

**The Management
of Cultural Property
at the Bibliothèque
nationale de France**

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Pentateuch, (manuscript, 1353) – Bibliothèque nationale de France. Department of Manuscripts, Arabic 12

Introduction

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The collections in the BnF's safekeeping, which were created in both France and abroad, encompass forty centuries' worth of human history, culture and ideas. They represent a wide array of formats, including printed books and newspapers, prints, engravings, sound and audio-visual recordings, maps, plans and digital documents (both born-digital and digitised), as well as such items as coins and medals, jewellery, scale models and puppets. Through the depth of time and geographic scope these collections cover, as well as through the volume they represent (over 40 million documents, including 20 million non-printed documents), they demonstrate, whether through image or sound, a diversity of cultures which is nearly unmatched elsewhere in the world.

These collections have come to the BnF through legal deposit (which was introduced in 1537) or through donations and bequests on the part of individuals or institutions that have placed their trust in the BnF throughout its history, as well as through a direct or indirect acquisition in the context of both the trade of works created to be sold or exchanged and of France's diplomatic, scientific and cultural relations. They also reflect France's history, marked by conflicts, revolts and revolutions. Thanks to continuing public support, the BnF is devoting significant resources to ensuring the conservation, description, the accessibility, the digital distribution, the understanding, the promotion and the enrichment of all its collections of all geographical origins.

This is why **the BnF wants to formalise and publish the principles for managing its collections in complete transparency, both with respect to citizens of France and of other nations.**

Recognising the importance of its collections for French citizens and the wider world, the BnF is enabling access to its collections through an extensive range of on-site and remotely available services. As such, it welcomes more than 900,000 visitors – a quarter of whom are foreign nationals – to its reading spaces every year. [Gallica](#), the digital library of the BnF and its partners, provides free access to more than 8 million digital documents, which have been consulted 16 million times (including 6.2 million times from abroad). Finally, the BnF has developed a data policy focusing on open-source access to nearly 20 million records under an open licence from the state, which can be accessed free-of-charge worldwide through its [online collections](#), [the open platform for French public data](#), its own website data.bnf.fr and [WorldCat](#), the world's largest library catalogue.

Having recognised, in particular, the importance of its universal collections for research communities worldwide, for a number of years the BnF has been conducting an active policy of partnerships with other heritage and research institutions in order to increase access to collections and facilitate the participation of scientists in their promotion. The broad guidelines of this international and research strategy have been made publicly available and approved by the library's main governing bodies. These are put into practice through study, description and digitisation programmes carried out in partnership with foreign libraries and research communities which focus on documents in the BnF's collections which concern the heritage or history of other nations. The results, bibliographic records and digital copies are accessible via the digital catalogues and digital libraries of the BnF and its partners. Shared promotion of these results is a priority. Patrimoines Partagés (Shared Heritage), the digital collection of the BnF and its national and international partners, is an example of this and bears witness to the presence both of foreign communities on French territory and of cultural exchanges between France and other countries. Finally, it is embodied in actions of solidarity in favor of endangered written heritages around the world.

Recognising, on a final note, the legitimacy of the interest shown by individuals or groups of individuals in documents or collections owing to their cultural or historical importance, the BnF takes their requests into consideration, seeing in them an opportunity for collaboration to piece back together the history and provenance of these collections and to foster a shared interpretation in their regard.

Mindful, on the one hand, that its collections have been produced and used in societies which have struggled with change and conflict both historically and in the present day and, on the other hand, that the interpretation of the past is neither one-sided nor uniformly shared and the very origin of its collections can form the basis of contemporary remembrance-related demands, the BnF has also defined a specific framework for managing documents that are subject to demands, in accordance with the national and international texts in force. This work is carried out in the context of the national legal standards governing the public domain, as well as the international treaties and conventions signed by France.

Accordingly, the BnF has sought to publish this document in order to present the legal status and general management framework governing the collections in its safekeeping, its attachment to the universalism of its collections, the progress in the understanding of civilisations and finally its recognition of the specific nature of some of its collections which, owing to their origin and history, hold special cultural significance for individuals, groups of individuals or nations.

Collections Accessible to All Worldwide

1 | The Legal Status of Collections

The Bibliothèque nationale de France is a publicly-owned national administrative institution placed under the oversight of the Ministry of Culture. Its missions and modes of operation are defined by [Decree no. 943 of 3 January 1994](#).

The BnF's heritage collections are primarily established through a legal deposit, which provides the majority of printed document entries. There are also other channels by which the collections are enriched, however: donations, bequests and acquisitions.

Public property in France takes two forms: the public domain and the private domain of a public entity. The public domain concerns all property which, on the one hand, is owned by a public entity mentioned in [Article L1 of the General Code on the Property of Public Entities](#) (CGPPP) and, on the other, is assigned to a public utility ([Article L. 2121-1 of said Code](#)). Such an assignment can take place in two ways: either by the property's assignment to a public service or by a direct assignment to public use. Properties of the public entities mentioned in Article L1 which are not covered by the public domain are part of the private domain (Article L. 2211-1 of the CGPPP). Article L. 2112-1 of the CGPPP is specifically aimed at the BnF's collections in regards to both legal deposit (Point 1) and the collections of ancient, rare and precious documents in libraries (Point 10).

The BnF's collections represent property belonging to its transferable public domain. They are owned by the state and are in the safekeeping of the BnF. As they are subject to the public domain system, these collections are inalienable and are not subject to any limitation period. ([Article L. 3111-1 of the CGPPP](#)).

2 | The Principles of Preservation, Management, Dissemination and Promotion of Collections

The BnF endeavours to ensure the preservation, description, physical and digital dissemination, understanding and promotion of all of its collections through a policy:

- of curative and preventive preservation, defined in a [Preservation Strategy](#) and including a [sustainable digital archiving system](#) and an [emergency plan](#);
- of [bibliographical aspects](#), aimed at guaranteeing data quality and fostering exhaustiveness through retrospective catalogue conversion;
- of acquisition set out in a [Content Strategy](#);
- of [digitisation](#), based on the production of standardised frameworks, stringent quality control and a [Collection Digitisation Content Strategy](#);
- that is [open to the reuse of its data](#), grounded in the development of API platforms;
- of communication of original documents on its premises, documented in the form of [Rules Governing Areas Open to the Public](#);
- of promotion through [Gallica](#)'s mediation pages, as well as an [educational offer](#) and a rich and varied exhibition programme, both [on-site](#) and [online](#);
- of [loans of its collections](#), in both France and abroad, with nearly 2,000 loans of works in 2018 – 50% of which abroad;
- of [research](#), the guidelines of which are approved by its Scientific Board, which has held a significant role in the history of the institution and of its collections through the work of the [History Committee](#) and the Strategic and Provenance Monitoring Committee.

Like all public institutions, the BnF has defined the priorities of its collection handling policy by taking different criteria into consideration, focusing on the fragility or rarity of documents for the preservation policy, the continuity of collections and the needs of users for the acquisition policy, and the heritage value, the cultural importance for today's society and the state of research for its policy of scientific and cultural promotion.

“The BnF considers that all of its collections, irrespective of their origin and legal status, have a cultural importance and heritage value that are likely to change over time depending on changing mentalities and sensitivities or historical research. As a consequence, they must also be preserved, described and made accessible to the public”.

3 | Acquisition Policy

For all of its current and future acquisitions, the BnF abides by legal and ethical acquisition principles and raises its staff's awareness through regular training sessions.

The procedures set up by the BnF comply with international legislation and ensuing national implementation texts. These are aimed at ensuring that legal problems do not arise during future acquisitions, even though cultural changes can bring about new ethical and moral issues or differences in sensitivity with the appearance of facts that were not controversial when the acquisition was made.

Acquisition here means any property that the either BnF purchases or receives by donation or bequeathment.

Legal Acquisition Policy

In its acquisitions, the BnF ensures compliance with the following texts: [The Hague Convention](#) which was ratified in 1957, as well as its Second Protocol to which France joined in 2017; the Paris Convention which was ratified in 1997; [Directive 2014/60/EU of 15 May 2014](#); the act to provide for adaptation to European Union law [no. 2015-195 of 20 February 2015](#) and its implementing decree [no. 2016-1573 of 22 November 2016](#).

Furthermore, the BnF's approach takes into full account the guidance of the Ministry of Culture on heritage acquisitions, as well as the [Library Charter](#) adopted by the French National Council for Libraries (CSB) in 1991 and the [Librarian's Code of Ethics](#) published by the French Librarians' Association (ABF) updated in 2016. It sets forth its principles in the aforementioned Acquisition Strategy.


Ethical Acquisition Principles

The BnF applies the principles presented within this document to all acquisitions of property with cultural or heritage value created outside the borders of France.

The BnF makes systematic efforts to find a valid legal title to the property. It only acquires or borrows property which can be legally acquired or borrowed. It does not acquire any property regarding which the seller does not possess a legal title and does not borrow property from any lender that is wrongfully usurping the legal owner's rights.

“The Library deplores the looting of cultural property in all forms which leads to the damage of archaeological sites, buildings, collections and human communities, and the corresponding loss of cultural context which follows. The BnF does not acquire property obtained through such looting.”

The BnF does not accept any item that has been removed or exported illegally. The policy of the Library is to refuse to acquire items that have been illegally excavated and/or illegally exported from their countries



of origin after 1970. It only considers the acquisition of cultural property exported from its country of origin prior to 1970 if appropriate documentation can be furnished and the traceability of the property can be established. As an exception, where such documentation does not exist, as is sometimes the case, the BnF's curatorial staff may exercise their scientific responsibility in order to decide to recommend that such an item be purchased or borrowed. In sales or donation agreements, the BnF inserts a guarantee of ownership clause.

Due Diligence

The BnF only accepts items, whether as a gift, bequest or purchase, after carrying out an appropriate level of due diligence.

Whenever necessary, the BnF seeks to obtain documented confirmation from the donor or seller that confirms that he or she owns the item and is able to transfer it freely. The BnF must also have reasonable cause to believe that the current holder is legitimately entitled to retain the item or that the object was neither stolen, nor illegally imported or exported. In any case, the library will seek to inspect any object proposed for acquisition in order to gather information about its provenance. If necessary, the BnF will conduct further research into the background of the item prior to its acquisition.

This policy aims to guarantee that the relevant legal title represents the minimum criterion for the acquisition or loan of cultural property. It also contains stringent ethical and moral considerations and proposes standards for due diligence in light of the applicable laws and conventions to which France is a State Party.

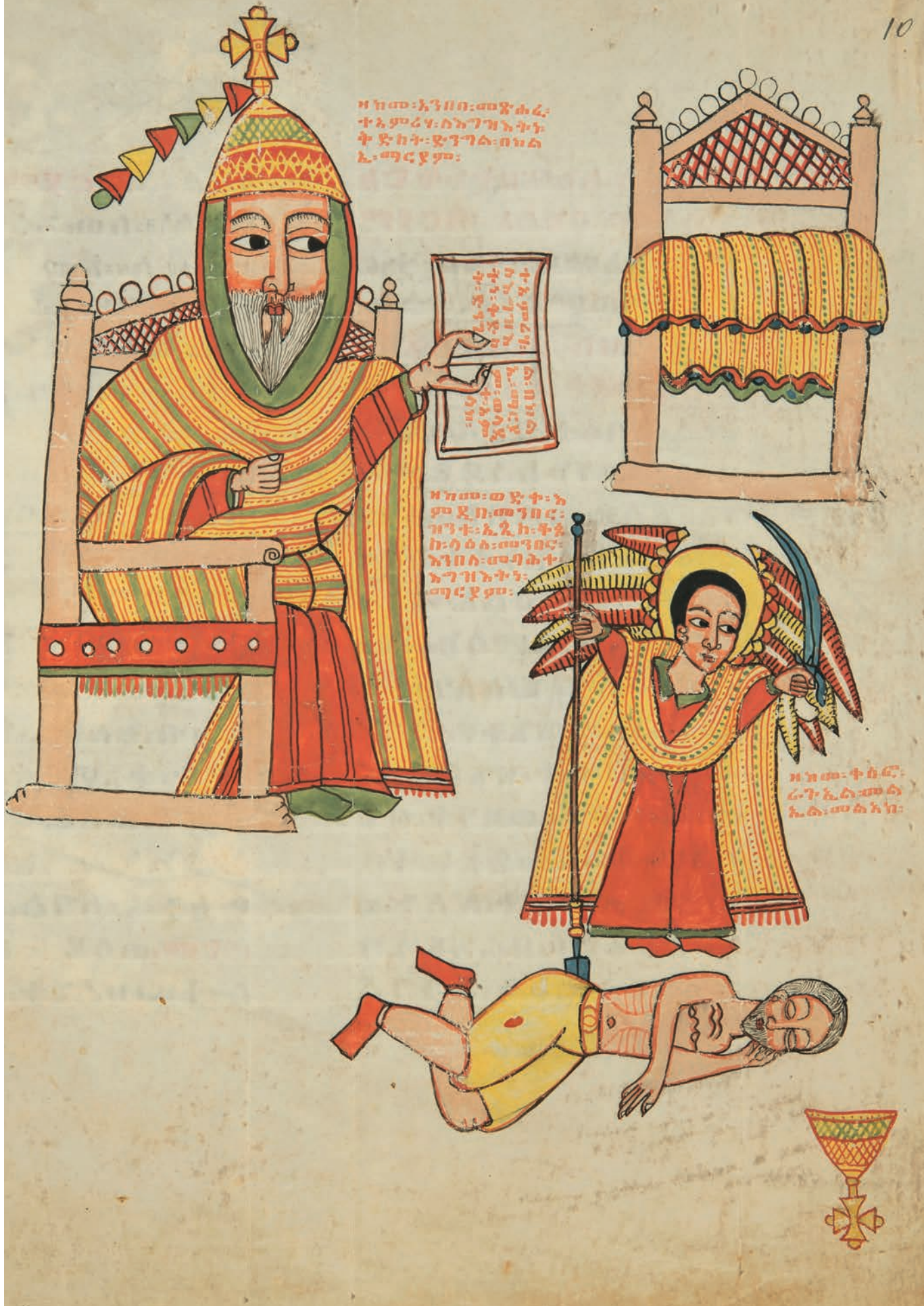
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Loans and deposits

The BnF applies its legal and ethical acquisition principles to the collections it borrows or lends, as well as to documents that it receives through deposit.

Training

In its continuing professional development scheme, the BnF includes dedicated sessions for scientific staff in charge of handling heritage collections and acquisitions of foreign origin.



Shared Collections at the Origin of Multiple International Cooperation Projects

The BnF was founded as a universal library right from the outset, and the collections in its safe-keeping are relatively unmatched anywhere else in the world in regards to the depth of time and they geographic scope they cover. As such, the concern of acquiring foreign items emerged from the founding of the original library. The first batches of Greek manuscripts, purchased at the instigation of Pierre du Chastel, who was appointed Master of the King's Library in 1540 by Francis the 1st, entered the collections of the Royal Library in Fontainebleau (1544- circa 1570). Some had been brought back from Italy by Girolamo Fondulo or by the ambassador Guillaume Pellicier; others were provided by amateurs, such as Jean de Pins, Georges de Selve, Georges d'Armagnac and Gian Francesco Torresani d'Asola, who was an Italian savant and publisher appointed by the king, to whom donated 80 volumes in Greek.

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European for the most part, the BnF's collections demonstrate, whether through image or sound, the diversity of cultures beyond Europe's borders. The history of their compilation is also that of the BnF's successive acquisition policies, forged – in the words of Emmanuel Le Roy Ladurie – from a succession of “unopening” and “opening” cycles.¹ Accordingly, Richelieu, who was eager to extend French influence in the Orient, particularly encouraged Oriental Studies and developed his library in order to “inform scholars” by purchasing the library of the Marquis de Brèves, the former ambassador to Constantinople, which included 110 Oriental manuscripts he had obtained in Rome. Colbert built on this policy and saw to the organisation “in the East by diplomats of in-depth research for the King and for him”; in November 1672, he sent a circular to all of the consuls in office asking them to send books for his library. During the following century, Abbé (Father) Bignon entrusted François Sevin with a similar mission from 1728 to 1730. During the first half of the 20th century, collections were mainly developed through archaeological missions; the sinologist Pelliot brought countless manuscripts back from six weeks of excavation work at the Mogao Caves in Dunhuang and built up a modern sinological library of 30,000 volumes. Today, these manuscripts are being subjected to a vast international research programme associated with their digitisation. In 1953, the BnF acquired 377 fragments of manuscripts which were discovered during an archaeological dig at the Khirbet Qumran site, which was carried out by the French Biblical and Archaeological School of Jerusalem (EBAF) under the direction of Father Roland de Vaux between 1949 and 1956. The foreign books that have more recently joined the BnF collections most often come from donations. Thus, the Rare Books Reserve preserves original Japanese editions by Mishima, which were collected by Yoshinari Akiharu, a Francophile who was fascinated by this writer.

¹ Emmanuel Le Roy Ladurie, Annette Smedley-Weill et André Zysberg, « La réception des langues étrangères en France », Histoire & mesure <http://journals.openedition.org/histoiremesure/896> ; DOI : 10.4000/histoiremesure.896

“Mindful of the importance of its universal collections for worldwide research communities, for a number of years the BnF has been conducting an active policy of partnering with other heritage and research institutions with the aim of both increasing access to collections and encouraging scientists’ participation in their promotion.”

1 | A Cooperation and Research Policy with a Strong International Focus

The BnF supports the opening statement of the Paris Convention, which states that “the exchange of cultural property between nations for scientific, cultural and educational purposes increases the knowledge of human civilisation, enriches the cultural life of all peoples and inspires mutual respect and appreciation among nations.”

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It recognises that any cultural creation can be understood outside of its territory of origin and opens up a fresh opportunity for mutual respect and understanding. It considers that these collections hold great educational and scientific value, as they enable the cultural output from different civilisations to both be studied in a critical manner and appreciated jointly by citizens the world over.

This is why the BnF works closely with professional and research communities all over the world in an effort to advance knowledge and mutual understanding between nations.

This scientific cooperation policy related to collections created outside national territory, which attests to the presence of foreign communities on national soil or cultural transfers between France and other countries which were sometimes coerced and forced, is implemented through the following measures:

- making these collections available to all researchers studying in the BnF’s reading rooms and providing high-level professional guidance to them should they so wish;
- hosting international teams of researchers for the description and scientific promotion of these collections and encouraging joint scientific publications;
- taking up invitations extended by the nations/communities concerned in order to raise the profile of these collections;
- providing free online access to these digitised collections through the BnF’s digital library Gallica and authorising the open and free reuse thereof for non-commercial purposes;
- publishing research findings according to the principles of open science.

It is conducted alongside an [international cooperation](#) policy aimed at furthering the circulation of BnF data, collections and expertise. It relies on both the French diplomatic missions abroad and the foreign diplomatic missions in France, as well as relevant international organisations. This policy particularly takes the following forms:

- collaborating with such international bodies as the **CDNL**, IFLA, UNESCO and ICOM;
- the **International Committee of the Blue Shield** (ICBS) and other non-governmental organisations;
- participating in international standardisation efforts fostering interoperability between collections worldwide;
- developing and maintaining close ties underpinning enduring collaboration with representatives of nations with a special interest in BnF collections;
- contributing to discussions about updates to the legislative framework governing cultural property;
- making its technological expertise available for the conservation, promotion and dissemination of its partners' documentary heritage;
- taking action in favour of safeguarding written heritage at risk, whether owing to natural (earthquakes, flooding, etc.) or human (intentional damage, conflict, etc.) phenomena;
- encouraging the physical circulation of documents via a flexible and transparent loan policy backed up by immunity from seizure or similar guarantees;
- encouraging the digital circulation of documents and shared preservation by the exchange of digital copies;
- contributing or initiating shared digital libraries at a European level (Europeana), within the French-speaking world (Bibliothèque francophone numérique) and at global level (digital collection Patrimoines Partagés/Shared Heritage), as well as enabling access to sources reflecting a range of viewpoints likely to shed light on a shared past which has played a part in creating the present;
- incorporating events in its exhibition programme that showcase these universal collections;
- creating resources for learners of all ages, using languages other than French where this is appropriate.

2 | International Projects on the Description of Collections

The BnF has been endeavouring to keep a record of and describe its foreign collections since the 19th century. A study conducted in 2019, which was based on extensive previous work, resulted in the creation of a list of nearly 2 million documents which were both created prior to 1975 and considered as coming from abroad.

Reflecting a French culture shaped by European humanism, the BnF's collections are those of a library centred on Europe, within which European production accounts for more than half of documents of foreign origin (1.2 million records). The collections of non-European cultures are first and foremost Asian. The BnF's long-standing interest in Asian culture can be seen in its 350,000 documents related to this continent. As this prestigious cultural heritage has received significant digital coverage, references relating to Asian collections often date back to the late 19th or early 20th century. The predominance of records from the New World reflects the scientific clout of the United States, whose production is well-referenced but not widely digitised, while Africa's share is low in this regard – with 90,000 records.

“Today, the BnF is committed to carrying out regular programmes regarding the description of its foreign collections in a bid to foster access thereto for everyone through its catalogues. These programmes are organised in close liaison with its counterparts and aim at encouraging the hosting of French and foreign researchers.”

To give some recent examples, the entirety of the collection of ancient Chinese printed documents preserved at the Manuscripts Department are being described a team from Shandong University and are undergoing in-depth codicological research by a team at Shanghai University. The Tamil manuscript collections are currently being described by research teams from the French National Centre for Scientific Research (CNRS) and Universität Hamburg, while the entirety of the MalayoPolynesian collection has been described by two librarians from the National Library of Malaysia.

3 | A Proactive Digital Unification Policy

The BnF conducts an active [digital unification policy](#) through its participation in digitisation programmes related to dispersed heritage which are led by foreign public institutions. Accordingly, it has run nine digitisation programmes with foreign libraries over the past three years. These include, for example:

- the collection of 1,400 Hebrew manuscripts which can now be accessed via Gallica and the [digital library KTIV](#) which was set up by the National Library of Israel, joining 94,800 Hebrew manuscripts spread across 588 collections worldwide;
- 400 ancient Chinese manuscripts, found solely in the BnF's collections, which have been digitised in partnership with Shandong University (China) and the National Central Library of Taiwan;
- the collections of Malay and Malayo-Polynesian manuscripts which have been digitised as part of cooperative projects with the national libraries of Singapore and Indonesia;
- the Ottoman press in French, which is now accessible via Gallica and the digital library of the Atatürk Library of Istanbul thanks to a partnership with the SALT Foundation (Turkey) and the French Institute of Anatolian Studies (IFEA).

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“The BnF openly and constructively considers all requests submitted by foreign public institutions to make digital copies available of documents in its collections which were produced in the countries of the requesting institutions”.

A few recent examples include:

- all of the Korean manuscripts in the BnF's collections, which are now available directly through the collective catalogue KORCIS, which brings together all of the Korean manuscripts found in collections worldwide and is published by the National Library of South Korea;
- a digital copy of the entirety of the collection of Chinese manuscripts found at the Mogao Caves, which is a listed UNESCO World Heritage site, has been deposited at the National Library of China (which also possesses part of these manuscripts), as well as the Dunhuang Research Academy, which is in charge of the site's conservation;
- a digital copy of all of the cadastral maps of Port-au-Prince from the colonial period has been given to the Haitian Government to aid in piecing back together the city's land registry after an earthquake struck the country in 2010.

Finally, the BnF and the British Library jointly oversaw the publication in August 2019 of a standard of the International Federation for Library Associations (IFLA) setting forth [Guidelines for setting up a digital unification project](#).

4 | A Digital Collection for Shared Heritage

“The BnF has created a digital collection dedicated to the promotion of its foreign collections.”

This collection seeks to bring together outstanding documents which are dispersed between the BnF’s collections and those of its French and foreign partners in a digital format in order to not only make the documents accessible everywhere and to everyone but also to improve understanding of them in light of the most recent research. Today, this collection includes 6 multilingual sites (Poland, Bibliothèques d’Orient /Libraries of the Middle East, China, Brazil, Vietnam and the Americas), with 44 partners across 12 countries taking part and 150 researchers involved. It is continuing to grow every year.

5 | Showing Solidarity for Heritage at Risk

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The BnF recognises the universal equivalence of cultural expressions as enshrined in the 1948 [Universal Declaration of Human Rights](#) and the [European Convention on Human Rights](#) which came into force in 1953.

It fully supports the values enshrined in the recitals of [The Hague Convention](#) (1954), which were reiterated in its 1989 Second Protocol, as well as the 1970 [Paris Convention](#), which emphasised the close link that each cultural creation has with the universality of humanity, since “damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world.”

This is why it harnesses its expertise for the protection of written heritage at risk all over the world. It thus takes part in various programmes to restore, digitise and showcase heritage located in conflict zones in Mali (the Timbuktu manuscripts), Iraq and the Middle East more broadly.



Universal Collections with Multiple Origins and Histories

The vast majority of collections created beyond Europe's borders come from donations and bequests on the part of individuals or institutions that have placed their trust in the BnF throughout its history, as well as through a direct or indirect acquisition in the context of both the trade of works created to be sold or exchanged and of France's diplomatic, scientific and cultural relations.

Nevertheless, such cultural property is or was produced in the context of specific cultural circumstances and may hold a special meaning for specific groups. Owing to shifting borders throughout history, a number of community groups and nations may attach cultural importance to these collections while associating deeply differing meanings with them. Both societies and their cultural heritage are subject to change and conflict in response to various types of interactions, such as commercial trade or wars, whether during ancient or more recent history right through today.

This heritage has been created in contexts involving power struggles, meaning that it may have changed hands amid circumstances that led to the use of force. This is the case for collections which were looted by the Nazis during World War II in Europe, as well as some non-European collections which were forcefully exported from their production sites during wars, particularly colonial ones waged by France in foreign territories.

It can also symbolise conflicts or be used in the context of conflicts between or within nations or groups.

Since the interpretation of the past is neither one-sided nor uniformly shared, the very origin of these collections can form the basis of contemporary remembrance-related claims.

“The BnF has thus decided to define a specific framework for managing such property that has been or is likely to be subject to claims, in accordance with the national and international texts in force. These efforts are carried out in the context of the national legal standards governing the public domain, as well as the international treaties and conventions signed by France.”

1 | Full compliance with France's International Commitments

The BnF ensures strict compliance with the international and European texts which France has signed regarding property entering collections following acts of spoliation committed during war-time.

“It pledges to return cultural property covered by the national legislation and international treaties ratified by France, the term ‘restitution’ being used here to describe the act of giving redress for a legal wrong, returning cultural property to its rightful owner”.

In order to be able to adapt its system whenever necessary, the BnF practises active horizon scanning regarding changes to the international legal framework, the practices of other cultural institutions and changes in the international environment. It applies the guidance of the Ministry of Culture in the setup and updating of its practices.

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The BnF applies the provisions laid down in the following texts:

International Texts

- The International Convention of The Hague from 14 May 1954 for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention and its Two Protocols (the first one dated 14 May 1954 and the second one dated 26 March 1999);
- The Paris Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (14 November 1970).

European Texts

- Directive 2014/60/EU of 15 May 2014 which repeals Directive 93/7/EEC amended by the Directives 96/100/EC and 2001/38/EC.

National Texts

- The full transposition of the Directive through Act no. 2015-195 of 20 February 2015 laying down various provisions for adaptation to European Union law in the spheres of literary and artistic property and cultural heritage;
- Decree no. 2016-1573 of 22 November 2016 on the restitution of cultural property having unlawfully left the territory of a European Union Member State.

The BnF asks the Ministry of Culture for permission to return property which is relevant to these texts. It retains a copy record of returned documents in its catalogues, by adding a restitution indication. It systematically digitises the returned documents, as well as any documents whose restitution was requested but could not go ahead.

Finally, the BnF archives the restitution requests it receives so that it can provide a timely, transparent and constructive response to enquiries. It seeks to be as thorough as possible in documenting the records of these requests and the responses given, as well as the history of the relevant property.

2 | Consideration of the Origin, History and Cultural Significance of Certain Collections

The BnF recognises that the decisive characteristic of a cultural property item is not intrinsic to objects but to the perception that individuals have of them at a given time.

Furthermore, research into the history of the collections and their compilation shows that the interest in collecting certain items of cultural property and the market prices can change radically and quickly. While certain items may have been recognised as being important for a long time, they may acquire new, but just as profound, significance for groups of individuals over the course of history. Or, alternatively, their importance may sometimes diminish over time.

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That is why the BnF duly notes the return requests that it receives. This term is used here to refer to the act by which an item of cultural property is returned to the place it was created or to a place in or near to which it was previously held. It is not necessarily returned to a former owner or their heirs, and a previous act of unlawful or illicit appropriation is not necessarily recognised following a request from third parties other than States or the equivalent, be these public authorities below State level or other interested parties, on a legal basis or the basis of intrinsic cultural value or of the conditions of removal of such property from its place of origin.

The BnF archives the restitution requests it receives so that it can provide a timely, transparent and constructive response to enquiries. It seeks to be as thorough as possible in documenting the records of these requests and the responses given, as well as the history of the relevant property.

“The BnF conducts systematic description and digitisation programmes for property that has been subject to a return request”.

Whenever possible, the BnF seeks to enhance the value of its items jointly with the claimants. It takes loan requests into consideration, insofar as these loans are protected by appropriate legislation regarding the inalienability of collections. The evaluation of requests and the steps to take are assessed in light of the following criteria:

The Legal Status of the Property (Legal Deposit, Acquisition, Donation, Bequest, Deposit)

The Origin of the Request

- Does the request come from a State or from a foreign institution?
- Does the BnF or do other French cultural institutions maintain regular and demonstrated scientific ties with the requesting institution?
- Is there a cultural continuity between the current claimants and the communities from which the collection item originates?
- Is there a family relationship between the claimants and the original owners or creators of the items?
- Does the claimant in other ways represent the former owners of the items or their heirs?
- Is there a potential for a claim from more than one community or country with an interest in the items and are their interests compatible or contentious?
- Have claims been made before by these claimants or others?
- The original purpose of the items
- Were the items made to be sold, traded or exchanged?
- Did the items serve a religious, cultural or political purpose?
- Were the items created for a specific location?
- Did the items still serve their original cultural purpose before their acquisition?
- Are other instances of such items still normally used for their original purpose?

The Conditions of Removal from the Site of Production

- Were the items removed from their place of creation as part of a trade or exchange?
- Did the items arrive in the library directly or indirectly as a result of a trade or exchange?
- Were removals from such specific locations standard for this sort of item?
- Were the items removed from their place of creation or from their legal owner by the use of force or other undue pressure?
- If yes, was the acquisition by the BnF or its predecessor institutions closely associated with the process of removal?
- Had the items already previously been separated from a location or a context for which they were created?

The BnF also bears in mind a certain number of general considerations associated with public interest for conservation, especially:

- The importance of promoting mutual understanding by enabling the singularity of various cultures and civilisations to be researched, interpreted and appreciate by both the citizens of France and by the many visitors from all parts of the world, and worldwide online;
- The promotion of the contextual interpretation of items, given that all intellectual creations represent a shared humanity whilst being rooted in specific spheres, periods and cultures;
- Its objective to support research across the boundaries of languages, political opinions, religious beliefs and geography;
- The existence of national and international cooperation and promotion programmes revolving around these collections.

3 | New Initiatives to Enhance Understanding of the History and Origin of Collections

The BnF supports the statement of the UNESCO Convention that cultural property “can be appreciated only in relation to the fullest possible understanding of its origin, history and traditional setting.”

“It endeavours to understand and foster research into the conditions under which items joined its collections, whether they were created on or outside national soil, including in places which can be associated, whether directly or indirectly, with the colonial period, and to share such information”.

Access to Entry Books

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Entry books are communicated in accordance with the Heritage Code (Articles L. 213-1 to L. 213-2) and the Code on Relations between the Public and the Government (particularly Article D. 312-13). They may be communicated freely except when they date back to fewer than fifty years ago and contain information likely to harm the protection of privacy or date back fewer than twenty-five years and contain information likely to harm trade secrets.

However, authorisation to consult books that cannot be freely communicated may be granted to individuals making such a request insofar as the interest in consulting such documents does not end up excessively harming the interests that the law was designed to protect (Article L. 213-3 of the Heritage Code). The communication request shall be made to the BnF’s mission for managing documentary production and archives (archives@bnf.fr), which examines the request together with the department which produced the entry book. The final decision is made by the Inter-ministerial Service of the Archives of France. Should the library refuse this request, the Archives of France is required to honour its opinion. On the other hand, should the department of production agree, the Archives of France may lodge a refusal if it considers that consultation of the documents in question could excessively harm the interests that the law was designed to protect. The grounds for any refusal must be given (Art. L. 213-5 of the Heritage Code). If no response within the two months following receipt of the request for dispensation, this shall be construed as implicit refusal on the part of the Government (Article L. 213-3 of the Heritage Code and Articles R. 311-12 and R. 311-13 of the Code on Relations between the Public and the Government). In the event of a refusal, the case may be referred to the Commission on Access to Administrative Documents (CADA) pursuant to Article L. 342-1 of the aforementioned code. This commission shall then, on a case-by-case basis, weigh up the advantages and disadvantages of an early disclosure.

“In 2019, the BnF initiated a systematic digitisation programme of its 1,300 entry books with a view of fostering provenance and historical research regarding the property in its collections. This initiative will be carried out over the 2020-2023 period. All of the books can be accessed in the Archives and Manuscripts catalogue, as well as in Gallica”.

Research Work

The BnF encourages research into the history of its foreign collections.

Amongst the subjects that featured in a Call for Researchers in 2020 were the following: the history of the compilation of the Manuscripts Department’s oriental collections in the 19th century and the Yiddish press from the 1880s through the late 1960s.

More generally, the BnF contributes to research projects regarding the history of public foreign collections. It is, thus, a partner in the CRoyAN project (which stands for Royal Collections of North America), which has been led by the Musée du Quai Branly – Jacques Chirac since 2019. This project involves 450 NorthAmerican objects which were collected between the 17th and 19th centuries and whose archives are conserved at the BnF.

Finally, an [annual €10,000 grant focusing on the history and origins of collections](#) held by both the BnF and the Musée du Quai Branly – Jacques Chirac was established in 2020.



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此五臺山中文殊師利大聖真身變
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 捨大悲隱法界身示天人相與萬
 菩薩住清涼山攝化有緣利益以
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對此像前隨分供養具心三境專
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