



Human Remains Policy

This policy applies to all NHMD employees, contractors, associates, students, and volunteers. Sections of this policy also apply to formal visitors and users of the collections.

This policy was approved by the Board of Directors 21 March 2023 and shall remain in place until a revision is issued by the Deputy Director for Collections.

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Human Remains Policy

1. Introduction

This document has been developed by the Natural History Museum of Denmark (NHMD) to provide a clear policy about the respectful treatment and diligent curation of human remains in the Museum's care. Given the University of Copenhagen's mission as a research and educational institution and the Museum's mission and national responsibility to expand the understanding of natural history through collections stewardship, research, teaching, and public engagement, this policy provides a general framework that acknowledges the complexities of human remains as part of our collections and strives to ensure that any use of this collection is conducted in a professional and respectful way.

2. Overview of Policy

- (a) Human remains have a unique status within museum collections, which places a special responsibility on those museums that hold them. These responsibilities include additional policy requirements to be in place in line with Danish legislation. The purpose of this policy is to articulate and update the general principles concerning the human remains in the collections of the Natural History Museum of Denmark. The policy covers:
 - The care and management of the human remains collection in the Museum.
 - Access to the Museum's collection for scientific and other purposes.
 - How requests for return of human remains will be dealt with by the Museum.
- (b) For the purposes of this policy, human remains are defined as the bodies or body parts of individuals of *Homo sapiens*. The definition includes body parts or elements integral to living or dead persons including skeletal tissue, teeth, hair, nails, and soft tissues such as organs and skin.
- (c) This policy applies to all human remains that enter, or have entered, the Museum.

2.1 The Human Remains in the Museum's Collections

- (a) The Museum holds human remains in its collection and aims to maintain high collections management standards. The material is maintained as an essential reference resource, for scientific study, teaching and comparative analyses.
- (b) The museum does not hold a large collection of human remains. The human remains range from a complete skeleton to partial skeletons to individual bones and teeth.

2.2 Scientific Research

The Natural History Museum of Denmark is founded on the principle that all items in the collection should be retained for the purposes of study and research for the benefit of all humankind.

2.3 Access to the Collection

The Natural History Museum of Denmark is committed to the principle of access to its collections, scientific, intellectual and information resources. This commitment applies to human remains, in the same manner as it applies to all other items in the collections. However, although one might view human remains as being no different than the remains of any other species; the Museum recognises that, because of their human origin, there are particular sensitivities concerning the care and management of the Human Remains Collection. The Museum therefore adopts specific practices concerning access to human remains in recognition of this sensitivity.

2.4 Cultural Perspectives on Human Remains

Although the Museum is committed to its collection and enabling knowledge about the natural world to be gained by current and future generations, the Museum is also sensitive to the views expressed by others about retention of certain remains in its collection. The Museum recognises that the significance of human remains differs between individuals and cultures and that there is a wide range of views as to the values that should inform their treatment. These different views lead to a range of perspectives on the appropriate custody, care, location, and use of remains and duties to respect those remains. The presence of human remains in the Museum is seen by some as a source of benefit through scientific study and by others as a cause for concern.

2.5 Dialogue, Engagement and Development of Policy

The Natural History Museum of Denmark acknowledges that there are various understandings of meanings, significance, values, or duties with respect to the remains of particular people.

2.6 Requests for Return to Places of Origin

The Natural History Museum acknowledges that there are different views on appropriate custody, care, location, and use of remains. The Museum can consider requests for changes in custody or location of remains and this may include the return of human remains to places, communities, or countries of origin.

2.7 Collaboration and Partnerships

The Natural History Museum advocates the need for national and international collaboration and partnership in furthering its objectives, on both a practical and policy level.

3. Legislation and Guidance relating to the Care of Human Remains

The Museum's Collections Management Policies and Procedures apply to human remains unless otherwise defined in this policy or in the related procedures for human remains. In developing the Museum's approach to human remains, the following legislation is observed.

3.1 Danish Legislation

In Denmark, there is no direct legislation for the handling and care of historic human remains with relation to museums. The Museum will therefore take the overall guidelines given in *Vejledning om anlægsarbejder og fortidsminder på nedlagte kirkegårde* (VEJ nr. 9315 af 23/05/2014)¹ into account, especially with regard to the description of the respectful handling of human remains.

3.2 ICOM Ethics Guidance

The NHMD is guided by the *ICOM Code of Ethics for Museums* (2017). The Code of Ethics applies to any human remains in any institution and offers a broader view of professional practices regarding the treatment, display, and use of human remains.

The NHMD follows the guidelines given by the *ICOM Code of Ethics for Natural History Museums* (2013). The document covers standards of compliance with legislation, the origin and descendants of the people represented by the material, dignity of presentation and repatriation.

4. Management of the Collection

The Deputy Director for Collections, relevant curators and collection managers are responsible for the management of the collection of human remains and for overseeing access, use, information collection and provision, and development of procedures to implement policy in these areas of activity.

¹ *Guidelines related to Construction Work and Excavations, and Archaeological Findings in Disused Cemeteries.*

5. Collections Development

The Natural History Museum of Denmark does not actively pursue the acquisition or collection of additional human remains for incorporation into the existing collections. Human remains are not part of the NHMD general collection development plan.

5.1 Unanticipated Discoveries of Human Remains in the NHMD Collection Storage

If human remains were to be found in the museum's collections, they would be treated as described in this policy.

6. Deaccessions and Disposals

6.1 Legal Framework

- (a) Deaccessions and disposals are bound by the provisions of the Danish Ministry of Higher Education and Science (The Danish Museum Act, chap. 5, §11, stk. 2), which states that "In special cases, the state museums can, ..., dispose of objects, works of art and other documentation from the collections. As regards to the museums mentioned in section 9,² approval is given by the Danish Minister of Higher Education and Science."
- (b) Deaccessions and disposals of inventoried items of cultural or scientific value must be approved by the Minister for Higher Education and Science.

6.2 Description

- (a) The NHMD may deaccession and dispose of human remains in its collections for a variety of reasons, including: health and safety issues related to the remains; irresolvable difficulties associated with storage requirements; or their transfer to another institution where they will be more productively utilized or where they have more relevance to that institution's collecting policy; repatriation or restitution.
- (b) Remains without provenance, those remains deemed unlikely to produce any further significant discoveries from additional research, and human remains acquired for comparative research, will be disposed of as described in Appendix A.
- (c) Before deaccessioning human remains, NHMD will try to establish from existing documentation whether genealogical or cultural descendants exist who might wish to make a claim for return or reburial.

6.3 Documentation of Disposals

Full records will be kept of all decisions on disposals and the items involved, and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable. Individual Transfer Agreement Forms will be prepared.

6.4 Traditional Knowledge

The Museum may, during the course of its research or during its provenance work, gather Traditional Knowledge. Traditional knowledge (TK) refers to the knowledge, innovations, and practices of indigenous and local communities (ILCs). The principles regarding the acquisition, management, and protection of Traditional Knowledge to which the NHMD will adhere is consistent with the Convention on Biological Diversity (1993).

² Natural History Museums in Denmark.

6.5 Requests for Changes in Custody or Location of Human Remains

- (a) The Board of Directors may consider and decide to act upon requests for changes in custody or location of remains that may include the return of human remains to places, communities, or countries of origin. Requests will be addressed on a case-by-case basis.
- (b) Respect for all points of view is of particular importance in considering such requests. The Museum will communicate with those making requests for return and supports openness, consultation, and transparency of action to make negotiations as equitable as possible. A degree of formality is inevitable in order to ensure consistency and accountability in ultimate decision-making pursuant to a formal request for return.

6.6 Formal Requests for Return

- (a) Formal requests for the return of remains should be made by a letter to the Museum Director from a designated representative of the appropriate group, family, or organisation. The Museum may publish and alter from time to time guidelines relating to the procedure for making requests and the criteria, which the Museum may take into account.
- (b) Consultation and communication with those making the request and others with interests or expertise will be conducted to ensure adequate information and to identify mutually acceptable outcomes. The Museum may hold meetings with appropriate representatives or may communicate or consult in writing.
- (c) The Museum will where appropriate, consult with the relevant ministry or other relevant authorities in the country of origin to confirm that those making the request have the authority to do so in the country of origin. On confirmation of this status, the Museum will proceed with considering the request.

6.7 Information Needed in Considering a Request

- (a) Information will be gathered in order to develop a dossier or report on the human remains in question. This process will draw upon the evidence in the original claim, and will normally involve the gathering of new evidence concerning the request from Museum sources, those making the request, relevant experts, and other parties where appropriate. The Museum may request information from other relevant authorities or similar institutions to assist in determining any request.
- (b) Information on the nature, age and origin of the remains will be gathered, as will the history of the remains in the collections. The relevance for scientific study will be clarified. When a request for human remains is received, a research project to establish provenance will be undertaken that may involve archival research, physical examination and documentation, and invasive techniques. The use of which will be discussed with the community making the request, with their views being taken into account before such techniques are used. A report on the research will be shared with those making the request for return.
- (c) Information will be sought on: the cultural and spiritual values of the interested individuals or communities making the request; the strength of their relationship to the remains in question; the cultural, spiritual, and religious significance of the remains; the scientific, educational and historical value, importance and potential of the remains; and possible plans for the future of the remains if returned. The Museum may also consider or request information concerning the legal status of the remains.

6.8 Removal, Transfer and Disposal of Human Remains that are not the Subject of Requests for Return

- (a) The Museum may consider removal, transfer or disposal of human remains for reasons that lie outside of a request for return to the Country of Origin (e.g., in rare instances of deterioration of remains to the point that they are no longer scientifically useful).
- (b) In such cases, the possibility of future requests for return from genealogical descendants or communities of origin will be assessed. If there is a reasonable possibility of such future requests, the

remains will be retained until a decision is made by the Museum to return in response to such a request, or the likelihood of a request for return is for whatever reason considered to be substantially reduced.

- (c) The scientific, cultural, historical, public engagement and other actual and potential values of the remains will be assessed to inform decisions concerning removal, transfer, or disposal. This assessment will include reference to relevant issues in law, ethics, regulation, government guidance and good practice. Disposals will be made with reference to guidance and codes of practice.
- (d) Options for the eventual relocation and responsibility of remains may include:
 - i. Another appropriate institutional collection. This may be a Danish museum or research institution or an institution outside Denmark.
 - ii. Reburial, respectful storage, or disposal in accordance with laws and regulations and informed by good practice.
- (e) Options and recommendations will be presented to the Board of Directors for a final decision.

7. Collections Access and Information

7.1 Temporary Storage

- (a) The Museum may hold some human remains on a temporary basis for the purposes of scientific research or consultancy. These remains must have proper documentation, have an established provenance, clear potential value for scientific research, be held legally, and be guided by the relevant code of practice. Documentation of temporary holdings will follow the requirements set out in the NHMD Collections Access and Information Policy.

7.2 Storage and Security

The Museum will hold human remains in dedicated storage areas. Access to these areas and to the remains themselves is allowed only to authorised staff or to visitors with specific permission.

7.3 Access to the Collections

- (a) Access to and use of human remains in the Museum for academic research is provided, subject to approval by the Deputy Director for Collections, to bona fide academic research workers affiliated with universities, governments and/or associated institutions or other appropriate and relevant institutions.
- (b) Access to human remains may be approved under defined conditions in response to a request from genealogical descendants or representatives of communities of origin with confirmed connections to particular human remains.

7.4 Images and Film

- (a) Photography or filming of human remains that are not on display will only be permitted where there is a clearly demonstrable benefit in terms of scientific enquiry, public understanding of science, or public understanding of the role of the Museum. Any proposal for photography or filming of remains will be subject to approval by the Deputy Director for Collections following consideration of relevant legal, regulatory, ethical, and other issues.
- (b) Images and Film should always be viewed and approved by the NHMD in the format they are to be produced in before being submitted for any publication.
- (c) Digitalization of human remains will be subject to approval by the Deputy Director for Collections following consideration of relevant legal, regulatory, ethical, and other issues.

7.5 Public Display

- (a) The Museum may make and receive loans of human remains for the purposes of public display if there is clearly demonstrable benefit in terms of communicating the results of science or another aspect of culture, public understanding of science, or public understanding of the role of the Museum. This includes the public display of human remains in the NHMD's exhibition areas.
- (b) Public display includes, but is not restricted to:
 - Exhibition in the NHMD galleries
 - Exhibition at another museum
 - Events organised through the NHMD, such as learning activities or face-to-face science communication
 - Events organised by other institutions
- (c) Proposals for the public display of remains will be subject to approval following consideration of relevant legal, regulatory, ethical, and other issues.

7.6 Exhibition Loans

- (a) Proposals to exhibit human remains will be subject to approval following consideration of relevant legal, regulatory, ethical, and other issues.
- (b) Any exhibition loan would be subject to compliance with legal, ethical, and practical considerations. Exhibition loans of human remains are made with reference to the Museum's general policies on loans.

7.7 Research Loans

- (a) The Museum will only loan human remains from its collections under exceptional circumstances. The Museum does, however, provide samples for analysis, which are sent as a loan on the understanding that data will be returned in-lieu of the physical item. This rule applies when a request for destructive/ invasive sampling of human remains is received from any member of staff, external person, or institution.
- (b) Receipt of any loans of human remains for the purposes of research are subject to compliance with legal, ethical, and practical considerations as outlined in this policy.

7.8 Access to Collections Information

- a) The Museum is committed to the principle of access to its information resources and will respond positively to those requesting information on the human remains in the collection. The Museum will work with the enquirer to determine how their information needs may be best satisfied.
- (b) Requests for access to existing data will be considered under the same conditions as for the remains themselves.

8. Collections Care

- (a) The Museum will care for and store human remains in conditions designed to preserve their physical integrity and scientific value, in accordance with defined collections standards, which are indicated in the NHMD Collections Care Policy.
- (b) Staff are required to follow handling and good practice guidelines provided by the NHMD collections curator and/or manager responsible for the human remains and to treat the remains with due respect.
- (c) Visitors are required to follow handling and good practice guidelines provided by the responsible NHMD staff member and to treat the remains with due respect.

9. Policy review procedure

The Human Remains Policy will be reviewed to maintain its validity and usefulness as a guide for the museum staff and Board of Directors. The Policy will be reviewed at least every five years by the Deputy Director for Collections, the collections manager and the registrar. The Deputy Director for Collections will submit proposed revisions to the Board of Directors for final approval.

By keeping current with both national and international regulations and trends, the registrar will continually review the policy to guarantee accurate documentation and will identify if a formal review and revision is necessary before the next due date for review.

The date when the policy is next due for review is noted below.

Name of governing body: Board of Directors, Natural History Museum of Denmark

Date of approval by governing body: 21 March 2023

Date at which this policy is due for review: March 2028

APPENDIX A

Procedure and Method of Ultimate Disposals of Human Remains without Provenance

Human remains without provenance, where it is deemed that there is unlikely to be any further significant discoveries from additional research, as well as human remains acquired for comparative research, will be disposed of ultimately.

Procedure and Method for Disposal

- i. The human remains will be collected continuously and stored in a suitable place at the NHMD.
- ii. The designated museum staff in the department will assess when the collected bone material should be destroyed, following release for cremation.
- iii. The designated museum staff will take contact to a crematorium, who will collect and cremate the material.
- iv. The museum must receive a receipt for the collecting and cremation of the material from the crematorium.
- v. The crematorium will burn the remains and dispose of the ashes.

Record of Release for Cremation

In relation to the human remains cremated, the designate museum staff must register the following for each cremation:

- A photograph of the human remains to be cremated.
- The date the remains were removed and collected from the Museum to be cremated.
- The name of the staff member who facilitated and allowed the removal of the remains for cremation.
- Details of the cremation; Name of crematorium, collect date and the date of the disposition of ashes.