Sweden’s response to the request for contributions for a report of the UN Mechanism on the Rights of Indigenous Peoples

Sweden welcomes the initiative of the UN Mechanism on the Rights of Indigenous Peoples to publish a report on the theme of Repatriation of ceremonial objects and human remains under the UN Declaration on the Rights of Indigenous Peoples. The report will present good practices and lessons learned on this topic and we understand that there is a special interest for the Maaso Kova case in the Swedish contribution.

Issues of repatriation are generally complex by nature and repatriation processes involve both legal and ethical considerations. Human remains in museum collections for example, have been collected at different times and in different ways, and in many cases it is even impossible to know for sure the true identity of the remains.Often there are good reasons for repatriation of human remains, for example if they were stolen or unrightfully taken, but decisions have to be made on a case by case basis and as a result of athorough process including dialogue with the parties concerned.

In Sweden, museums are by law responsible for their collection management and for assessments to find out if there are reasons for disposing certain items by repatriation. Following an official request by an external party regarding claims for return, the museum makes a thorough assessment based on both legal and professional criteria. After receiving a petition from the museum, the Swedish Government decides whether or not the object in question should be returned. In certain cases, it is the Swedish Parliament that is competent to make the decision. If the Government or Parliament approves the request, the museum may decide to return the item.

In the case of Maaso Kova, the issue of repatriation is discussed in a process on the basis of Swedish national law, international conventions and the UN declaration on the rights of indigenous people as well as ethical guidelines. It is a case of great complexity and an example of a thorough process where legal and ethical considerations are made and where an active dialogue is at hand about the return of cultural objects. The lessons learned from the case of Maaso Kova will be of great interest to many parties, indigenous peoples, museums, and official authorities over the world. The dialogue is still ongoing between the parties involved, with support from the United Nations Expert Mechanism on the Rights of Indigenous Peoples. Therefore, Sweden will be able to contribute more deeply to the discussion on the topic at hand further on.