



Right to Repatriation of ceremonial objects and human  
remains under the UN Declaration on the  
Rights of Indigenous Peoples

A Seminar in support of the United Nations Expert Mechanism  
on the Rights of Indigenous Peoples

University of British Columbia  
Vancouver, British Columbia, Canada  
March 4-5, 2020

**Carine Ayélé Durand**  
**Ethnographic Museum of Geneva**

**Un musée**  
**Ville de Genève**

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# Panel 6

## Good practices

- What makes for a successful repatriation process and relationship?
- How have indigenous peoples, states, and museums worked effectively together?
- What happens when sacred items and human remains return home?
- How do museums and indigenous peoples work together in productive ways?



1. Strategic Plan 2020-2024
2. Repatriation
3. Relationships



## VISION

Investigate both equitable exchanges  
and interculturality from a translocal  
perspective.



## MISSION

Challenge cultural assumptions, practices and representations with the aim of facilitating decolonization while directing attention to the future.



# REPATRIATION

Séance CA du 30.07.2014 :

## CONSEIL ADMINISTRATIF

M. Kanaan  
 Mmes Bachmann  
 Koelliker  
 Gressot  
 M. Moret  
 Mme Wiedmer  
 M. Wastlau  
 Mme Colombo-Dougoud

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Dossier



VILLE DE  
 GENEVE

Ministry for Culture and Heritage  
 Hon Christopher Finlayson  
 Minister for Arts, Culture and Heritage  
 Manatū Taonga  
 ASB House  
 101 The Terrace  
 Wellington 6145  
 New Zealand

Wednesday, 30th July 2014

Final restitution of the mokamokai (ref. 024 584) lent by the Musée d'ethnographie de Genève to the National Museum of New-Zealand, Te Papa Tongarewa, by Agreement of 20th May 1992

Dear Mr. Minister,

Following various exchanges over the last years between the Te Papa Tongarewa, the Musée d'ethnographie de Genève (MEG), the New Zealand Permanent Mission in Geneva and the Swiss Federal Office of Culture, we are pleased to inform you that the members of Geneva City Council have unanimously approved to return the mokamokai (ref. 024 584) to the Maori people.

Since the 20th May 1992 Agreement, the mokamokai has been preserved in the Te Papa's Wahi Tapu on a long-term loan basis. As from today, it is scored out of the MEG's collections and officially returned to the Manatū Taonga.

Hoping this contribution to the Karanga Aotearoa Program will send a strong signal to other States, we remain yours sincerely

ON BEHALF OF THE CITY COUNCIL

The Director General :

Jacques Moret

The Mayor :

Sami Kanaan

Copy to : Messrs. Michael Houlihan and Arapata Hakiwai



### LEAN FOR THE AGREEMENT

This Agreement made this 20th day of May 1992

by and between

Musée d'ethnographie de Genève (hereinafter referred to as Lender)

and

National Museum of New Zealand or its successor, Wellington (hereinafter referred to as Borrower)

### WITNESSES

WHEREAS, Lender is the owner of the Mokamokai (tattooed head) which carries no. 27 584 of Lender's Inventory list (hereinafter referred to as Mokamokai); WHEREAS, Borrower desires to borrow the aforesaid Mokamokai for a period of at least seven years; and WHEREAS Lender usually does not lend objects for such extended periods of time and departs from his long standing policy only because he is aware of a special nature of mokamokai, which are not ordinary cultural artifacts, but human remains, and because he is aware that the name of the person who has been tattooed while still alive is often still in

NOW, THEREFORE the parties do hereby agree as follows:

- Lender lends to Borrower the Mokamokai for a term of seven years starting on May 1, 1992.  
 Borrower may ask Lender by registered mail addressed to or before March 31, 1999 for a renewal of this Agreement for a second seven year term. Lender will inform Borrower within 30 day after the receipt of Borrower's request for a renewal whether or not this renewal will be granted.  
 The aforesaid renewal procedure shall be applicable also at the end of the second seven year term and at the end of any following seven year term.
- Borrower ensures that the Mokamokai will be handled with care and that all measures of security are ensured.
- Borrower shall label the Mokamokai as a object borrowed from the Musée d'ethnographie de Genève.
- Borrower is fully responsible to Lender for all damage or depreciation of the Mokamokai resulting from intentional or involuntary influence during the whole term of this Agreement including during transportation. Borrower undertakes to insure Lender immediately of any damage or of the loss of the Mokamokai.
- The costs for packing insurance and transport both ways shall be borne by Borrower.
- The rights and obligations under this Agreement may not be transferred or assigned without a written consent of the other parties.
- All terms of this Agreement shall be binding upon and inure to the benefit of and be enforceable by the successors and assigns of the parties.
- This agreement shall be governed by and construed in accordance with the laws of Switzerland.
- All disputes arising out of or in connection with this Agreement shall be exclusively resolved by the ordinary courts of Geneva (Switzerland).

IN WITNESS WHEREOF the parties have caused this Agreement to be signed by their duly authorized representatives this 20th day of May 1992 in four copies.

Alan R. BROWN, Director  
 National Museum of New Zealand

Louis REDON, Director  
 Musée d'ethnographie de Genève (Switzerland)

1896  
 1991  
 1992  
 2009  
 2014

## RELATIONSHIPS



Helen Ganalmirriwuy and Ruth Nalmakarra, two Aboriginal women artists from the Milingimbi Art and Culture Centre, Rosita Holmes coordinator of the centre and Louise Hamby of the Australian National University visit the MEG storage facilities. September 2018



Workshop/seminar held with Museum Staff, September 2018



## RELATIONSHIPS



Roberta Colombo Dougoud consulting with elders at the Milingimbi Art and Culture Centre. April 2019

Milingimbi Art and Culture Centre's general database. April 2019





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## Acknowledgements

Many thanks to The City Council of Geneva, Boris Wastiau, Helen Ganalmirriwuy, Ruth Nalmakarra, Rosita Holmes, Louise Hamby, Roberta Colombo

Reproduction of photographs: Courtesy of Johnathan Watts, Jo  l Fuchs, Lucie Monot, Roberta Colombo, Rosita Holmes



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