



International  
Law  
of Culture  
Interest  
Group



## **Call for Abstracts** **(for early-careers scholars)**

*Unpacking the Meaning(s) of “Restitution”  
in International Law of Culture*

**2024 ESIL Research Forum on  
“Revisiting Interactions between Legal Orders”  
ESIL Interest Group on International Law of Culture  
Pre-Forum Workshop**

*16 April 2024, morning, online mode*

In international law of culture, “restitution” is used today in many contexts, has varying definitions and multiple contradicting components. Generally speaking, it denotes the reversal of an unlawful act involving the transfer, removal, damage or destruction of cultural heritage. In particular, it refers to movable heritage and to those situation(s) when the removal and displace of cultural objects occurred without the consent of the rightful owner or heritage community. It is usually understood as a tool to recovery of such objects which have left their countries of origin illegally, according to the relevant national legislation and/or in breach of international cultural heritage treaty obligations, in the event of an armed conflict and in peacetime. In relation to cultural wrongs, particularly taking of cultural objects, restitution thus presupposes the return of items to the rightful owner, territory or community of origin.

However, “restitution” may also refer to the broader issue of redressing or rectifying past cultural wrongs, even though no applicable laws in force at the time when the wrong occurred may not have been infringed. In this sense, the concept is related to restorative justice, closely linked to the legal frameworks of transitional justice that respond to the legacies of widespread and serious human rights violations. Hence it is also seen as crucial for global stability, peace and sustainable development, as addressed by the United

General Assembly on several occasions, and recently by the UNESCO MONDIACULT Declaration (2022) endorsed by the vast majority of states of the world. Moreover, several Special Procedures of the United Nations Human Rights Council address restitution – whether directly or indirectly – as well as many national norms. These norms can stem from both statutory provisions and from “soft law” standards, like guidelines for museums. In this sense, many museums currently experience important changes in addressing the issue of “restitution” within the framework of decolonising their collections and practices.

This call invites contributions from early-career scholars exploring these distinct notions, meaning and roles of “restitution” in the present-day practice of international law of culture. It encourages submissions exploring the variety of methodological perspectives and theoretical models concerning the operationalisation and the use of “restitution”. It also welcomes contributions that focus on the coherence (or lack thereof) of different international law norms (and eventually national norms) around these themes. Practical approaches and empirical case-studies are also encouraged. Besides international law scholars, contributions from other disciplines (legal anthropology, constitutional law, private law, cultural studies, heritage studies, museum studies, sociology) addressing the themes of this call are welcome.

Abstracts (in English) must be submitted to the IG convenors at: [giovannicarlo.bruno@cnr.it](mailto:giovannicarlo.bruno@cnr.it), [a.jakubowski@inp.pan.pl](mailto:a.jakubowski@inp.pan.pl) by 12 February 2024, including:

- The author’s name and affiliation;
- A 500-word abstract in Word file;
- The author’s CV, including a list of relevant publications;
- The author’s contact details, including email address and phone number;
- Whether the author is an ESIL member.

Multiple abstracts from the same authors will be considered, but only one can be selected. Co-authored multidisciplinary papers are also welcome. Applicants will be informed of the Organizing Committee’s decision no later than 20 February 2024.