

**The return of colonial cultural property: questions of provenance and prescription- the case of Sri Lanka**

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Colonial cultural property (CCP) has been treated as a separate area of cultural property. While cultural property law has evolved a right to cultural property and mechanisms to control the current illicit trade in it, it has kept CCP out of this framework and denied countries of origin any right to claim it. It has done so by creating prescriptive periods that prevented former colonies from exercising their right to restitution, and by fashioning questions relating to provenance, which the former colonies find difficult to answer. This paper tries to bridge the gap between the law of cultural property and CCP.

The research is interdisciplinary and involves both social/historical and legal approaches. Both approaches will be analytical, desk based research. The social/historical approach will focus on Sri Lanka's loss of CCP to its former European colonisers and is based on historical catalogues, the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin (ICPRCP) and other documents. It will also examine the changing thinking in Europe about dealing with colonial collections. The legal approach will focus on analysing the relevant international hard and soft law instruments and conventions and present the legal arguments of both the home state and host state of the CCP. The paper will consider the research from the viewpoint of Sri Lanka as a former colony and a home state of CCP, focusing on the specific experience with the Rijksmuseum Amsterdam. Based on lessons learnt from these experiences, it will suggest possible conditions for former colonies to have better chances to retrieve these lost treasures.

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