

Canadian Museum of History

REPATRIATION POLICY

1. TITLE

Repatriation Policy

2. INTRODUCTION

The Canadian Museum of History (CMH) is a federal Crown corporation established by the Museums Act, with responsibility for two national museums: the Canadian Museum of History and the Canadian War Museum. In addition, the Corporation administers the national investment program, Digital Museums Canada, and the online Virtual Museum of New France.

Use of the terms “the Museum” and “the Corporation” in this document refer to the Canadian Museum of History as a corporate entity and encompass both the Canadian Museum of History and the Canadian War Museum.

3. EFFECTIVE DATE

This Policy was endorsed by the Senior Leadership Team and was approved by the President and CEO of the Canadian Museum of History on February 3, 2026, taking effect the same day.

4. POLICY OWNER

The Vice-President, Reconciliation, Engagement, and Government Affairs is the Policy Owner of this *Repatriation Policy*.

5. APPLICATION

This policy applies to all employees of the Museum who work with, exhibit, provide access to, or document Indigenous cultural material and belongings; internal and external researchers, and Indigenous communities/community members who request cultural material and belongings for repatriation.

This policy applies to ancestral remains and burial materials, cultural material and belongings of Indigenous origin including ethnographic and archaeological material, and records associated with these at the Canadian Museum of History and Canadian War Museum.

This policy does not apply to Indigenous contemporary art made for sale by Indigenous artists or commissioned by the Museum for exhibition or other purposes.

6. DEFINITIONS

Archaeological material: Human manufactured objects or natural objects altered by human activity, the detritus of manufacture (e.g., lithic flakes), associated natural specimens, etc., found on or beneath the surface of the ground.

Canadian Museum of History

REPATRIATION POLICY

Associated records: Records in any medium related to ancestral remains and Indigenous cultural material in the Museum, including collectors' notes, catalogue records, photographs, and audio-visual records, and published or unpublished research notes and reports.

Custodial Arrangement Agreement: Primarily a mechanism of the treaty process, an agreement between the Museum and an Indigenous government, providing for the sharing of possession of belongings in the Museum collection by the Museum and the Indigenous government.

Burial materials: Items placed in direct association with a grave as a part of a burial rite or ritual.

Cultural material/belongings: For the purposes of this policy, cultural material includes ethnographic and archaeological material, and associated records. 'Belongings' is a term preferred by many Indigenous communities and is often used in place of 'cultural material'. Wherever possible, the Museum will use the preferred term of the relevant Indigenous government or person in discussion, transfer, and related documents.

Descendant communities: A group of people whose ancestors lived in a particular location associated with belongings and/or Indigenous ancestral remains.

Ethnographic objects: Belongings, other than archaeological material, originating with and/or used by members of an Indigenous community, illustrative of the culture at a particular period, and acquired by the Museum or other collectors from living Indigenous people.

Human remains: The whole or any part of a deceased human being.

Indigenous ancestral remains: The physical remains of an Indigenous person from whom a person or persons is/are descended.

Indigenous cultural patrimony/matrimony: Indigenous cultural material that through its historical, traditional, or cultural importance to an Indigenous group cannot be individually owned or alienated.

Shared Authority Agreement: An agreement that recognizes the knowledge and lived experience of the Indigenous partners to the Agreement and the preservation and stewardship role of the Museum. Shared Authority requires the cultivation of trust, the development of collaborative relationships and shared decision-making. Shared Authority Agreements may outline shared decision-making related to access, use, and possession of cultural material at the Museum.

7. CONTEXT

The purpose of the Museum under its enabling legislation, the *Canadian Museum of History Act*, is to "enhance Canadians' knowledge, understanding and appreciation of events, experiences, people and objects that reflect and have shaped Canada's history and identity, and also to enhance their awareness of world history and cultures." This includes in respect of Indigenous peoples in Canada.

The collections in the Museum's care date back to 1856 with the Geological Survey of Canada (GSC). Systematic collecting from Indigenous peoples began in 1910, with the establishment of a formal Anthropology section within the GSC to document the histories and cultures of Indigenous peoples. Collections represent communities in every province and territory, as well as a small percentage from outside Canada.

Canadian Museum of History

REPATRIATION POLICY

What was known as the 'Ethnology collection' was developed through purchase, donation, and occasional international exchange, by geological surveyors, museum anthropologists, medical professionals, missionaries, government agents, and professional collectors, among others. A sizable proportion of ethnographic objects was collected by ethnologists carrying out research in Indigenous communities between 1889 and 1940. The Museum recognizes that the relinquishment of belongings was often done under duress and as a result of restrictive colonial practices. The Museum is working to prioritize their proactive return.

Collecting continues today, primarily in the form of contemporary art and craft, and in collaboration with Indigenous artists and communities.

Archaeological material held by the Museum is associated with research that was carried out by staff, contract, and other archaeologists both historically and more recently. Until the 1980s, the Museum was the designated repository for archaeological material uncovered during fieldwork under permit in the provinces and territories. The acquisition of archaeological material has more or less ceased, with the exception of some items collected in Ontario. Archaeological excavations continue to be undertaken with, and in, Indigenous communities.

Human remains came into the Museum through archaeological collecting, and donation by private collectors, amateur anthropologists, natural scientists, police organizations, etc. The Museum acknowledges past colonial collecting practices that resulted in the acquisition of Indigenous ancestral remains and the harm to Indigenous communities caused by their excavation and removal. The Museum has not acquired Indigenous ancestral remains for decades and actively works with Indigenous communities for the return of ancestral remains. The repatriation of human remains is a priority for the Museum.

The Museum has been undertaking repatriation since the 1970s and works both reactively and proactively to return belongings and ancestral remains to Indigenous community members and/or governments across the country. A small number of international repatriations have been undertaken to date. Repatriation is a priority for the Museum and is underscored by the Museum's Framework for Indigenous Relations and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Museum recognizes the rights of Indigenous people to the repatriation of their ancestral remains and to control their cultural heritage.

The Museum undertakes repatriation in several ways. Every request for repatriation received is given consideration on a case-by-case basis. Proactive repatriation is guided by a five-year plan that includes repatriation of ancestral remains as the top priority. A team of Repatriation researchers reviews provenance and acquisition details from the time of the Museum's founding onwards to respond to requests and identify items for proactive repatriation. Repatriation, custodial arrangement agreements, and other measures form part of federal treaty and self-government negotiations across the country. As a federal Crown corporation, the Museum participates in tripartite discussions alongside federal, provincial, and Indigenous governments and returns cultural material through that process. The Museum's Sacred Materials Project, on-going since 1993, facilitates on-site visits by Indigenous community members to identify sacred material housed at the Museum, advise on traditional care and handling, undertake appropriate ceremonial care, and discuss repatriation. A dedicated storage and ceremonial space allows for respectful and appropriate traditional care, visits, and repatriation discussions.

Canadian Museum of History

REPATRIATION POLICY

8. PURPOSE

This policy provides guidance for the repatriation of Indigenous ancestral remains and Indigenous cultural material housed at the Museum. It aims to ensure that Indigenous rights are respected and that the Museum's repatriation activities are in alignment with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

9. POLICY DETAILS

I. Repatriation Requests

Any written request for repatriation will be considered in keeping with this Policy, the Museum's Framework for Indigenous Relations, and articles 12 and 31 of the United Nations Declaration on the Rights of Indigenous Peoples. Requests should be addressed to the Director, Repatriation and clearly outline the scope of items requested for return and the relationship of the requestor to the belongings requested.

Repatriation requests may be considered as:

- Independent requests from individual Indigenous persons asserting a family, clan, or lineage connection to the Indigenous cultural material in question;
- Indigenous governments in the context of modern treaty negotiations comprising comprehensive land claims or Indigenous self-government agreements;
- or as requests from Indigenous governments or their designated organizations or institutions outside the treaty process.

The Museum will undertake efforts to advance discussions so as not to unduly delay repatriation. The potential for competing or overlapping claims will not prevent a repatriation request from being considered.

The Museum will work to address any potential competing claims to cultural material as part of the research process. Where there is an asserted or potential competing claim, the Museum will, in collaboration with the requestor, identify and ensure notification to implicated or potentially implicated parties. Requests for cultural material or Indigenous ancestral remains which may be the subject of overlapping or competing claims will require written confirmation from the implicated Indigenous governments that the claim has been resolved.

The Museum will provide resources to facilitate the resolution of overlapping or competing claims. Where requested and appropriate, the Museum may relocate cultural material for the purposes of discussion, fund travel for collaborative discussion purposes, and/or make other arrangements.

Repatriation requests will be recommended by the Director, Repatriation to the Vice-Presidents of Reconciliation, Engagement, and Government Affairs, and Research, Collections, and Exhibitions, for proposal to the President and CEO for approval.

A list of ancestral remains, burial material, and/or belongings proposed for deaccession under the terms of a treaty or self-government agreement with an Indigenous government will be presented to the Vice-Presidents, Reconciliation, Engagement, and Government Affairs, and Research, Collections, and Exhibitions, and President and CEO for approval prior to the presentation of the draft Treaty (or chapter thereof) or Self-Government Agreement to the Federal Caucus for review.

Canadian Museum of History

REPATRIATION POLICY

II. Criteria for Repatriation

Where a request has been received and reviewed by the Director, Repatriation, the Museum will consider repatriation in the context of the following:

- The historical relationship of the requestor(s) to the Indigenous ancestral remains, burial material, or belongings concerned;
- The conditions under which they were acquired by the Museum;
- The character of the material, i.e. whether they meet the criteria set out below; and
- Whether there are any overlapping, competing, or complementary claims from other groups, individuals, or governments.

The Museum will consider the following for repatriation, if demonstrably linked to the Indigenous government or individuals making the request:

- Indigenous ancestral remains
- Burial materials
- Belongings associated with shamanic, sacred, ritual, religious, or ceremonial cultural practices
- Indigenous cultural patrimony/matrimony including property owned in common
- Items acquired illegally, including under conditions of theft or trespass
- Items of cultural significance, due to their uniqueness or importance by virtue of their artistic merit(s), rarity, or association with important persons or known ancestors

III. Repatriation Costs and Arrangements

Costs to repatriate ancestral remains or belongings from the Museum will be borne by the Museum. These include costs for conservation, packing, shipping/transportation and insurance, and travel by a designated number of Indigenous representatives to escort their ancestors or belongings home from the Museum, or for Museum staff to travel with repatriated ancestors or belongings on their return journey.

Costs to be covered by the Museum will be discussed and agreed to by all parties prior to the repatriation.

IV. Associated Documentation

Representatives of the Indigenous governments, individuals, or their designated organizations to whom repatriated cultural material or belongings will be returned will have decision-making authority over whether the Museum undertakes its standard outgoing research or exit documentation usually completed prior to repatriation.

Original records will be retained by the Museum, with copies of all records pertaining to the repatriated ancestors or belongings provided to the requestor. Access to documentation and records related to repatriated ancestors or cultural material (e.g. photographs, catalogue, and archival records, etc.) remaining at the Museum will be determined in consultation with the community representative and appropriate restrictions (if any) put in place post-repatriation. Processes for approvals for access will be determined through collaborative discussion between the Director, Repatriation and the community representative.

Canadian Museum of History

REPATRIATION POLICY

Details related to any restrictions on documentation both internally and externally, and conditions, permissions, etc. for access to images and records related to repatriated material will be clearly recorded in the Museum database and shared with the relevant Museum departments. Restrictions and/or processes for access to images and documentation advised by the community representative will be articulated and agreed to in the repatriation transfer agreement.

V. Donations

When cultural material offered for sale or donation would be eligible for repatriation under the criteria set out in this policy, the Museum will decline the donation and redirect the would-be donor to representatives of the appropriate Indigenous government, or in the cases of archaeological material, to the relevant territorial or provincial authority.

VI. Associated Materials

Casts and other replicas (including digital scans) of Indigenous ancestral remains and burial material in the care of the Museum are eligible for return. Where casts and replicas are not desired as part of the repatriation request, they will remain in the Museum collections and access will be determined by the requestor.

Excavated material directly associated with ancestral remains or burial material (soil, faunal material, etc.) will be included in the repatriation, as well as any samples remaining from testing.

VII. Research

Research on Indigenous ancestral remains, burial material, or Indigenous belongings is guided by the CMH Human Remains Policy, and Research Policy.

VIII. Pre-return testing

Historical preservation practices often included the use of chemicals that are now known to be harmful to human health. As part of the repatriation process, the Museum will propose to undertake non-invasive, non-destructive, testing on belongings in order to share with the recipient the potential risks, if any. If testing is not desired by the requestor, the Museum will not undertake testing. The transfer documents will include whether or not testing has been undertaken and any potential risks.

IX. Shared Authority and other agreements

Decision-making authority and control over cultural material housed at the Museum can be exercised in ways beyond repatriation. Cultural material may be addressed by means of shared authority agreements or custodial arrangement agreements negotiated from time to time between the Museum and the Indigenous government or designated organization, as resources permit. Collaborative agreements between the Museum and the relevant Indigenous government can guide access to and use of cultural material while at the Museum. Flexible arrangements like long-term loans or relocation of collections to other regions are available. Shared authority and other agreements do not preclude future repatriation discussions.

X. International repatriation

While this policy is primarily focused on Indigenous communities within Canada, the Museum is committed to the repatriation of ancestors and belongings to Indigenous peoples outside the country.

Requests for repatriation from Indigenous peoples outside of Canada will be considered in accordance with international agreements between those nations and Canada, and/or, in accordance with specific agreements which may be made between the Museum and museums in other nations. In the absence of such agreements, the Museum will consider requests from Indigenous peoples in other nations in accordance with the terms of this policy and, wherever possible, will work directly with Indigenous peoples and their representative bodies.

The Museum recognizes that international borders divide some Indigenous nations. In those cases, the Museum will work closely with the relevant Indigenous government(s) to ensure that repatriation is undertaken holistically and respectfully to minimize the challenges of the international border. Costs to be covered by the Museum will be discussed and agreed to by all parties prior to the repatriation.

10. ROLES AND RESPONSIBILITIES

The **President and CEO** is responsible for approving the deaccessioning of items proposed for repatriation. The **Vice-President, Reconciliation, Engagement, and Government Affairs** will bring forward proposals to the President and CEO for discussion and deaccession in consultation with the **Vice-President, Research, Collections and Exhibitions**.

The **Vice-President, Reconciliation, Engagement and Government Affairs** is responsible for ensuring this Policy remains in line with ethical and legal obligations related to repatriation and Indigenous rights.

The **Director and Supervisor of Repatriation** are responsible for the review and recommendation of repatriation requests and the preparation of documentation for CEO consideration on deaccession and repatriation requests.

Employees of the Library, Archives, and Documentation, Collections, and Repatriation and Indigenous Relations are responsible for ensuring that post-repatriation restrictions on records, documentation, and photographs related to repatriated human remains and/or Indigenous cultural material are implemented and respected.

11. IMPLEMENTATION

This Policy will be implemented by the Repatriation division.

This Policy should be read in conjunction with:

CMH Framework for Indigenous Relations (2020)

CMH Human Remains Policy (2026)

CMH Research Policy (2026)

Canadian Museum of History

REPATRIATION POLICY

12. REFERENCES

Truth and Reconciliation Commission Final Report
https://publications.gc.ca/collections/collection_2015/trc/IR4-8-2015-eng.pdf

United Nations Declaration on the Rights of Indigenous Peoples
https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

CMH Framework for Indigenous Relations (2020)

CMH Human Remains Policy (2026)

CMH Research Policy (2026)

13. PUBLICATION

This Policy will be posted both internally and externally on the Museum website.

14. SUPERSEDED VERSIONS

This policy supersedes:

Former policy(ies)	Version number	Version date	President & CEO approval date
CMH Repatriation Policy	1	May 1, 2001	

15. MONITORING

The Director, Repatriation is responsible for reviewing and updating the policy and will monitor its implementation and application, including reporting on challenges to the Vice-President, Reconciliation, Engagement and Government Affairs.

16. CONSEQUENCES OF NON-COMPLIANCE

In non-compliance with this Repatriation Policy, corrective measures may be applied, ranging from training to removing delegated authority, to disciplinary action including suspension, or any combination of these.

17. REVIEW

This policy shall be reviewed within three years by the designated authority in the Reconciliation, Engagement and Government Affairs branch.

18. ENQUIRIES

Please address any questions about this policy to the Vice-President, Reconciliation, Engagement and Government Affairs.