

Committee: Legal Committee

Issue: The return of the Parthenon Marbles

Student Officer: Mary Skopeliti

Position: Deputy President

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## **PERSONAL INTRODUCTION**

Dear delegates,

My name is Mary Skopeliti, I am 18 years old and I am currently a student in the department of International and European Studies of the Piraeus University. Words are unable to describe how grateful I am, not only to be part of the fifth ATSMUN Conference as one of the Chairs in the Legal Committee but also to write a study guide on this really crucial topic that I am so passionate about.

I got involved in the whole MUN experience due to the encouragement of my English teacher at school and I can undoubtedly say that it was the best decision that I have ever made since I discovered my passion. I have attended several conferences, in seven of which I was a delegate of the Legal Committee.

This study guide aims to provide you with a better understanding of the topic and trigger your thinking on the issue. However, your research should not solely be based on it. Although the study guide will make you well informed upon the issue, and is sufficient for understanding the topic and participating in the conference, your research should go far beyond that. Note that all research should be done according to your country's policy on the issue since the policies of each country are different.

Regarding any help you may need, you can contact me at my email: [skopema@gmail.com](mailto:skopema@gmail.com)

I am looking forward to meeting all of you at the conference!

Best regards,

Mary Skopeliti

## **Important note from the chairs' team**

In order for the chairs to fully understand the dynamics of the committee, discovering any misunderstanding prior to the debate and for the better preparation of the delegates you are asked to proceed as indicated below;

1) Conduct your chairs via email and informing them about your mun experience so that they can know what exactly to expect of you.

2) Prepare and send your chairs by 11:59 of the 6th of November one position papers for each of the topics you are going to discuss during the conference. You can conduct the expert chair, of each topic for further information concerning your country's policy if needed, and for general guidance when it comes to your position papers (word limit structure etc). You are going to receive general comments during the lobbying for your position papers as well as personal feedback and grades for your papers. The points you will receive will add up to your general score which is one of the factors that determine the best delegate award. If you for any reason fail to send your papers before the final deadline you will not be eligible for any award.

## **INTRODUCTION TO THE TOPIC**

The term 'culture' in 'cultural property' is representative of the sentiment and prestige attached to the property. It includes properties which hold historical significance for a group of people and is representative of their culture. There are competing claims on ownership of such properties. A standout amongst the most popular of such debates is that of the 'Elgin marbles', which begin from 'Athenian Acropolis' yet have been possessed by the British Museum since 1816. This group of marble structures is known as the "Parthenon Marbles" by the Greek official national rhetoric and the "Elgin Marbles" by the British Museum. While the marbles basically connote the brilliance of old Greece, they have additionally progressed toward becoming a piece of the discussion on repatriation. These ensembles belonged to the fifth-century 'Parthenon Temple' which portrays the scenes from Greek mythology. 2016 marked 200 years since Greece lost its famous Parthenon Marbles. This act was committed by Thomas Bruce, the Seventh Earl of Elgin and a Scottish nobleman. The Greek government has been making persuasive claims to the English museum for returning the marbles for over 200 years. Both Greece and Britain today recognize them as part of their culture. Today, practically 50% of the Elgin figures are being shown in the British Museum while the other half is at the New Acropolis Museum of Athens.

Over the decades, there have been countless petitions by both citizens and politicians from around the world to return the marble sculptures to their rightful home, the Acropolis in Athens, Greece. There have even been offers to trade antiquities from Greece to the UK in

hopes that the British Museum might consider "loaning" them back to Greece. However, the British Museum has declined all options and offers.



## DEFINITION OF KEY TERMS

### Parthenon/ Elgin Marbles

The Elgin Marbles are figures from the Parthenon, a marble frieze temple (otherwise known as a Doric sanctuary) on the Athenian Acropolis, Greece, built in 447–432 BC and devoted to the goddess Athena. The sanctuary was "the highlight of a goal-oriented structure program on the Acropolis of Athens," In 1687 the sanctuary, which had represented around 2,000 years, was to a great extent wrecked during a war among Venice and the Ottoman Empire, which was then occupying Greece.

The Elgin Marbles collection comprises of generally 50% of what presently survives of the Parthenon: 247 feet of the original 524 feet of frieze; 15 of 92 metopes; 17 figures from the pediments, and various other pieces of architecture. The Elgin Marbles collection comprises of generally 50% of what presently survives of the Parthenon: 247 feet of the original 524 feet of frieze; 15 of 92 metopes; 17 figures from the pediments, and various other pieces of architecture.



**Thomas Bruce, 7th Earl of Elgin** (20 July 1766 – 14 November 1841) was a Scottish nobleman, soldier, politician and diplomat, known primarily for the removal of marble sculptures from the Parthenon in Athens.

### **'Firman'**

A 'firman' was a royal mandate or announcement issued by a sovereign in an Islamic state, namely the Ottoman Empire. During various periods they were collected and applied as traditional bodies of law. The word 'firman' means "decree" or "order". On a more practical level, a 'firman' was, and may still be, any written permission granted by the appropriate Islamic official at any level of government.

### **Cultural property**

Cultural property is physical items that are part of the cultural heritage of a group or society. They include such items as: historic buildings, works of art, archaeological sites, libraries and museums.

### **Acropolis Museum**

The Acropolis Museum is an archaeological museum focused on the findings of the archaeological site of the Acropolis of Athens. The museum was built to house every artifact found on the rock and on the surrounding slopes, from the Greek Bronze Age to Roman and Byzantine Greece. The museum was founded in 2003, while the Organization of the Museum was established in 2008. It opened to the public on 20 June 2009.



### **British Museum**

The British Museum is a public institution dedicated to human history, art and culture. Its permanent collection of some eight million works is among the largest and most comprehensive in existence, having been widely sourced during the era of the British Empire. It documents the story of human culture from its beginnings to the present. It was the first public national museum in the world. Its ownership of some of its most famous objects originating in other countries is disputed and remains the subject of international controversy, most notably in the case of the Parthenon Marbles.

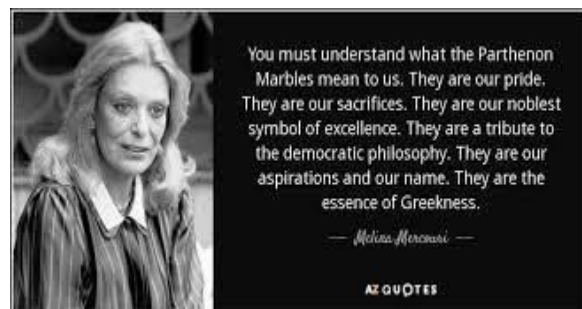


## BACKGROUND INFORMATION

The Parthenon Marbles were obtained by the British Museum in 1816. They were removed from the 'Athenian Acropolis', which was at that time under Ottoman occupation, between 1801 and 1802, by the Seventh Earl of Elgin, Thomas Bruce. Elgin got a 'Firman' to draw and replicate cultural objects of the Parthenon museum but he instead chose to remove them from the museum. The sculptures underwent an adventurous journey by sea during which, one of the ships sank. The ship was subsequently retrieved by Greek fisherman and the remaining shipments of the Parthenon freight remained in the custom house of London for two years. Elgin found himself financially troubled, so he had no other option but to sell the marbles. Twelve years later in 1816, he sold the Marbles to the British government at less than their original cost.

A lot of debate occurred, as to whether Elgin had abused his position as an ambassador to obtain the Marbles and if their export was an illegal activity carried by Elgin merely for financial profits. The purchase was opposed by both the government and the public. The Parliament purchased the entire collection by passing legislation by a vote of 82 to 30, 30 members felt that Elgin improperly took the Marbles from Athens. The Marbles were transferred to the British Museum after their purchase, where they reside even today in a special gallery.

The then Greek Minister of Culture, Mrs. Mercuri, made an appeal asking the British to do the right thing by returning the Parthenon marbles to Athens. Greece wanted the Marbles to be reunited in a museum to be built at the foot of the Acropolis hill, where the remains of the Parthenon temple stand, as a single collection. The British continually resisted the claims and refused the official requests by the Greek government for the Marbles.



## MAJOR COUNTRIES INVOLVED

- GREECE

Undoubtedly Greece is in favor of the return of the Parthenon Marbles. From the perspective of Greece, there are four points supporting their claim. First is the argument of

origin, which is that the monument to which the sculptures belong is in Athens and therefore forms a part of their culture. The marbles hold cultural significance for the country. Second, the Marbles will be exhibited in Athens in the temple and will give a complete image of the monument as it was meant to look. Third, they are a symbol of national heritage which must be displayed within the country and not in another country's museum. And fourth, the marbles were acquired illegally as there was never any consent given and, even if it proved that it was, the argument still holds since the marbles were taken during a period when the country was under foreign occupation.

- **UNITED KINGDOM**

The British have consistently denied the return of the Marbles and provided four arguments justifying their decision. According to their records, the Marbles were removed legitimately 'in accordance with' a legal document—the Sultan's firman. Even if it was illegal, then Greece had lost the right to enforce its ownership due to the passage of a long time. Second, returning the Marbles to Greece would establish a precedent for the "universal removal of major acquisitions of the world's museums", which will then limit the role of the museum and would increase the demand for repatriation of other sculptures.

Third, it is asserted by the British that the removal was essential to preserve the marbles and that the removal has proved beneficial in preservation. The British Government sees the removal of the Parthenon Marbles as a "creative act". Fourth, the Marbles have become an integral part of the British cultural heritage since the museum occupies a big part of the culture.



***12 countries that support the return of the Parthenon Marbles***

**China, Turkey, Japan, Armenia, Mexico, Iraq, South Korea, Egypt, Argentina, Cyprus, Zambia, and France** support Greece in its call to reunify the precious sculptures missing from their original place.





### TIMELINE OF EVENTS

Date	Description of Event
1801-1802	The Parthenon Marbles were removed from the 'Athenian Acropolis', which was at that time under Ottoman occupation.
1816	Elgin sold the Marbles to the British government at less than their original cost.
1816	The Parthenon Marbles were obtained by the British Museum.

### UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

- ✓ **The Hague Convention of 1954 – Convention on the Protection of Cultural Property in the Event of Armed Conflict:** This convention does not allow cultural property to be appropriated by invaders when territories are under occupation, which means that they cannot remove these artifacts from the land of origin and if done, definitely assures the return of these objects at the end of the occupation.
- ✓ **1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property:** It monitors the transfer of private and state cultural properties across borders by necessitating appropriate licenses and export control before cultural materials can be imported from source countries.
- ✓ **1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects:** This convention enables private individuals to claim stolen cultural property, even if it has been taken to a foreign country. In order to do that, the objects must be located and claims presented before a court or a competent authority.

- ✓ **A draft resolution for the “Return or restitution of cultural property to the countries of origin”, submitted by Greece:** The UN General Assembly Plenary has adopted a resolution that could support Greece’s ongoing bid for the return of the Parthenon sculptures from the British Museum in London. This resolution calls on member-states to mobilize for the return of stolen cultural treasures and makes express reference to the return of the marble sculptures removed from the Acropolis by Lord Elgin in the early 19th century. The resolution was put forward by Greece and endorsed by 105 member-states. It also called for measures to protect cultural property, with reference to destruction by ISIS in the Middle East.



#### **PREVIOUS ATTEMPTS TO SOLVE THE ISSUE: QUOTES ABOUT THE REPATRIATION OF THE PARTHENON MARBLES**

- *“ You must understand what the Parthenon Marbles mean to us. They are our pride, our identity, our sacrifices. The Parthenon Marbles are today’s link with Greek excellence. They are a tribute to the democratic philosophy. They are our aspirations and our name. They are the essence of Greatness.” (Melina Mercouri, former Greek Minister of Culture)*





- “ The international community shares a common responsibility to protect cultural property” (**Maria Theofi, Greek representative in the UN**)
  
- «It is universally acknowledged that these sculptures belong rightfully and culturally to the Parthenon and its monuments». « Without these Sculptures, the Parthenon is deeply wounded by an act of vandalism which was concealed for over two centuries under the guise of a supposed ‘love of antiquity’.” (**President of the Hellenic Republic, Prokopis Pavlopoulos**)

### **“ FURTHER INFORMATION”**

Dear delegates, these videos will help you to understand the topic better and will trigger your thinking on the issue

- ✓ <https://www.youtube.com/watch?v=J0IYBCCBA0g>
- ✓ [https://www.youtube.com/watch?v=q\\_anSjKpIM](https://www.youtube.com/watch?v=q_anSjKpIM)
- ✓ <https://www.youtube.com/watch?v=J3MXPqYKKRM>
- ✓ <https://www.youtube.com/watch?v=ObTCUHNw8sk>
- ✓ <https://www.youtube.com/watch?v=YldG0Z86ISw>





## POSSIBLE SOLUTIONS

### ✓ NEGOTIATIONS

The Greek Government should continue the negotiations with the Government of the United Kingdom. One effective solution would be a mutual agreement/ treaty between both sides. It is hard to find a solution that will leave both parties equally satisfied, but negotiations are the first and most effective way to resolve the matter.

### RAISING AWARENESS

The public in both of the countries should get informed (through relevant seminars, speeches, documentary films) about the importance of the matter. A better understanding of the issue could undoubtedly contribute to the conducting of more fruitful negotiations.

### ✓ LAWS

It is vital to ensure the strengthening of the already existing laws about the illicit trafficking of cultural property during peace and wartime. This is a really crucial protection measure that can guarantee that such conflicts are avoided in the future.



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Best regards,

Mary Skopeliti