

Preamble The Royal Ontario Museum (ROM; the Museum) collects and preserves art, culture, and nature. Historically, this collecting has included Indigenous Belongings sometimes acquired without the consent of descendant Indigenous Nations. These Belongings have enduring importance to Indigenous Peoples in Canada. This policy establishes guidelines for the return of Indigenous Belongings ROM is committed to “Chart a new path for how museums in Canada can engage even more meaningfully with Indigenous communities” (ROM Strategic Plan 2019, 11).

Policy & Rationale ROM recognizes that repatriation is an important institutional responsibility. The Museum considers all repatriation requests in accordance with Articles 11, 12, and 31 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) and consistent with the findings of the Truth and Reconciliation Commission of Canada’s *94 Calls to Action*.

The objective of this policy is to facilitate the return of Indigenous Belongings.

Guidelines

The Museum will:

- Consider and respond to all repatriation requests in a respectful and timely manner
- Formally respond to repatriation requests from Designated Indigenous Representative(s)
- Recognize Indigenous community-led processes, values, needs, and protocols as part of the repatriation process
- Provide reasonable, timely, and transparent access to Belongings and associated documentation to Designated Indigenous Representative(s)
- Notify other Nations that may reasonably be believed to have an interest in or legitimate claim to the Belongings in question
- When overlapping claims arise, provide time and information to support Nations in resolving claims through Nation-to-Nation diplomatic exchange, until the Museum is notified that a joint decision has been achieved
- Conduct the process with transparency
- Respect confidentiality unless asked to do otherwise by all Nations party to the process
- Document the repatriation process for archival purposes

Subject to Repatriation

- Sacred and/or ceremonial Belongings, as defined by the Affiliated Indigenous Nation
- Belongings deemed Cultural Patrimony/Matrimony as defined by the Affiliated Indigenous Nation

- Belongings acquired under Duress
- Belongings found to have invalid title

Applicability

A formal letter requesting repatriation from a Designated Indigenous Representative to the Director & CEO of the Royal Ontario Museum initiates a repatriation.

The scope of this policy pertains to Belongings from Indigenous Peoples in Canada and the United States of America, in recognition that many Nations' traditional territories straddle this international border.

Repatriation requests by Indigenous Peoples in other nations will be considered in the context of relevant international law and agreements, including UNDRIP.

When an Indigenous Nation proposes an alternative stewardship approach, the Museum will seek to collaboratively find a mutually agreeable arrangement.

Approval Levels

The repatriation of belongings in ROM's collection requires the approval of the Board of Trustees.

The status of all repatriation requests that have not been the subject of final approval by the Board will be communicated to the Board on a regular basis.

A copy of all formal requests regarding the repatriation of Indigenous belongings will be sent to the Director & CEO of the Royal Ontario Museum and the Deputy Director, Collections and Research and Chief Innovation Officer (DDCR-CIO). The DDCR-CIO will provide progress reports on the status of requests to the CER Committee of the Board of Trustees.

Explanation of terms

(in alphabetical order)

Belongings: (historically referred to as "objects," "artifacts," or "specimens,") tangible and intangible forms of cultural heritage under the Museum's stewardship, including objects of sacred and/or ceremonial function; Belongings deemed animate, such as drums, rattles, etc.; clothing, adornment, vessels, tools, works of art; audio and video recordings of Indigenous Peoples, their songs, dances, and other cultural activities; transcripts, sketches, photographs, maps, and anything that documents Indigenous traditional knowledge.

Cultural Patrimony/Matrimony: Belongings which have ongoing cultural, spiritual, and/or historical importance essential to the identity of an Indigenous Nation from which the Belongings in question originated, as determined by a Designated Indigenous Representative of a Nation. These Belongings may be collectively held and stewarded by a Nation.

Duress: situations in which Indigenous Belongings were obtained without free, prior, and informed consent. Within the Canadian context, “Duress” can be applied to the period spanning 1876 – 1951 during which Indigenous Peoples were subjected to extreme assimilationist policies under the Indian Act.

Affiliation: the relationship established to Belongings through geographic proximity or cultural expression and demonstrated through a preponderance of evidence, including but not limited to: lineal descent and kinship; oral histories and recorded histories; legal and archival documents; archaeological, anthropological, and linguistic research; expert opinion; or other relevant information.

Indigenous: First Nations, Métis, and Inuit peoples as defined in Section 35 of the *Canadian Constitution Act* (1982). Section 35 recognizes, affirms, and upholds existing rights and treaty rights for Indigenous Peoples in Canada. Rights recognition for each of the three defined Indigenous groups in Canada may be further defined by/for each group.

Indigenous Nation: a distinct community or sovereign group of First Nations, Métis, or Inuit peoples and their political leadership. Leadership may include elected and/or hereditary chiefs, band council, tribal council, or self-governing territorial governments, including subgroups deemed legitimate by the Nation.

Designated Indigenous Representative: The leader of the Nation, or a person(s) entrusted or appointed by the Nation with the responsibility to caretake the Belonging in question.

Date Approved
Amended

August 30, 2001
August 29, 2002 (*housekeeping changes*)
September 6, 2007 (*housekeeping changes*)
September 24, 2009 (*new language*)
November 15, 2012 (*no changes*)
March 26, 2015 (*no changes*)
June 25, 2018 (*amendments*)
October 15, 2025 (*new language*)

MONITORING

Adherence to Policy

Board: The Collections, Engagement and Research Committee will monitor management’s adherence to the policy.



BOARD POLICY

REPATRIATION OF INDIGENOUS BELONGINGS

Management: The Director & CEO and the Deputy Director of Collections and Research & Chief Innovation Officer will ensure that the Collections, Engagement and Research Committee has all the relevant information for determining adherence.

Policy Review

Method Internal Report

Responsibility Collections, Engagement and Research Committee

Frequency Every two years
