which they contributed to what has often been a complex and sensitive field of discussion. The Committee brought together experience from potential claimant communities, the judiciary, museums, archives, academia, ethics, public policy, and cultural leadership. That breadth of perspective has greatly strengthened this Report. I wish to express my particular thanks to Virginia Teehan, Chief Executive Officer of the Heritage Council, which provided the Committee's Secretariat, for her able and exemplary contribution with her and her colleagues to the research, coordination, and drafting processes that underpin this final document.

This report is offered to Government in the belief that Ireland now has an opportunity to act with clarity and integrity. By adopting a modern national framework for restitution and repatriation, Ireland can support its institutions, honour the rights and interests of claimant communities, and demonstrate leadership in the ethical stewardship of cultural heritage.

It is my hope that the recommendations contained in this report will provide the basis for a fair, transparent, and enduring framework, one that enables Ireland to address the legacies of the past with seriousness, humanity, and confidence.

The Rt Hon Sir Donnell Deeny

Chairperson

Advisory Committee on the Restitution and Repatriation of Cultural Heritage

5th May 2026

LIST OF MEMBERS

Advisory Committee on Restitution and Repatriation of Cultural Heritage: Chairperson and Membership

CHAIRPERSON

The Rt Hon Sir Donnell Deeny, SC,
LLD

MEMBERS

Ms Sinéad Copeland	Department of Culture, Sport and Tourism (from 22.04.2024)
Mr Eugene Downes	Department of Foreign Affairs (from 11.10.2024)
Mr John Kelly	Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (4.12.2023 - 22.04.2024)
Mr Seán Kirwan, MA, BL, LL.M	Senior Archaeologist Grade I, National Monuments Service, Department of Housing, Local Government and Heritage
Dr Phil Mullen	Trinity College, Dublin
Professor Mary O'Dowd, MRIA, FRHistS	Emeritus Professor of Gender History, Queen's University Belfast. Representing the Royal Irish Academy
Dr Patricia O'Hare, PhD	The Heritage Council
Professor Jane Ohlmeyer, MRIA, FBA, FTCD, FRHistS	Erasmus Smith's Professor of Modern History (1762), Trinity College, Dublin
The Hon., Mr Justice Kerida Naidoo, SC	Judge of the High Court
Mr Oliver Sears	Holocaust Awareness Ireland and Oliver Sears Gallery Dublin
Ms Lynn Scarff, BA, MSc	Royal Irish Academy and formerly National Museum of Ireland
Ms Chanté St Clair Inglis	Royal College of Surgeons, Edinburgh and formerly National Museums of Scotland
Ms Virginia Teehan, MPhil, MBA, DArchSc, MRIA (Secretary)	The Heritage Council
Dr Audrey Whitty, PhD	Representing the Irish Museums Association

SECRETARIAT

Ms Lisa Shortall	Head of Research, Learning and Cultural Heritage, The Heritage Council
Ms Aalia Kamal	Cultural and Inclusive Heritage Officer, The Heritage Council

WORKING GROUPS

International Policy and Best Practice

This Working Group developed the national guidelines for restitution and repatriation entitled *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*.

Professor Mary O'Dowd (Chairperson)
Dr Phil Mullen
Professor Jane Ohlmeyer
Ms Lynn Scarff
Ms Chanté St Clair Inglis
Ms Virginia Teehan
Dr Audrey Whitty

Legal

Sir Donnell Deeny (Chairperson)
Mr Seán Kirwan
Mr Justice Kerida Naidoo
Ms Virginia Teehan

ACKNOWLEDGEMENTS

The Committee wishes to acknowledge the generous support of a number of individuals and institutions whose expertise and assistance informed its work, in particular the compilation of the case studies set out in the *Restitution and Repatriation a Practical Guide for Claimants and Collecting Institutions in Ireland*. The Committee also acknowledges Arts Council England, whose guide, *Restitution and Repatriation: A Practical Guide for Museums in England*, provided an excellent example for this work.

The Committee is grateful to Fionnuala Croke, Director of the Chester Beatty Library, Dublin, and Sinéad McCartan, former Head of Collections at the Chester Beatty Library, Dublin; Teresa Crowley, Director, The Hunt Museum; Dr Margaret Lantry, University Curator, University College Cork; Dr Amy Parent of the Nisga'a Nation, British Columbia, Canada, and Dr John Giblin of National Museums Scotland, Edinburgh, Scotland; Professor Mary O'Dowd of the Royal Irish Academy, Dublin; and Dr Patrick Walsh and Dr Ciaran O'Neill, Trinity College Dublin in relation to the Trinity Inishbofin case study. The Committee greatly appreciates the time, knowledge, and professional insight contributed by each of these individuals and organisations.

Images in this report are courtesy of: The Royal Irish Academy; The Chester Beatty Library; Adobe Stock Images and Wikimedia Commons.

FREQUENTLY USED TERMS

The following describes the terms used through this report.

Cataloguing is the process of creating a structured and accurate record of an object or item in a collection.

Cataloguing involves recording key information such as the object's title or name, description, date, origin, maker, materials, dimensions, condition, location, accession number, and any known provenance. Cataloguing helps institutions identify, manage, research, and make collections accessible, and it provides the essential foundation for provenance research, transparency, and any future restitution or repatriation work

Collecting institution means any public, private, or voluntary body, including a museum, library, archive, gallery, university, religious body, historic house, or other organisation, that holds or manages collections of cultural, historical, archaeological, artistic, scientific, or archival material.

Covered Objects are works created before 1946, acquired after 1932 and which may have been present in continental Europe during the Nazi era.

Cultural object means any movable item, specimen, artefact, work, or associated material of archaeological, historical, artistic, ethnographic, sacred, religious, ceremonial, archival, or cultural significance, including items held in museum, library, archive, institutional, or private collections.

Deaccessioning is the formal process by which a collecting institution permanently removes an object from its collection.

Deaccessioning usually involves a lawful and documented decision that the institution will no longer retain the item, after which the object may be transferred, returned, disposed of, or otherwise dealt with in accordance with the institution's governing rules and any applicable legal or ethical requirements. In the context of restitution and repatriation, deaccessioning is often necessary before an object can be returned.

Human remains means the physical remains of a deceased human being, whether complete or partial, and shall be treated as a distinct category from cultural objects for the purposes of restitution, repatriation, care, and disposition.

Human remains are not defined solely by age. In the Irish context, remains may fall within the category of archaeological objects where they are determined to be of archaeological

significance, but more recent or identified remains may be dealt with under coronial, forensic, burial, or other legal frameworks.

A **museum** is a not-for-profit, permanent institution in the service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage. Open to the public, accessible and inclusive, museums foster diversity and sustainability. [International Council of Museums definition]

Provenance is the documented history of an object's ownership, custody, and location from the time it was created or discovered to the present.

In the context of collecting institutions and collections, provenance is used to establish where an object came from, how it was acquired, who owned it, and whether there are any legal or ethical concerns about its history. It is central to restitution and repatriation because it can help determine whether an object was stolen, looted, unlawfully exported, or otherwise wrongfully acquired

Repatriation refers to an object or item's return to its original owners, place or community.

Restitution refers to the return of material to its original owners, descendants or claimant community.

EXECUTIVE SUMMARY

Contexts

Ireland now stands at a pivotal moment in the stewardship of its cultural heritage. As international norms evolve and expectations around transparency, accountability, and ethical collections management increase, it is essential that Ireland adopts a modern, principled national framework for restitution and repatriation. This responsibility extends beyond the development of procedures: it reflects Ireland's obligation to ensure that the collections held by its public and private institutions—some items in which may have been acquired through looting, illegal seizure or by other methods or in circumstances that are recognised as morally abhorrent, criminal or otherwise unacceptable—are understood, contextualised, and are managed with integrity.

Ireland was colonised, but some people from Ireland also acted as colonisers and returned home with cultural objects. At the same time, it cannot be assumed that every object from a colonised land in Irish collections was brought directly to Ireland by those who acquired it overseas. In some instances, objects were gathered from around the world and brought to London by the Department of Science and Art in the late nineteenth and early twentieth centuries, before being distributed across a network of museums, including what are now the National Museum of Ireland, National Museums Scotland, National Museums Liverpool, and museums based in London.

In light of this history, Ireland's responses to issues of restitution and repatriation must involve more than addressing claims as they arise. Ireland should embed the principles of transparency, accountability, and ethical stewardship in an active and sustained approach to restitution and repatriation. It demands sustained, respectful engagement with claimant communities and communities of origin. Constructive dialogue—rooted in an understanding of the cultural values, lived experiences, and expectations of those communities—must be central to Ireland's approach. Ethical stewardship depends on trust, openness, and a commitment to addressing the consequences of historical acquisition practices in a manner that is fair, transparent, and culturally informed.

The Advisory Committee's approach reflects these principles. Its task was not to review individual collections or identify specific objects that may become subject to claims. Instead, the Committee's mandate was to focus on designing a coherent national framework that supports all collecting institutions—publicly funded and privately managed alike—to address the presence of objects acquired not only in extreme circumstances such as the Nazi-era but in the broader colonial context. From the outset, the Committee adopted a non-adversarial and solution-focused approach, centred on dialogue, mediation, and achieving mutually agreed outcomes. The recommended framework ensures that institutions can act with confidence, supported by clear standards, expert guidance, and appropriate legal protections.

These principles frame the work presented in this Advisory Committee's Report. What follows is a synthesis of the Committee's comprehensive, two-phase work programme.

Phase One established Ireland's first national evidence base on the state of collections, institutional capacity, legal barriers, and operational needs.

Phase Two builds on this foundation by proposing a national framework, including legislation to empower the relevant Minister, acting on the advice of an expert Restitution and Repatriation Advisory Panel to facilitate fair and just outcomes. It also recommends the national guidelines as set out in *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland* and a National Provenance Research Programme.

Together, these elements form the foundation for a credible, transparent, and internationally aligned national approach to restitution and repatriation. The sections that follow summarise the Committee's key findings and set out the priority actions and recommendations required to deliver this national framework in practice.

Co-operation with Northern Ireland

The Committee also recognises that collections held by institutions in Northern Ireland bear direct relationships to those held in institutions in the State, reflecting the close historical connections between the two jurisdictions and the wider, interwoven history of the island. An all-island perspective informed the Committee's work and aligns with the objectives of the Government's Shared Island Initiative.

The Legal Background

Currently, Ireland's approach to restitution and repatriation is grounded in a combination of binding international conventions, non-binding ethical instruments, and national legislation and policy commitments. The legal context is set out in Section 1.6 of this report.

Ireland also aligns its practice with international best practice and ethical standards articulated by bodies such as UNESCO and the International Council of Museums (ICOM), including the ICOM Code of Ethics, and with principles developed in response to specific historical injustices, notably those arising from Nazi-era spoliation.

In this context, Ireland's endorsement of the Washington Principles on Nazi-Confiscated Art and the associated 2024 Best Practices carries particular significance. These instruments create clear expectations regarding the identification, review, and publication of information on "covered objects", defined as works created before 1946, acquired after

1932, and which may have been present in continental Europe during the Nazi era. They place a strong emphasis on the conduct of comprehensive, systematic, and transparent provenance research; on open access to institutional archives and acquisition records; on the online publication of provenance information; and on the importance of independent research where conflicts of interest may arise. The national guidelines on restitution and repatriation explicitly incorporate these standards into Irish practice, reinforcing Ireland's commitment to addressing Nazi-era spoliation in line with international norms and strengthening the case for a coordinated and properly resourced national provenance research programme.

If Ireland implements the restitution and repatriation framework proposed in this Report to address historical cases and combines this with ratification of the 1970 and 1995 Conventions, it will position itself at the forefront of international best practice in this field.

Irish Material Held Abroad

Many Irish collecting institutions, third-level institutions, and individual curators, archivists, librarians and scholars maintain long-established and productive working relationships with colleagues in internationally based museums, archives, libraries, and research bodies. These networks, grounded in shared professional standards, scholarly exchange, and a common commitment to responsible stewardship, provide a strong foundation for enhanced international collaboration. The Committee considers that such relationships could support the development of collaborative agreements and expanded partnerships, facilitating increased awareness of cultural objects of Irish origin held in overseas collections and enabling their research, interpretation, and, where appropriate, temporary or permanent display within an Irish context.

Against this backdrop, the Committee noted a growing public interest in the potential return of cultural objects of Irish origin held in institutions overseas. Examining this issue is outside the mandated scope of the Committee. However, the Committee acknowledged that a comprehensive understanding of the scale, scope, and precise locations of such material remains largely undocumented. The Committee considers that establishing a transparent, ethical, and nationally coordinated restitution and repatriation framework—such as that recommended in this Report—would greatly strengthen Ireland's credibility internationally and foster goodwill that could support any future Irish efforts to seek the return of cultural material from abroad.

A full assessment of Irish objects held overseas would require extensive further research, including detailed provenance investigations and an examination of the circumstances under which such items were acquired by their current custodians. The Committee identifies this as an area for future consideration by Government or other relevant bodies with relevant resourcing and capacity building to enable it.

Recommendations

A central purpose of the Committee's mandate was to establish a national framework that enables institutions—both publicly funded and privately managed—to address restitution and repatriation matters, supported by clear standards and appropriate legal safeguards. The Committee's recommendations as to how these matters are to be addressed are outlined below.

1 Promote the Resolution of Claims Through Fair and Due Process

The Committee recommends that claimants and collecting institutions be supported and encouraged to resolve restitution and repatriation claims through fair and due process directly between the parties. The Committee has developed Ireland's first national guidelines entitled, *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*. The guidelines provide a clear framework for engaging in such processes in a fair, transparent, and equitable manner. Where claims cannot be resolved through direct engagement, provision should be made for referral to the Restitution and Repatriation Advisory Panel of Ireland (RRAPI) for consideration.

2 Enact Legislation to Support Restitution, Repatriation, and Deaccessioning

The Committee recommends that Primary legislation is developed and enacted to:

- establish a new Restitution and Repatriation Advisory Panel of Ireland (RRAPI) and define its powers, procedures, and remit;
- provide Ministerial authority to give effect to RRAPI recommendations;
- enable institutions to deaccession objects where legal, statutory, or trust-based restrictions currently prevent it.

3 Implement the National Guidelines on Restitution and Repatriation

As stated above, the Committee has developed Ireland's first national guidelines entitled, *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*. The Committee recommends that the implementation of these guidelines must be supported by State-funded resources to ensure equitable uptake across the sector.

The national guidelines on restitution and repatriation:

- provide clear, practical, and nationally consistent advice to all collecting institutions;

- translate international best practice and ethical standards into an Irish context;
- include workflows, templates, and decision-making tools to assist institutions of all sizes;
- address colonial-era collections, Nazi-era spoliation, human remains, sacred objects, and other sensitive collection types.

4 Establish a National Provenance Research Programme

The Committee recommends the establishment of a dedicated, State-funded national provenance research programme to:

- address the severe lack of provenance expertise and capacity across collecting institutions;
- support full and consistent compliance with the national guidelines on restitution and repatriation;
- undertake systematic provenance investigations, particularly for institutions with limited staff or resources;
- build a sustainable national workforce of qualified provenance researchers;
- provide RRAPI with reliable, high-quality research to inform its recommendations.

This Programme must include multi-annual funding streams, training supports, and mechanisms for institutions to access expert assistance when required.

5 Implement a National Cataloguing and Digitisation Programme

To empower institutions to meet standards of transparency, accountability, and public access, the Committee recommends a coordinated, State-funded, multi-annual programme to:

- address national cataloguing backlogs through targeted grants and specialist support;
- encourage the digitisation and online publication of collection records;
- integrate cataloguing and documentation standards into the Museum Standards Programme for Ireland (MSPI).

This investment is essential to ensure that all institutions—especially smaller and volunteer-led organisations—can achieve compliance and support provenance research.

6 Deliver National Training and Capacity Building

To ensure effective, confident, and ethical implementation of restitution and repatriation processes across the sector, the Committee recommends that the State should provide comprehensive, well-resourced training supports, including:

- provenance research methodologies and documentation standards;
- legal and ethical frameworks for restitution, repatriation, and deaccessioning
- community engagement and trauma-informed practice;
- governance, claims management, and transparent decision-making protocols.

In addition, the Committee recommends that:

- third-level institutions offering museum studies, archival training, and cultural heritage programmes, are supported to include the expansion of modules on provenance research, cultural rights, ethical stewardship, and repatriation;
- establish a national framework for continuous professional development (CPD) to ensure that existing museum, archive, and library staff can maintain and deepen their expertise;
- support international exchanges, residencies, and study visits, enabling Irish professionals to learn from leading international practice and share knowledge globally.

These training and capacity-building supports should be State-funded, accessible nationwide, and designed to empower institutions of all scales to implement the national guidelines on restitution and repatriation effectively.

7 Develop Structures for Engagement with International Partners and Source Communities

To ensure respectful, informed, and culturally appropriate engagement, dedicated funding and logistical supports should be provided to enable institutions to:

- establish formal channels for collaboration with communities of origin and international partners;
- develop structured avenues for cooperation and knowledge-sharing with relevant institutions and bodies in Northern Ireland, recognising the close historical and collection-based relationships across the island;
- participate in shared research initiatives, exhibitions and reciprocal knowledge exchange;

- develop culturally sensitive pathways for the return of objects, including ancestral remains and sacred items;
- subject to Government approval, Ireland should proceed towards accession to the UNESCO 1970 Convention and the 1995 UNIDROIT Convention, thereby aligning the State more fully with the principal international legal frameworks addressing the illicit import, export, transfer, theft, and illegal export of cultural objects.

This investment will strengthen Ireland’s credibility, foster trust, and ensure that engagement with claimant communities is meaningful, collaborative, and ethically grounded.

Conclusion

Ireland now has both the responsibility and the opportunity to reshape how it engages with the complex histories embedded within its cultural collections. The Committee’s work demonstrates clearly that while Irish collecting institutions are deeply committed to responsible stewardship, they cannot meet contemporary ethical, legal, or professional expectations without national leadership and guidance, structural reform, and significantly increased sustained investment. Implementation of the recommendations of this report is an essential step in ensuring that Ireland honours its obligations to claimant communities, protects its institutions, and upholds international standards of cultural heritage management.

It is important to recognise that some objects in Irish collections were acquired in circumstances that today are acknowledged as unacceptable. Ethical stewardship requires that this reality be confronted, that institutions are equipped to assess these histories transparently, and that the State provides a national infrastructure capable of addressing the consequences of such histories in a fair, compassionate, and culturally informed way. This includes not only responding to claims as they arise but actively cultivating respectful, ongoing relationships with claimant communities and communities of origin. Constructive dialogue—attuned to the values, traditions, and expectations of those communities—must be central to Ireland’s approach. Only through such engagement can Ireland build trust, foster mutual understanding, and ensure that restitution and repatriation processes are grounded in dignity and respect.

The national framework proposed by the Committee is designed to give institutions the tools, protections and professional support resources that they need to navigate these issues confidently. It is explicitly non-adversarial, promoting mediation, collaboration, and mutually agreed outcomes wherever possible.

The Committee recommends the implementation of the full range of reforms that are necessary to achieve the objectives set out in the Committee’s terms of reference.

If implemented in full, the recommendations of this report will enable Ireland to build a coherent, modern, and ethically robust national system. This includes the establishment of an Advisory Panel with authority and independence backed by a new Ministerial power; comprehensive national guidelines on restitution and repatriation; a National Provenance Research Programme; and a national cataloguing and digitisation initiative. Together, these reforms will transform Ireland’s capacity to address restitution and repatriation responsibly and transparently.

More importantly, they will demonstrate Ireland’s commitment to acknowledging the past, addressing its consequences with integrity, and engaging with communities of origin in a spirit of partnership and respect. By adopting this national framework, the State can ensure that its cultural heritage sector is equipped—not only for the challenges of the present moment, but for the responsibilities and opportunities that lie ahead.



Detail of carving from Māori Canoe.
Credit: Adobe Stock Images

1 INTRODUCTION AND CONTEXTS

Ireland's cultural heritage sector holds collections of exceptional breadth and significance, some of which contain objects with complex, multilayered histories of acquisition. As international norms evolve and source communities increasingly seek meaningful engagement and, in some cases, the return of cultural material, the need for a coherent national approach has become increasingly apparent. Recognising this, the Government approved the establishment of the Advisory Committee on the Restitution and Repatriation of Cultural Heritage to examine Ireland's current policy landscape and recommend a modern, responsive, and ethically grounded national framework.

1.1 Establishment of the Committee

The Committee was formally established in 2023 by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, with the support and approval of Government. Its creation followed growing international focus on restitution and repatriation, as well as calls from Irish institutions for national guidance, legal clarity, and support in addressing complex historical and ethical considerations.

The establishment of the Committee reflects a clear recognition of both the rights of claimants and the need to address their concerns in a fair and transparent manner. It is also a proactive recognition that institutions require clear guidance, legal clarity, and consistent national standards when navigating complex restitution and repatriation issues. In establishing the Committee, there is a commitment to putting in place structures that ensure that these issues are handled in a fair, consistent, and transparent way, grounded in ethical principles and aligned with emerging international best practice.

To ensure independence, rigour, and credibility, the Committee's membership was drawn from a wide cross-section of expertise, including museum and heritage leadership, law, ethics, academia, provenance research, and international cultural policy. A list of members is included in on [page iii](#).

1.2 Governance and Oversight

The Committee operated under formal Terms of Reference approved by the Minister. The terms of reference are included in [Appendix 1](#), Terms of Reference. Its work was supported by a Secretariat provided by the Heritage Council, which managed research coordination, meeting administration, survey design, execution and delivery, and the compilation of supporting documentation. The Secretariat also facilitated access to legal and archival expertise and ensured appropriate governance and accountability processes throughout the Committee's work.

The Committee met regularly over the course of its existence, adopting a structured work programme. A summary of meetings and attendance is included in [Appendix 2](#), Summary of Meetings and Attendance.

1.3 Method of Work

The Committee adopted a two-phased programme of work to address its mandate in a structured and sequential manner. The combined outcomes of both phases of work are presented in this Report.

Phase One focused on establishing the evidence base for the Committee's recommendations and culminated in the preparation of an Interim Report. The Committee completed this Interim Report in December 2024, and it was submitted to Minister Patrick O'Donovan, Minister for Culture, Communications and Sport, in February 2025. Following the Minister's consideration of the findings and conclusions set out in the Interim Report, the Committee proceeded to advance Phase Two of its programme of work. This second phase built upon the interim findings and involved the development, refinement, and integration of the Committee's final recommendations, resulting in the comprehensive analysis and proposals contained in this Report.

Working with the Advisory Committee, the Heritage Council was responsible for the delivery of much of the underpinning evidence base for this Report. This included conceiving, designing, and carrying out the National Survey of Cultural Heritage Collections; undertaking and completing a range of research functions; and coordinating this work across the various background and working group reports that informed the Committee's deliberations. The Heritage Council also coordinated the drafting of the *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland* and the preparation of the Committee's final report. In addition, the Heritage Council provided the secretariat to the Advisory Committee throughout its work, supporting its meetings, research activities, and reporting processes.

1.4 Internationally Held Items of Irish Origin

During its work, the Advisory Committee noted a growing public interest in the potential return of items of Irish origin held in institutions around the world. The Committee also recognised that many Irish collecting institutions, third-level institutions, and individual researchers maintain strong, long-established professional relationships with counterparts in internationally based institutions, grounded in shared standards of stewardship, research, and ethical practice. These existing connections provide a constructive foundation for enhanced collaboration, dialogue, and partnership, including initiatives that could increase awareness, research, interpretation, and, where appropriate, the display of Irish cultural material held overseas.

The scale, scope, and precise locations of such material remain largely unknown, and addressing these issues lies outside the Committee's current Terms of Reference. However, the Committee considers that, should its recommendations for establishing a formal national framework be adopted Ireland's open, ethical, and transparent approach would foster reciprocal understanding and goodwill from foreign institutions and strengthen Ireland's position if seeking the restitution of cultural objects from elsewhere. Fully examining the status of Irish cultural material held overseas would require extensive further research, including establishing the histories of specific objects and the circumstances of their acquisition by their present custodians. The Committee therefore notes that this is an important area for future investigation, which the Government—or other interested bodies—may wish to pursue.

1.5 All Island Approach

The committee recognises that collections held by institutions in Northern Ireland bear direct relationships to those held in institutions in the State, reflecting the close historical connections between the two jurisdictions and the wider, interwoven history of the island as a whole. The development of a proactive national approach to restitution and repatriation therefore presents an important opportunity to strengthen existing relationships and encourage structured cooperation across the island between cultural institutions, relevant government departments, the Northern Ireland Museums Council, the Heritage Council and the Irish Museums Association. In the course of the preliminary work undertaken in developing the national guidelines, consultation was held with National Museums NI, whose experience in provenance research and related restitution and repatriation practice was of value in informing the Committee's understanding of emerging practice within these islands. This approach aligns with the values underpinning the government's Shared Island Initiative.

1.6 International Legal Contexts

At an international level, Ireland is (subject to Government approval) moving towards becoming a party to the two key international conventions dealing with the illicit trade in antiquities and other cultural objects, the UNESCO 1970 Paris Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the 1995 Rome UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects. The two Conventions complement each other. The Paris 1970 Convention (in broad terms) focuses on the collecting policies of public institutions and the prohibition of transboundary illicit dealing. The UNIDROIT Convention provides a standard set of rules governing claims (whether made by individuals or states) for the return of stolen or illegally exported cultural objects, with these rules to be applicable by the courts of a state party when dealing with a claim for return in relation to an object located in the territory of that state party.

It is noted that neither the 1970 Convention nor the 1995 Convention operates retrospectively. However, the ratification of both combined with a clear framework and action plan for dealing with cases of inappropriate removal of cultural property that occurred in earlier periods will combine to greatly enhance Ireland's international standing in this area. Insofar as additional domestic legislation was needed to allow such ratification, this has now been put in place by the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023. The provisions of that Act relating to the 1995 Convention are now in force and the necessary steps are in train to seek formal Government approval for Ireland to ratify the Convention. It is anticipated that work on bringing into force the provisions of the new legislation relating to the Paris 1970 Convention will also be progressed in the near future, so also leading to ratification of that Convention.

It is important to emphasise that, as matters stand, Ireland has important domestic and EU law-based provisions which have been in operation for some time. Alteration of archaeological objects (a broadly defined term not limited to material originating in Ireland) is subject to a licensing regime under the National Monuments Acts 1930 to 2014. A range of types of cultural objects are subject to an export licensing regime under the National Cultural Institutions Act 1997. The EU regulations controlling export from and import into the EU of cultural goods bind Ireland (Council Regulation (EU) No 116/2009 and its implementing legislation; Regulation (EU) 2019/880). The State also implements EU law in the area of return of cultural objects within the EU through Statutory Instrument No. 53/2016 European Union (Return of Foreign Cultural Objects) Regulations 2016, which give effect to Directive 2014/60/EU and provide a framework for the return of cultural objects unlawfully removed from the territory of another Member State on or after 1 January 1993.

Other international conventions that Ireland is already a party to, such as, the 1992 Council of Europe European Convention on the Protection of the Archaeological Heritage (the Valletta Convention) and the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage, alongside broader human-rights-based frameworks including the United Nations Declaration on the Rights of Indigenous Peoples (2007), which affirms the rights of peoples to their cultural heritage and, where appropriate, its return, also provide a policy context.

Ireland also aligns its practice with international best practice and ethical standards articulated by bodies such as UNESCO and the International Council of Museums (ICOM), including the ICOM Code of Ethics, and with principles developed in response to specific historical injustices, notably those arising from Nazi-era spoliation.

In this context, Ireland's endorsement of the Washington Principles on Nazi-Confiscated Art and the associated 2024 Best Practices carries particular significance. These instruments create clear expectations regarding the identification, review, and publication of information on "covered objects", defined as works created before 1946, acquired after 1932, and which may have been present in continental Europe during the Nazi era. They

place a strong emphasis on the conduct of comprehensive, systematic, and transparent provenance research; on open access to institutional archives and acquisition records; on the online publication of provenance information; and on the importance of independent research where conflicts of interest may arise. The national guidelines explicitly incorporate these standards into Irish practice, reinforcing Ireland's commitment to addressing Nazi-era spoliation in line with international norms and strengthening the case for a coordinated and properly resourced national provenance research programme.

If Ireland succeeds in implementing a framework for repatriation and restitution which addresses historical cases and combines this with ratification of the 1970 and 1995 Conventions, then Ireland will establish itself at the forefront of international best practice in this arena.

1.7 Conclusion

This report presents the results of the Committee's two-phase programme of work. The report outlines the Committee's findings, analysis, and recommendations, and sets out a proposed national framework that reflects international norms while responding to the specific needs of Ireland's cultural heritage sector.

The Committee's mandate was deliberately defined not to identify or adjudicate individual objects or collections within Irish collecting institutions for examination or return.

The Committee has proposed the establishment of an independent advisory panel to examine claims and recommend solutions as appropriate. Furthermore, the Committee has proposed the development of a coherent national framework that assigns responsibility at institutional level, applicable to both publicly funded and privately managed bodies. This framework is designed to support consistent and transparent decision-making through the provision of clear standards, appropriate legal safeguards, and access to an independent national advisory panel.



Conservation work on oriental manuscript
Credit: Chester Beatty Library

2 METHODOLOGY

2.1 Phase One: Building the Evidence Base

Phase One focused on developing a detailed understanding of the Irish cultural heritage landscape and identifying the challenges that institutions face in managing restitution and repatriation issues. This phase was multi-layered and evidence driven, comprising:

■ National Survey of Cultural Heritage Collections

The first comprehensive audit of collections was conducted across 107 institutions, including State bodies, local authorities, universities, ecclesiastical organisations, voluntary bodies, and private institutions. The survey established the scale and character of these collections, as well as the level of organisational preparedness to respond to potential claims.

■ Review of International Best Practice

Review of International Professional Best Practice. The Committee conducted comparative analysis of professional guidelines, ethical codes, and national frameworks across more than ten jurisdictions, including the UK, Northern Ireland, Scotland, Germany, Belgium, France, the Netherlands, the United States of America, Canada, Australia, and South Africa. Attention was given to:

- ethical return policies;
- curatorial decision-making standards;
- collaborative initiatives with origin communities;
- advisory panel models;
- trauma-informed and culturally sensitive practice.

■ Review of Relevant Legislative Contexts

The Committee undertook a broad examination of:

- Irish legislation related to cultural heritage, museum governance, ownership, export controls, and deaccessioning;
- international legislation and conventions related to restitution and repatriation, including those dealing with colonially acquired collections;
- legislation and procedures relating to Nazi-era spoliation, including the UK Spoliation Advisory Panel model;

- international instruments related to decolonisation and cultural rights, including the UNESCO Conventions (including the Paris Convention, 1970), the Faro Convention, the Washington Principles on Nazi-Confiscated Art (1998) and the Best Practices for the Washington Conference Principles (2024), the UNIDROIT Convention, and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). This comprehensive legislative review established the gaps that currently prevent institutions from managing claims effectively.

■ Case Study Analysis

The Committee examined a series of domestic and international case studies to understand how claims have been managed in practice. Attention was given to:

- Scotland, including case studies involving African and Caribbean collections and proactive provenance research initiatives;
- Canada, where First Nations communities and institutions have developed shared models for repatriation, rematriation, and culturally informed ethical review;
- Australia, focusing on the structured return of ancestral remains and sacred objects, and the integration of Indigenous consultation as a core procedural element;
- Ireland, a review of circumstances where claims have been made and how these claims have been addressed.

These case studies informed the development of practical guidance that recognises the complexity of claims, the need for cultural sensitivity, and the necessity of transparent, ethical decision-making.

The findings from Phase One revealed significant gaps in capacity, legal frameworks, governance structures, and national coordination. These insights provided the foundation for the Committee's Interim Report (February 2025) and informed the development of Phase Two. The Interim Report was submitted to Minister Patrick O'Donovan in February 2025.

2.2 Phase Two: Developing the National Framework

Phase Two built directly on the evidence base established in Phase One and focused on designing the structures, legislative tools, and professional guidance needed to support a national approach to restitution and repatriation. This phase centred on two core strands:

2.3 Identifying Legislative and Structural Requirements

This strand focused on creating a legally credible national system, including:

- **Establishing the Restitution and Repatriation Advisory Panel of Ireland (RRAPI)**

- **Removing statutory, trust-based, and governance barriers to deaccessioning**
- **Defining Ministerial powers and institutional indemnities**
- **Developing principles and procedures to ensure fairness, transparency, and accountability**

2.4 Developing the National Guidelines on Restitution and Repatriation

The Committee completed a comprehensive set of National Guidelines on Restitution and Repatriation entitled *Restitution and Repatriation: A Practical Guide of Claimants and Collecting Institutions in Ireland*. These guidelines were informed by:

- **international best practice and case studies;**
- **professional codes of ethics** including but not limited to, ICOM, The Museums Association, The Collections Trust, American Association of Museums, Museums Australia, UNESCO, UNDRIP; Best Practices for the Washington Conference Principles on Nazi-Confiscated Art;
- **internationally developed guidelines** especially: *Restitution and Repatriation a Practical Guide for Museums* Arts Council UK, published standards for curatorial cataloguing, including SPECTRUM;
- **Irish legal requirements and governance structures;**
- **curatorial, legal, and moral and ethical principles;**
- **a strong commitment to centring the rights, experiences, and perspectives of source communities** with specific focus on internationally based case studies.

The Committee consulted with National Museums Northern Ireland. That engagement was of particular value in informing the Committee's consideration of emerging practice in provenance research and restitution and repatriation within these islands, and in highlighting the benefits of continued cross-border dialogue, professional exchange, and knowledge-sharing as the Irish framework is further developed.

The national guidelines provide practical tools, workflows, templates, and ethical frameworks for both public and private collecting institutions. They reflect the current institutional environment in Ireland and will be updated to fully align with RRAPI once established. The guidelines will be kept under periodic review to reflect developments in international practice, with responsibility for ensuring that they remain current, authoritative, and responsive to evolving ethical and professional standards resting with RRAPI.

Together, these two phases provide a comprehensive, evidence-based, and ethically grounded blueprint for establishing a modern national framework that meets international standards.



3. PHASE ONE: BUILDING THE EVIDENCE BASE

Phase One of the Committee’s work focused on establishing a robust evidence base to understand the current landscape of cultural heritage collections in Ireland and to identify the challenges collecting institutions face in preparing for, and responding to, restitution and repatriation issues. This phase was designed to systematically gather the information required to inform later policy, legal, and guideline development, ensuring that all subsequent recommendations were grounded in the realities of practice.

3.1 Establishing the National Evidence Base

The cornerstone of Phase One was the National Survey of Cultural Heritage Collections, the first comprehensive State-led audit of its kind. Conducted across 107 institutions—State, local authority, university, ecclesiastical, voluntary, and private—the survey explored:

- the scale, diversity, and scope of collections in Ireland;
- cataloguing and documentation standards;
- digitisation levels and public access;
- provenance research capacity and expertise;
- governance structures and deaccessioning restrictions;
- existing practices in relation to contested material.

The survey revealed a sector characterised by commitment but constrained by limited resources, inconsistent standards, and significant gaps in preparedness. These findings highlighted the urgent need for national leadership, coordinated support, and a structured framework to assist institutions in meeting emerging international expectations. The findings of this survey are included in Appendix 3, Summary Findings of the National Survey of Collections.

3.2 International Benchmarking and Best Practice Review

To situate Ireland within the global context, Phase One also included an extensive review of international professional best practice. This analysis drew from leading jurisdictions—including, Northern Ireland, England, Scotland, Germany, Belgium, France, the Netherlands, Canada, Australia, the United States of America, and South Africa—and examined:

- advisory panel structures;
- provenance research methodologies;
- ethical return policies;
- initiative for collaborative projects with countries of origin (for example, joint exhibitions, exchange visits, collaborative research projects, etc.);

- trauma-informed and culturally sensitive engagement models;
- standards for digitisation and documentation;
- approaches to transparency, accountability, and public communication.

The aim was to identify the elements required for Ireland to align more closely with European and international norms, ensuring that collecting institutions benefit from approaches proven effective abroad.

3.3 Legislative Scoping

As part of Phase One, the Committee undertook a detailed review of all legislation relevant to Ireland’s management of cultural heritage, including:

- laws governing museums, archives, libraries, and State collections;
- statutory, charter, and trust-based barriers to deaccessioning;
- international conventions and agreements relating to restitution and repatriation;
- legislation governing colonially acquired collections and decolonisation processes; and
- Nazi-era spoliation frameworks, including the UK Spoliation Advisory Panel model and the agreement between the American Alliance of Museums (AAM), the Association of Art Museum Directors (AAMD), and the Presidential Advisory Commission on Holocaust Assets in the United States (PCHA).

This analysis confirmed that Ireland lacks the legal infrastructure required to manage claims consistently, ethically, and transparently, and that legislative reform is essential.

3.4 Analysis of International Case Studies

The Committee also reviewed case studies to understand how restitution and repatriation have been implemented in practice, focusing on:

- Scotland, including returns to African and Caribbean nations and leadership in proactive provenance research;
- Canada, where First Nations communities have shaped culturally grounded, rights-based processes for repatriation and rematriation;
- Australia, where the long-standing national programme for the return of ancestral remains illustrates the value of structured community engagement and Indigenous governance.

These examples provided practical insights into implementation, dispute resolution, collaboration with source communities, and the infrastructural supports required.

3.5 National Survey of Collections: Key Findings

Overview

The National Survey of Cultural Heritage Collections (2024) provides the most detailed picture to date of the condition, capacity, and preparedness of Irish collecting institutions. A total of 107 institutions—State, local authority, university, ecclesiastical, voluntary, and private—participated. The results show a sector committed to stewardship but significantly under-resourced and facing systemic constraints that must be addressed to meet contemporary expectations for restitution, repatriation, transparency, and ethical governance. These findings formed a central part of Phase One of the Committee’s work and directly informed the legislative and policy proposals developed during Phase Two.

3.5.1 Cataloguing, Documentation, and Digitisation

The survey found the following:



- 90% of institutions lack comprehensive online catalogues;
- many have large documentation backlogs, often not quantified;
- digitisation levels are generally low, with only a small fraction of collections digitised;
- even fewer collections are accessible to the public online.

Implication:

Ireland requires a national, multi-annual cataloguing and digitisation programme with ring-fenced funding and professional support.

3.5.2 Provenance Research Capacity



- 77% of institutions have no trained provenance research staff.
- Only a minority have undertaken structured provenance investigations.
- Even where undertaken, provenance findings are rarely shared publicly.
- Main barriers: lack of time, funding, staff, expertise, and organisational prioritisation.

Implication:

A National Provenance Research Programme, is essential to build sector-wide capacity and ensure consistent standards.

3.5.3 Expertise, Staffing, and Resources

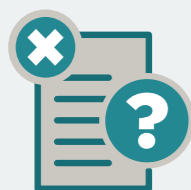


- Staffing levels vary widely; 22% of institutions have two or fewer paid staff.
- Heavy reliance on volunteers, in some cases up to several hundred.
- Expertise in archival practice, collection care, legal considerations, and research is unevenly distributed.
- Training opportunities are limited and not evenly accessible.

Implication:

National training and capacity-building infrastructure must be expanded, including alignment with the Museum Standards Programme for Ireland (MSPI).

3.5.4 Legal and Governance Context



- Many organisations face legal barriers to deaccessioning, including clauses in statutes and trust deeds.
- Few institutions have clear policies on restitution, repatriation, or ethical disposal.
- Existing policies are frequently outdated.
- Institutions lack protections or indemnity when engaging with claims.

Implication:

A national legal framework is required to establish clear procedures, ensure consistency, and enable lawful returns.

3.5.5 Scope and Nature of Collections



- Collections are very diverse, covering art, archaeology, history of Ireland and other countries, natural history, ethnography, archives, numismatics, textiles, religious items, transport history, and more.
- 35% of institutions identified items that may be potentially contested.
- Many collections include items acquired through colonial-era activities or complex historical pathways.

Implication:

Ireland must develop a flexible national model that addresses a wide range of collection types, histories, and institutional contexts.

3.5.6 Previous Experience with Claims

Institutions reported a small but meaningful set of past requests, including:



- disputed family donations;
- return of archival collections;
- repatriation of Māori remains;
- requests related to items acquired outside collecting remits.

These cases highlight the breadth of scenarios institutions may encounter and the need for a structured national process.

3.5.7 Barriers Identified by Institutions

Most commonly cited barriers included:



- lack of staff time;
- insufficient funding;
- limited expertise;
- competing organisational priorities;
- sensitivity, confidentiality and GDPR concerns.

Implication:

Institutions require national support mechanisms, training, legal guidance, and professional resources.

3.5.8 Overall Conclusions of the Survey



- Collections expertise is unevenly distributed across Ireland.
- Provenance research capacity is minimal and requires national intervention and international cooperation.
- Cataloguing and digitisation gaps significantly hinder transparency and accountability.
- Training and upskilling are essential and should be linked to MSPI.
- A coordinated national approach is necessary to support institutions in meeting modern ethical and professional standards.

3.6 Outcomes of Phase One

Together, the survey results, international benchmarking, legislative review, and case study analysis provided a clear picture of the strengths, limitations, and needs of the Irish heritage sector. They demonstrated:

- **significant cataloguing and digitisation backlogs;**
- **limited provenance research capacity;**
- **uneven access to expertise and training;**
- **restrictive legal frameworks;**
- **lack of national coordination;**
- **the pressing need for guidance aligned with international standards.**

Phase One therefore laid the essential foundation on which Phase Two was developed—enabling the Committee to design legislative proposals, develop comprehensive national guidelines, and outline the national framework required to support all collecting institutions in Ireland.



Hand painted Aboriginal Face Mask.
Credit: Adobe Stock Images

4. PHASE TWO: DESIGNING A NATIONAL FRAMEWORK FOR RESTITUTION AND REPATRIATION

4.1 Introduction

The research and analysis undertaken during Phase One provided the Committee with a clear, evidence-based understanding of the current position of Irish collecting institutions in relation to restitution and repatriation. The national survey highlighted significant variation in institutional capacity, documentation standards, cataloguing and digitisation practices, and readiness to undertake provenance research. The review of international best practice and legislative frameworks further demonstrated that Ireland must strengthen its structures and processes to align more closely with European and global norms.

Phase One also confirmed the need for a coordinated national response. The absence of a clear legal framework, combined with limited professional resources and inconsistent institutional policies, underscored the importance of State leadership and the development of national standards. These findings provided the essential foundation for the Committee's subsequent work and informed the scope and direction of Phase Two.

Phase Two therefore represents a progression from assessment to design. Building directly on the outcomes of Phase One, the Committee focused on formulating the legislative and structural requirements for a national framework and on preparing comprehensive national guidelines to support both public and private collecting institutions. This phase of work aimed to ensure that the recommendations developed are practical, coherent, and consistent with international best practice.

What follows is a summary of the Committee's work in Phase Two and the framework it proposes to support claimants and institutions in responding to restitution and repatriation matters in a fair, transparent, and consistent manner.

4.2 Finding Remedies

4.2.1 Rationale

Ireland, in line with international practice and ethical standards, must establish a transparent, fair, and legally grounded mechanism to address claims for the restitution and repatriation of cultural objects including those of a religious or sacred value. It is recognised that there are items held in Irish collections which were obtained through colonial or other contentious historical circumstances. It is possible that the ownership history of these items may be scrutinised in the future.

Legal advice received by the Committee confirms that a statutory framework is required to provide clarity, authority, and consistency in decision-making, to safeguard both the interests of claimant communities and the integrity of Ireland's cultural institutions.

4.3 Establishment of the Restitution and Repatriation Advisory Panel of Ireland

4.3.1 Purpose and rationale for establishing the Restitution and Repatriation Advisory Panel of Ireland (RRAPI)

The Committee recommends the establishment of the Restitution and Repatriation Advisory Panel of Ireland (RRAPI). The purpose of this panel would be to provide independent, expert advice to the Minister on unresolved restitution and repatriation claims, while operating in parallel with, and supportive of, institution-led resolution processes. It should be noted that the guidelines, *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*, recommend that claimants and collecting institutions should, in the first instance, seek to establish fair and transparent means resolving a claim between themselves. This approach is recommended before any claim is considered by RRAPI.

Given the nature of its work the Committee recommends that RRAPI is expert-led. The issues it will consider are technically complex and require specialist competence to evaluate evidence properly, including in areas such as legal standards, provenance research, archival methods, historical analysis, ethics, and sector practice.

Human remains require distinct treatment within this framework. Unlike cultural objects, ancestral remains engage rights that exist independently of legal title or ownership, including the right to repatriation affirmed in Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples. The national guidelines on Restitution and Repatriation reflect this distinction. Expressly, RRAPI should therefore include at least one member with specific expertise in the ethical and legal frameworks governing human remains, and the legislation should address the application of deaccessioning restrictions to ancestral remains as a distinct category, separate from cultural objects.

Critically, the Minister must be able to rely on RRAPI for independent, evidence-based findings and recommendations that provide a sound foundation for ministerial decision-making, including where decisions may be subject to public, parliamentary, or judicial scrutiny. In this context, specialist knowledge and professional standards are essential to ensure transparent, considered recommendations that the Minister can act upon with confidence.

Public confidence in RRAPI's work, and the legitimacy of its outcomes, depends on the panel being independent and being seen to be independent. Independence is essential

to prevent actual or perceived conflicts of interest, particularly where institutions, State bodies, funders, or others may have a direct interest in the outcome of individual cases. If a claim involves a party with whom a member of RRAPI is, or has been, materially connected they will not participate in consideration of the claim in any way. It also underpins procedural fairness by ensuring that all parties are treated consistently and that decisions are grounded in evidence and agreed criteria and procedures. In turn, independent decision-making is more durable over time and better able to withstand scrutiny from oversight bodies, and, where relevant, the courts.

Considering the crucial importance of the role of RRAPI and the need to ensure that its establishment is robust and credible from the outset, its recommended governance structure, membership profile and operating procedures are described in this report. This proposed framework reflects established international models and aligns with comparable structures and operating methods adopted in other jurisdictions.

4.3.2 Legislative Requirement

To provide the Minister and RRAPI with legal authority, primary legislation must be enacted. This requirement has been confirmed by advice received from legal Counsel.

The recommended legislation will set out a new statutory framework to establish the Repatriations and Restitution Advisory Panel of Ireland (RRAPI). Under the proposals, the Minister would appoint an independent chair and at least ten suitably qualified members. The panel's function would be to receive and consider unresolved restitution and repatriation claims relating to cultural objects in Ireland that are connected to colonial history or through circumstances that involve persecution, dispossession, state-sponsored looting or otherwise. Following consideration of the evidence and the views of both claimants and legal owners, the panel could recommend a range of outcomes, including restitution or repatriation, compensation, or other appropriate remedies such as a permanent interpretive notice outlining the object's history, or it could reject the claim.

Crucially, the legislation, if enacted, would change the Minister's powers by enabling the Minister—if a recommendation is accepted—to direct or authorise compliance even where existing statutory restrictions, deeds of trust, or settlement would otherwise prevent deaccessioning. This is reinforced by an indemnity provision, protecting institutions, trustees, boards, and staff from liability when acting in compliance with a ministerial direction or authorisation based on the RRAPI's recommendation.

In developing its recommendations, the Committee placed particular emphasis on a thorough examination of the existing legal landscape and on identifying solutions that are both appropriate and workable within Ireland's legislative and institutional context. To support this work, the Committee sought Counsel's advice, as stated above, and dedicated considerable time to assessing the nature and scope of the legislative measures that would be required to underpin a fair, transparent, and effective framework.

In that context, the Committee considers it important that the proposed legislation should make clear that human remains fall within its scope, while also recognising their distinct status, special sensitivity, and the ethical considerations that human remains engage. For that reason, the Committee considers that human remains should not simply be subsumed within a general category of "cultural objects".

On the basis of this analysis, a set of suggested draft Heads of Bill has been prepared and is included in Appendix 4 (Outline Scheme of Legislation). It is proposed that the Department of Culture, Communications and Sport take the lead in preparing the General Scheme of a Bill (consulting with the Office of the Attorney-General as appropriate), seek Government approval for the subsequent drafting and introduction into the Oireachtas of the Bill.

4.4 The Restitution and Repatriation Advisory Panel of Ireland: Role and Structures

The Committee recommends the following structure for the Restitution and Repatriation Advisory Panel of Ireland, reflecting international best practice and the need for an appropriate supporting legal framework.

4.4.1 Name and Legal Basis

- The Advisory Panel should be formally titled: Restitution and Repatriation Advisory Panel of Ireland. (RRAPI).
- Established by the Minister of Culture, Communications and Sport.
- Operates as an Advisory Panel reporting to the Department of Culture Communications and Sport.

4.4.2 Governance Structure

Role

- Provides recommendations to the Minister for Culture, Communications and Sport, (or other Minister in the event that duties are re-allocated) regarding the resolution of claims for contested items and collections held in State collections. The panel issues advice to the Minister at his/her request or when otherwise brought to the Advisory Panel. The Minister takes the final decision about the restitution/repatriation application. The panel's advice is not legally binding on the Minister.
- Cooperates with claimants and claimant communities throughout the claims process.
- Provides advice to the Minister for Culture, Communications, and Sport regarding claims about items of cultural value held by other institutions or collections. In this

situation, the claimant or the owner can request the panel to review the case and make a recommendation to the Minister.

Encourages mediation between claimants and institutions before cases reach the panel for consideration.

4.4.3 Membership

The membership should reflect relevant abilities and communities:

- Chairperson (former or serving Supreme Court, Appeal Court or High Court Judge);
- two legal experts (senior barristers or senior counsel one of whom will be designated as Deputy Chairperson);
- one/two suitably experienced and eminent academics from relevant disciplines;
- one/two provenance researchers/archivists (one with experience in restitution/repatriation);
- two museum/cultural institution representatives. (retired, not current, museum representative from museum without stewardship responsibilities, one with experience of or background in large institutions/collections, one with experience background in small institutions/collections);
- moral philosopher or ethics expert;
- one economic/valuation expert;
- at least one individual experienced in or knowledgeable about claimant concerns and issues;
- one member with recognised expertise in the ethical, legal and professional standards governing the identification, care, consultation, claims assessment and repatriation of ancestral human remains.

Appointments

Appointment of Chairperson

- The appointment of a person to be the Chairperson of the committee shall, upon the nomination of the Chief Justice, be made by the Minister.
- The Chairperson shall be appointed by the Minister and be:
 - a former judge of the Supreme Court, a former judge of the Court of Appeal or a former judge of the High Court;
 - a judge of the Supreme Court;
 - following consultation by the Chief Justice with the President of the Court of Appeal, a judge of the Court of Appeal, or;

- following consultation by the Chief Justice with the President of the High Court, a judge of the High Court.

Appointment of Members

- Members are appointed by an independent Public Appointments Service.
- Term: 5 years (renewable).
- Provision would be made for expenses and/or remuneration of the panel members.

4.4.4 Provision of Secretariat and Research support

A secretariat and research support function will be provided by the Heritage Council and will be established as set out below.

Role

- Arranges provenance research where appropriate, prepares case files, and assist the parties.
- Collaborate with museums, universities, and international restitution bodies.
- Secretariat to be provided with resources to secure access to as required:
 - provision of secretarial and research support;
 - archivists and legal analysts;
 - historians;
 - ethics/human rights experts;
 - to provide provenance research where there is a claim and arrange for undertaking that the outcome of the research would be available to claimants, institutions and the panel.

4.4.5 Processes

Application and Review



Claim Submission

- Claimants submit claims in writing to the secretariat of the panel.
- Claimants submit evidence including all relevant and potentially relevant facts (ownership records, historical research, affidavits, oral testimony and other methods as appropriate to claimant community) and taking into account that due to the destruction of communities, there may be an absence of documentation).

- Institution responds with their response and evidence etc.
- The claimant can be invited to reply in writing to the institution.
- The secretariat consults with the Chairperson as to whether further information or expert advice is required with the understanding that the possessor of the item may have more documentation than the claimant.
- The secretariat consults with the Chairperson as to whether further information, provenance verification or expert advice is required.



Mediation Process

- Efforts are made to work towards mutually agreed settlements, help claimants and institutions reach alternative resolutions (e.g., long-term loans, shared custodianship or other as appropriate).
- The mediation process is to be managed by officials, or an appropriate person nominated by the Chairperson of the panel. Efforts are made to assist the mediation process.
- Efforts are made to afford mutually agreeable settlement.
- If the claim is not otherwise resolved, the case proceeds to consideration by the panel. This can be on the basis of material submitted until then, or, if either party so requests by an oral hearing.



Hearing

If requested, a full hearing before RRAPI.

- The secretariat ascertains, in advance, if either party wishes to make further written or oral submissions to the panel.
- Claimants and collecting institutions present their case and have regard to the guidance issued by the Department.
- An oral submission (but not sworn evidence) may be made on behalf of the claimant and on the part of the institution when the panel sits to consider the claim. It may be a matter for the Chair of the panel to make a decision on who may be heard.
- The Chair of the panel can require further information from either party and seek further information to reach a conclusion, and the responses shall be shared with both parties.
- External experts may be consulted. Securing external expertise

should not be confined to before the hearing and both parties should be consulted in selecting such external experts.



Recommendations Issued

- Recommendation issued to the Minister to either refuse claim, recommend restitution and/or repatriation, recommend an ex-gratia payment or some alternative remedy (e.g. commemorative plaque). Reasons for the Recommendation will be set out by the panel and made publicly available; terms of reference can provide for confidentiality, quorum and majority voting.

A copy of the UK Advisory Spoilation Panel's Guidance Notes for Parties (2016) is attached for reference in [Appendix 5](#).

4.4.6 Ministerial Decision

The Minister will consider the panel's recommendations and such other matters as the Minister considers appropriate and make a decision rejecting or accepting the recommendation in whole or in part.

4.4.7 Implementation and Enforcement

- Legislation should provide that State institutions comply with the Minister's decision.
- Private institutions and individuals are expected to comply as rejection of the Minister's decision based on the RRAPI's recommendation is likely to incur opprobrium and reputational damage.
- It is proposed that certification will be awarded to other institutions and individuals who engage with the process as a means of recognising their cooperation and affirming their commitment to the process. When appropriate, the Advisory Panel will publicly acknowledge (through a formal certificate) the role of the relevant institution.
- The effect of a Ministerial acceptance would be that the return may proceed notwithstanding any impediments that might otherwise arise under trust law or statutory provisions.
- Export Licence Restrictions – Objects in dispute cannot be sold/exported abroad without clearance. A relevant consideration in granting or refusing an export licence should include the recommendation of the panel or the fact that a claim has been initiated for the restitution or repatriation of the object to be exported.

4.4.8 Relationship Between Institutions, Claimants and the Panel

The recommended framework is designed to support, rather than replace, direct engagement between claimants and collecting institutions. Institutions that are legally entitled to restitute or repatriate objects should continue to do so without reference to the panel where they consider it appropriate and lawful.

However, the Committee recommends that recourse to the panel should be available in circumstances where:

- an institution wishes to resolve a claim but is prevented from doing so by statutory, trust or governance constraints;
- an institution is uncertain as to the appropriate course of action and seeks expert guidance;
- a claim has been refused by an institution, and the claimant seeks independent consideration.

In such cases, the panel would consider the matter and make a recommendation to the Minister, providing a lawful pathway to resolution where existing barriers would otherwise prevent it.

4.5 Conclusion

The Committee's recommended national framework places RRAPI and the Minister at the centre of a clear, credible pathway for progressing restitution and repatriation claims in Ireland.

RRAPI is designed to operate as an independent, expert-led advisory body that supports, rather than displaces, institution-led engagement: claimants and collecting institutions should first be encouraged—consistent with the national guidelines on Restitution and Repatriation—to pursue fair and transparent resolution between themselves, with recourse to RRAPI where a claim remains unresolved, has been refused, or where legal and governance constraints prevent an institution from acting. In these circumstances, RRAPI would provide the Minister with impartial, evidence-based recommendations grounded in specialist expertise across law, provenance, archives, history, ethics, and museum practice—ensuring that complex cases can be assessed consistently, rigorously, and fairly.

This framework will only function effectively if primary legislation is enacted as a matter of priority. At present, there is ambiguity in the legal landscape: institutions may be willing to resolve claims but are frequently constrained by statute, trust deeds, settlement terms, or uncertainty about their authority to deaccession or transfer objects. This lack of clarity creates real obstacles for claimants—who may face opaque processes and uneven outcomes—and for institutions—who may be exposed to legal risk, reputational pressure,

or paralysis in decision-making. The proposed legislation is therefore crucial because it would replace uncertainty with a transparent mechanism.

In short, enactment of the legislation would provide the legal certainty that is currently missing, allowing claims to be progressed in a fair, consistent, and transparent manner, and aligning Ireland with the structured approaches adopted in other jurisdictions.



Canadian totem pole.
Credit: Adobe Stock Images

5. NATIONAL GUIDELINES ON RESTITUTION AND REPATRIATION: PURPOSE, SCOPE AND VALUE

5.1 Completion of National Guidelines on Restitution and Repatriation

As part of Phase Two of its work, the Advisory Committee has completed a set of national guidelines entitled *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*. These national guidelines translate international best practice, moral and ethical principles, and legal requirements into a practical framework tailored to the Irish context. They are designed to support all collecting bodies—public, private, large, small, professional, and voluntary—in managing claims for the return of cultural heritage in a fair, transparent, and consistent manner.

5.2 Purpose of the National Guidelines on Restitution and Repatriation

The national guidelines have been developed to support claimants and collecting institutions. They provide clear, practical advice to governing boards, private owners, curatorial staff, and volunteer committees on how to respond to requests for restitution or repatriation, particularly where objects may have been acquired through colonial exploitation, looting, during the Nazi-era, illegal trade, or other exceptional historical circumstances. The national guidelines outline ethical and legal considerations, provide practical tools for assessing claims, and set out core principles—transparency, cooperation, and fairness—that reflect international best practice. They also address sensitive areas such as decolonisation, human remains, natural history specimens, and the ethical stewardship responsibilities that accompany them.

5.3 Scope and Flexibility within Irish Institutional and Legal Structures

Importantly, the national guidelines have been prepared to reflect the current institutional and legal structures in Ireland, recognising the wide variation in size, governance models, staffing levels, and capacities across Irish collecting institutions. They emphasise flexibility: while grounded in best practice, they are not prescriptive, acknowledging that a single, standardised process cannot apply uniformly across such diverse settings.

5.4 Supporting Public, Private and Volunteer-Led Collecting Institutions

The national guidelines will be particularly valuable for smaller and volunteer-run museums, private collections, ecclesiastical bodies, and local heritage centres—groups that often lack access to legal advice, provenance expertise or established policies for managing claims.

For larger institutions, the national guidelines provide a nationally aligned framework that supports consistency, transparency, and accountability.

5.5 Diversity of Collections and Complex Provenance Histories

The National Survey of Collections confirms that Ireland's cultural heritage collections are diverse, and many contain items originating far beyond the island. The histories of these objects often traverse complex paths of colonialism, conflict, trade, migration, persecution and personal collecting. Ireland's own history—as both a colonised nation and a participant in broader European colonial systems—means that some objects now held in Irish institutions may have been acquired under circumstances that warrant ethical reconsideration. For institutions with limited staffing, documentation, or research capacity, this can present significant challenges.

5.6 Alignment with the Restitution and Repatriation Advisory Panel of Ireland

The national guidelines outline the anticipated role of the Restitution and Repatriation Advisory Panel of Ireland (RRAPI), which the Committee recommends be established through legislation. Should this recommendation be accepted, the publication *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland* can be revised and expanded to reflect the panel's functions, operating procedures, and decision-making criteria, ensuring full alignment with the new national framework.

5.7 Encouraging Moral and Ethical Engagement, Dialogue and Knowledge Exchange

In addition to providing practical tools, the national guidelines encourage institutions to view restitution and repatriation not as adversarial processes but as opportunities for expanded knowledge, dialogue, and collaboration. Engaging with claimant communities fosters deeper understanding of the significance of objects, promotes cultural exchange, and supports an equitable reassessment of Ireland's relationship with colonial histories.

5.8 Strengthening Professional Relationships on the Island of Ireland

In developing these guidelines, the Committee was also mindful of the close relationship between collections held in Northern Ireland and those held in the State, arising from the historical and cultural interconnectedness of the island. The Committee considers that implementation of the guidelines should encourage continued cooperation and knowledge-sharing across the island, including engagement with institutions and representative bodies in Northern Ireland, to support coherence of practice and the exchange of expertise in provenance research and restitution and repatriation.

5.9 Positioning Ireland within International Restitution, Repatriation and Decolonisation Practice

Addressing claims also positions Ireland within the global movement toward ethical cultural stewardship, addressing Nazi-era looting and decolonisation. The national guidelines acknowledge contemporary expectations around transparency, inclusive interpretation, and respectful engagement with communities of origin, as well as encouraging institutions to examine their own histories, cataloguing practices, interpretation strategies, and collecting legacies.

5.10 Conclusion

By providing a structured, accessible, and ethically grounded approach, the completion and publication of *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland* represents a major step forward in supporting Irish collecting institutions to meet international standards. The Guidelines are intended as a practical, empowering resource—an essential component of Ireland's future national framework for restitution and repatriation, and a foundational tool for strengthening professional practice across the cultural heritage sector.



6. BUILDING A NATIONAL PROVENANCE RESEARCH PROGRAMME: NEED AND RATIONALE

6.1 Evidence of Severe Capacity Gaps in Collection Documentation

The National Survey of Cultural Heritage Collections demonstrates that Irish collecting institutions face systemic and widespread difficulties:

- **cataloguing deficits are extensive:** over 60% of institutions have no online catalogue, and many catalogues are incomplete or outdated.
- **provenance research is minimal:** 61% of institutions have undertaken little or no provenance research, with most estimating that only 0–20% of their collections have been examined.
- **expertise and resourcing are universally lacking:** all institutions reported insufficient specialist knowledge, staffing, and financial capacity to carry out cataloguing or provenance research.
- **training gaps are acute:** only 9% of institutions had provided provenance-related training in the previous five years.

These findings confirm that current limitations are structural rather than institutional and cannot be resolved through isolated or short-term interventions.

6.2 Why Cataloguing and Provenance Research Matter

Accurate cataloguing and systematic provenance research are the essential foundations for ethical stewardship, transparency, and the resolution of restitution and repatriation claims. Without reliable catalogues, institutions cannot identify potentially contested material, respond meaningfully to claimants, or meet the requirements set out in the national guidelines. Provenance research, in turn, provides the evidential basis for assessing how objects were acquired and whether their retention is ethically or legally justified.

6.3 International and Ethical Obligations

Ireland's endorsement of international instruments—including the Washington Principles on Nazi-Confiscated Art and the 2024 Best Practices—creates clear expectations regarding the identification, documentation, and publication of provenance information, particularly for Nazi-era “covered objects.” International best practice also emphasises transparency, online access to catalogues, and independent research where conflicts of interest may arise. The national guidelines translate these obligations into the Irish

context, but the survey evidence confirms that institutions cannot meet these standards without coordinated national support.

6.4 The Case for a National Programme

A dedicated National Provenance Research Programme is therefore essential to address cataloguing backlogs, build sustainable research capacity, and ensure consistent compliance with national and international standards. Such a programme would provide the structure through which existing public investment can be aligned, strengthened, and made effective over the long term.

6.5 Recommendations and Proposed Solutions

The Committee recommends that Government establish a National Provenance Research Programme to provide sustained, coordinated support to Irish collecting institutions. The Programme should address foundational deficits in cataloguing, build long-term provenance research capacity, and enable consistent compliance with the national guidelines and Ireland's international obligations.

Phased and Incremental Implementation

The Committee recommends that the implementation of these measures be phased and incremental, developed over a defined multi-year period. This approach will allow institutions to build capacity progressively, embed new standards into professional practice, and respond to demonstrated need in a measured and sustainable way.

A phased approach offers a fundamental opportunity to address long-standing structural deficits identified in the National Survey of Cultural Heritage Collections, including the absence of coordinated support for cataloguing, documentation, provenance research, training, and digital access. These deficits are systemic and cumulative, having developed over many years, and cannot be remedied through short-term or ad hoc interventions.

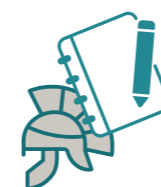
Incremental implementation will also enable the sector to uncover, document, and make accessible collections whose contents are currently unknown or poorly understood, delivering lasting benefits for transparency, public access, research, and engagement, alongside restitution and repatriation objectives.

Within this phased model, priority should be given to areas of greatest identified need, including collections that may be subject to claims, institutions with significant undocumented holdings, and material associated with heightened ethical or legal sensitivity.

It is suggested that the National Provenance Research Programme should be underpinned by the following integrated five key measures:

A. Foundational Infrastructure: Cataloguing, Digitisation, and Access

National Cataloguing Programme



- Support the systematic completion of cataloguing backlogs across collecting institutions, prioritising undocumented, inaccessible, or potentially contested collections.
- Require that cataloguing be undertaken to recognised professional standards, ensuring consistency, reliability, and interoperability across the sector.

Digitisation and Online Publication



- Enable the digitisation of catalogues and associated documentation to support online publication and public access.
- Encourage the use of shared digital infrastructure and platforms so that institutions of all sizes can participate equitably.
- Promote online access as a core mechanism for transparency, international collaboration, and engagement with claimant communities.

B. Capacity Building and Workforce Development

Provenance Research Capacity



- Support institutions in developing or accessing appropriate provenance research expertise, whether through dedicated roles, shared services, or commissioned specialist input.
- Recognise provenance research as an ongoing professional function rather than a short-term or exceptional activity.

Training and Professional Development



- Deliver a coordinated programme of training in provenance research methodologies, archival research, ethical and legal frameworks, and international best practice.
- Strengthen partnerships with higher-education institutions and professional bodies to enhance existing museum and archive training pathways and embed continuous professional development.
- Facilitate mentoring, international exchanges, and structured knowledge-sharing to build specialist expertise over time.

C. Equity and Sector-Wide Participation

Support for Smaller and Volunteer-Led Institutions



- Ensure that smaller, local, and volunteer-run institutions are supported to participate fully in the Programme and to meet national expectations.
- In Austria they have adopted a pro-active model promoting shared services, advisory support, and pooled expertise where individual institutions cannot reasonably sustain specialist capacity independently.

D. Standards, Governance, and Compliance

Roll-Out of the National Guidelines on Restitution and Repatriation



- Actively disseminate the publication *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*, supported by practical implementation tools and advisory support.

Integration with the Museum Standards Programme for Ireland (MSPI)



- Embed provenance research, documentation, and transparency as core components of MSPI accreditation.
- Support institutions working towards MSPI to address identified deficits in cataloguing, digitisation, and provenance research.
- Expand MSPI-related training to include provenance research methodologies, deaccessioning processes, and culturally sensitive, trauma-informed engagement with claimant communities.

E. Alignment with International Obligations

Compliance with International Norms and Best Practice



- Ensure that the Programme supports compliance with Ireland's commitments under international instruments, including the Washington Principles on Nazi-Confiscated Art and the 2024 Best Practices.
- Prioritise the identification, documentation, and publication of provenance information relating to Nazi-era "covered objects" and other internationally sensitive material.
- Support independent research approaches where conflicts of interest may arise.



7. CONCLUSION AND RECOMMENDATIONS

The Committee’s deliberations reveal a sector that is deeply committed to responsible stewardship but under-resourced and lacking the structural supports required to respond to contemporary restitution and repatriation needs. Collectively, these findings underscore the necessity for decisive national leadership and guidance, sustained investment, and a coherent statutory and policy framework.

Through its two-phase programme of work, the Committee has established both the evidence base, and the systemic reforms needed to ensure that Ireland can meet international standards and respond ethically, transparently, and effectively to restitution and repatriation claims.

7.1 Strategic Foundations of a Modern Restitution and Repatriation Framework

The Committee identified eleven essential interconnected requirements that must underpin Ireland’s national approach. These are set out on the following page.

These requirements form the essential foundation for a credible and contemporary national framework—one that enables institutions to meet evolving ethical, legal, and professional expectations and places Ireland alongside international leaders in responsible heritage stewardship.

7.2 Delivering the National Framework: Coordinated Government-Led Implementation

To realise the full benefits of the national framework proposed in this Report, the Committee recommends a coordinated, well-resourced implementation programme led by Government and supported by relevant agencies. The effectiveness of this framework depends not only on legislation and guidance but on sustained State investment to ensure that collecting institutions—large and small, public and private—have the financial and structural capacity to meet the standards expected of them.

It is recommended that implementation proceed across four interconnected strands: legislative reform:

- national infrastructure and institutional resourcing;
- sector-wide capacity building and rollout of standards;
- long-term engagement, monitoring, and review.

Strategic Foundations of a Modern Restitution and Repatriation Framework



- 1 Clear national leadership** and direction, providing consistent authority, guidance, and messaging for the heritage sector.
- 2 Guidance and support** that enable collecting institutions, claimants and claimant communities to engage directly with one another to establish fair, transparent and equitable forms of mediation in the resolution of claims.
- 3 A national advisory panel** with appropriate authority, independence, and expertise to mediate unresolved or complex claims fairly and transparently.
- 4 Legislative changes** that empower institutions to de-accession items if necessary.
- 5 National guidelines** and decision-support tools to ensure consistency, fairness, and best practice across all collecting institutions.
- 6 A coordinated National Provenance Research Programme** to ensure professional, evidence-based assessment of contested material.
- 7 A funded national cataloguing and digitisation programme** enabling institutions to document, manage, and publish information on their collections.
- 8 Prioritising online access** will enhance public access to collections while also increasing their visibility and encouraging greater public engagement.
- 9 Sector-wide training** with a focus on provenance research methods, legal framework, cultural sensitivity, trauma-informed practice and ethics in museum and archive training courses as well as Continuous Professional
- 10 Development courses** Structures for engagement with international partners and source communities, supporting collaborative research, dialogue, and culturally sensitive return processes.
- 11 Recognition of the close relationship** between collections held in Northern Ireland and in the State, and the promotion of structured cooperation across the island between institutions, representative bodies, and relevant public authorities in matters relating to provenance research, restitution, and repatriation. This is in harmony with the principles of the Shared Island Initiative.



7.3 Implementing the National Framework: Priority Action Areas



7.3.1 Legislative Action to Enable and Support the National Framework

A strong legislative foundation must be accompanied by the financial resources required to operationalise the new statutory framework. The Committee recommends that Government:

Primary Legislative Actions

- Enact legislation establishing The Restitution and Repatriation Advisory Panel Ireland, (RRAPI) providing statutory authority for reviewing claims.
- Introduce statutory provisions enabling lawful deaccessioning where currently prohibited.
- Subject to Government approval, Ireland should proceed towards accession to the UNESCO 1970 Convention and the 1995 UNIDROIT Convention, thereby aligning the State more fully with the principal international legal frameworks addressing the illicit import, export, transfer, theft, and illegal export of cultural objects.



7.3.2 National Infrastructure and Institutional Resourcing

The successful functioning of the national framework depends on significant State investment in national infrastructure, enabling institutions to participate fully and equitably. The Committee recommends:

Establishment of National Structures

- Establish and fully resource the RRAPI Secretariat within the Heritage Council, providing funding for staffing, expert consultancy, and operational activities.
- Ensure RRAPI is resourced to commission and conduct independent research.

Investment in Foundational Infrastructure

- Establish the National Provenance Research Programme, funded by Government to support the recruitment of development of provenance research activities within collecting institutions and allowing the engagement of specialist provenance researchers, archivists, digital infrastructure specialists, and legal analysts if required.
- Initiate a State-funded, multi-annual national cataloguing and digitisation programme, addressing long-standing documentation deficits and enabling compliance with the national guidelines.
- Provide dedicated grants for institutions to hire provenance researchers, digitisation

staff, or external experts, ensuring no institution is excluded from participation due to limited resources.

- Create a national digital research environment, with State investment to provide access to international databases, archival tools, and shared research platforms.

Collectively, these investments are necessary to ensure that institutions—particularly smaller or volunteer-led ones—have the means to meet national expectations.



7.3.3 Sector-Wide Implementation of the National Guidelines on Restitution and Repatriation

The national guidelines will only achieve their intended impact if accompanied by comprehensive resourcing and capacity-building measures. The Committee recommends the following.

- Publish and disseminate the national guidelines. *Restitution and Repatriation: A Practical Guide for Claimants and Collecting Institutions in Ireland*, to support distribution, interpretation support, and training.
- Deliver national training workshops, webinars, and professional development programmes designed to reach all parts of the sector.
- Provide targeted grants and capacity-building support to smaller and volunteer-led institutions, ensuring equitable implementation regardless of institutional size or resourcing.
- Establish an advisory support service, funded by Government, within the Heritage Council to respond to institutional queries and from individual claimants and researchers and support compliance.

Without a dedicated roll-out budget, the national guidelines cannot be implemented consistently across the sector.



7.3.4 Embedding Provenance Research within National Professional Standards Scheme (Museums Standards Programme for Ireland)

Integrating provenance research into MSPI will require funding for training, development, and ongoing institutional support. The Committee recommends the actions set out below.

Integration into MSPI Standards

- Formally incorporate provenance research as a core MSPI standard.
- Provide grants for institutions preparing for MSPI accreditation, enabling them to address cataloguing, documentation, and research backlogs.

Expansion of MSPI Training

- Develop and deliver training modules on provenance research methodologies, archival research, international source tracing, and the identification of Nazi-era “covered objects”.
- Provide training on legal frameworks, deaccessioning processes, and claim assessment, funded as part of the national implementation programme.
- Offer cultural sensitivity and trauma-informed practice training, financed by Government to support engagement with claimant communities.
- Support international training exchanges and partnerships, using State funding to strengthen institutional capacity.
- Ensure specialised funding for small and volunteer-led museums, including mentorship programmes and targeted grants.

MSPI can only integrate provenance research as a core standard if resources are provided to ensure parallel investment in capacity building.



7.3.5 Sustained Engagement and Strategic Partnerships

The development of meaningful relationships with claimant communities, source nations, and international partners must be underpinned by structures that enable sustained, respectful engagement. The Committee recommends the following actions.

- fund the creation of collaborative national and international research networks, enabling shared expertise, joint investigations, and cross-border research.
- Support higher-education institutions to develop dedicated training programmes and modules on provenance research, cultural property law, and ethical stewardship, including through State-funded scholarships and research grants.
- Provide ongoing governmental support for community consultation, including travel grants, facilitation resources, and advisory services.
- Support structured North-South cooperation between collecting institutions, relevant Government Departments, the Northern Ireland Museums Council, The Heritage Council, the Irish Museums Association, and other relevant bodies, recognising the direct relationship between collections held in both jurisdictions and the benefits of shared professional exchange in provenance research and restitution and repatriation practice.

Such investment is essential for Ireland to build a globally credible, ethically grounded restitution and repatriation framework.



7.3.6 Monitoring, Evaluation, and Continuous National Review

To ensure the sustainability and credibility of the national framework, the Committee recommends that the Department of Culture, Communications and Sport implements the actions set out below.

- Provide for ongoing monitoring and evaluation, ensuring that institutional readiness, capacity gaps, and performance indicators are assessed regularly.
- Conduct a comprehensive review, within five years of its establishment, supported by dedicated analytical resources, to refine legislation, improve processes, and strengthen guidance.
- Support continued consultation with institutions and claimant communities, ensuring the framework evolves in alignment with ethical standards and community needs.

Monitoring and evaluation must be seen as funded, national responsibilities rather than institutional burdens.

7.4 Final Remarks

The National Survey of Collections and the Committee’s deliberations provide a clear and compelling picture of the challenges and opportunities now facing Irish collecting institutions. These findings formed the core of Phase One of the Committee’s work, which focused on building a robust evidence base to understand sectoral needs, identify capacity gaps, and evaluate the legal, ethical, and procedural shortcomings that currently impede the effective management of restitution and repatriation issues. Phase One underscored the urgent requirement for enhanced institutional capacity—greater staffing, strengthened expertise, improved access to training, and the development of national cataloguing and provenance research infrastructures. It also revealed the absence of a coherent legal framework, the lack of national guidelines on restitution and repatriation and significant inconsistencies in how institutions currently approach contested heritage. Together, these findings shaped a set of foundational recommendations designed to ensure that Irish collecting institutions are equipped to meet contemporary ethical and professional expectations.

Building directly on this evidence base, Phase Two focused on translating these needs into a practical national framework. This work involved two interconnected strands:

- **Identifying the legislative and national framework requirements** necessary to establish a credible, legally sound restitution and repatriation system; and
- **Researching and drafting a comprehensive set of National Guidelines on Restitution and Repatriation** grounded in best curatorial practice, ethical and moral principles, legal obligations, and a strong commitment to prioritising the rights, perspectives, and needs of source communities. The guidelines are aligned with

international standards including UNESCO conventions, the UN Declaration on the Rights of Indigenous Peoples, and the ICOM Code of Ethics and the Best Practices for the Washington Conference Principles on Nazi-Confiscated Art.

Taken together, the recommendations arising from both phases converge on a single, overarching conclusion: Ireland must exercise clear national leadership—supported by sustained financial investment, expanded professional development, and coordinated national guidance—if its cultural heritage sector is to meet contemporary ethical, legal, and professional standards. Without such leadership and investment, institutions will continue to face uncertainty, legal vulnerability, and reputational risk.

Yet this moment presents not only a challenge but a significant opportunity. With the establishment of a national framework—underpinned by legislation, national guidelines, training, and strategic investment—Ireland can:

- strengthen professional standards across the heritage sector;
- enhance the transparency and accessibility of collections;
- build trusted and enduring relationships with global communities of origin;
- ensure robust procedures for identifying, researching, and addressing contested items and collections including objects from colonial-era contexts objects, Nazi-era looted art and other items with complex or sensitive provenance histories thus positioning itself as a principled, ethical, and internationally aligned steward of cultural heritage.

The completion of both phases of the Committee’s work, and the comprehensive set of recommendations put forward in this Report, provide a clear pathway for achieving these goals. They form the blueprint for a national approach to restitution and repatriation that supports institutions, honours the rights and perspectives of source communities, and aligns Ireland with the highest international standards of cultural heritage stewardship.

By implementing these recommendations, the State can ensure that Irish collecting institutions are equipped to meet contemporary needs and future responsibilities—confidently, ethically, and with integrity.



APPENDIX 1: TERMS OF REFERENCE

- Identification of current international policy, best practice and guidelines, which may include engagement and consultation.
- Research into the legal position within Ireland as it relates to the restitution and repatriation of cultural heritage, identifying gaps and proposing how these may be addressed.
- Mapping of key stakeholders at the national and international level.
- Engagement with stakeholders to assess the scope of potentially contested cultural heritage collections and materials within Ireland.
- Engagement with stakeholders to identify best practice in the area of provenance research, restitution and repatriation.
- Reference to current and past activity in relation to this area within Ireland.
- Preparation of policy advice and a set of national guidelines. The preparation of the policy advice and national guidelines will be informed by the following core principles and context:
 - National and international law as it relates to this area
 - Relevant codes of ethics as they relate to cultural and heritage professionals in Ireland
 - Awareness and acknowledgment of the moral and ethical imperative to act in an appropriate way
 - Sensitivity to the context in Ireland as it relates to this area
 - The expressed wishes and cultural traditions of the states, territories and peoples, cultural organisations, individuals, groups, communities, and contexts involved or to which cultural heritage relates or belongs, or from which it derives
 - An inclusive understanding of international guidance and best practice

APPENDIX 2: LIST OF COMMITTEE MEETINGS AND ATTENDANCE

	Dec 2023	Apr 2024	Jul 2024	Oct 2024	Dec 2024	Feb 2025	Apr 2025	Nov 2025	Mar 2026
The Rt Hon Sir Donnell Deeny KC, (Chairperson)	X	X	X	X	X	X	X	X	X
Ms Sinéad Copeland		X	X	X	X	X	Apologies	X	Apologies
Mr John Kelly	X								
Mr Seán Kirwan	X	X	X	X	X	X (online)	X	X (online)	X
Dr Phil Mullen	X	X	X	Apologies	X (online)	X	X	Apologies	X (online)
Professor Mary O'Dowd	X	X	X	X	X	X	X	X	X
Dr Patricia O'Hare	X	X	X	X	X (online)	X (online)	X (online)	X (online)	X (online)
Professor Jane Ohlmeyer	X	Apologies	X (online)	X (online)	X (online)	X	Apologies	X (online)	X
Mr Justice Kerida Naidoo	X	X	Apologies	X	X	X	X	X (online)	Apologies
Mr Oliver Sears	X	X	X	X	X	X	X (online)	X	X
Ms Lynn Scarff	X	X	X	X	X	X	X (online)	Apologies	X
Ms Chanté St Clair Inglis	X	X	X	X (online)	X (online)	X	X (online)	Apologies	X (online)
Ms Virginia Teehan	X	X	X	X	X	X	X	X	X
Dr Audrey Whitty	X	X	X	X	X	X	Apologies	X	Apologies
Mr Eugene Downes				X	X	X	Apologies	Apologies	X
Ms Orlaith Lochrin								X	Apologies

NOTE:

Ms Sinéad Copeland replaced Mr John Kelly as a Committee member in April 2024.

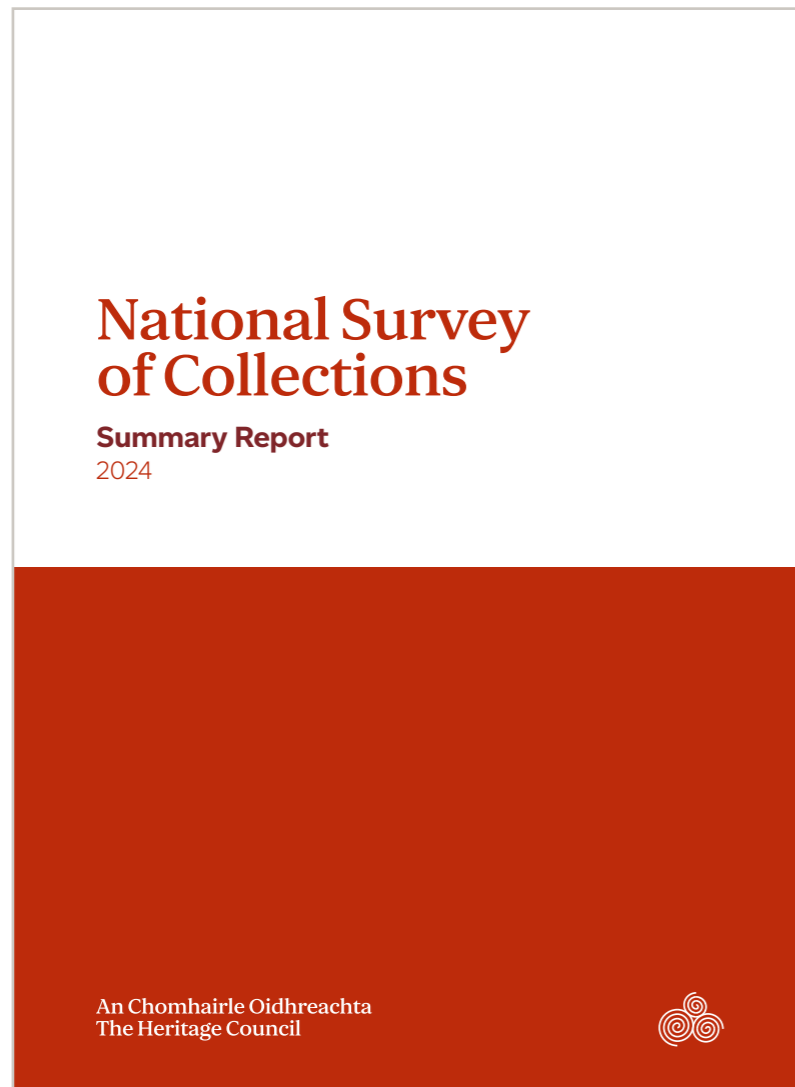
Mr Eugene Downes joined the Committee in October 2024

Ms Orlaith Lochrin joined the Committee in November 2025

Mr Conor Falvey, Assistant Secretary General, Department of Housing, Local Government and Heritage joined for item 2 of the April 2026 meeting.

Prepared by Heritage Council Secretariat, April 2026

**APPENDIX 3: NATIONAL SURVEY OF
COLLECTIONS, SUMMARY OF
FINDINGS**



APPENDIX 4: SUGGESTED OUTLINE SCHEME OF LEGISLATION

General

The Department of Culture Communications and Sport to lead in terms of the drafting of a General Scheme of a Bill, consulting as appropriate with the Office of the Attorney General, and the seeking of Government approval for it, and then act as lead Department with the Office of the Parliamentary Counsel in the drafting of a Bill and its subsequent enactment (though National Monuments Service would be happy to advise and liaise in regard to it as well). The following suggestions are obviously subject to approval by the Government and subsequent enactment by the Oireachtas.

Detail

One – Establishment of the Panel

The Minister would appoint from suitably qualified persons a chair and at least ten members to be the Restitution and Repatriation Advisory Panel of Ireland (“the Panel”).

Two – Function of the Panel

The Panel shall receive and consider claims, if not previously resolved, for the restitution and/or repatriation of cultural objects now in Ireland as a result of colonial or other controversial historical circumstances.

Three – Recommendation of the Panel

The Panel, having considered any such claim and taken into account the views of the claimants and owners in law of any such cultural object and any other relevant consideration, may recommend the restitution and/or repatriation of the object and/or the making of ex-gratia payment, or the display of a notice setting out the history of the object to be permanently available in connection with it or such other remedy that it considers proper or may reject the claim.

Four – Ministerial Authority

The Minister shall consider any recommendation of the Panel and, if he/she accepts it, in their decision may direct or authorise, as appropriate to whether the legal owner is or is not subject to Ministerial direction, compliance with the recommendation, notwithstanding any statutory provision or deed of trust or settlement which would otherwise prevent the de-accessioning of the object.

Five – Indemnification

Any legal person, institution, board, trust, trustee, or employee of the same shall be indemnified absolutely if they comply with a direction or authorisation of the Minister on the recommendation of the Panel.

Six - Secretariat

The Heritage Council shall provide a secretariat for the Panel.

Seven – Remuneration

The Minister would provide for the expenses and honoraria of the Panel.

Eight – Rules and Procedures

The Minister shall approve rules of practice and procedure for the Panel in consultation with its Chair who shall be a serving or former member of the Supreme Court, Court of Appeal or High Court.

The Panel shall be at liberty to conduct its own provenance and other relevant research and to co-operate with other similar bodies.

APPENDIX 5: UK SPOILATION PANEL - GUIDANCE NOTES FOR THE PARTIES IN RELATION TO A CLAIM

Available at:

www.gov.uk/government/groups/spoliation-advisory-panel#guidance-for-the-parties

The Secretary of State may designate a Spoliation Advisory Panel (“the Panel”) to consider claims from anyone (or from any one or more of their heirs) who lost possession of a cultural object during the Nazi era (1933-1945), where such an object is (a) now in the possession of a UK national collection, or (b) in the possession of another UK museum or gallery established for the public benefit. A Panel may also be designated to advise about any claim for an item in a private collection at the joint request of the claimant and the owner.

On receipt of a claim, the Secretary of State will decide, on the basis of the above, whether to designate a Panel to consider the claim, whether for the purposes of the Holocaust (Return of Cultural Objects) Act 2009 (the Act) or otherwise.

To enable the Secretary of State to do so and for the Panel to begin work on assessing a claim, the parties should provide the Panel with sufficient information regarding the object, its present location and the circumstances in which it was lost, amongst other things. These guidance notes have been prepared in order to assist the parties in formulating their case for the Panel’s consideration and to enable the Panel to process the claim expeditiously.

In accordance with the principles of fairness and transparency, all parties are expected to disclose anything relevant which emerges from their research, whether or not they perceive it to be helpful to their case. The Panel will require as full a picture as possible to enable it to achieve a fair and just solution.

A claimant’s statement of case should include:

- a description of the object and its present location;
- details of the original person or body that lost possession of the object, and the circumstances in which the loss occurred (including, where possible, documentary evidence (e.g. the auction records of any forced sale, the price realised upon sale etc.));
- a description of the object’s provenance, including (where possible) evidence that the object was in the original person or body’s ownership or possession when it was lost;

- if the claimant is an heir of the person who lost possession, evidence (e.g. a grant of probate or an inheritance certificate) demonstrating that the claimant is the surviving heir of such person or, where there is more than one surviving heir, evidence for each surviving heir;
- where a claimant also acts on behalf of any other party, a copy of the document (such as a power of attorney or a court order) authorising the claimant to act in that capacity;
- details of the steps taken to obtain information about the object from the institution or owner;
- details of any previous claim in relation to either the object in question or other objects from the same collection, in this or any other jurisdiction;
- details of any claims for compensation made by the claimant or their heir(s) to the German Federal Office for Central Services and Unresolved Property Issues (BADV) or the West German Federal Indemnification Law Authority (BEG);
- the results of any research carried out on the object, including details of any archives consulted;
- copies of any witness statements or other documentary evidence relied upon or referred to in the statement of case; and
- English translations of any foreign language documents.

An institution or owner's statement of case should include:

- a description of the object (including a copy of any relevant catalogue entry), and its present location;
- details of the object's provenance and acquisition and the price paid upon acquisition;
- details of any conditions attaching to the object where it is a gift or bequest;
- copies of any witness statements or other documentary evidence relied upon or referred to in the statement of case; and
- English translations of any foreign language documents.
- The parties' statements of case and any correspondence concerning the claim should be directed to the Secretary to the Panel.

The parties' attention is drawn to the Panel's Rules of Procedure on the Spoliation Advisory Panel website www.gov.uk/government/groups/spoliation-advisory-panel

The following is a link to the Panel's earlier reports which may also be of assistance in understanding the type of information the Panel needs to have in considering a claim; www.gov.uk/government/groups/spoliation-advisory-panel#panel-reports

Mark Caldon

Secretary to the Spoliation Advisory Panel

Department for Culture, Media & Sport

100 Parliament Street

London

SW1A 2BQ

United Kingdom

mark.caldon@culture.gov.uk



US Army personnel rescue paintings confiscated from Jewish owners which were stored in Neuschwanstein Castle, Germany, 1945. Source Wikimedia Commons



Rialtas na hÉireann
Government of Ireland



An Chomhairle Oidhreachta
The Heritage Council