

To:

1. **Ms. Ivy Wong**
Sotheby's Hong Kong, 5/F, One Pacific Place
88 Queensway, Admiralty Hong Kong
2. **Julian King**
Sotheby's.
Hong Kong

Copy to:

Mr. Chris Peppé via Sotheby's.

Date: May 5, 2025

Subject: Legal Notice to Cease Auction of Piprahwa Buddhist Relics Scheduled for May 7, 2025, and Demand for Repatriation to India

Dear Sir/Madam,

On behalf of the Ministry of Culture, Government of India this legal notice is hereby issued to **Sotheby's Hong Kong** and **Mr. Chris Peppé**, descendant of Mr. William Claxton Peppé, demanding the immediate cessation of the auction titled "*The Piprahwa Gems of the Historical Buddha, Mauryan Empire, Ashokan Era, circa 240–200 BCE,*" scheduled for **May 7, 2025, at 10:30 AM.**

The proposed auction involves sacred Buddhist relics excavated from the Piprahwa Stupa in Uttar Pradesh, India, in 1898. These relics—referred to as "duplicate jewels"—constitute inalienable religious and cultural heritage of India and the global Buddhist community. Their sale violates Indian and international laws, as well as United Nations conventions.

Grounds for Objection

1. Provenance and Ownership

The relics, including bone fragments, soapstone and crystal caskets, a sandstone coffer, and offerings such as gold ornaments and gemstones, were excavated by William Claxton Peppé from the Piprahwa Stupa—widely identified as ancient Kapilavastu. An


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inscription in Brahmi script on one of the caskets confirms these as relics of the Buddha, deposited by the Sakya clan.

In 1899, some of these relics were transferred to the Indian Museum, Kolkata, and classified as 'AA' antiquities under Indian law. Some bone relics were gifted to the King of Siam. Mr. W C Peppé retained a selection of erroneously labelled "duplicate" items under custodial permission. As per Buddhist religion, *dhātu* or the materials that make up such a sacred deposit, are integral to the Buddha's sacred relics with which they are interred. These sacred grave goods are inseparable from the sacred relics and cannot be commodified.

Terminology: the use of the word "duplicate" in all aspects of the sale of these items is misleading and needs to be clarified at the outset. A sacred stupa has multiple generations of offerings to monks. The Buddha's own family had layers of deposits over generations. There is no reason to interpret the upper layer of deposits as being lesser, decoys or "duplicates". Further, if "duplicates" is to imply that an exact copy of each of these types of relics was kept with the Indian Museum, then again, we beg to note that the relics of the Buddha cannot be treated as 'specimens' but as the sacred body and originally interred offerings to the sacred body of the Buddha.

"Custodianship": The seller terms themselves as four generations of custodians. However, it is a legal principle that custodianship does not grant any right to alienate or misappropriate the asset and in this particular case we are talking about an extraordinary heritage of humanity where custodianship would include not just safe upkeep but also an unflinching sentiment of veneration towards these relics. Even if the Government of India gave the custodianship to them that time, as the descendants of original custodians now wish to divest themselves of this role, the right of first refusal for resumption of custodianship goes to India.

Furthermore, this custodianship is in the name of the Sakyas and Buddha, whereas the London-based Sunday Times reported in 2004 on [\[https://www.thetimes.com/travel/destinations/asia-travel/india/buried-with-the-buddha-fhrvf80sq86\]](https://www.thetimes.com/travel/destinations/asia-travel/india/buried-with-the-buddha-fhrvf80sq86) that the relic jewels were forgotten in a shoebox at the bottom of the cabinet level with the floor. Care and custodianship has in this case been monetised via publicity and exhibition.


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2. Indian Legal Framework

The Piprahwa relics are protected under the following Indian laws:

- **Antiquities and Art Treasures Act, 1972:** Defines antiquities as items over 100 years old of historical or cultural value. The Piprahwa items are protected 'AA' antiquities. Under Section 3, ownership of such objects vests with the Government of India unless otherwise proven, which in this case, it has not.
- **Ancient Monuments and Archaeological Sites and Remains Act, 1958:** Designates Piprahwa Stupa as a monument OF NATIONAL IMPORTANCE. All excavated objects from such sites are state property and cannot be legally sold or exported.
- **Indian Treasure Trove Act, 1878:** Applicable at the time of excavation, this law vested ownership of discovered relics with the colonial government. Mr. Peppé was granted temporary custody, not ownership.

3. International Law and UN Conventions

The auction contravenes several international legal instruments:

- **UNESCO 1970 Convention:** Article 1 defines cultural property to include archaeological and religious items. Export of such property requires consent from the country of origin. No such authorization was granted by India. Both India and China (including Hong Kong) are signatories.
- **UNIDROIT Convention (1995):** Article 3 mandates the return of illegally exported cultural objects. The items in question lack legal export documentation.
- **Hague Convention (1954), Second Protocol (1999):** Affirms the sacred and non-commercial status of cultural property, particularly those linked to religious heritage and colonial removal. Sacred Buddhist relics fall in the category of "enhanced protection" – for cultural property of the greatest importance for humanity and as per the protocol there are sanctions to be imposed for serious violations with respect to cultural property and individual criminal responsibility shall apply.

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4. Grave Goods and Human Remains

The relics constitute sacred relics buried with the cremated remains of the Buddha therefore the laws and conventions related to grave goods shall apply. As per Buddhist theology and archaeological standards, these items are not separable from the remains they accompany. The Brahmi inscription makes clear the Sakya clan's intent for perpetual interment.

Labeling them as "duplicates" is historically inaccurate. Donations were cumulative, not redundant. To separate and sell them violates religious doctrine and international ethical norms for handling sacred remains.

Various international museums as well as arms of ICOM have policies on the ethical repatriation of human remains, their display and the care required. The ICOM code of ethics for museums says: "2.5 Culturally Sensitive Material Collections of human remains and material of sacred significance should be acquired only if they can be housed securely and cared for respectfully. This must be accomplished in a manner consistent with professional standards and the interests and beliefs of members of the community, ethnic or religious groups from which the objects originated, where these are known (see also 3.7; 4.3)." In compliance and continuation various leading museums have adopted policies or repatriated remains / grave goods. Please see:

<https://www.glam.ox.ac.uk/human-remains-policy>; and

[https://ocm.iccom.org/documents/care-human-remains-museums-and-collections-guidelines#:~:text=%E2%80%9CGuidelines%20offer%20recommendations%20for%20the,8\)](https://ocm.iccom.org/documents/care-human-remains-museums-and-collections-guidelines#:~:text=%E2%80%9CGuidelines%20offer%20recommendations%20for%20the,8))

5. Precedent of Repatriation

India has a strong precedent in reclaiming Buddhist relics: At the behest of the Mahabodhi society's petitions to the British colonial government in 1939-40, it was already recognised that relics and relic-deposits should be returned to original stupas or nearby museums. This was completed, first, in the case of Sanchi in 1952.

- **Sanchi Stupa Relics:** In the 19th century, British archaeologists, including Alexander Cunningham, excavated Buddhist relics from the Sanchi and nearby stupas, such as those of Sariputra and

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Mahamoggallana, which were sent to the British Museum and Victoria & Albert Museum. These sacred relics, vital to Buddhist heritage, were removed during colonial rule, prompting calls for their return. These relics were returned by the Victoria and Albert Museum in 1952 to India and are now enshrined in Sanchi, Madhya Pradesh.

- **Benin Bronzes:** The repatriation of the Benin Bronzes, looted by British forces during the 1897 punitive expedition against the Kingdom of Benin, has become a focal point in global restitution effort. These exquisite bronze and brass sculptures, numbering in the thousands, were taken from the royal palace in present-day Nigeria and dispersed to museums across the UK, Europe, and the US, with significant collections at the British Museum and Berlin's Humboldt Forum. Since Nigeria's independence in 1960, demands for their return have grown, citing their spiritual, cultural, and historical significance to the Edo people. Recent progress includes Germany's 2022 transfer of over 1,100 bronzes to Nigeria. Repatriation of colonial-era loot from global institutions to Nigeria underscores ethical responsibility.

6. Religious Sensitivities

The proposed auction offends the sentiments of over 500 million Buddhists worldwide. Religious leaders, including the British Maha Bodhi Society and Venerable Dr. Yon Seng Yeath, have condemned the sale as an affront to global Buddhism.

The relics are devotional objects—property of India where the stupa is located, as well as the Buddha and the Sakya clan—not commodities for auction. Their sale violates core Buddhist ethics and disrupts sacred tradition.

7. Ethical considerations:

Auction houses have often halted auctions due to ethical concerns, fraud, or legal issues. Some notable examples where auctions were stopped or withdrawn are **Graceland Auction (2024)** or that of the ancient Egyptian artifact on sale by Sotheby's in 2019 which was withdrawn after Egypt's government claimed it was looted. Also the **Bid Rigging Scandal (2000)** and the case of **New York Auction House and Fraudulent Jade Seals (2017)** are other examples worth mentioning.

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Mr. Peppé, as a custodian of colonial-era relics, lacks authority to sell these relics. Sotheby's, by facilitating this sale, is participating in continued colonial exploitation. The auction house by disregarding the sensitivities of

Buddhist culture, manifestly commodifies the sentiments of a vast part of the world, and condones the precedent of grave robbery. This a violation of India's national laws, international laws and conventions as well as the moral codes on which the entire edifice of civilizational propriety rests.

Demands

In light of the above, we demand:

1. **Immediate Cancellation of the Auction** scheduled for May 7, 2025, and withdrawal of the Piprahwa relics from sale.
2. **Repatriation of the Relics/jewels** to the Government of India, through the Council General of India to Hong Kong, for preservation and religious veneration.
3. **Public Apology** from Sotheby's and Mr. Peppé to the Government of India and the global Buddhist community.
4. **Full Disclosure** of all provenance documents, any other relics in possession of the WC Peppe family or transferred by them to any other entity or individual, and cooperation with Indian authorities in facilitating the relics' return.



Consequences of Non-Compliance

Failure to comply will result in the following actions:

- **Legal proceedings** before competent international bodies and Indian and Hong Kong courts for violations of cultural heritage law.
- **Public advocacy campaigns** highlighting Sotheby's role in perpetuating colonial injustice and becoming a party to unethical sale of religious relics.

We urge you to uphold ethical standards and respect the sanctity of the Piprahwa relics. We are ready to discuss and negotiate with Mr Chris Peppe and Sotheby's for an amicable settlement in public interest.

Kindly acknowledge receipt of this notice and confirm compliance by **May 6, 2025, 4:00 PM IST**, via email: secy-culture@nic.in

-Sd- 
for Sec. MoC 
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On behalf of Secretary to the Government of India,
Ministry of Culture,
Government of India