

Agreement on the Return of Benin Bronzes
between
Free State of Saxony
and
the Federal Republic of Nigeria

The following Agreement is concluded between

the **Free State of Saxony**, represented by Saxon State Ministry für Science, Culture and Tourism, represented by **Staatliche Kunstsammlungen Dresden** acting through the Director of the State Ethnographic Collection Saxony Léontine Meijer-van Mensch (hereinafter referred to as SKD)

and

the **Federal Republic of Nigeria**, acting through the Director General, National Commission for Museums and Monuments, Professor Abba Isa Tijani (hereinafter referred to as Nigeria),

The two sides hereinafter being referred together to as the "parties":

Preamble

Convinced that the return of the Benin Bronzes to Nigeria is an important element of addressing the colonial past and strengthening the future cooperation between German museums and the relevant stakeholders in Nigeria,

Acknowledging the importance of the Benin Bronzes to the people of Nigeria, particularly for the Edo people, and their universal importance for humankind,

Considering that German museums and institutions hold significant collections of Benin Bronzes looted from the former Kingdom of Benin after its colonial occupation and acquired in the aftermath mainly through colonial trading networks,

Underlining the importance of sharing related documentation such as reports, archive material, inventories, historical loan reports and photographs,

Considering the need to continue museum exchanges and to establish future cooperation, including contemporary and future productions of works of art,

Reaffirming the Joint Declaration on the Return of Benin Bronzes and Bilateral Museum Cooperation, signed on 01.07.2022;

Recalling the Report of the German-Nigerian Bi-National Commission, signed on 3 November 2021 as well as the Bilateral Agreement between both governments on Cultural Cooperation, signed on 17 December 1999;

Emphasising the spirit of the German Framework Principle for dealing with collections from colonial contexts adopted on 13 March 2019 and the Statement on the handling of the Benin Bronzes in German museums and institutions adopted on 29 April 2021;

The parties agree as follows:

I. Transfer of ownership

1. Subject Matter

(1) In this agreement, the term "Benin Bronzes" is used to refer to all artefacts from Benin, i.e. also those made of e.g. wood, ivory, coral, and iron, looted from the former Kingdom of Benin after its colonial occupation and acquired in the aftermath mainly through colonial trading networks.

(2) The SKD and Nigeria agree that the ownership of the three artefacts listed in the appendix is transferred to Nigeria with this agreement. In 2023, a more extensive agreement shall be reached and ratified with regards to the collection of Benin Bronzes in the holding of the Free State of Saxony, also with regards to loans and digitization/3-D scanning/printing.

(3) The transfer of ownership is unconditional. In particular, no payment is required for the transfer of title.

(4) Nigeria declares that it accepts the objects in their current physical condition and state of preservation.

2. Performance

Title to the objects passes from the Free State of Saxony to Nigeria upon the signing of this agreement. From this time, the museum will hold the objects in accordance with part II of this agreement.

3. Liability Clauses

(1) In consideration of the Free State of Saxony's transfer of ownership of the objects to Nigeria, Nigeria hereby releases, acquits and forever discharges the SKD, the Free State of Saxony, and the Federal Republic of Germany from any and all liability for all claims, demands, damages, actions, causes of action, or suits at law or in equity, of whatsoever kind or nature, which Nigeria had, has or may in the future have arising from or relating to the Free State of Saxony's possession of the objects prior to the date of this agreement and the return of the objects to Nigeria pursuant to this agreement.

(2) In addition, Nigeria shall not hold the SKD, the Free State of Saxony, or the Federal Republic of Germany liable for any third party claims involving the objects, especially claims based on ownership or possession as well as corresponding claims for damages.

II. Return

1. Subject Matter

(1) The objects listed in the appendix of the agreement shall remain in the possession of the SKD only until the return to Nigeria in December 2022 can be effected.

(2) The parties shall begin immediately to organise the return of the objects to Nigeria.

III. Final Provisions

(1) This agreement is governed by German law. All disputes arising out of or relating to this Agreement, or in breach thereof, shall be determined by arbitration administered by the ICOM-WIPO Art and Cultural Heritage Mediation.

(2) No collateral oral agreements to this agreement have been made. Any amendments or additions to this agreement must be made in writing in order to be valid. This also applies to any renunciation of the written form.

(3) The German Foreign Office shall bear the cost of packing and shipping the objects to a location within Nigeria indicated by Nigeria. The transfer of risk takes place when the objects are handed over to the transport company at the seat of the GRASSI Museum für Völkerkunde zu Leipzig. The SKD/the Free State of Saxony/ the Federal Republic of Germany shall not be liable for loss or damage to the objects incurred during transportation. Nigeria confirms that the entry of the objects into Nigeria shall not be liable to customs duty.

(4) If any provision of this agreement is invalid, the validity of the remaining provisions shall remain unaffected. The parties undertake to replace the invalid provision with valid wording that best reflects the object and purpose of the invalid provision. The same applies to any omissions in the Agreement.

(5) The appendix constitute an integral part of this Agreement.

Abuja,

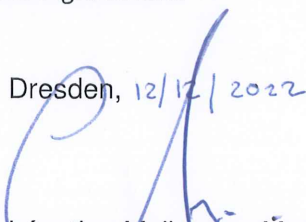


Prof. Abba Isa Tijani

Director-General

National Commission for Museums and
Monuments

Dresden, 12/12/2022



Léontine Meijer-van Mensch

Director of the State Ethnographic
Collections Saxony

Staatliche Kunstsammlungen Dresden

Appendix 1

Objects to be returned in December 2022 according to sections I-III.

Museum/Sammlungsbereich:

GRASSI Museum für Völkerkunde zu Leipzig | Afrika

Inv.-Nr.

MAf 02882

Beteiligte Personen

Meyer, Hans (1858-1929) | Vorbesitzer

Titel

Gedenkkopf eines Oba

Ort/Zeit

Afrika, Nigeria, ehem. Königreich Benin, vor 1897

**Objekttyp/Gattung**

Plastik

Maße

39,5 x 28 x 29 cm

Aufschriften

(keine Angabe)

Weitere Zuschreibungen und beteiligte Personen**Objektbezüge****Weblinks**

(keine Angabe)

Stand 09.11.2022

Abbildungen:



MAf 02882_1_CUMULUS-MVL-411285_null.jpg



MAf 02882_2_CUMULUS-MVL-411284_null.jpg



MAf 02882_3_CUMULUS-MVL-88926_.jpg

Museum/Sammlungsbereich:

Museum für Völkerkunde Dresden | Afrika

Inv.-Nr.

13336

Beteiligte Personen

unbekannt | Hersteller

Webster, William Downing (1868-1913) | Händler

Titel

Rasselstab (ukhurhe) eines Königs

Ort/Zeit

Königreich Benin, vor 1897

Objekttyp/Gattung

Ritualobjekt

Maße

111 x 4,3 x 5,5 cm

L: 111 cm, B: 3,5 cm (lt. Ausst. Kat. MVD, 2006)

Aufschriften

(keine Angabe)

Weitere Zuschreibungen und beteiligte Personen

Baessler, Arthur (1857-1907) | Schenker

Objektbezüge

(keine Angabe)

Weblinks

(keine Angabe)



Stand 25.10.2022

Abbildungen:



13336_2_CUMULUS-mvd-
233605_Detail.jpg



13336_1_CUMULUS-mvd-
233602_Vorderansicht.jpg

Museum/Sammlungsbereich:

Museum für Völkerkunde Dresden | Afrika

Inv.-Nr.

13838

Beteiligte Personen

unbekannt | Hersteller

Webster, William Downing (1868-1913) | Händler

Titel

Zeremonialschwert (ada)

Ort/Zeit

Königreich Benin, vor 1897

Objekttyp/Gattung

Ritualobjekt

Maße

98,7 x 22,5 x 8,5 cm

98 x 23 cm (lt. Ausst. Kat. MVD, 2006)

Aufschriften

(keine Angabe)

Weitere Zuschreibungen und beteiligte Personen

Baessler, Arthur (1857-1907) | Schenker

Objektbezüge

(keine Angabe)

Weblinks

(keine Angabe)



Stand 23.05.2022

Abbildungen:



13838_1_CUMULUS-mvd-
218913_Zustandsfoto.jpg



13838_2_CUMULUS-mvd-
111532_Detail.jpg