Wesleyan University is committed to the repatriation of Native American human remains, associated funerary objects, unassociated funerary objects, sacred objects, and objects of cultural patrimony [hereinafter “cultural items” when referring to NAGPRA], as required by the Native American Graves Protection and Repatriation Act (NAGPRA). Wesleyan University is also committed to the international repatriation of ancestral remains and cultural items to indigenous peoples in recognition of the U.N. Declaration on the Rights of Indigenous Peoples (UNDRIP) and in support of the Resolution passed by the National Congress of American Indians (NCAI), “Support for International Repatriation” (2012).

As an institution of higher learning and one that promotes diversity and respect, Wesleyan University recognizes its past participation with other governmental and academic institutions during the 19th and 20th centuries, which disregarded the rights of indigenous peoples and created collections of their ancestors and cultural items without free, prior, and informed consent.

Wesleyan University commits itself to work in partnership with Indian tribes, Native Hawaiian Organizations, descendant communities and all other indigenous peoples in repatriation efforts.

Repatriation

The Native American Graves Protection and Repatriation Act (NAGPRA) requires that federally funded institutions prepare preliminary summaries, engage in tribal consultations, and submit inventories of human remains and associated funerary objects to lineal descendants, Indian tribes, and Native Hawaiian Organizations (NHOs). NAGPRA also requires that federally funded institutions complete and send summaries of unassociated funerary objects, sacred objects, and objects of cultural patrimony to lineal descendants, Indian tribes, and NHOs.

NAGPRA defines cultural items to mean human remains and the following:

associated funerary objects: “objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, and both the human remains and associated funerary objects are presently in the possession or control of a Federal agency or museum, except that other items exclusively made for burial purposes or to contain human remains shall be considered as associated funerary objects”.

---

3 Support for International Repatriation Resolution, National Congress of American Indians, Res. #SAC-12-008 (2012).
5 Id.
6 Id. at § 3001 (2)(3).
7 Id. at § 3001 (2)(3)(A).
unassociated funerary objects: “objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, where the remains are not in the possession or control of the Federal agency or museum and the objects can be identified by a preponderance of the evidence as related to specific individuals or families or to known human remains or, by a preponderance of the evidence, as having been removed from a specific burial site of an individual culturally affiliated with a particular Indian tribe”;8

sacred objects: “specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present day adherents”;9 and

cultural patrimony: “an object having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual regardless of whether or not the individual is a member of the Indian tribe or Native Hawaiian organization and such object shall have been considered inalienable by such Native American group at the time the object was separated from such group.”10

Wesleyan University, through its Repatriation Coordinator, facilitates compliance with NAGPRA and supervises repatriations to Indian tribes, NHOs, and lineal descendants, as well as indigenous peoples. Wesleyan University commits to fully supporting its compliance with NAGPRA and repatriation generally. Wesleyan University welcomes Native Nations to campus for tribal consultations and commits to having an ongoing dialogue with indigenous peoples about repatriation.

International Repatriation

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) explicitly affirms repatriation to indigenous peoples. The United Nations (UN) General Assembly adopted the UNDRIP during its 61st session at UN Headquarters in New York City on September 13, 2007. The UNDRIP states that “indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind” and recognizes that “indigenous peoples have suffered from historic injustices as a result of [...] their colonization and dispossession of their lands, territories and resources [...].” In addition, Articles 11 and 12 recognize the indigenous right to repatriation. Most particularly, Article 12(2) declares, “States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.”

Wesleyan University supports the United Nations Declaration on the Rights of Indigenous Peoples and commits itself to the repatriation provisions therein. Wesleyan

8 Id. at § 3001 (2)(3)(B).
10 Id. at § 3001 2(3)(D).
University seeks to work in partnership with indigenous peoples to further efforts to repatriate human remains and cultural items.

**Wesleyan University Archaeology and Anthropology Collections**

Native American human remains and cultural items subject to NAGPRA or human remains and cultural items under consideration for repatriation through other claims, which are held within the Wesleyan University Archaeology and Anthropology Collections (WUAAC), will undergo a review by the WUAAC Committee [hereinafter “Collections Committee”] (See WUAAC Collections Management Policy). The Repatriation Coordinator will submit recommendations for deaccessioning for repatriation to the Collections Committee pertaining to human remains or cultural items held within the WUAAC. The Collections Committee will consult with each other and, within a reasonable amount of time and within the legal requirements of the NAGPRA and its regulations (including required time constraints), the Collections Committee will provide an Advisory Opinion to the Provost. In the event that the Collections Committee cannot provide an Advisory Opinion within a reasonable amount of time, the Repatriation Coordinator will provide direct recommendations to the Provost regarding repatriation. In the event that the Collections Committee’s Advisory Opinion differs from the Repatriation Coordinator’s recommendation, the Repatriation Coordinator will provide direct recommendations to the Provost. The Provost will then review both recommendations before making a decision. The Provost is sanctioned by Wesleyan University to issue “transfer of control” letters to the repatriating Indian tribe, Native Hawaiian Organization, or lineal descendant(s), and to make all final decisions regarding repatriation claims. This procedure only pertains to the Wesleyan University Archaeology and Anthropology Collections.

**Other Wesleyan University Collections**

The Repatriation Coordinator will provide direct recommendations to the Provost regarding repatriation claims to human remains or cultural items retained by Wesleyan University, except with regard to claims made to human remains and cultural items retained in the Wesleyan University Archaeology and Anthropology Collections (see above). The Provost is sanctioned by Wesleyan University to issue “transfer of control” letters to the repatriating Indian tribe, Native Hawaiian Organization, or lineal descendant(s), and make all final decisions regarding repatriation claims.