

REPATRIATION OF CANADIAN ABORIGINAL OBJECTS

Preamble

Museums play an important role in representing cultural heritage by preserving *objects* and related information and providing access to these through exhibitions, public programs, publications, and as research resources. Objects bear witness to history and represent tangible evidence of cultural heritage which is an inherent attribute of cultural identity. Objects may play a significant role in the understanding, appreciation, and preservation of cultural heritage and identity, and it is the aim of the Royal Ontario Museum (ROM) that all people have access to representation of their cultural heritage.

The ROM recognizes the uniqueness and distinctiveness of the cultures of the *aboriginal peoples of Canada*, and is committed to working with them with a view to the survival of their cultures. Where objects in the possession of the ROM may assist in advancing or preserving the culture of a Canadian aboriginal people, the ROM will endeavour to provide full access to those objects to them.

Policy

The ROM will

- Respect the cultures and beliefs of the aboriginal peoples of Canada and groups represented in its collections.
- Endeavour to provide full access by Canadian aboriginal peoples to those objects in the ROM's possession which may assist in the advancement or preservation of their culture.
- Treat aboriginal objects of cultural patrimony over which it exercises stewardship with the utmost care and respect.
- Give serious consideration to all requests from the aboriginal peoples of Canada for repatriating objects of cultural patrimony as well as consider alternatives to *repatriation* in negotiations between aboriginal groups and the ROM.
- Respond to all repatriation requests in a timely manner and take action within a reasonable time frame, treating each request with due respect and serious attention.
- Fully document and maintain indefinitely all requests for repatriation and negotiations pertaining to the repatriation of objects.

Applicability

The ROM recognizes that some objects may have been acquired in circumstances which render the ROM's title invalid. Based upon legal advice, objects with invalid title will be returned to the appropriate party. The scope of this policy is restricted to objects of cultural patrimony of the aboriginal peoples of Canada. Repatriation requests by aboriginal peoples of other nations will be considered in the context of relevant international law and agreements.

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Criteria

Every repatriation case is unique and requires special consideration. The ROM will:

- Decide on a case-by-case basis whether to return objects of cultural patrimony pursuant to a written request.
- Only consider repatriation request for objects of cultural patrimony, including but not limited to *burial objects* and *sacred objects*.
- Exercise due diligence in notifying other groups or individuals who it reasonably believes may have an interest in requests that are made for repatriation.
- Return burial objects from the graves of individuals or groups of individuals either to the identified descendents of the interred or to an *affiliated aboriginal group*.

Approval Levels

The repatriation of objects in the ROM's collection requires the approval of the Board of Trustees. Any alternatives to repatriation will also require the approval of the Board.

The status of all repatriation requests that have not been the subject of final disposition by the Board will be reported to the Board at least quarter yearly.

A copy of all inquiries regarding Repatriation of Canadian Aboriginal Objects will be sent to the office of the Deputy Director, Collections and Research (DDC&R). The DDC&R will notify the CER Committee of all requests for repatriation of said objects and provide progress reports to the Committee on those requests.

Explanation of Terms

affiliated aboriginal group: a relationship of shared group identity which can be reasonably traced between a present day person or group and an identifiable earlier group. Grounds for establishing cultural affiliations shall be: a preponderance of evidence based on geographical kinship, biological, archaeological, anthropological, linguistic, folkloric, oral tradition, historical and other relevant information, or expert opinion.

aboriginal peoples of Canada: includes the Indian, Inuit and Metis peoples of Canada.

burial objects: objects that as part of death rite or ceremony of a culture, were placed or reasonably believed to have been placed with an individual's human remains either at the time of burial or later.

objects: artifacts held in the ROM's collections.

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objects of cultural patrimony: objects which have significant historical, traditional or cultural importance central to the ongoing identity of the aboriginal group or culture in which the object originated. Objects of cultural patrimony, with the exception of certain burial objects, should not be considered the property of an individual but the property of an aboriginal people.

repatriation: the return of objects of aboriginal cultural patrimony held in the ROM's collections to the aboriginal peoples of Canada. Objects of aboriginal cultural patrimony include burial objects, sacred objects and other objects of significant and central historical, traditional or cultural importance to an aboriginal people.

sacred objects: specific ceremonial objects which are needed for the practice of traditional religions by their present-day aboriginal adherents.

Date Approved August 30, 2001
Amended August 29, 2002. (Housekeeping changes only)
September 6, 2007 (Housekeeping changes only)
September 24, 2009 (New language)
December 10, 2009 (Removal of language)
November 15, 2012 (no changes)
Next review 2015

MONITORING**Adherence to Policy**

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

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

Policy Review

Method Internal Report
Responsibility Collections, Exhibitions and Research Committee
Frequency Every three years (next review 2012)
