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Te Papa Tongarewa

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RECEIVED

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Tēnā koe, e te rangatira, e Anaru

RE: ANCESTRAL HUMAN REMAINS

We were very pleased to welcome Dr Lissant Bolton to the Museum of New Zealand Te Papa Tongarewa on 14 September 2007. We had a productive meeting with a wide-ranging discussion and much of this is covered in the very positive draft report, a copy of which I received in early January.

There are a couple of points that I should perhaps address.

In para. 2, p. 5 of the report Dr Bolton states that 'The Repatriation Unit at Te Papa argued that they are in the best position to research remains. However, not all the people I spoke to would hold that position.'

What this statement lacks is any recognition that Te Papa is the officially mandated agency in New Zealand for the repatriation of ancestral remains.

The Guidelines prepared by New Zealand's Ministry of Culture and Heritage for Ministry of Foreign Affairs and Trade officials (copy enclosed) provide the following background information:

In May 2003, the New Zealand government approved a repatriation policy for kōiwi tangata Māori. At the same time, the Museum of New Zealand Te Papa Tongarewa was authorised to be the Crown's agent to undertake repatriation work and is funded for this work.

There are several reasons for government's decision to authorise Te Papa to act as the Crown's agent for repatriation. Te Papa has been working in the area of repatriation for a number of years. Institutional knowledge and expertise has developed through Te Papa's involvement in repatriation work, and given the sensitivity of the issue, is best conducted on an institution-to-institution basis. Institutions are more likely to engage in fruitful dialogue with Te Papa. Consultation with iwi (Māori or Moriori) through hui wānanga (meetings) and repatriation projects has indicated support for Te Papa to undertake this work.



It should be noted that:

1. the original impetus for repatriation came from very senior Māori leaders and tribal elders, Māori museum professionals and Māori members of Parliament;
2. no other organisation has the mandate from or is funded by the government, or possesses the accumulated experience, or enjoys the confidence of the wider Māori community to undertake this work;
3. no other organisation has a dedicated team of six people whose job it is to undertake research and make the appropriate arrangements for the repatriation of Māori ancestral remains;
4. the Repatriation Team operates and services a high-powered Repatriation Advisory Panel, consisting of some of the most senior representatives of the Māori community, and this meets several times a year at Te Papa.
5. Te Papa is required to host regular nationally representative gatherings of the tribes to discuss repatriation issues.

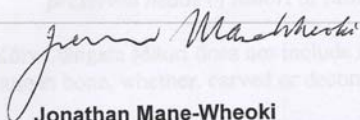
Members of the Repatriation Team and the Repatriation Advisory Panel are conversant with the whole range of Māori attitudes including negative views held by a minority of Māori staff within the museum, reflecting views in the wider Māori community.

As Dr Bolton notes, most Māori she consulted were in favour of repatriation, irrespective of the circumstances in which the kōiwi became cultural commodities to be traded with Europeans. Ancient enmities amongst tribes have diminished to the point where the respectful repatriation of the remains of people who they originally sought to degrade (note that in the customary Māori belief system, the head is the most tapu part of the body) is very much wanted in order to complete the process of reconciliation and closure to one of the blackest episodes in New Zealand's history.

Last year Te Papa's Repatriation Team oversaw the return of ancestral remains from Aberdeen, Canberra, Hobart, Chicago, London and other centres in the United Kingdom. The provenance of many of the kōiwi had yet to be established but where the provenance is known, Te Papa is facilitating their return to their iwi. Otherwise, the ancestral remains are held in secure and ritual conditions in *wahi tapu* (store rooms under sacred restrictions) within the museum. We very much hope that our record on repatriation, and arrangements, may encourage the British Museum to release its holdings of Māori ancestral remains to our care as soon as possible.

Please do not hesitate to contact me should you require further clarification. My e-mail address is: jonathanm@tepapa.govt.nz

Ngā mihi, na



Jonathan Mane-Wheoki
DIRECTOR ART AND COLLECTION SERVICES



**GUIDELINES FOR MINISTRY OF FOREIGN AFFAIRS AND TRADE
GOVERNMENT POLICY ON REPATRIATION OF
KŌIWI TĀNGATA MĀORI/MĀORI ANCESTRAL REMAINS**

INTRODUCTION

From time to time, overseas posts of the Ministry of Foreign Affairs and Trade are approached by public institutions regarding the repatriation of Māori ancestral remains (kōiwi tāngata Māori) to New Zealand. This paper outlines the government policy for repatriation of kōiwi tāngata Māori and provides guidance on how overseas posts should respond to an offer to return ancestral remains.

BACKGROUND

In May 2003, the New Zealand government approved a repatriation policy for kōiwi tāngata Māori. At the same time, the Museum of New Zealand Te Papa Tongarewa was authorised to be the Crown's agent to undertake repatriation work and is funded for this work.

There are several reasons for government's decision to authorise Te Papa to act as the Crown's agent for repatriation. Te Papa has been working in the area of repatriation for a number of years. Institutional knowledge and expertise has developed through Te Papa's involvement in repatriation work, and given the sensitivity of the issue, this work is best conducted on an institution-to-institution basis. Institutions are more likely to engage in fruitful dialogue with Te Papa. Consultation with iwi (Māori or Moriori) through hui wānanga (meetings) and repatriation projects has indicated iwi support for Te Papa to undertake this work.

Te Papa has established a kōiwi tāngata Māori policy to ensure that repatriations are undertaken in a culturally appropriate manner. The kōiwi tāngata Māori policy provides a comprehensive framework for the management and care of kōiwi tāngata Māori in Te Papa's guardianship, and provides guidance for Te Papa in repatriation work.

GOVERNMENT ARRANGEMENTS FOR REPATRIATION

Definition of Kōiwi Tāngata Māori

For the purposes of repatriation of kōiwi, the term 'kōiwi tāngata Māori' means:

"any part of the human body (skeletal or soft tissue) of Māori or Moriori origin, which is in an unmodified state since death. This includes all Toi Moko which are tattooed, preserved heads of Māori or Moriori origin".

Kōiwi tāngata Māori does not include items that have been modified entirely or partly from human bone, whether carved or decorated.

Kōiwi Tāngata Māori Principles

The repatriation policy for kōiwi tāngata Māori is governed by six principles:

- the government's role is mainly one of facilitation - it does not claim ownership of kōiwi tāngata Māori;

GUIDELINES FOR NEW ZEALAND GOVERNMENT POLICY ON
REPATRIATION OF KŌIWI TĀNGATA MĀORI/MĀORI HUMAN REMAINS

- repatriation from overseas institutions and individuals is by mutual agreement only;
- the repatriation policy does not cover Māori remains in war graves maintained by the Commonwealth War Graves Commission, or other similar institutions;
- no payment for kōiwi tāngata Māori will be made to overseas institutions;
- kōiwi tāngata Māori must be identified as originating from New Zealand; and
- Māori are to be involved in the repatriation of kōiwi tāngata Māori, and to determine the final resting place, where possible.

In addition, the repatriation of kōiwi tāngata Māori is to be carried out in a low key manner to provide dignity to ancestral remains.

The role of Te Papa

As the Crown's agent, Te Papa should be the first point of contact in New Zealand to consider any proposal to return kōiwi tāngata Māori from overseas. Te Papa is responsible for all stages of the repatriation process from negotiations with overseas public institutions through to the physical return of kōiwi tāngata Māori to New Zealand.

Te Papa has developed a Karanga Aotearoa Repatriation Programme which focuses on extensive research, negotiations and physical and domestic repatriation. Te Papa's Karanga Aotearoa Programme is appended to this document.

The role of MFAT overseas posts

Where an overseas public institution makes an initial offer to a MFAT overseas post, the post should refer the institution directly to Te Papa.

MFAT can assist Te Papa in its repatriation work by facilitating communication between governments, and accessing international networks. In particular, posts could assist Te Papa to take appropriate action regarding legal and administrative requirements for exporting kōiwi tāngata Māori back to New Zealand.

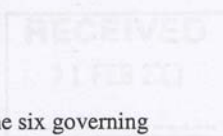
At all times, posts should keep in mind that repatriation is to be undertaken in accordance with the above kōiwi tāngata Māori principles, and carried out in a low key manner.

THE PROCESS

What should MFAT's overseas posts do when an overseas public institution makes an initial offer directly to the post?

1. Receive the initial offer.
2. Collect as much detail as possible in order to establish whether the ancestral remains fall within the definition of kōiwi tāngata Māori.
3. Inform the overseas institution that the New Zealand government has a repatriation policy for kōiwi tāngata Māori.

GUIDELINES FOR NEW ZEALAND GOVERNMENT POLICY ON
REPATRIATION OF KŌIWI TĀNGATA MĀORI/MĀORI HUMAN REMAINS



4. Note that the proposed return of kōiwi tāngata Māori must fall within the six governing kōiwi tāngata Māori principles. If appropriate, inform institutions making the offer about these principles, in particular emphasise that repatriation must be by mutual agreement and no payment will be made to that overseas institution for the return of kōiwi.
5. Advise the institution that Te Papa is authorised by the New Zealand government to enter into discussions and is responsible for repatriation decisions. MFAT should refer the institution to:

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PO Box 467
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Telephone: 64 4 381-7141 E-mail: KayH@tepapa.govt.nz
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6. Inform Te Papa about the enquiry providing relevant information.
7. Where possible, assist Te Papa with any overseas administrative and/or legal requirements, including facilitating arrangements for the export of the ancestral remains.

What will Te Papa do?

1. Contact the overseas institution.
2. Enter into direct negotiations ensuring that the definition of kōiwi tāngata Māori and the principles are complied with.
3. Contact MFAT to provide information about plans to repatriate kōiwi tāngata Māori. Te Papa may seek assistance with administrative and/or legal requirements in the overseas jurisdiction.
4. Inform MFAT of any repatriation agreement.

Ministry for Culture and Heritage
November 2005