

## **Introduction to MOA's Guidelines for Repatriation**

The Museum of Anthropology (MOA) is committed to working respectfully with the originating communities from whom the Museum's collections have originated. Discussions regarding repatriation are governed by this principle. MOA considers all requests for repatriation seriously and on a case-by-case basis.

The Museum's mandate is to maintain objects purchased or donated by the public in a facility accessible by the public, to further research and education, and to offer assistance to originating communities regarding the preservation and display of collections in their possession. The Museum's work is guided by the recommendations of the Task Force report of the Assembly of First Nations and the Canadian Museums Association, "Forging New Partnerships Between Museums and First Peoples" (1992). The University of British Columbia governs the Museum.

In the repatriation process complex issues may arise. In many cases, for example, there may be no clear evidence, either oral or written, on the pathway that led the object to become housed in the Museum. The Museum therefore may involve the community and/ or individuals in the process of responding to a claim. We will consider a variety of options to meet the spirit and intent of a request, including special access to holdings, loans, exhibits, stewardship arrangements, sharing authority and responsibility for care and interpretation, replication or new creation of objects, and respectful storage and/or display of collections in accordance with the advice of the originating peoples.

The Museum will hold repatriation discussions in confidence until a joint resolution and public announcement are agreed upon.

## **Guidelines for Repatriation**

**Note: this is a working document, subject to revision. Last updated 2000.**

The Museum of Anthropology (MOA) at the University of British Columbia is a teaching and public museum which endeavours to promote understanding and respect for world cultures. MOA undertakes to balance its role as a teaching and research museum with a commitment to the appropriate care of the collections it houses. The Museum continues to pursue, in a respectful manner, a close and collaborative relationship with the originating communities of the collections and related materials connected to them. Throughout this, the Museum is guided by the Task Force report of the Assembly of First Nations and the Canadian Museums Association, "Forging New Partnerships Between Museums and First Peoples" (1992).

Repatriation is part of this process. The Museum's policies concerning repatriation are outlined in this document: "Guidelines on Repatriation of Canadian First Peoples' Cultural Materials housed in MOA " and the "Ethnology Collection Policy (available by request.)" It is also important to clarify that the UBC Museum of Anthropology is not formally part of the B.C. Treaty Commission Process as it is not a federal or provincial museum.

In the repatriation process complex issues often surface. In many cases there is not clear evidence, either oral or written, on the pathway that led the object to become housed in the Museum. In addition, the Museum is committed to the stewardship of objects purchased with public funds, and to a museum's potential as an educational and public facility. The Museum also acknowledges that all First Nations' material is part of the intellectual and cultural heritage of the respective First Nations. It is for reasons such as these that MOA considers all requests for repatriation of cultural materials on a case-by-case basis. Repatriation means recognizing people's stake in their heritage, which in practice can mean such things as negotiated return of objects and related cultural materials, and/or sharing authority and responsibility for care and interpretation of collections in the museum.

There are cases where it is clear that objects should be returned to a community - for example if they were illegally taken. In addition, MOA considers the return of cultural objects to individual families in cases where the objects are private and ceremonial, or left the family under dubious circumstances.

The Museum also has, however, an interest in maintaining objects purchased with public funds in a facility accessible by the public, and in offering assistance to ensure the long-term preservation of these objects. MOA is both committed to work collaboratively with First Nations to co-manage the care and custody of cultural objects housed in MOA, and to share our museum knowledge with other museums and cultural centres.

With repatriation requests, the Museum involves the community and/or individuals in the process of responding to the claim. We use our best efforts and consider all options available to meet the spirit and intent of a request. These may include special access to holdings, loans, exhibits, stewardship arrangements, replication of objects, and respectful storage and/or display of collections in accordance with the advice of the originating peoples.

The objects and options such as loans or replications are the tangible elements in a repatriation process. Equally important, however, are the intangible elements: the respect with which the process is conducted, the meaning of repatriation in the changing relationship between Museums and First Nations, and meaning to First Nations symbolized by the return.

#### **(A) Purpose**

The purpose of this policy is to:

- (1) Provide information on how to make a claim for repatriation of First Nations cultural materials in the UBC Museum of Anthropology's (MOA's) collection;
- (2) Explain how MOA processes a claim;
- (3) Outline alternatives to repatriation such as special access to collections, loans, and stewardship arrangements, within the limits of MOA's own resources and available funding.

#### **(B) Procedure for Repatriation Applications**

- (1) Requests for repatriation of cultural materials should be made in writing and addressed to the Director of the Museum of Anthropology. They should clearly identify the First Nation and/or individual(s) making the claim and state the reasons for the request.
- (2) Requests for repatriation will be acknowledged by the Director and then referred to a standing committee appointed by the Director for review as outlined below (see Standing Committee Procedures).
- (3) MOA will consider all requests for repatriation of cultural materials. In the event of conflicting claims MOA will inform parties that a conflict exists and defer decisions about repatriation until the conflict has been resolved.
- (4) The interests of the individual(s)/or community making the request will be foremost in the committee's consideration of the application. The Museum will make every effort to involve the community and/or individuals in the process of responding to the claim.

## **Standing Committee Procedures**

(i) This committee will review Museum records and all information received from the requestor(s) concerning the object(s) requested.

(ii) In the case of requests from First Nations individuals or organizations other than First Nations governing bodies, the committee will notify relevant First Nations governing authorities of the request and seek their advice.

(iii) The committee may advertise or take other necessary steps to identify other possible claimants.

(iv) The committee will evaluate the information and make recommendation to the Director for action.

## **(C) Human Remains**

There are no Canadian First Nations ancestral skeletal remains in the MOA ethnology collection. With respect to funerary objects and grave markers or other objects which may have been associated with human remains, MOA is guided by this policy document.

Some collections of human skeletal remains are present in the UBC Laboratory of Archaeology of the Department of Anthropology and Sociology, whose facilities are divided between MOA and the UBC Department of Anthropology/Sociology. These collections are managed by the Laboratory of Archaeology according to the policies of the Province of B.C. in Victoria. For information contact the UBC Archaeology Assistant at 604.822.5087.

## **(D) MOA's Guidelines for Repatriation**

(1) MOA will respond as quickly as possible to all requests for repatriation of cultural materials in its collections.

(2) MOA will use its best efforts and consider all options available to meet the spirit and intent of a request. These may include special access to holdings, loans, exhibits, stewardship arrangements, replication of objects, and respectful storage and/or display of collections in accordance with the advice of the originating peoples (peoples from whom the collections came).

(3) While MOA recognizes that First Nations are governed by their own traditions and policies, MOA's negotiating position is guided by Canadian law and international agreements signed by Canada, and by the governing body of UBC.

(4) In accordance with UBC procedures, any decision by the Museum of Anthropology to remove the object(s) permanently from the collection must be confirmed by the senior levels of university administration to which the Museum reports: by the Dean of Arts, Vice-President Academic, President, and ultimately the Board of Governors of UBC. Anyone wishing to appeal a decision by the Museum can use the same route to submit an appeal.

(5) MOA is also guided by professional museum Codes of Ethics, \* and the 1992 report "Turning the Page: Forging New Partnerships Between Museums and First Peoples" (Assembly of First Nations and the Canadian Museums Association Task Force Report on Museums and First Peoples), which MOA has endorsed.

## **(E) Related Information**

(1) A primary mandate of the UBC Museum of Anthropology is to provide access to objects and information about cultures from around the world, with priority given to the achievements and concerns of the First Nations and British Columbia's cultural communities.

(2) One purpose of this policy is to acknowledge that an integral part of MOA's definition as a museum is the priority of creating and furthering partnerships with the peoples from whose communities the collections originate.

(3) In cases where loans rather than repatriation are requested, or in cases where a repatriation agreement is not reached, MOA will make every effort to provide First Peoples with access to collections, guided by the MOA Collection Policy.

(4) Detailed information on MOA's Repatriation Policy is contained in MOA's Ethnology Collection Policy. A copy of this document can be obtained by contacting:

Assistant to the Director.  
UBC Museum of Anthropology  
6393 N.W. Marine Drive  
Vancouver, B.C. Canada V6T 1Z2

Tel 604.822.5052  
Fax 604.822.2974  
Email info@moa.ubc.ca

(5) MOA will endeavor to consult with originating communities on the storage, care of, and access to culturally sensitive materials, and welcomes community initiatives in these areas.

(6) Negotiations concerning culturally sensitive material will be conducted with professional discretion.

(7) The Museum will, within the limits of its own resources and available funding, offer originating peoples technical assistance in areas of museum practice such as care, preservation, and exhibition of objects, and collections management. Such assistance may encompass advice and opportunities for training.

(8) Museum staff will endeavor to answer requests for information about objects in the collection as quickly as possible.

MOA's Guidelines on Repatriation of Canadian First Peoples' Cultural Materials housed in MOA was first drafted in August 1995 and revised in January 2000.

### **Notes**

1. Canadian Museums Association, *The Ethical Behavior of Museum Professionals*, 1979
2. Code of Ethics and Guidance for Practice for Those Involved in the Conservation of Cultural Property in Canada, 2nd ed., The International Institute for Conservation-Canadian Group, The Canadian Association of Professional Conservators, 2nd ed., 1988.