

Bata Shoe Museum Repatriation Guidelines

I. Introduction:

The Bata Shoe Museum (BSM) is committed to building meaningful, long-term and reciprocal relationships with Indigenous communities. The museum recognizes and respects the sovereignty and traditions of Indigenous communities. The museum will work towards integrating Indigenous expertise and guidance when it comes to the stewardship and care of Indigenous ancestral belongings. BSM recognizes that the repatriation of belongings to source communities, families, individuals and institutions is integral to this process.

As each repatriation request is different, the guidelines below will be adapted and changed as needed. In each individual case of repatriation, the museum will respect the guidance of the communities, families, individuals and institutions with which it collaborates. The guidelines may be applied to requests from any cultural community and will be adapted on a case-by-case basis.

Indigenous material culture in BSM's collections will be referred to as "belongings" in keeping with the Canadian Museums Association's (CMA's) Moved to Action report. BSM also recognizes that some communities prefer the term "rematriation" rather than "repatriation" and will respect requestors' wishes.

Whenever BSM collaborates with Indigenous elders, knowledge keepers and leaders to advise the museum on repatriating cultural belongings, it will ensure that these individuals are given an honorarium for their time and expertise.

II. Repatriation process:

(a) The community, family, individual or institution submitting a claim should contact a BSM curator and/or Director to confirm that BSM holds a community's cultural belongings;

this could involve visiting the museum. BSM will ensure that Indigenous communities have prioritized access to its collections. They will be welcomed by BSM curatorial staff to view BSM collections and identify their relevant belongings.

(b) Upon confirming that BSM does hold a community's cultural belongings, that community, family, individual or institution may submit a repatriation request in writing.

(c) In the spirit of transparency and honesty, BSM will share the provenance of these belongings, and any attendant research, images or documents with those submitting the claim.

(d) BSM will communicate the repatriation request to other potential claimants by publishing the request on the BSM website for 30 calendar days, during which time others are welcome to submit a competing request.

(e) BSM is a private museum and charitable organization established under laws governing charities in Canada. The governance body for the Museum is the Board of Directors. The deciding body on behalf of the Museum on all repatriation requests will be the Board of Directors. BSM staff will submit the repatriation request along with relevant documentation in a written report to the Board of Directors for review.

(f) The Board of Directors will assess repatriation requests on a case-by-case basis, and consider but not limit itself to the following criteria:

- Any Indigenous belongings that the museum holds legal title to that Indigenous individuals, families or communities have identified for repatriation
- Any Indigenous belongings in the museum's collection obtained under illegal or unethical circumstances
- Sacred or ceremonial belongings
- Ancestors and burial materials
- Generally, BSM considers belongings commissioned by the museum to be ineligible for repatriation but are open to discussion

(g) If the Board of Directors approves a repatriation request:

- BSM and the claimant will develop a written plan and agreement for the return or care for the belongings.
- BSM will deaccession the belongings according to the deaccessioning policy
- If appropriate the BSM will take detailed, high resolution, publishable, photographs of the belongings to be repatriated, as determined by the Director. The BSM will retain all copyright in any images of the belongings to be repatriated which were created by or for BSM prior to the effective date of repatriation. The BSM may grant a non-exclusive copyright license in images of the belongings being repatriated to the claimant, or anyone else, on such terms as are determined by the BSM. Documentation pertaining to the repatriation shall ensure that the claimant is aware of and agrees to the retention of copyright by BSM as referred to above as well as the terms of the non-exclusive copyright license granted to the claimant.

(h) If the Board of Directors does not approve a repatriation request, the Board is open to:

- Meeting with the claimant and consider additional information concerning the repatriation to see if a compromise can be found.

III. In all cases the BSM will:

(i) Respond to repatriation requests in a timely manner, and treat all requests with the utmost care and sensitivity, respecting the authority, sovereignty, and privacy of the source community, family, individual or institution submitting the request.

(j) Respect and accommodate all spiritual, ceremonial, and handling practices required during the repatriation process.

(k) Provide Indigenous peoples with access to the museum's Indigenous holdings and records, including digital copies, at no charge.

(l) Document and archive all repatriation requests and negotiations.

(m) Remain open to developing cooperative stewardship agreements with Indigenous communities, families, and individuals in the event that the repatriation of belongings is not desired.