

Shared Stewardship and Ethical Returns Policy

Over the course of its long history, the Smithsonian has acquired collections originating from national and international sources, from individuals, communities, and indigenous peoples, from non-profit, for-profit, and governmental entities, and through a variety of methods and circumstances. During this time, ethical norms and professional best practices related to collecting have changed, particularly with respect to collecting cultural heritage (tangible and intangible) from individuals and communities. As a result, the Smithsonian has collections that it would not have acquired under present-day ethical and professional standards.

Although the Smithsonian has legal title or custody of collections it holds in trust for the benefit of the public, continued retention or sole stewardship of such collections may cause harm to communities and be fundamentally inconsistent with the Smithsonian's ethical standards and Institutional values. In these unique circumstances, shared stewardship or ethical return may be necessary to fulfill the Smithsonian's custodial obligations.

The Smithsonian recognizes the value of community representation in Smithsonian collections, the benefit of preserving and making available to the public, with honor and respect, a diverse range of collections, stories, and histories, and the role of museums as collaborative custodians of cultural and historical legacies. The Smithsonian is committed to working transparently and in consultation with descendants, communities, and relevant governmental and regional stakeholders to consider matters of shared stewardship and the potential return of collections, based on ethical considerations. These circumstances, which may vary depending on the nature and scope of a unit's collections, may include but are not limited to the manner in which a collection was originally acquired and the context of its acquisition. A review of the circumstances may demonstrate unethical acquisition through means such as coercion, duress, assertion of power, or forcible taking.

The Smithsonian adheres to the following policies regarding shared stewardship and ethical return of objects in its collections.

- 1) Collecting units may enter into shared stewardship arrangements with communities represented in the unit's collections in appropriate circumstances, based on ethical considerations. Collecting units must establish authority and evaluation criteria and assign responsibility to approve, document, and implement such arrangements within the unit's collections management policy. Shared stewardship arrangements may include, but are not limited to, collaborative consultations for the respectful attribution, documentation, interpretation, display, care, storage, access, use, or disposition of collections. Shared stewardship arrangements must be documented in a written agreement approved by the appropriate Under Secretary in consultation with the OGC and NCP.

- 2) Collecting units may deaccession and return collections in appropriate circumstances based on ethical considerations. Collecting units must establish authority and evaluation criteria and assign responsibility to approve, document, and process such deaccessions and returns, including transfer of associated collections information, within the unit's collections management policy. Before collections may be deaccessioned and returned for ethical reasons, collecting units must consult with the appropriate Under Secretary, the Office of General Counsel, and the National Collections Program, and must obtain all approvals for deaccessioning and returns required under Section 8 of this directive. Before a collecting unit can deny a claimant's request for return of a collection for ethical reasons, the collecting unit must consult with the appropriate Under Secretary.
- 3) Collecting units must establish and implement readily accessible processes for descendants, communities, and other parties with claims to request shared stewardship or return of collections based on ethical considerations. These processes shall prioritize transparency, respectful engagement, meaningful consultation, and prompt responses to requests.