

# Policy vision on collections from a colonial context

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## Introduction

In the spring of 2020 it gave me great satisfaction to be able to hand over a kris attributed to Prince Diponegoro to the Republic of Indonesia following extensive provenance research. Almost two centuries after Prince Diponegoro was taken prisoner by the Dutch in 1830 the kris is now back in Indonesia. The kris was presented in March 2020 during the state visit to Indonesia by the Dutch king and now resides in the National Museum of Indonesia in Jakarta.

The kris is a unique object in Dutch colonial history, which took place over four centuries in a very wide range of territories. During this period many cultural objects from a colonial context ended up in the Dutch National Art Collection in a variety of ways. The colonial context was characterised by structural inequality, with violence, exploitation, oppression, slavery and racism being recurring elements. Some cultural goods were acquired through brutal looting and as a result of oppression, while other objects were purchased by dealers or surrendered to the then occupier as a token of friendship or loyalty. The way in which objects were treated by us reflects the way in which we treated each other.

The kris symbolises the complexity of the intertwined history of Indonesia and the Netherlands and the various perspectives on this. At the same time I hope that the kris will also become a symbol for our treatment of objects with a colonial past in the future. With care, in close cooperation with those involved in the country of origin and with generosity. The restitution of an object marks the end of a long process of research and consultation. My hope is that it will also form a new beginning in the relations between the Netherlands and its former colonies – with awareness of our past and a shared, open view of the future.

In my Letter to Parliament of 10 April 2019 I drew attention to the importance of collections from a colonial context in the Dutch National Art Collection. With a view to developing a policy framework for dealing with collections from a colonial context on 15 October 2019 I asked the Council for Culture of the Netherlands for advice from a special advisory committee. On 7 October 2020 I received the advisory report *Koloniale collecties en erkenning van onrecht* [Colonial Collections, a Recognition of Injustice] drawn up by the Advisory Committee on the National Policy Framework for Colonial Collections chaired by Lilian Gonçalves-Ho Kang You. I am very grateful to the Committee for its report, which I view as valuable advice that provides important insights with regard to the questions I posed previously. I am adopting the Committee's recommendations in my vision on how to deal with collections from a colonial context, which I shall outline in this letter.

First I will set out the basic premises below. Next I will explain how I wish to deal with specific applications for the restitution of colonial objects. Finally I attach great value to collaboration in order to deal with colonial collections in a careful and sustainable way. For me this includes not just cooperation between institutions but also collaboration with the countries of origin and other European countries.

In sharing my view on dealing with collections from a colonial context with you I wish to note that more time is needed for the elaboration, implementation and national and international cooperation that will ensue from this.

## **Vision on colonial collections**

In the following I will define the various collections and outline my vision on their cultural significance and how to deal with them.

### **Cultural objects from a colonial context**

From the 17<sup>th</sup> century the Netherlands had trading posts and colonies in Asia, Africa and North and South America, and from the 19<sup>th</sup> century exercised direct rule over Suriname, the Caribbean islands and large parts of Indonesia. For centuries relations between the Netherlands and many overseas territories and cultures were defined by this colonial system. The process of decolonisation of the Dutch colonies began in the 20<sup>th</sup> century and was characterised by the alternation of violence and diplomacy.

Right up to the present day the colonial period has left its mark on institutions, the language, family histories, rituals and customs which are decisive to everyone's cultural identity, both collectively and individually. The colonial era is also reflected in monuments, archives and the public collections of cultural institutions. Over the course of time many cultural, historical and religious objects were taken from these territories, in particular Indonesia, and ended up in Dutch museums. In this policy vision I focus on dealing with cultural objects whilst realising that these are just one part of the much wider story of our colonial past. I refer more specifically to diverse objects from a colonial context: cultural objects acquired in a context of European colonial rule. On behalf of the Dutch State I bear responsibility for these cultural objects from a colonial context, which are held by the State.

### **A multiplicity of perspectives on colonial history**

The colonial past is a topic that still affects many people on a daily basis. Firstly, I consider it important that the colonial collections are accessible and tell the stories related to them from various perspectives. This contributes to the visibility and awareness of our colonial history. I appreciate the fact that museums are increasingly active and inventive in presenting the Dutch colonial past, for example with *The Great Suriname Exhibition* in De Nieuwe Kerk in Amsterdam in 2019/2020, at Museum Bronbeek in Arnhem or with the upcoming *Slavery* exhibition at the Rijksmuseum in 2021. Another example is the *Musea Bekennen Kleur* [museums explore colour] partnership, which sees Dutch heritage institutions unite in their bid to embed diversity and inclusion in the heritage sector. I am aware that increasing the visibility and awareness of our colonial history also means a painful confrontation with injustices in our past. This is not just about history; it also affects the individuals and communities of today and tomorrow. Confrontation with objects from the colonial era refers to the injustice which can sometimes still be felt on a daily basis.

### **Policy framework for dealing with colonial collections**

After accessibility, a second key point for me is that colonial cultural objects are dealt with in a careful way. I therefore hereby present to you the policy framework for dealing with colonial collections. This is based on the detailed and sound advice of the Advisory Committee on the National Policy Framework for Colonial Collections, which took into account the national and international legal context as well as the ethical codes of social organisations such as the International Council of Museums (ICOM). Furthermore with this framework I align myself with a broad international development: the strong call from countries of origin and diaspora communities for the restitution of cultural objects, but also the willingness in the Netherlands and elsewhere in Europe, particularly on the part of the French and German governments and museum organisations, to respond to this call. The policy

framework is in step with the developments in these countries. In implementing the framework I will be mindful of accessibility and the sustainable management and conservation of colonial cultural objects.

## **The policy framework**

### **Rectifying past injustices**

It is my opinion, in line with the Committee's first recommendation, that the appropriation of cultural objects against their will constituted an injustice towards the original peoples of the colonial territories. Given the colonial context at the time the cultural objects were acquired – and thus the unequal power relations – it is reasonable to assume that the loss of possession of these objects was involuntary. Recognition of this is therefore the first step in dealing with colonial collections in a careful way.

The next step is that I am willing, in line with the second recommendation, to contribute to rectifying this historical injustice, which is still perceived as an injustice today, through restitution of cultural objects to countries of origin and through international collaboration. It is this willingness that forms the foundation of the policy framework for dealing with colonial collections.

Contributing towards rectifying the injustice is only possible in cooperation and dialogue with formerly colonised countries. Accommodating the views of these countries and working with them in the areas of knowledge and research are front and centre in this process. In its third recommendation the Committee rightly warns of the risk of a 'neo-colonial repetition of the past in which actions are driven primarily by our own views, feelings, standards and values'. Following publication of the advisory report contact was therefore sought with representatives of the governments of former colonies – specifically the governments of Indonesia and Suriname – in addition to which discussions were held with the governments and public entities of the Caribbean part of the Kingdom of the Netherlands. These islands have my special attention given their specific status within our kingdom: Aruba, Curaçao and Sint Maarten as autonomous countries within the Kingdom, and Bonaire, Saba and Sint Eustatius as special municipalities of the Netherlands. I am pleased that they are satisfied with the basic premises as set out below. As such these basic premises form the foundation for a joint approach based on equality.

The Committee distinguishes three categories of objects which are eligible for restitution:

1. cultural objects involuntarily taken from a former Dutch colony;
2. cultural objects of special significance to the country of origin;
3. cultural objects from former colonies of other powers.

### **1: Cultural objects involuntarily taken from a former Dutch colony**

The first category consists of cultural objects held by the Dutch State for which it can be demonstrated with a reasonable degree of certainty that involuntary loss of possession occurred in the past in countries where the Netherlands exercised colonial rule for an extensive period of time, including Indonesia, Suriname and the Caribbean part of the Kingdom. I am willing to proceed with unconditional restitution to these countries of any such cultural object held by the Dutch State, in line with recommendations 4 and 5. After all, when seeking to rectify injustice it is not opportune to impose additional conditions or weigh the interests against others. It goes without saying restitution will only take place insofar as the country of origin wishes it. At the same time I will engage in discussion with

these countries regarding the importance of broad accessibility and sustainable management and conservation of cultural objects.

## **2: Cultural objects of special significance to the country of origin**

The second category consists of objects held by the Dutch State of which the provenance history cannot be established or does not point to involuntary loss of possession, but which have special significance to the country of origin. In line with recommendation 6 from the Committee I also intend to consider restitution of cultural objects of this type, insofar as they have a special cultural, historical or religious significance to the country of origin. Different interests will be weighed in doing so. My considerations are the following.

Given the nature and complexity of our colonial history sources and archives will often be incomplete and difficult to trace. This means that it is not realistic to expect a conclusive provenance history to be established for every cultural object, and thus also not whether the loss of the object was in fact involuntary. However as a result of the colonial history some objects of special cultural, historical or religious significance ended up in the Dutch National Art Collection, while in some cases these objects would be better showcased in the country of origin. It would be undesirable if a lack of historical sources were to prevent restitution of these objects. I therefore share the Committee's view that these objects are also eligible for restitution.

However, a broader weighing of interests is necessary in assessing such applications. Relevant interests may include, as the Committee indicates in its advisory report, the cultural importance of the cultural object to the country of origin, the communities involved in the countries of origin and in the Netherlands, the importance to the Netherlands Collection, future storage conditions and public access. Objects may be important to national and regional traditions as well as the identity of a country, people, community or individual. A colonial cultural object in the Dutch National Art Collection will often be of different importance to the Netherlands than to the country of origin. Colonial cultural objects in Dutch museums may also be of special significance to Dutch citizens with roots in the countries of origin. I wish to note that museums are of course already working on collection mobility through the exchange or loan of objects in the Netherlands and elsewhere with the aim of increasing the visibility and accessibility of these objects.

## **3. Cultural objects from former colonies of other powers**

The third category consists of cultural objects held by the Dutch State that originate from countries that were colonised by other powers. In recommendation 7 the Committee advises also considering restitution of cultural objects of this type and I adopt this recommendation as well. After all, the colonial powers maintained intensive contacts, both in Europe and in the former colonies. These international contacts of the past are also evident in the collections of today, with cultural objects from territories that were colonised by other powers for example having ended up in the Dutch National Art Collection via trade and collectors.

To accommodate the specific nature of each case I also adopt the recommendation to take a broader consideration here, albeit that rectifying injustice must be the basic premise in the assessment. In this case the injustice was not caused by the Netherlands but as the current holder of the objects only the Netherlands can rectify that injustice.

### **Human remains**

As well as objects from a colonial context the Commission makes reference to human remains in museum and academic collections. These form a separate category. I share the Committee's views that the basic premises and procedures for dealing with colonial collections are also important when dealing with human remains and objects containing human remains, but that respectful handling of human remains may involve further elements. I echo the Committee's view that the specific ethical aspects of this fall outside the scope of its advisory report. Nonetheless I wish to underline that the utmost care must be taken in dealing with any application involving human remains. I will give top priority to any such applications with restitution as the basic premise.

### **Procedure for processing restitution applications**

I believe that independent, expert and transparent assessment of restitution applications is essential to ensure due care is taken when dealing with collections from a colonial context. I shall therefore, in line with recommendation 8, establish an independent assessment committee to advise me, composed of individuals who are independent of the State as the owner and are authoritative experts in relevant fields.

Below I will explain the various aspects that come into play when dealing with restitution applications: an application by the country of origin; assessment of the application; the provenance of the cultural object; and the decision to proceed with restitution and transfer of title. Finally I will look at dealing with cultural objects that belong to other owners.

### **Applications from a country of origin**

I follow the Committee's fourth recommendation that any restitution must be preceded by an application. The application will be facilitated by international knowledge-sharing about the collections and preliminary research. Applications for restitution of a cultural object from a colonial context held by the Dutch State can be submitted to my ministry through the appropriate diplomatic channels. After receiving a restitution application I will assess whether it concerns a cultural object held by the Dutch State, because only in that case am I able to take a decision on how to deal with the cultural object.

I also follow the Commission's recommendation that the application must be made by a state, given that accepting applications from other parties could infringe the sovereignty of the state in question. In the event of restitution, cultural objects held by the Dutch State will then be ceded to that state. To aid agreement on and transparency regarding the procedure I will enter into discussions with the country of origin at the same time as taking into consideration an application for restitution from that country. During these discussions I will underline the importance of broad accessibility and sustainable management and conservation of the cultural objects. It is furthermore important to me that experts from the country of origin are involved in the provenance research. International dialogue between experts will thus become part and parcel of every restitution. I am pleased that Indonesia and Suriname support this approach. In light of the size of the collections with an Indonesian provenance in the Dutch National Art Collection the Indonesian government has announced its intention to set up a committee to facilitate this dialogue between experts. The government of Suriname is also planning to establish a working group to facilitate this collaboration. Applications from the Caribbean part of the Kingdom may be submitted by the governments of Aruba, Curaçao and Sint Maarten and the public entities of Bonaire, Sint Eustatius and Saba.

### **Assessing an application**

An application from a state concerning a cultural object held by the Dutch State will be referred by me to the assessment committee. In line with the advisory report the committee will first perform the following tasks:

- Determine whether the provenance research is adequate;
- Determine whether involuntary loss of possession occurred.

In line with the advice, I do not automatically consider involuntary loss of possession to be a given in view of the colonial context; this must be demonstrated with a reasonable degree of certainty.

The assessment committee will then reach its opinion, based on the premises described above:

1. In the case of a cultural object from a Dutch colonial territory of which it has been established with a reasonable degree of certainty that the loss of possession was involuntary, the assessment committee will advise unconditional restitution of the cultural object.
2. If no involuntary loss of possession occurred or if this cannot be established with a reasonable degree of certainty, or if the cultural object is from a country that was colonised by another power, then the assessment committee will decide where the cultural object can best be showcased, with due consideration for the various relevant interests.

In the second case the country of origin can itself indicate the cultural importance of an object. The significance of the cultural object within the Netherlands Collection can be established using the criteria of indispensability and irreplaceability under the Dutch Heritage Act. Where there is a weighing of interests the assessment committee may also recommend an alternative to restitution, such as conditional restitution or other options, such as additional cooperation in the area of knowledge sharing, loans or research. This allows space to arrive at a commonly supported approach when dealing with colonial collections.

I realise that while the stated categories of objects provide useful handles within the procedure they do not always do justice to the historical complexity. In some cases it may be difficult to establish how loss of possession occurred, with a weighing of interests providing a more pragmatic outcome. It is up to the committee to decide whether a weighing of interests provides a correct outcome in these cases.

In order to ensure transparency I believe it is important that the advisory committee record and publish its method of work and assessment. Transparency helps create trust and understanding with regard to the recommendations of the Committee. I am aware that how we deal with colonial collections is evolving. The coming period will bring new insights and new scientific publications. I trust that the assessment committee will relate to these within the boundaries of the policy framework and that this will not result in any unnecessary delays in processing specific applications for restitution.

### **Provenance of an object**

The provenance history of the cultural object is of key importance in assessing the application for restitution. On receiving a restitution application I shall therefore request the curator of the object to carry out the provenance research into the object, based upon which the assessment committee can form its opinion. This is consistent with the responsibility of museums to conduct provenance research, as mentioned by the Committee, as well as with the great expertise they have with regard to their collections.

However, in recommendation 9 the advisory report also mentions the possible creation of a centre of expertise to supplement the role of the museums. The tasks of this centre would include provenance verification and additionally conducting and advising on provenance research. While I consider this to be an important task I first wish to see how many restitution applications are submitted. Furthermore it is important that such a facility complements the knowledge, expertise and needs of the museums themselves. Conducting research into colonial collections sometimes requires expertise which is not yet widely available. I will therefore consider institutions' capacity for research in connection with restitution applications and will explore how this can be supported.

I believe it is important to use a methodology for provenance research in order to ensure the research is careful and objective. In this context I consider it important to observe minimum due diligence requirements, given that in many situations sources will be incomplete or lacking altogether. I propose to leave it to experts in the field to define what constitutes 'due diligence', to which end I have requested the NIOD, the National Museum of World Cultures and the Rijksmuseum – collaboration partners on the Pilot project Provenance Research on Objects of the Colonial Era (PPOCE) – to develop a methodology for provenance research. I expect this methodology to be instructive for the definition of due diligence. On the one hand it should provide guidance and structure in conducting provenance research for the curator of the collection while on the other it may support the assessment committee in evaluating the provenance research. The assessment committee is ultimately responsible for checking the provenance research for due diligence and formulating a recommendation based on this.

### **Decision and transfer of title**

Following the recommendation of the assessment committee I will decide on how to deal with the cultural object concerned, after which I can proceed with the handing over of the cultural object to the applicant state. In so doing I will observe the transfer of title procedure for public collections, thereby considering the assessment committee's recommendation to also be a recommendation on the indispensability and irreplaceability of the object in the sense of article 4.17 of the Dutch Heritage Act. In the event of any additional recommendations by the committee I will discuss these with the country of origin. In these discussions I will underline the importance of broad accessibility and sustainable

management and conservation of the cultural objects.

### **Other owners**

This policy framework relates to dealing with cultural objects held by the Dutch State. As noted by the Committee, colonial objects also ended up in the public collections of municipalities and provinces which are managed by numerous museums. While other (public) owners in the Netherlands are free to decide on how they deal with their collections I wish to note that municipalities are also devoting a great deal of attention to their colonial and slavery history, as seen recently in Amsterdam and Rotterdam. In the context of the cultural covenants for 2021-2024, which I conclude with other governments, I have already called for attention to be paid to dealing with colonial collections. I will also enter into dialogue with the Association of Provinces of the Netherlands (IPO) and the Association of Netherlands Municipalities (VNG) regarding aligning with this policy framework. This will create clarity for the countries of origin. I will also involve museums and the Dutch Museum Association in this. I wish to note that I do not accede to the Committee's consideration to provide financial compensation to private owners of colonial cultural objects for restitution of such objects.

## **Collaboration surrounding colonial collections**

### **Structural provenance research**

Provenance history is essential to dealing meticulously with colonial collections. In addition to ad hoc research in the event of applications for restitution, structural provenance research is indispensable for unlocking knowledge about collections from a colonial context with a view to museum presentation and international collaboration. Provenance research of collections is one of the core tasks of museums and is essential for the acquisition, conservation, management and presentation of objects. In line with recommendation 10 I request the curators of the Dutch National Art Collection to be vigorous in initiating this provenance research, and will remind the other museums of their responsibility. I would appreciate it if the museums were to be generous in sharing the knowledge resulting from this provenance research with other institutions and presenting it to the public.

Some institutions already have many years of experience in this area because of their collections and background, such as the National Museum for World Cultures, the Rijksmuseum and Museum Bronbeek. Recent and forthcoming exhibitions on South Africa, Suriname and Indonesia moreover give a significant boost to the necessary knowledge, insights and international networks. At the same time the Committee points out that in practice many museums have yet to start conducting provenance research or are still in an exploratory phase. There is still a lot of work to be done. I appreciate the efforts by the Dutch Museum Association to draw additional attention to this issue surrounding colonial collections among its members.

Open access to the knowledge that is already available as well as that which results from the research is essential. This will make colonial collections more accessible and visible for experts and interested parties in the countries of origin as well as in Europe and the Netherlands. The first step is to make collection registrations available online. Museums have already made major strides in this area in recent years. I will therefore explore how this can be supplemented by using (available) online information-sharing facilities, such as the Netherlands Collection online portal, to provide open access to the provenance research. In doing so I will also take the wishes of the countries of origin into

consideration.

I furthermore consider it important that optimum use is made of the knowledge about the provenance history of colonial collections. There are various developments and initiatives with this aim, starting with the PPROCE pilot mentioned above. The interim results of this project show that provenance research into colonial collections is a rewarding and complex task. Collections were formed in various ways: as spoils of war or amassed for scientific reasons or the love of art. By cataloguing and analysing these various histories the project provides an insight into the possible provenance of collections from a colonial context and possibilities for further research. A conference will be organised in connection with PPROCE in order to share knowledge with the museum sector.

Secondly the Dutch Cultural Heritage Agency (RCE) is committed to providing access to collections from a colonial context. With the *Traces of slavery and colonial history* project the RCE took a first step in exploring the Dutch National Art Collection under its management for traces of these histories with the aim of raising awareness and building support for the topic. The project was aimed at identification, description and further analysis of objects with a link to colonial and slavery histories. In addition the RCE is initiating provenance research into cultural objects from a colonial context which are managed by the RCE; it will share the resulting knowledge with the museums.

Thirdly I am pleased that the research project *Pressing Matter: Ownership, Value and the Question of Colonial Heritage in Museums* has been recognised in the context of the National Science Agenda. This cooperation project involving a large number of parties will look at the social significance of cultural objects from a colonial context.<sup>1</sup> How can these collections help us gain a better understanding of the colonial past? What view do the various parties involved take of the ownership of the objects and what forms of ownership are possible? How can museum presentation contribute to better understanding among the parties involved regarding the significance of these objects in the diverse cultural context of today? These questions will be answered based on extensive historical research into objects from a colonial context. In this way, the project will not only serve as a reference guide for further provenance research but will also provide depth to the considerations to be made by the assessment committee.

Finally I note that the collections from a colonial context are large in size. In the context of potential involuntary loss of possession and thus the need to rectify this injustice, the moral task is equally great. To ensure that these collections are dealt with meticulously a vigorous approach to initiating the structural provenance research is crucial. I am therefore exploring the possibilities for providing extra support in this area.

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<sup>1</sup> Parties involved include: Vrije Universiteit, University of Amsterdam, Utrecht University, University of Groningen, Leiden University, NIOD, Dutch Foundation for Academic Heritage (SAE), National Museum of World Cultures, Rijksmuseum, Groningen University Museum, Museum Vrolijk, Utrecht University Museum, Museum Bronbeek and various cultural and social organisations.

### **Further collaboration with countries of origin**

Further to this I wish, in line with recommendation 11, to work towards further knowledge-sharing and joint research into colonial collections with Indonesia, Suriname and the Caribbean part of the Kingdom. This policy provides a unique opportunity for the further development of the multiplicity of perspectives on these collections. The museums as well as the public in the Netherlands stand to benefit from stories and knowledge about the collections and the colonial history of these countries. This is also an explicit wish of the countries of origin. They indicate that the restitution of objects is especially valuable if it goes hand in hand with further collaboration and knowledge development about these objects, such as the exchange of researchers and an online inventory of cultural objects which takes account of the wishes of the countries of origin. Discussions held recently with the Caribbean part of the Kingdom emphasised the importance of activities to enhance awareness of the colonial history. Showcasing the multiplicity of perspectives is also important for the communities in the Netherlands with roots in the former colonies.

This fits well with my efforts in the field of international cooperation on heritage in the context of international cultural policy. In the coming period I will continue the existing collaboration of the executive partners – the National Archives of the Netherlands, DutchCulture, the Dutch Centre for Intangible Cultural Heritage (KIEN) and the Dutch Cultural Heritage Agency (RCE) – with the trading posts and countries with which the Netherlands shares a colonial past. The collaboration is focused on sustainable conservation, management and accessibility of heritage and archives, with room for the various perspectives. This collaboration and the parties involved are in turn important for the international contacts between numerous cultural institutions in the Netherlands and the countries of origin.

The international cooperation on heritage also allows scope for collaboration in the area of collections, with frequent cooperation having taken place with various countries, including Indonesia, Suriname, South Africa, Sri Lanka and Brazil, in recent years. A good example is *Sharing stories on contested histories*, a training programme developed by the RCE and the Reinwardt Academie in the context of international heritage cooperation. The programme brings together heritage professionals from various countries to exchange knowledge and experiences about how to tell and share stories from a contested past. The RCE also organises training courses with the various partner countries. These include the development of several training programmes in the field of management and conservation of cultural objects with the South African Museum Association (SAMA) and a series of training courses on museum management in collaboration with the Indonesian Ministry of Culture. The participants were museum professionals from various parts of Indonesia, who remained in contact after the training course in order to share knowledge. In the context of international heritage cooperation the RCE will in 2021-2024 furthermore devote specific attention to projects related to dealing with colonial collections.

Next year I will enter into discussions with Indonesia and Suriname to explore how to shape cooperation in terms of museums and collections in line with current efforts. In consultation with the Caribbean part of the Kingdom I will examine whether such cooperation is also desired there. The pilot scheme focusing on museums, heritage institutions and presentation institutions in the Caribbean part of the Kingdom being developed by the Mondriaan Fund provides an opportunity to initiate cooperation with the islands. In addition I will investigate how restitution applications from other countries can be used to encourage collaboration between museums. For the international exchange

and dialogue on collections from a colonial context I will also follow the agenda UNESCO sets for this. In the discussions with countries of origin I believe it is important to keep sight of topics other than collections, such as archives, built heritage, and land and underwater archaeology.

### **Collaboration within Europe**

In dealing with collections from a colonial context I also attach importance to collaboration with European countries, such as Germany, France and Belgium, in line with recommendation 12 from the Committee. Although each country has its own colonial past, I see that there are many similar questions within Europe about dealing with these collections. How do we make the colonial past accessible, including the colonial collections? How do we organise meticulous and transparent procedures for handling restitution applications? How do we open up the available knowledge about colonial collections in a lasting way? How do we achieve new collaboration with museums in countries of origin?

For these shared questions I see starting points for knowledge exchange with other European countries. After being acquired in the country of origin collections from a colonial context were often dispersed across the whole of Europe. Given this European history, knowledge-sharing about the various collections in Europe will provide added value to provenance research. I therefore wish to explore how this sharing of knowledge can be facilitated, for example by means of an online platform, and to this end I will step up contact on this subject with France, Germany and Belgium in the coming period.

### **Actions**

- Establish an independent assessment committee to deal with applications for restitution. I will make a structural amount of € 500,000 available in my budget for this purpose, part of which will be available in 2021 for dealing with case studies surrounding restitution applications.
- Call on museums and other collection managers to fulfil their responsibility in terms of provenance research into collections from a colonial context.
- Explore support for the provenance research, including a digital platform in relation to existing systems such as the online Netherlands Collection.
- Hold discussions with the Association of Provinces of the Netherlands (IPO) and the Association of Netherlands Municipalities (VNG) about aligning with the policy framework for dealing with colonial collections.
- Hold discussions with Indonesia, Suriname and the Caribbean part of the Kingdom to determine the form of museum collaboration, in line with current efforts towards international heritage cooperation in the context of the international cultural policy.
- Explore in consultation with other countries of origin how museum collaboration can also be encouraged there.
- Hold discussions with France, Germany and Belgium on sharing knowledge about colonial collections and restitution, and working together closely at official level to achieve this.

### **In conclusion**

As I wrote in my Letter to Parliament of 10 April 2019, heritage shows where we come from, how our society was formed and how we develop. In so doing heritage tells stories from various perspectives which are not bound by national borders. This applies in particular to collections from a colonial context. In this policy vision I have set out how I wish to deal with these cultural objects. Provenance research and international knowledge exchange will lead to new insights into these unique collections

and our colonial history in general. It is my hope that dealing with these collections will at the same time contribute towards new relationships and forms of cooperation with the countries of origin as well as with our neighbouring countries. Then restitution of an object from a colonial context to the country of origin will not be the end of the process, but rather a new beginning.

## Appendix – Recommendations of the Advisory Committee

1.

The Committee considers that the first step in developing a policy on dealing with colonial collections is to acknowledge that an injustice was done to the indigenous population of the colonial territories by removing cultural objects against their will.

2.

The second step is to express a willingness to rectify this historical injustice – which is still perceived as an injustice today – where possible and to make this willingness a basic premise of the policy on dealing with colonial collections.

3.

The Committee recommends adopting this policy once it has been agreed with the countries where the Netherlands exercised colonial rule for an extensive period of time, in any case including Indonesia, Suriname and the Caribbean islands. These countries' views must be respected and accommodated, with the possibility of a bespoke approach for individual countries where necessary. Only a jointly shared policy on dealing with colonial cultural objects can lead to satisfactory outcomes for all parties. In other words, care must be taken to avoid a neo-colonial repetition of the past in which actions are driven primarily by our own views, feelings, standards and values.

4.

The Committee recommends that the main theme of this joint policy development should be to express to the countries where the Netherlands exercised colonial rule the willingness to restate unconditionally all cultural objects in respect of which it can be demonstrated with a reasonable degree of certainty that these were lost to the countries of origin involuntarily and subsequently came into the possession of the Dutch State. It goes without saying that this should apply to the extent that the country of origin actually desires their restitution.

5.

The willingness to undertake unconditional restitution of objects means that the importance of rectifying historical injustice in the event of an application for restitution will not be weighed against other interests, however relevant these may be in themselves. In the Committee's opinion rectification of injustice is not only achieved once restitution has actually taken place, but also and above all by acknowledging the injustice in the policy and making rectification of this injustice a basic premise of the policy.

6.

The Committee recommends indicating to the countries of origin where the Netherlands exercised colonial rule that the Netherlands is also prepared to consider applications for restitution relating to cultural objects held by the Dutch State whose provenance history cannot be determined or does not point to involuntary loss of possession. This should apply insofar as these cultural objects are of particular cultural, historical or religious importance to the country of origin. In contrast to what applies for cultural objects that were lost involuntarily, the Committee considers that when deciding on such applications, the importance of restitution for the country of origin should be weighed against other relevant interests based on reasonableness and fairness. After all, the fundamental argument of rectifying injustice does not apply to such applications, but rather the argument of honouring a unique interest of the country of origin. Examples of interests to be weighed in such cases are the importance of a cultural object for the Netherlands, the storage conditions and accessibility after the possible restitution and the availability of alternatives to restitution.

7.

The Committee also recommends considering applications for restitution of cultural objects held by the Dutch State from countries that were colonised by other powers. As such requests may require wider consideration the Committee recommends decisions to be made in each case based on reasonableness and fairness and after a weighing of interests. Nevertheless, where the application concerns a cultural object that was lost involuntarily, the Committee considers that here, too, the basic premise must be the possibility of rectifying injustice. This is because, regardless of whether the Netherlands itself played a part in causing the injustice in these countries, as the current holder of the cultural object it is the only party that can rectify that injustice.

8.

Where a cultural object is owned by the State, the decision on an application for restitution from the country of origin should be taken by the Minister of Education, Culture and Science. The Committee recommends that in taking the decision the minister is guided by a public recommendation from an independent advisory committee to be established for this purpose. This will ensure that the minister's decisions are based on an expert opinion arrived at independently of the ownership interest.

9.

The Committee recommends the establishment of a Centre of Expertise for the provenance of colonial cultural objects. Its tasks would include verifying the provenance of cultural objects in the event of restitution applications, conducting or commissioning additional provenance research as necessary, establishing, managing and providing general access to a database on the provenance of colonial cultural objects in Dutch museums, and promoting expertise among museums.

10.

Knowledge of what colonial cultural objects are held by Dutch museums and how these were acquired at the time is a prerequisite for the policy line recommended by the Committee. This knowledge is essential for countries of origin to be able to request the return of cultural objects. The Committee recommends that the minister remind museums of their responsibility to research the provenance history of their colonial cultural objects and give the countries of origin access to the knowledge they have on this.

11.

It emerged time and again from discussions held by the Committee with representatives of the countries of origin that restitution of cultural objects is not the only thing that matters to them. Support in establishing a museum infrastructure with good storage conditions, training of expert staff, the possibility for students to serve internships in Dutch museums, the conduct of joint research and the exchange of knowledge were repeatedly cited by the countries of origin as key matters. These discussions brought the Committee to the view that dealing properly with restitution applications is not an end in itself but should instead be part of a collaboration between the Netherlands and the countries of origin whereby they combine forces to tell the story of the colonial era from different perspectives. The Committee therefore recommends that the ministers of Education, Culture and Science, Foreign Affairs and Foreign Trade and Development Cooperation make cooperation between museums in the Netherlands and the countries of origin a topic of the international cultural policy. The Committee also recommends that the minister of Education, Culture and Science devote attention to this museum-based cooperation in the policy concerning the islands of Bonaire, Saba and Sint Eustatius.

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Finally, other European former colonial powers are also currently looking at how to deal with their colonial cultural objects. The Committee therefore recommends, possibly in the context of UNESCO, investing in the exchange of knowledge, ideas and views among these countries and exploring opportunities for more international cooperation and coordination with those engaged in similar processes.