

Heritage Restitution and the Future of Ibero-American Relations

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Introduction

In 2017, in his speech at the University of Ouagadougou (Burkina Faso), Emmanuel Macron called for “the conditions to exist for temporary or permanent returns of African heritage to Africa”¹. One year later, he commissioned the report entitled *The Restitution of African Cultural Heritage: Towards a New Relational Ethics* – widely known as the Sarr-Savoy Report – which reinvigorated the debate on heritage restitution of colonial collections in European museums². In fact, this document represented an important turning point in the French government’s policies concerning the return of cultural objects, bringing the topic into a broader public

space, thus making the discussion unavoidable also at a supranational level (Paquette, 2020).

Such momentum also reached the Iberian space³, raising questions about how Portugal and Spain – two of Europe’s major former colonial empires – have responded to these debates and positioned themselves within them. Accordingly, this article aims to understand the current state of such debate in both countries, exploring their external policies and how heritage restitution may be reshaping post-imperial diplomacy, particularly in their relations with Latin America. By ‘post-imperialism’, one refers to the period following the dissolution of the Portuguese and Spanish overseas empires, in which former imperial powers and former colonies renegotiate political, cultural and symbolic relations.

Berro (2025, para. 17) sets forth that there is “no strict legal definition of restitution and repatriation”, and that researchers are “forced to interpret these definitions in the context of their use in legal documents”. Although some authors and international legislation (such as the UNIDROIT Convention) provide a distinction between ‘restitution’, ‘return’ and ‘repatriation’, for the purposes of this article, these terms will be used interchangeably to refer to the material return, to the applicant, of cultural property illegally removed – especially during the colonial period⁴.

The thematic choice of this article lies in the conviction that, beyond its academic relevance, understanding heritage may contribute to informing diplomatic negotiations, as well as to develop museum cooperation and deepen wider debates on historical justice (or reparation) between former colonial powers and their former colonies. Resulting from the “disintegration of nation-states and the cultural critique of the westernization of the world”, this political dimension of heritage has manifested itself particularly since the beginning of the 21st century, bringing with it the “notions of intangible heritage, cultural diversity, and postcolonial heritage” (Daibert Salomão de Campos & Peixoto, 2021, p. 116). In fact, there is a considerable amount of literature concerning heritage restitution in post-imperial contexts, most traditionally approached within the fields of Heritage Studies, Museology, History, Anthropology and International Law. Comparatively less attention has been devoted to its role as an instrument of international relations and even of ‘soft power’⁵. As Christofolletti (2023, p.3) states, “despite claims regarding the power of cultural heritage in today’s geopolitics to mediate sustainable development and the identity of peoples, the relationship between heritage and international relations has received little academic scrutiny”. Therefore, this article seeks to contribute to this emerging cross-disciplinary field, adopting a qualitative, comparative approach based on a literature review concerning heritage restitution in the context of Ibero-American relations.

Ibero-American cultural relations

The Ibero-American space provides a distinctive context to examine the diplomatic implications of cultural heritage restitution, given that the historical relationships connecting Portugal and Spain with Latin America are characterised by enduring linguistic, cultural and institutional ties, but also by the legacies of imperial rule. As Polónia et al. (2021, p. 2021) argue, these connections constitute both a shared heritage and a field in which traumatic memories associated with European colonial rule continue to be negotiated, where the urge for “innovative interpretations” led by “institutions responsible for launching new diplomatic forms in the international community, also focused on heritage and, above all, on shared heritage” shall prevail.

Since the late 20th century, these relations have increasingly been framed through the notion of ‘Ibero-Americanism’, which sought to move beyond the hierarchical logic of ‘Hispanism’ towards a more horizontal community, seeking both “to extend to Brazil and Portugal the traditional relationship based solely on sharing the Spanish language” and “to achieve a more balanced ‘community of nations’” (Zamorano & Bonet, 2018, pp. 664-665). Institutions such as the Ibero-American General Secretariat (SEGIB) and the Organization of Ibero-American States for Education, Science and Culture (OEI) have consolidated this network, with cultural cooperation becoming an important component of Ibero-American relations and, more broadly, of political and economic cooperation.

Heritage therefore occupies an ambiguous position within this space, because it can indeed function as a resource for diplomatic rapprochement and the construction of shared identities, but it can also reactivate disputes over ownership, representation and the unequal historical conditions under which cultural objects circulated. As Winter (2015, p. 16) observes, “the desire to preserve and curate material culture has at once brought nations together and simultaneously kept them apart”. Restitution makes this tension particularly visible, as it addresses specific questions of ownership, while also opening broader negotiations concerning historical responsibility, dignity and reparation. Therefore, the Ibero-American context should not be understood merely as a geographical setting for restitution, but as a distinctive post-imperial environment in which cultural proximity, while providing a basis for cooperation, is shaped by colonial asymmetries whose unequal historical circumstances continue to influence contemporary claims over heritage.

Portugal and Spain: approaches to restitution

Despite sharing a common imperial history and enduring cultural relations with Latin America, Portugal and Spain have approached the contemporary debate on cultural heritage restitution within different institutional and political contexts. In both cases, restitution has intersected with broader

questions concerning the management of colonial collections, the role of museums and the relationship between cultural policy and historical responsibility. However, as recent scholarship emphasises, restitution should not be equated with decolonisation, because although the return of cultural heritage may represent “a big step into the reparation of coloniality” (Malig Jedlicki & Oosterman, 2023, p. 210), decolonisation encompasses broader and ongoing transformations in knowledge, representation and power relations.

In Portugal, the debate on colonial cultural heritage has developed alongside a broader reassessment of the country’s imperial past, not being limited to questions of restitution, but also involving disputes over how colonial history and heritage should be represented: as the open letter “No to a Museum Against Us!”, signed by 100 Black activists and intellectuals protesting against the intention of Fernando Medina, the then mayor of Lisbon, to build a Museum of the Discoveries, clearly demonstrates⁶.

Compared with other European former colonial powers, nevertheless, discussions on the restitution of colonial cultural objects have developed with “less vigour” in Portugal (Giorgallis, 2026, p. 93). In 2022, Pedro Adão e Silva, then Minister of Culture, proposed a working group to conduct a comprehensive inventory of cultural objects taken from former colonies. The initiative generated considerable political controversy⁷ and was subsequently discontinued under the government of Luís Montenegro. The successor Minister of Culture, Dalila Rodrigues, stated that a list of provenances already existed (although documented only superficially) and that no asset had been identified as having been improperly appropriated, thus rejecting the existence of a specific governmental programme for restitution⁸. Earlier, in 2021, ICOM had asked 161 Portuguese museums to provide information on the provenance of non-European objects in their collections; only 67 institutions responded (Amaro & Felismino, 2021).

Portugal consequently lacks a comprehensive national restitution policy, and official claims from former colonies remain limited (van Beurden & Pereira, 2025). Rather than prioritising the physical return of objects, Portuguese cultural policy has tended to emphasise cooperation, capacity-building, conservation and restoration, as reflected in Rodrigues’ proposal for “missions” and “cooperation campaigns” with countries of origin⁹. This suggests that, while the question of colonial cultural heritage has entered Portuguese public and political debate, restitution itself remains a relatively limited and contested component of cultural policy, indicating cultural cooperation may currently provide a more politically and institutionally established framework for engaging with colonial legacies.

In Spain, debates surrounding colonial heritage have increasingly intersected with broader discussions on the decolonisation of museums and the representation of the country’s imperial past, with some museums “radically transforming their narratives and becoming spaces for reflection and remembrance regarding the colonial past” (Roigé Ventura & Ossul,

2023, p. 137). However, this process is still “incipient” (ibid.). Colonisation of the Americas is, indeed, a topic that has not yet been officially and publicly acknowledged or critically debated, while requests for recognition of colonialism by Indigenous societies or Latin American governments have generally been met with total rejection by right-wing political parties (ibid.). In Spain, as in Portugal, restitution is therefore not an isolated question of cultural property, but forms part of a broader dispute over the public recognition, representation and interpretation of the colonial past.

The case of the Quimbaya Treasure provides a particularly relevant example of the intersection between restitution and Ibero-American diplomacy. Also known as the Filandia Collection, it consists of 122 archaeological objects excavated by looters (*huaqueros*) in the late 19th century, near Filandia, Colombia. In 1891, the Colombian government acquired the collection, later sending it to Spain for exhibition in the Fourth Centenary of the Discovery of America and, in 1893, handing it over to Queen Regent María Cristina of Spain, following Spanish mediation in a territorial dispute between Colombia and Venezuela. The objects have remained in Spain and are currently held by the Museo de América, in Madrid (Cepeda, 2025).

The legitimacy of this transfer has subsequently become contested. In 2017, the Colombian Constitutional Court ordered the Colombian authorities to undertake the necessary diplomatic, administrative and legal measures to seek the repatriation of the collection (Mejía-Lemos, 2019). Following further initiatives, including an informal request in 2022, Gustavo Petro’s government formally requested its return from Spain in May 2024¹⁰, placing the claim for the collection “in the political and diplomatic arena” (Fach Gómez, 2025, p.4). The Spanish Government has not accepted the claim, grounding its position on a “solid defense” of its domestic legislation which, to advance this process, would need to meet the conditions to proceed to legislative amendments (Cepeda, 2025, para. 24). Up to now, the collection remains in Madrid.

The Quimbaya case is particularly significant because it demonstrates how the meaning attributed to cultural objects can change over time. Dos Santos Acerbi (2023) describes the collection’s trajectory as a shift from an object of colonial heritage diplomacy – through which Colombian elites sought international projection – to an object of decolonial heritage diplomacy, through which local actors seek cultural and national affirmation. The dispute consequently goes beyond the question of legal ownership: Spain approaches the collection primarily as legally owned cultural property, whereas Colombian claims increasingly consider these artefacts as “a cultural manifestation of a people no longer present and (...) a mark of identity, a symbol of regional and national history” with social, historical and territorial ties to the country and its communities – especially among the Indigenous peoples of the Colombian Vaupés (ibid., pp. 82-83). This case therefore illustrates how restitution can become a site of post-imperial

diplomatic negotiation, in which cultural heritage serves not only as an object of dispute but also as a means of renegotiating historical relationships.

Restitution as post-imperialist diplomacy

The cases of Portugal and Spain suggest that heritage restitution should not be understood solely as a matter of cultural policy or legal ownership. Claims concerning cultural objects are often embedded in broader relationships between states, institutions and communities, making restitution a potential site of post-imperial diplomatic negotiation, where the return, retention or even identification of cultural objects may involve questions of historical responsibility, recognition, cultural belonging and the terms of contemporary cooperation.

The Portuguese and Spanish cases nevertheless reveal different approaches to this diplomatic dimension. Portugal illustrates a relatively cautious model, in which cultural cooperation, conservation and capacity-building provide established channels for addressing colonial legacies, while physical restitution remains politically contested. Though the emphasis on cooperation may facilitate institutional dialogue and contribute to the development of relations with countries of origin, it does not necessarily address questions concerning authority over, and ownership of, cultural heritage. Costa (2023), for instance, highlights the relevance of fields such as Critical Heritage Studies, History of Current Times, Heritage and the Future, Postcolonialism and Decolonialism in understanding how contested heritage can be addressed in relation to contemporary societies and Human Rights.

Spain, by contrast, offers a more explicit example of restitution becoming a bilateral diplomatic dispute. In fact, the Quimbaya claim has moved beyond museum governance into the political arena, bringing competing understandings of ownership, legality, historical responsibility and cultural belonging into direct confrontation. The country has maintained a “legalistic perspective of cultural heritage as property” held under its domestic legal framework (dos Santos Acerbi, 2023, p. 81), whereas Colombian claims have increasingly emphasised the “rights of present-day Colombians, descendants of the makers of the treasure, to access it, to have a voice over what happens to it” (ibid.), thus illustrating how the meaning and political status of cultural objects may change over time, as they become incorporated into different narratives of national identity, historical memory and decolonisation.

This also complicates the conventional understanding of cultural heritage as a form of ‘soft power’. To Cardoso (2023, p. 180), “power connects with the perception of cultural historical heritage as a collective identity of various social groups, with the potential to fulfil the role of a soft power instrument for all humanity, if applied with discernment”. Indeed, heritage may generate diplomatic influence, but restitution cannot be reduced to

the projection of a favourable national image, since decisions concerning the return or retention of cultural heritage may affect trust, legitimacy and the perceived willingness of states to acknowledge historical asymmetries. Restitution may therefore contribute to recognition and reconciliation, while the refusal to return contested objects may preserve existing legal or institutional arrangements but also generate diplomatic and symbolic tensions.

The cases also expose a tension within the notion of ‘shared heritage’: while cultural heritage is frequently presented as a field of common history and cooperation within Ibero-American relations, the language of shared heritage may obscure the unequal historical circumstances under which cultural objects were acquired, transferred and subsequently institutionalised in European collections. As Costa (2023, p. 27) states, “heritage approaches vary according to the country, its historical background, current and future aspirations”. In this sense, the question is not simply whether heritage is shared, but who has the authority to define what is shared, how it is represented and where it should be located.

Such a distinction is particularly relevant to post-imperial diplomacy, given that cultural cooperation and restitution may both contribute to closer relations between former imperial powers and former colonies, but they do not necessarily operate according to the same logic. Cooperation can strengthen existing institutional relationships without fundamentally altering the distribution of authority over cultural heritage. Restitution, by contrast, requires the parties to confront the historical conditions through which such authority was established and to negotiate whether those arrangements remain legitimate in the present.

The Portuguese and Spanish cases therefore suggest that heritage restitution should be understood not merely as an issue of cultural policy, but as a form of post-imperial diplomatic negotiation. Its significance lies precisely in the tensions it reveals between cooperation and historical responsibility, shared heritage and unequal histories, and legal ownership and cultural belonging. In this respect, restitution may become an important arena through which Ibero-American relations are renegotiated in the post-imperial present.

Conclusions

This article has examined heritage restitution in Portugal and Spain and its implications for contemporary Ibero-American relations. The analysis suggests that restitution should not be understood solely as a matter of cultural policy, museum governance or legal ownership, but also as a potential dimension of post-imperial diplomacy, since claims concerning cultural objects bring broader questions of historical responsibility, cultural belonging and authority over heritage into contemporary relations between former imperial powers and former colonies.

The Portuguese and Spanish cases reveal different approaches. In Portugal, restitution remains relatively limited as a formal policy framework, while cultural cooperation, conservation and capacity-building provide more established forms of engagement with countries of origin. Spain, by contrast, provides a more explicit example of restitution becoming a bilateral diplomatic dispute through the case of the Quimbaya Treasure. The comparison therefore shows that the diplomatic significance of restitution lies not only in whether objects are returned, but also in how claims are negotiated and contested.

Finally, the analysis highlights the ambivalence of ‘shared heritage’. Although cultural heritage can support cooperation and diplomatic rapprochement, this notion may obscure the unequal historical circumstances through which objects entered European collections. Restitution can therefore create a space for negotiating historical responsibility, recognition and authority over heritage. It does not, in itself, constitute decolonisation, but may contribute to the renegotiation of post-imperial relations and more reciprocal forms of cultural cooperation between former imperial powers and Latin American societies.

Endnotes

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2. Ministère de L’Europe et des Affaires Étrangères (2026). *Remise du rapport Savoy/Sarr sur la restitution du patrimoine africain*. <https://www.elysee.fr/emmanuel-macron/2018/11/23/remise-du-rapport-savoy-sarr-sur-la-restitution-du-patrimoine-africain> ↩
3. V., for instance, Canelas, L. (2018). *É preciso devolver património, mas antes há que admitir o erro da colonização*. Público. <https://www.publico.pt/2018/12/07/culturaipsilon/noticia/preciso-devolver-patrimonio-ha-admitir-erro-colonizacao-1853177> ↩
4. UNIDROIT (International Institute for the Unification of Private Law) Convention on Stolen or Illegally Exported Cultural Objects, signed in Rome on June 24, 1995. ↩
5. “In certain academic areas of International Relations, the manifestation of dialogs that encompass policies for the preservation and safeguarding of cultural goods, the so-called heritage diplomacy, as well as the management of maintenance processes and use of them as instruments of soft power lacks depth, resulting, consequently, in the disproportionate effect of the attention devoted to studies related to hard power to the detriment of sources that derive from soft power” (Cardoso, 2023, p. 176). ↩

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