




## Human Remains Policy

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## **1.0 Introduction**

This policy operates within the framework of the National Museum of Ireland (NMI) Collections Acquisition Policy, and Disposals Policy and other policies as determined by the Board of the National Museum of Ireland. Because of the significance attached to Human Remains by NMI, and their separate legal status, they are covered in this discrete policy. NMI holds significant collections of archaeological human remains on behalf of the State. There are also small collections in other non-archaeological categories. This policy addresses corporeal Human Remains including whole bodies, or any physical parts including teeth, bone, soft tissues, blood, hair and nails. This document does not cover artefacts associated with human remains or funerary practice. This document outlines the policy of the National Museum of Ireland on human remains in respect of its legal obligations, ethical concerns and research commitments.

## **2.0 Legislative basis**

Human remains in NMI are governed by Irish and European legislation, and global commitments including UNESCO treaties. Ethical and curatorial standards are also set internationally through museum organisations including ICOM. NMI recognises that Human Remains are not just scientific objects or data and will be treated with the utmost care and respect.

1. Discoveries of human remains must be reported to An Garda Síochána, and are referred to the Coroner under the Coroner's Act, 1962. If the Coroner suspects that the remains are an archaeological object, the Coroner shall consult with the Board of the NMI and if then deemed to be archaeological, they are referred to NMI and the Coroner shall take no further action.
2. The majority of the human remains in the collections of the NMI are considered 'archaeological objects' under the terms of the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023.
3. Sampling of Irish archaeological human remains requires a Licence to Alter under Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023. This is issued by the Board of NMI.
4. Export of Irish archaeological human remains requires a Licence to Export This is issued by the Board of NMI and is provided for under the National Cultural Institutions Act, 1997.
5. Though not yet implemented, the Human Tissue Bill has been discussed with NMI and its proposals will be followed until an Act is in place.
6. NMI is committed to the appropriate treatment of human remains through the provisions of the Valetta Convention on the Protection of European Heritage and the UNESCO Convention on the Protection of Underwater Cultural Heritage, 2001.
7. Ireland is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (UN, 2007) which includes the right to access/request to repatriate human remains through fair and transparent means (Article 12, 2).
8. NMI through its responsibility to care for Irish archaeological human remains has a duty to ensure that appropriate measures are in place for human remains in the care of Designated Museums. These were established under Section 68 (2) of the National Cultural Institutions Act, 1997.
9. NMI aligns its policy with the International Council of Museums (ICOM) Code of

Ethics 2013 which contains specific criteria on the storage, display, research and retention of human remains.

### **3.0 Acquisition of human remains**

Active acquisition of Human Remains is primarily in relation to Irish archaeological objects. Historic objects in military contexts may also be considered for acquisition, including those that may contain traces of blood or soft tissues.

1. Whether chance discoveries or found in the course of licensed archaeological excavation. Human Remains are included in the definition of 'archaeological object' under the terms of the National Monuments Acts 1930 to 2014 and may be claimed by the National Museum on behalf of the State.
2. The decision to claim Irish archaeological human remains rests with the Director, NMI.
3. For chance discoveries, NMI may excavate where appropriate and collect human remains where they are under threat.
4. Human Remains discovered as part of licensed archaeological excavations must be reported to NMI. They must be excavated in line with the method statement approved as part of applications for an archaeological excavation licence. Archaeological excavations of human remains must be in keeping with any additional conditions specified by the National Monuments Service in consultation with NMI. These will always include on-site presence and advice of a qualified osteoarchaeologist.
5. NMI will ensure compliance with management of archaeological human remains not yet in the care of NMI.
6. NMI will not actively collect human remains in other categories without reference to an internal review panel, which shall prepare a proposal for consideration by the Director, NMI.
7. NMI will not normally collect the remains of identified individuals. Artefacts which are associated with human remains of identified individuals will be considered sensitively as part of the general NMI collections policy.

### **4.0 Management of human remains**

NMI holds a legacy collection of non-Irish archaeological Human Remains in its ethnographical, Egyptian and classical collections. There are also small assemblages of human remains in the historical and natural history collections, which were largely collected prior to the establishment of the State.

1. Retention of Irish archaeological Human Remains will be decided on a case-by-case basis. Decisions will take account of the recommendations of the specialist osteoarchaeologists, and of the potential contribution of the remains for future research.
2. Interventive conservation treatments of archaeological human remains will only take place where necessary and must be undertaken under a Licence to Alter under the terms of the National Monuments Acts 1930 to 2014. Work will be carried out by

an approved conservator in consultation with an osteoarchaeologist.

3. NMI will store its collections of human remains separately from the remainder of its collections and in line with international museum standards (ICOM). Storage will be ethically appropriate with respect to the beliefs and traditions of communities of origin where known.
4. Where NMI has carried out investigations on reported Irish archaeological human remains it will prioritise documentation, catalogue preparation, research and publication of these.

### **5.0 Public exhibition of human remains**

NMI has a number of temporary and permanent exhibitions, which include the display of human remains. These include bog bodies, skeletons, skulls, and historic objects with bloodstains.

1. Proposals for new temporary or permanent exhibitions in NMI, which involve the display of human remains will pass through an internal process that will consider their ethical justification and appropriate presentation.
2. Human remains will be displayed in a manner consistent with professional standards and, where known, taking into account the interests and beliefs of members of the community, ethnic or religious groups from whom the objects originated. They must be presented with great tact and respect for the feelings of human dignity held by all peoples.
3. NMI will not display the remains of identified individuals, unless there are exceptional reasons for doing so. Exhibition of artefacts which are associated with human remains of identified individuals will be considered sensitively.
4. Applications for loans of Human Remains for display by other museums must demonstrate that there are valid reasons for their display that cannot be satisfied through images or other means. NMI will apply the same conditions for borrowers as apply to its own exhibitions.
5. NMI will not use original Human Remains for educational purposes other than training of osteoarchaeologists, archaeologists or associated professions. The NMI may use images or physical reproductions for public events.
6. Where images of Human Remains are used on display boards, websites or in publications, careful thought will be given to their context and positioning. NMI will take steps to make audiences aware of this content in advance.
7. Where requests for publication of images of human remains in the care of the NMI are made, NMI will consider the requests on a case-by-case basis and reserves the right to refuse publication if it is deemed to be inappropriate use?

### **6.0 Research on human remains**

NMI is committed to research which furthers our knowledge of peoples on this Island in the past through the study of human remains. Research can advance understanding of cultural and medical practices, biological processes, genetics, diet, disease and population movements over time. NMI recognises the sensitivities around many aspects of this research and will place systems in place to manage research on human corporeal remains.

1. Research access to collections will be on the basis of formal written applications.

This will include research by NMI as well as research by external applicants.

2. Applications will be judged on criteria that will include the extent to which a collection has already been studied, the physical condition of the collection, and a balance between access and risk to the collection.
3. Applications will be judged on the contribution of the proposed study to the understanding of past societies balanced with the need for long term care and curation of the material.
4. Research on human remains must be accomplished in a manner consistent with professional standards and take into account the interests and beliefs of the community, ethnic or religious groups from whom the remains originated, where these are known.
5. Applications for invasive processes such as sampling for radiocarbon dating, DNA, or stable isotopes will be judged on criteria that will include experience, publication record and results of the researcher(s) previous work.
6. Submissions will also be judged on the ethics involved in the proposed research and its implications, or potential applications of medical or other discoveries.
7. Applications for research on remains from known individuals will be assessed to ensure that the rights of related people or descendants are not infringed.
8. Excess material as a result of sampling of archaeological human remains remain property of NMI and analytical results will be lodged on closed file prior to publication
9. Applications for imaging, replicating, or filming will be judged on criteria that will include the appropriateness, sensitivity and presentation of the results.

#### **7.0 Applications for the repatriation of human remains in NMI collections**

1. Applications to repatriate Human Remains will be in accordance with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (UN, 2007). Proposals will be submitted to the Director, NMI and passed to the NMI Board for consideration.

#### **8.0 Applications for waiving of state ownership, de-accession or for reburial of archaeological human remains**

1. Any such application Irish archaeological human remains will only be considered for de- accession by NMI on the basis of a written application to the Director, NMI.
2. All assemblages must have been fully recorded by a suitably qualified osteoarchaeologist and a full report completed before any such application can be made.
3. Applications for de-accession of archaeological human remains be considered on the basis of a demonstrable consideration of capacity constraints, the age and condition of an assemblage, of the condition of the material (eg whether disarticulated or articulated), the availability of contextual information and the date of the assemblages.
4. Any proposals for reburial within existing burial grounds must consider the possibility of uncovering further human remains during reinterment. They must also consider the potential archaeological implications of the proposed reburial site if it is

a National or Recorded Monument. All such considerations will be discussed with the National Monuments Service, Department of Culture, Heritage and the Gaeltacht. Any such applications would require permission from the relevant church and/ or local authorities where applicable.

#### **9.0 NMI panel on human remains**

NMI will nominate a panel of specialists to advise the NMI on applications for research, analysis, storage, collections care and ethical matters as required. The members of this panel will be recognised and experienced practitioners and academics involved in the analysis of human remains or ethical issues in relation to their study and display.