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International Repatriation of Hopi, Acoma, Zia and Zuni Pueblo Human Remains and Sacred Funerary Objects of the Ancestors that were Excavated and Exported by Gustaf Nordenskiöld from Mesa Verde Without Permission

Amy Eisenberg

Center for World Indigenous Studies, The University of Arizona, Former Licensed Researcher 17-001, The Hopi Tribe Cultural Preservation Office, Arizona, United States

Corresponding Author: Amy Eisenberg

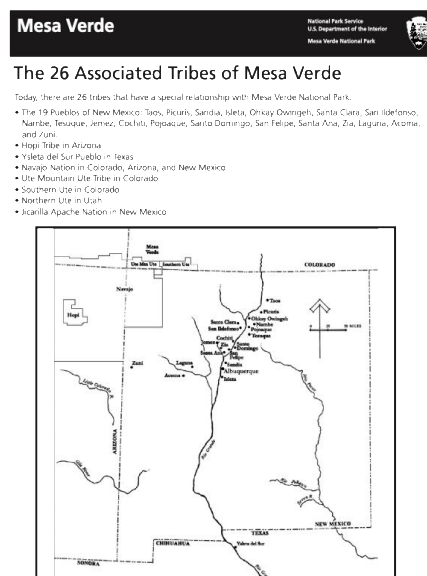
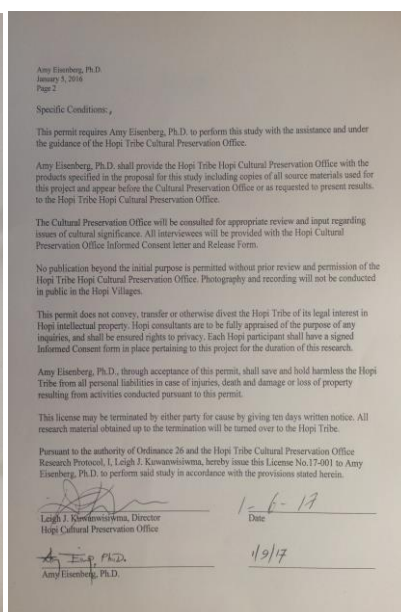
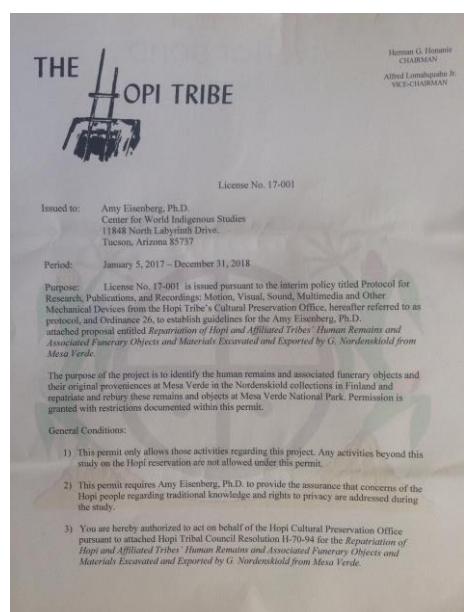
Abstract

I was Licensed Researcher for the Hopi Tribe Cultural Preservation Office on the International Repatriation of Hopi and Affiliated Tribes' Human Remains and Associated Funerary Objects and Materials Excavated and Exported by G. Nordenskiöld from Mesa Verde. The purpose of the project was to identify the human remains and associated funerary objects and their original proveniences at Mesa Verde in the Nordenskiöld collections in Finland and repatriate and reburial these remains and objects at Mesa Verde National Park. The permit required that assurance was provided and addressed for the concerns of the Hopi

people regarding traditional knowledge and rights to privacy during the study.

I was authorized to act on behalf of the Hopi Cultural Preservation Office pursuant to Hopi Tribal Resolution H-70-94 for the Repatriation of Hopi and Affiliated Tribes' Human Remains and Associated Funerary Objects and Materials Excavated and Exported by G. Nordenskiöld from Mesa Verde. Director Emeritus of the Hopi Tribe Cultural Preservation Office, Leigh J. Kuwanwisiuma issued this License No. 17-001 to perform this study.

Keywords: International Repatriation, Hopi, Acoma, Zia, Zuni, Pueblo, Ancestors, Sacred, Mesa Verde



Introduction

Understanding that the Hopi people desire to protect their rights to privacy and to Hopi Intellectual Property, and due to the continued abuse, misrepresentation and exploitation of the right of the Hopi people, I fully abided by and strictly followed the established guidelines to protect the rights of the present and future generations of the Hopi people.

With great respect and in a spirit of cooperation, the Hopi Tribe was consulted in this project and activities were reviewed and approved by the Hopi Cultural Preservation Office.

Recognizing that the Hopi Tribe includes Hopi individuals, families, clans, villages, communities, Hopi Tribal Government and the Hopi people as a whole, this collaborative project was directed by, and in direct response to the concerns and preferences of the Hopi People.

With honor and respect, under the direction of the Hopi Tribe, I made every effort to help secure the international repatriation from the National Museum of Finland, the Hopi, Acoma, Zia and Zuni Puebloan Peoples' ancestral human remains and associated funerary offerings and materials, which belong to the deceased that were taken from the Mesa Verde area of Colorado by Gustaf Nordenskiöld in 1891 and exported.

The Hopi/Puebloan human remains and associated funerary objects taken from Mesa Verde are identified in great detail in the book: *The Cliff Dwellers of the Mesa Verde Southwestern Colorado: Their Pottery and Implements*. Stockholm: Royal Printing Office by G. Nordenskiöld, 1893. However, some of the items in the National Museum disappeared according to Heli Lahdentausta, Intendentti/Keeper.

On December 20, 2016, in response to my inquiry to the National Museum of Finland regarding the excavated human remains and associated funerary objects and materials, I received an email with an attachment titled: Mesa Verde Human Remains from:

Heli Lahdentausta
Intendentti/Keeper
Yleisetsnografiset kokoelmat/Ethnographic collections
Kokoelmat ja tutkimus/Collections and Research
Suomen kansallismuseo/National Museum of Finland
PL/P.O. Box 913, FIN-00101 Helsinki
PUH/TEL +358 295 336434 E-MAIL
heli.lahdentausta@kansallismuseo.fi

Dear Amy Eisenberg

Your request of the Mesa Verde human remains was forwarded to me.

Please find attached a list of the human remains, with their corresponding sub numbers.

Could you please be more specific as to what you mean with 'other culturally significant resources'?

The human remains of the Mesa Verde collection have never been exhibited in Finland. We adhere to the ICOM ethics code in presenting our material. At the moment not a single item of the collection is on show.

Sincerely,
Heli Lahdentausta
Intendentti/Keeper

MESA VERDE

Human remains with their respective cat. numbers in the National Museum of Finland

VK4834:128 part of jaw with a well-preserved molar tooth

VK4834:138 part of human jaw, parched

VK4834:141 skull fragments

VK4834:142 skull, man

VK4834:143 human bones, (belong to no:142)

VK4834:145 human hair, black

VK4834:148 fragmentary skull

VK4834:166 skull, prob. man

VK4834:169 human jaw, child

VK4834:170 skull, without teeth (shape brachycephalic)

VK4834:291 human hair

VK4834:292 skull, man

VK4834:300 skeleton, prob. woman, half mummified, hands preserved with some nails

VK4834:302 mummy, grown-up

VK4834:303 skeleton (woman?)

VK4834:328 skull, well preserved

VK4834:334 skeleton, child, half mummified, head artificially flattened

VK4834:335 skull, young man, well preserved

VK4834:375 skull fragment, small child

VK4834:376 skull fragment

VK4834:413 skull fragment

VK4834:415 skull

VK4834:416 skull, child

VK4834:417 teeth, 3 pc.

VK4834:418 child's skull, partly mummified

VK4834:419 skull, child about 3-4 years of age

VK4834:420 two teeth, child's

VK4834:451 skull, prob. woman

VK4834:495 teeth, 7 pc.

VK4834:496 human hair

VK4834:497 child skeleton, partly mummified

VK4834:498 mummy fragment, piece of dried skin

VK4834:502 human bones, in three boxes

VK4834:503 skeleton, almost whole

VK4834:504 skeleton, almost whole

VK4834:505 human bones

VK4834:607 skeleton, almost whole.

Intendentti/Keeper Heli Lahdentausta indicated that, "The Nordenskiöld Collection is catalogued by the number VK4834 and contains over 600 items, but there is no digital inventory available, but Nordenskiöld himself published an illustrated volume on the material he collected."

Nordenskiöld, Gustaf 1893. *The Cliff Dwellers of the Mesa Verde, Southwestern Colorado: Their Pottery and Implements*. Stockholm: Royal Printing Office

The National Museum of Finland is a member of the International Council of Museums (ICOM). I contacted the International Council of Museums (ICOM) and reviewed the ICOM Code of Ethics:

<https://icom.museum/wp-content/uploads/2018/07/ICOM-code-En-web.pdf>,

According to Code of Ethics of the International Council of Museums, "requests for the return of human remains and materials of sacred significance must be addressed expeditiously with respect and sensitivity. Museum policies should clearly define the process for responding to such requests."

“Museums should be prepared to initiate dialogues for the return of cultural property to a country or people of origin. This should be undertaken in an impartial manner, based on scientific, professional and humanitarian principles as well as applicable local, national and international legislation, in preference to action at a governmental or political level.”

“When a country or people of origin seeks the restitution of an object or specimen that can be demonstrated to have been exported or otherwise transferred in violation of the principles of international and national conventions and shown to be part of that country’s or people’s cultural or natural heritage, the museum concerned should take prompt and responsible steps to cooperate in its return.”

“Museums must conform fully to international, regional, national and local legislation and treaty obligations. In addition, the governing body should comply with any legally binding trusts or conditions relating to any aspect of the museum, its collections and operations.”

ICOM clearly promotes the return of cultural property to indigenous peoples and acknowledges the need for free, prior, and informed consent of the First Nations.

On December 28, 2016, I sent the following email to the National Museum of Finland:

Dear Heli,

Good evening. When did the National Museum of Finland receive the Nordenskiöld Mesa Verde Collection from the Finland State Museum of History and Ethnography? Was it in the year 1909? Please kindly reply at your earliest.

Sincerely,

Amy Eisenberg, Ph.D.

On December 28, 2016, I received this prompt reply from the Director of the National Museum of Finland:

Dear Amy

That is correct. The collection was registered in 1909.

Yours

Eija-Maija Kotilainen

Director

The Museum of Cultures

The National Museum of Finland

P.O. Box 913, FI-00101 Helsinki

Finland

tel. +358 295 33 6431

eija-maija.kotilainen@kansallismuseo.fi

On December 29, 2016, I sent an email to the Director of the National Museum of Finland:

Dear Director Eija-Maija Kotilainen,

Good afternoon. Does the Nordenskiöld Mesa Verde Collection in the National Museum of Finland contain 613 items and 240 photographic glass-plate negatives with Accession Number VK 4834:1-613?

Sincerely,

Amy Eisenberg, Ph.D.

On January 3, 2017, I received this reply from the National Museum of Finland:

Dear Amy Eisenberg

The Mesa Verde collection is catalogued under the number VK4834:1-613, which means that there should be 613 sub-numbers. The situation is not, however, completely clear, because it seems that in the course of years some of the items have disappeared. The collection is stored outside Helsinki and it is not possible at any short notice to make a complete inventory of it.

The latest inventory (or note) which I found was made in October 1991, and according to it, at that time there were 12 items missing (their corresponding sub-numbers being):

48 brush of yucca

51 small clay ladle

61 wooden stick

377 pieces of a large jar

389 flute of bone

509 pieces of a black jar

511 arrow head of stone

530 wooden spatula

545 a 35 cm long piece of 2-ply rope

580 piece of soft leather

585 tree bark wound with leather strip

601 fruit of some plant, skin almost black, inside reddish, used as incense

The Picture Collections of the National Board of Antiquities in Finland houses the glass-plate negative collection photographed by G. Nordenskiöld during his excavations. Those negatives are catalogued by the number VKK420:1-236.

Sincerely,

Heli Lahdentausta

Intendentti/Keeper

It is quite unfortunate that some of the Hopi and Puebloan Peoples’ ancestral cultural property “disappeared” in The National Museum of Finland. On January 3, 2017, I requested a complete inventory:

Dear Heli and Director Eija-Maija,

Thank you very kindly for your informative message. I understand that the Mesa Verde collection is stored outside Helsinki and it is not possible at any short notice to make a complete inventory of it. However, would you be so kind as to make a complete inventory of this collection? It is very important for the human remains and associated funerary offerings, which belong to the deceased ancestors of the Hopi and the Puebloan Culturally Affiliated Tribes of Mesa Verde to be respectfully and ceremonially returned to the earth at Mesa Verde for reburial. Please kindly assist.

Thank you very much for your anticipated assistance and understanding.

Sincerely,

Amy Eisenberg, Ph.D.

On January 5, 2017, I received this message from Director of the Hopi Cultural Preservation Office, Leigh Kuwanwisiwma:

Amy: Thanks for your current efforts and your proposal. I've spoken with Terry on your License so we should have it ready in a few days.

Also, I've asked Cliff Spencer to place this on the annual inter-tribal agenda, scheduled for April 4, 5. Location to be determined. Are you able to attend such a meeting?

On Jan 5, 2017, at 11:18 AM, Leigh Kuwanwisiwma <LKuanwisiwma@hopi.nsn.us> wrote:

These remains may be solely Hopi and Puebloan remains. You should be careful as to how other tribal interests are articulated. If these remains were excavated and taken from archaeological sites such as Spruce Tree House, these are clearly Hopi and Puebloan ancestral remains. Other tribes certainly were in the Mesa Verde area prehistorically and historically. Navajos and Apaches came into the region as late as the 1660's, 400 years after the Hopis and other Puebloan people left their villages. The Navajos and Apaches are of Athabaskan lineage, nomadic and entirely differently cultures. They never lived in the Mesa Verde villages. So, these remains should be referred to as Hopi/Puebloan remains.

On January 9, 2017 I received this response to my inquiry for assistance for the International Repatriation from Allison Davis at the U.S. Department of State:

Dear Amy,
Thank you for your message. Regarding your inquiry about NAGPRA grants, the State Department does not administer NAGPRA grants.

Beyond a NAGPRA grant, I am not sure what type of assistance you are seeking from the State Department. For information about activities of the Cultural Heritage Center and the Ambassadors Fund for Cultural Preservation, please see our website <https://eca.state.gov/cultural-heritage-center>.

Kind regards,
Allison

**Official
UNCLASSIFIED**

On January 10, I received this message from the Finland and Estonia Desk Officer at the U.S. Department of State:

Dr. Eisenberg,
Thank you for sending this information. I have passed it to my colleagues in the Department of State who work on such issues and given them your contact information in case they need to reach you.

Anna
Anna Arambulo Martz
Finland and Estonia Desk Officer
Office of Nordic and Baltic Affairs
Bureau of European and Eurasian Affairs
U.S. Department of State

**Official
UNCLASSIFIED**

On January 12, 2017, in response to my messages on January 8, 2017 to the Finnish Ministry of Education and Culture and the Minister of Foreign Affairs of Finland, Mr. Timo Soini, I received this message from Zabrina Holmström, Senior Government Advisor, Deputy Director, Ministry of Education and Culture, International Relations:
Dear Ms. Eisenberg,

This is to inform you that your message addressed to the Minister of Foreign Affairs of Finland, Mr. Soini, has been well received and has been forwarded to the Ministry of Education and Culture.

The Ministry of Education and Culture will look closely into the matter in cooperation with the National Museum, housing the Collection, and get back to you as soon as possible.

With best regards,
Zabrina Holmström
Senior Government Advisor, Deputy Director^[SEP]
Ministry of Education and Culture^[SEP]
International Relations^[SEP]
P.O. Box 29^[SEP] FI-00023 Government^[SEP]
Finland^[SEP]
Tel: +358-(0)295 3 30114 (direct)^[SEP] GSM: +358-(0)40-7681 284

On January 12, 2017, I received this message from Director Leigh Kuwanwisiwma:

Thanks for confirming your presence at the up-coming tribal advisory team meeting in April. Before we contact governmental representative of Finland on this matter, we (the Hopi tribe) need to formalize our relationship with the National Museum.

So, a formal letter of introduction to them is appropriate at this time.

On January 13, 2017, I was deeply heartened to receive this prompt and thoughtful response from **Ieng Srong** Chief, Section for Movable Heritage and Museums Division for Heritage and World Heritage Centre UNESCO:

Dear Ms Eisenberg,
I wish to acknowledge receipt of your email regarding the repatriation of human remains of the Hopi tribe. The Secretariat will consider various means to facilitate the return of these human remains and funerary offerings and get back to you with the most suitable options. Meanwhile, I would need to inquire if you have informed the relevant authorities in the USA about this case. It is important that both governments are kept in the loop to ensure a smooth negotiation. I would like to thank you for informing the Secretariat on this case and please rest assured that we will follow through actively and utilize the best of our capabilities to assist on this matter.

Yours sincerely,
Ieng Strong



United Nations
Educational, Scientific and
Cultural Organization

Ieng Strong
Chief, Section for Movable Heritage
and Museums
Division for Heritage and World
Heritage Centre

7, place de Fontenoy
F-75352 Paris 07 SP
Tel.: +33 (0)1 45 68 17 76
www.unesco.org

In response to my application for membership and assistance with the International Council of Museums, to which the National Museum of Finland is a member, I received this response on January 20, 2017:

Dear Amy Eisenberg,

Thanks for your mail. I forward your application form to **ICOM US** (in copy to this mail), who will assist you for the membership.

Can you please explain what are you expecting from ICOM regarding the repatriation?

Thanks and have a nice weekend,

Marine WALON

Service des membres | Membership department | Servicio de miembros

On January 23, 2017, I spoke with Tom Daley, Deputy Director IO/EDA at the U.S. Department of State and received this message from Tom Daley, to Anna Martz, the Finland and Estonia Desk Officer, Office of Nordic and Baltic Affairs, Bureau of European and Eurasian Affairs, U.S. Department of State:

Anna, I received a phone call from Amy Eisenberg, cc'd, regarding the repatriation from Finland of remains and artifacts from the Hopi tribe. She needs State Department assistance to push through the repatriation and has been reaching out to many offices, only to encounter dead phone lines or, in my case, an office that cannot help her. Can you please reach out to her and see what State can do to help out? Thanks,

Tom Daley
Deputy Director
IO/EDA

On January 25, 2017, I received this message from Michael Pointer with the U.S. Department of State:

Good morning everyone,

Dr. Eisenberg, thank you for your voicemail and email. I am copying my colleague, Allison Davis, who works in the State Department's Bureau of Educational and Cultural Affairs. She is the correct point of contact for your inquiry. While our office covers UNESCO issues, for this particular matter, Allison is the lead, and we work in close coordination with her team. I hope this information is

helpful to you. Please let us know if you have any questions or concerns.

Best regards,
Mike
Official

On January 25, 2017 I received this response from the United Nations Permanent Forum on Indigenous Issues:

Dear Sir / Madam,

Thank you for your recent email. Please be advised the Secretariat of the Permanent Forum on Indigenous Issues does not fund, support or sponsor projects other than those already approved under the Development Account. There are several funds specifically designed to assist indigenous peoples or indigenous organizations. Click on the link below for more information.

<https://www.un.org/development/desa/indigenouspeoples/about-us/funding-opportunities-for-indigenous-peoples.html>

Best regards,
Secretariat of the Permanent Forum on Indigenous Issues
www.un.org/indigenous
indigenous_un@un.org
UNITED NATIONS HEADQUARTERS

On January 25, 2017, Director Leigh Kuwanwisiwma of the Hopi Cultural Preservation Office sent this message to Allison Davis at the State Department in response to her inquiry:

Thank you for your inquiry on Dr. Eisenberg's work on behalf of the tribe. Yes, she has a formal research license to conduct research into the human remains and funerary objects taken from Mesa Verde and currently housed at the National Museum of Finland. Hopi claims cultural affiliation to these remains and desires the repatriation of these remains for proper re-burial.

Dr. Eisenberg's work on behalf of our office is to find and make appropriate contact with representatives of the Museum and other agencies, such as the State Department, who will assist the Hopi tribe in fulfilling this goal.

Under her license, she has delegated authority to speak for our office to find out what federal and international laws the Hopi tribe needs to be aware of and what assistance you provide to us.

I work with a coalition of SW Pueblo representatives who are likewise interested in repatriating these remains and I have taken the lead for them on matters such as this.

I hope this clarifies our relationship with Dr. Eisenberg. My phone number is 928-734-3614/3611 (office), or my cell at 928-380-6322. Thank you again.

On January 26, 2017, I received this kind reply from my colleague, Irene Fornes with Forum UNESCO – University and Heritage, to which I am a member:

Dear Amy,

Many thanks for sharing information on your great work with the indigenous communities.

With regard to your query, I will provide you here below the corresponding UNESCO website section, which we recommend you address:

UNESCO Restitution of Cultural Property Program:

<http://www.unesco.org/new/en/culture/themes/restitution-of-cultural-property/>

In the left menu you can find the:

- Intergovernmental Committee
- Sessions
- Return or Restitution Cases
- Requesting return or restitution
- Fund of the Committee
- Mediation and Conciliation
- Standards for ownership
- Related events
- Contact

Best regards,
Irene

Irene FORNES

Information and Communication Technology Area

UNESCO Chair Forum University and Heritage

UNIVERSITAT POLITÈCNICA DE VALÈNCIA (SPAIN)

<http://www.forumunescochair.upv.es>

@UNESCOUPV_en

On January 26, 2017, I received this kind reply from Jacquetta (Jackie) Swift, Repatriation Manager at the National Museum of the American Indian:

Hi Amy,

I commend your repatriation efforts on behalf of the Hopi people, unfortunately both the NMAI and NMNH are bound to work only on repatriation issues that originate from each museum's respective collection under the legislation, the NMAI Act, that covers all Smithsonian museums. I apologize that this isn't the response you were hoping for, but I encourage you not to give up on correcting this historical wrong and I wish you the best of luck in returning these ancestors home in a respectful way.

Most sincerely,
Jacquetta (Jackie) Swift
Repatriation Manager
Smithsonian Institution
National Museum of the American Indian
Cultural Resources Center
4220 Silver Hill Road (MRC 538)
Suitland, MD 20746

On January 27, 2017 I received this message from Terry McClung:

From: McClung, Terry [mailto:terry.mcclung@bia.gov]
Sent: Friday, January 27, 2017 12:52 PM

To: dramyeis@yahoo.com; Leigh Kuwanwisiwma
Cc: David Downes; Karen Senhadji; Nedra Darling; Brooke Hobbie; Ashley Fry; Ryan Close; Elizabeth Appel; Ira New Breast; Anna Pardo; Simpson, Stephen; Owens-Brown, Anna

Subject: Fwd: International Repatriation of the Hopi Tribe and Puebloan Peoples' ancestral human remains and funerary offerings that were taken from Mesa Verde, Colorado USA by G. Nordenskiöld in 1891 and exported. The Mesa Verde Collection is in the Nat'l Museum of Finland

Hello and good day to you, Ms. Eisenberg,

I was very pleased to receive your email Wednesday. It's a rare thing to hear about the exploits of Gustaf Nordenskiöld, the first "archaeologist" to visit the four corners area. Today I presented your information to the International Repatriation Working Group. Several members of this group work in the U.S. Department of State and Department of the Interior's Bureau of Indian Affairs. **We are all excited to help facilitate the transfer of cultural property from Finland.**

Please give us some time, things are very busy here. The transitioning from one presidential administration to the next creates an increased workload for many of us.

That being said, you will hear more from the Working Group and/or the State Department very soon.

Sincerely, Terry

Terry L. McClung

Federal Preservation Officer, Archaeologist, Environmental Justice Coordinator, National Environmental Policy Act Coordinator,

U.S. Department of the Interior, Bureau of Indian Affairs

Division of Environmental and Cultural Resources Management

1849 C. Street, NW, MS 4637

Washington, DC 20240

(202) 208-5474

On February 2, 2017 Director of the Hopi Cultural Preservation Office sent this message to various government offices:

Good afternoon everyone. This is Leigh J. Kuwanwisiwma, Director of the Hopi Cultural Preservation Office of the Hopi tribe.

I wish to convey my deep appreciation for receiving our inquiry on this important matter and assuring that your assistance is forthcoming.

Dr. Eisenberg, as you know, is our Licensed Researcher whose task is to make initial contacts with all the technical and administrative stakeholders who may offer us help in fulfilling our goal to repatriate the remains of our ancestors. As we are finding out now, the Hopi tribe faces numerous processes and steps to achieve this goal. I'm convinced that due diligence by everyone will create proper legal and administrative guidance for our office and the Hopi people.

Again, thank you to everyone. Leigh

I discussed the international repatriation with Marcia Good, Senior Council to the Director, Office of Tribal Justice at the U.S. Department of Justice: Marcia.Good@usdoj.gov, 202-616-9040 and Tana Fitzpatrick at the Bureau of Indian Affairs: Tana.Fitzpatrick@bia.gov.

On February 3, 2017, in response to my message I received this email from Convention de 1970 <convention1970@unesco.org>

Dear Ms Eisenberg,

On behalf of Mr. Srong, we really appreciate your commitment regarding the case of international repatriation of the Hopi Tribe ancestral human remains and associated funerary offerings. However, in order to process this case with the facilitation of UNESCO it has to go through the Permanent Delegation of the United States and official authorities, as official authorities of the concerned countries have to be fully informed about the follow up given to your request. Therefore, you need to go through the US National Commission for UNESCO as well as through the US Permanent Mission to UNESCO. Furthermore, the United States must validate the request for return or restitution, and they must be the ones to submit the standard form for the ICPRCP as it is an Intergovernmental Committee.

Therefore, I recommend that you write an official letter to the Permanent Delegation of the United States of America to UNESCO on ParisUNESCO@state.gov & dl.usa@unesco-delegations.org as well as to the US National Commission on DCUNESCO@state.gov & wrightas@state.gov.

Moreover, it would be useful if you could also get in contact with Ms. Maria Kouroupas, KouroupasMP@state.gov who is the Director of the US Department of State's Culture Heritage Center. She may be able to advise you how to move forward with this case.

Best,
1970 Convention Secretariat

On February 4, 2017 I received this message from Andrea Carmen, Executive Director of the International Indian Treaty Council who has been working for more than 18 years on the International Repatriation of their sacred Yaqui Maaso Kova Deer Dance Headdress that is in the Swedish National Museum of Ethnography. This Museum is also a member of the International Council of Museums:

Hi Amy, due to workload, it's taken me few days to get you these additional materials, demonstrating various approaches and strategies we have undertaken at various levels. Thanks

Andrea Carmen

Executive Director, International Indian Treaty Council (IITC)

2940 16th St., Suite 305

San Francisco CA, 94103

Office phone (415) 641-4482

Office fax (415) 641-1298

Andrea Carmen cell phone (520) 273-6003

andrea@treatycouncil.org

www.iitc.org

Understanding that the National Museum of Finland is a member of the International Council of Museums, and after reviewing the International Council of Museums Code of Ethics:

<https://icom.museum/wp-content/uploads/2018/07/ICOM-code-En-web.pdf> I contacted the International Council of Museums Ethics Committee, and received these responses from Sally Yerkovich on February 5, 2017:

Dear Amy,

Please forgive my slow response to your e-mail. I just found it in my junk mailbox. Fortunately, in the interim, Raphael Roig from ICOM forwarded it to me and I have sent it to the Ethics Committee for their response. I will keep you posted on our progress.

Best regards,

Sally Yerkovich, Chair
Ethics Committee
International Council of Museums
sallyyerkovich@gmail.com

Dear Amy,

Good evening! I'm glad we are in touch and hope that the Ethics Committee will be able to help. (I am new to the position of Chair but have the impression that its wheels sometimes move slowly, so please be patient). Also, I forgot to ask in my last e-mail -- have you formally asked the National Museum for the return of the human remains?

Best regards,

Sally
Sally Yerkovich
+1-917-543-1750

In response to my inquiry about seeking funding for the International Repatriation, on February 6, 2017 I received this message from help@grantsolutions.gov:

Hello

Please contact grants.gov.

COE Partner Services
Application Support Analyst

On February 6, 2017 I received this email message from Paul T. Mungai, PhD

Science & Education Officer for UNESCO Affairs

Dear Dr. Eisenberg,

Thank you for your note.

Allison Davis is the subject matter expert for your issue in Director Kouroupas' office.

Best,

Paul

Paul T. Mungai, PhD

Science & Education Officer for UNESCO Affairs

Office of Specialized and Technical Agencies

Bureau of International Organization Affairs

U.S. Department of State

Tel: (202) 663-2407

BB: (202) 341-5378

**Official
UNCLASSIFIED**

On February 6, 2017 I sent this reply to Paul T. Mungai:

Thank you again, dear Paul. Please note that Convention de 1970 recommended that I contact Director Kouroupas, for the specific UNESCO international repatriation process that I am currently pursuing.

Sincerely,
Amy

On February 8, 2017, I spoke with Allison Davis, Cultural Property Analyst, Cultural Heritage Center, U.S. Department of State. She said that the UN Declaration on the Rights of Indigenous Peoples is not legally binding, and that the UNESCO Repatriation process is a last resort. She asked if I was a member of the Hopi Tribe. I informed her of the upcoming Intertribal Meeting with the Associated Tribes of Mesa Verde. She said to build consensus with the Puebloan Peoples and to continue to engage with the National Museum of Finland.

On February 10, 2017, I spoke with:

ROBERT ALAN HERSHEY
Clinical Professor of Law &
Director of Clinical Education
Indigenous Peoples Law & Policy Program
University of Arizona Rogers College of Law
Telephone: 520-621-5677
Email: hershey@law.arizona.edu

He recommended that I contact Honor Keeler with the Association on American Indian Affairs International Repatriation Office. 240-314-7155. I read this magnificent paper by Honor Keeler with the Association on American Indian Affairs and found it quite useful:

A Guide To International Repatriation

Starting an Initiative in Your Community

Prepared by the Association on American Indian Affairs
Honor Keeler (Cherokee Nation) Former Director,
International Repatriation Project, AAIA

With Contributions from:

Edward Halealoha Ayau (Native Hawaiian) Hui Mālama I
Nā Kūpuna O Hawai'i Nei

AAIA International Repatriation Externs:

Alyssa Newswanger

Rachael Dickson

https://www.indian-affairs.org/uploads/8/7/3/8/87380358/international_repatriation_guide.pdf

“...Repatriation is an international human rights issue that must continue to be addressed on the domestic and international levels. International repatriation is about

opening the doors to dialogue with indigenous communities and restoring the indigenous voice that, historically, has been silenced in both museums and legal structures. Finally, international repatriation cannot be limited to ancestral remains, but also involves the repatriation of funerary objects, sacred objects, objects of cultural patrimony, and anything else that has been produced from these ancestral remains and cultural objects. The necessity for international repatriation today cannot be ignored but must be acknowledged as an integral component of the development of international law, domestic laws, and museums toward acknowledging and respecting the self-determination of indigenous peoples. In moving forward through this healing process with indigenous communities, this awareness will help the international community continue to extract deep-set fictions that have had inhumane consequences for the world's indigenous peoples.... The removal of barriers to repatriation of ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony, both legal and administrative, will better assist indigenous communities with repatriation efforts.” - Honor Keeler

In response to my inquiry, on February 11, 2017 I received this message from Honor Keeler:

Osiyo Amy,
Shall we get together on a call, perhaps, on Monday to discuss this all with Leigh?
I'll read through things in the meantime~

All best,
Honor
Honor Keeler (*Cherokee*)
Director, International Repatriation Project
Association on American Indian Affairs
(401) 727-1400
Honor.K.Keeler@gmail.com

On February 14, 2017, I received this message from Zabrina Holmström, Senior Government Advisor, Deputy Director of the Finnish Ministry of Education and Culture International Relations:

Dear Ms. Eisenberg,
Once again, thank you for your mail. As confirmed earlier, we have received your inquiry and have promptly started, together with the Finnish National Museum, to discuss how to proceed in this matter.

However, it will take some time to finalise a concrete way and timetable of the next steps in this process. Our first priority is to find means to make an inventory of the concerned items.

Please also note, that for us to officially proceed with the repatriation process of the ancestral human remains an official request is required, as you surely are aware of.

Let me assure you that Finland respects all its international commitments, including the ICOM code of ethics. We find it very important to proceed in this matter in good cooperation with all relevant parties and authorities. Moreover, let me also assure you that the collection and all the items are stored safely and in appropriate conditions.

There is no possibility that any new items could disappear. The ancestral remains have never been at display in the museum.

To conclude, we are working together with the museum to present a plan how to proceed. We will come back to you as soon as possible with a more concrete and detailed answer. We appreciate very much your work and look forward to cooperate in this matter and foresee an official request for repatriation.

Since you were in contact also with the Secretariat of UNESCO, I wish to inform you that a copy of this message will also be sent to UNESCO.

With best regards,
Zabrina Holmström
Zabrina.Holmstrom@MINEDU.FI
Senior Government Advisor, Deputy Director
Ministry of Education and Culture
International Relations
P.O. Box 29, FI-00023 Government
Finland
Tel: +358-(0)295 3 30114 (direct)
GSM: +358-(0)40-7681 284

On February 15, 2017 I received this message from Honor Keeler:

Siyo Amy,

I'm attending a conference this week and owe a call to Leigh. Let's schedule something once these two tasks are done.

I need some time, also, to review the documentation. I think it is important to be strategic. Could you explain a little bit more about how you found the collection and whether there has been prior contact with the museum and their responses to date?

All best,
Honor

On February 15, 2017 I received this kind message from Annie Pardo with the Bureau of Indian Affairs:

Dear Dr. Eisenberg,

I have been copied on earlier emails regarding this matter, so I'm aware of the situation. I've worked with the Hopi Tribe on numerous repatriation issues within the U.S. and I'm here to continue helping in this area.

Because this deals with an international matter, Ms. Allison Davis at the State Department (copied here) is the point of contact.

I wish you all the best with repatriating the ancestral remains and funerary objects from the museum in Finland.

Warm regards,
Annie
Annie Pardo
Museum Program Manager/NAGPRA Coordinator
Bureau of Indian Affairs
12220 Sunrise Valley Drive, Room 6084

Reston, VA 20191

Office: 703.390.6343 Mobile: 202.557.0153
Anna.Pardo@bia.gov

On February 16, 2017 after speaking with him by phone, I received this message from Terry McClung:

Hello Amy,

After listening to your concerns Tuesday, I finished up a couple of things I was working on. I then reviewed those emails I told you I had concerning the Mesa Verde repatriation, and also talked to a couple of people here. I have discovered that the point of contact for this project is Allison Davis. She has all the information about when, where, and who writes any official letters.

I would also like to suggest that you speak to Leigh Kuwanwisiwma soon about this matter.

Thank you for your time. -Terry

Terry L. McClung
Federal Preservation Officer, Archaeologist, Environmental Justice Coordinator, National Environmental Policy Act Coordinator,
U.S. Department of the Interior, Bureau of Indian Affairs
Division of Environmental and Cultural Resources Management
1849 C. Street, NW, MS 4637
Washington, DC 20240
(202) 208-5474

On February 16, 2017, I sent this message to the Finnish Ambassador to the United States:

Dear Ambassador Kirsti Kauppi and Colleagues,

Good evening. I hope you are very well. I sincerely hope that you will help us to expedite this important and highly sensitive international repatriation.

Please see attached information. Thank you very kindly for your consideration and anticipated assistance.

All good wishes,
Sincerely,
Amy Eisenberg, Ph.D.

On February 19, 2017, I shared this message with Allison Davis and Director Maria Kouroupas at the U.S. Department of State in response to Davis' verbal request for something in writing stating that the Hopi Tribe takes the lead on International Repatriation efforts. I previously provided this information in writing to her in early January 2017:

<https://www.youtube.com/watch?v=YXEOhiQxqO0>
Going Home 11: Native Community and Agency Perspectives - Leigh Kuwanwisiwma

Please view this important Repatriation discussion by Director Leigh Kuwanwisiwma, stating that the Hopi Tribe takes the lead in repatriation efforts with and for the Puebloan Peoples. It is a cooperative understanding.

Sincerely,

Amy

On February 24, 2017, I received this message from Director Leigh Kuwanwisiwma, of the Hopi Cultural Preservation Office:

Amy. Thanks for all the work you have performed on the collections in Finland. I would like for us to talk again soon and discuss the status of the research to this point. I believe the Hopi tribe has enough working information to now move forward on a government-to-government basis.

I will be briefing our tribal council on this effort soon. So, pending further decisions by the tribe, you are requested to defer further communications to other parties to our office. Henceforth, we will be taking the lead.

You've generated valuable information and our office needs some time to digest all the communications.

As I mentioned, I am planning to report to the other Pueblos at our up-coming meeting in April.

Perhaps a summary report of your research findings would be most useful at this point.

Thank you, Leigh

On February 28, 2017, I received this message from Brooke Hobbie with the Office of International Affairs, Department of the Interior:

Dear Ms. Eisenberg,

Karen Senhadji, Director of the U.S. Department of the Interior's Office of International Affairs, shared your message sent on 2/26. The Dept. of the Interior is aware of the international repatriation request to the National Museum of Finland related to Hopi and Puebloan Peoples' ancestral human remains and associated funerary offerings that were taken from Mesa Verde. We recognize the importance of the request to the affected Tribes and we are working with the U.S. Department of State to support this request. However, as you may be aware, the Department of State is the lead U.S. agency for handling international repatriation requests with foreign governments and is in direct contact with the Hopi tribal government on this matter. Unfortunately, the Interior Department has no funding available to cover the costs of the repatriation.

Regards,
Brooke
Brooke Hobbie
Office of International Affairs
Department of the Interior
(202) 208-6316

I asked the Finnish Ministry of Education and Culture and the National Museum of Finland to provide their Repatriation Policy and inquired whether fumigants, pesticides, arsenic and heavy metals were applied to the collection.

On March 7, 2017, I was heartened to receive this email from Intendentti/Keeper of the National Museum of Finland, Heli Lahdentausta in response to my inquiry:

Dear Ms. Eisenberg

I am answering to your inquiry of the possible application of fumigants, pesticides, arsenic and heavy metals to the Mesa Verde Collection.

Now, three conservators have looked through and searched all the old archival material in our possession concerning the Mesa Verde items. There was no mention of any procedures of such application neither in the so-called conservation reports nor any other archival papers of the old conservation laboratory.

Sincerely,
Heli Lahdentausta

On March 7, 2017 I responded to Heli Lahdentausta's email:

Dear Ms. Heli Lahdentausta Intendentti/Keeper of the National Museum of Finland,

Hyvää iltapäivää

Paljon kiitoksia viestisi.

I am deeply heartened to learn that three conservators have looked through and searched all the old archival material concerning the Mesa Verde items at the National Museum of Finland and that there was no mention of any procedures of such application neither in the so-called conservation reports nor any other archival papers of the old conservation laboratory.

We greatly appreciate your cooperation and continued assistance toward bringing the Hopi and Puebloan ancestors and their sacred funerary offerings back home to be properly ceremonially reburied. This is a blessing for our world and for generations.

Please kindly provide us with the National Museum of Finland and the Finnish Ministry of Education and Culture's Repatriation Policy. Director Leigh Kuwanwisiwma is the Director of the Hopi Cultural Preservation Office. His email address is:

lkuwanwisiwma@Hopi.nsn.us

Ystävällisin terveisin,

Amy

On March 16, 2017, I spoke with my mentor, Honorable Dr. Rudolph Ryser, Native American Chair of the Center for World Indigenous Studies, to which I am an Associate Scholar. He shared his wisdom and knowledge of this process and recommended the following:

"Strengthen the reality that you are defending. The best hope is in the Hopi and Puebloan law and power to defend their nations. As indigenous people, we are the only ones that can defend our nation and our law. We have to take matters into our own hands and must act on our own, implementing and enforcing our law. We must confront and be prepared to defend the law in our court. It is a serious

matter - the Life and Death of a Nation. Show me the evidence that a single president has actually stepped out to defend a Native Nation. Send people to the National Museum of Finland. Assume that responsibility. Call the press to attend and demand return of the ancestors and their sacred funerary offerings. This is a nation's life and death situation. Indigenous peoples are suffering from trauma and must confront trauma. After exhausting all possible administrative remedies and there are none, the Hopi Government must act to defend itself." – Dr. Rudolph Ryser
In addition, I received this message from Dr. Ryser on March 16, 2017:

Amy,

If the Hopi need more specific help with the governing law and strategy, you may indicate that CWIS offers consulting services for such things.



On March 16, 2017 I received a message from Allison Davis, Cultural Property Analyst, Cultural Heritage Center, U.S. Department of State, in response to my inquiry about possible funding for this International Repatriation. Upon my inquiry and request, this was the very first time that she actually identified her title and post:

Dear Amy,

We have spoken before. The State Department does not have funding for this purpose. I do not know of any sources of funding.

Kind regards,

Allison

Allison R. Davis, Ph.D.

Cultural Property Analyst, Cultural Heritage Center

U.S. Department of State, Washington, DC

culturalheritage.state.gov | [@HeritageAtState](#)

Official
UNCLASSIFIED

On March 16, 2017, I received this message from Michael Pointer at the U.S. Department of State regarding the UNESCO International Repatriation process:

Greetings Dr. Eisenberg,

Thank you for your message. Here is more information about the Committee:

<http://www.unesco.org/new/en/culture/themes/restitution-of-cultural-property/intergovernmental-committee/>

Please let me know if you have questions should the website information not answer your questions.

If your inquiry pertains to the repatriation case about which you've been in contact with the State Department previously, please note that Allison Davis is the State Department's point of contact for that matter.

Best regards,

Mike

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UNCLASSIFIED

On March 17, 2017, I received a phone message from Director of Tribal Engagement, Jack Jackson Jr., with Arizona Congressman Tom O'Halleran's office. His number is: 928-503-0548 and his email address is jack.jackson@mail.house.gov

On March 18, 2017, I spoke with Director of Tribal Engagement, Jack Jackson with Arizona Congressman Tom O'Halleran's office. Mr. Jackson previously worked with the State Department and has experience with Native American International Repatriation.

On March 24, 2017, I received this message from Michael Garuckis, *Political Officer, U.S. Mission to UNESCO*:

Dear Dr. Eisenberg,

Many thanks for your email. Unfortunately, my mission does not have funds available to assist third parties in their work and neither do we have contacts in the international fundraising community that we can provide.

Under the assumption that others may have funding or concrete recommendations, I'm looping in Allison Davis – our point person on reparation/repatriation.

With best regards,

Michael Garuckis

Political Officer, U.S. Mission to UNESCO

12, avenue Raphael, 75016 Paris

On April 5, 2017, I received this email from Allison Davis with the U.S. Department of State in response to my inquiry:

Dear Amy,

I am available to work directly with tribes on this matter. Our practice is to work with tribes to understand their desired outcomes for each particular scenario and to tailor the actions we may take as appropriate.

Kind regards,

Allison

**Official
UNCLASSIFIED**

Director Leigh Kuwanwisiwma's statements at the Inter-Tribal Coalition Meeting on April 4-5, 2017:

The collection out of the Mesa Verde area that went over to Finland has been talked about informally with this group over the past years. It's been our interest, of course, to try to follow up and then also to now seek repatriation of these human remains. So, taking that to heart, with it begins some research into this matter for the last two or three months. So, part of what you have in your packet there is an inventory of remains that Cliff had made available to all of us here. So, if you want to pull that out. It looks like this, with the human remains listed. So overall, it appears to be about 23 individuals, then the one clump of hair, human hair, they also have listed. So about 24 remains that we eventually got out of the inventory with the National Museum in Finland. So, what we are able to do now is get the message out that the Hopi Tribe, as I'm sure all of us, the consulting parties to the Mesa Verde area, were interested in getting a better understanding of not just the inventory, but also of the process that we would use to eventually repatriate these human remains, and that's in progress. We have been in direct contact with the National Museum over in Finland. They are really quite cooperative and are expressing a real support for the repatriation on their end. So, I think we're looking at succeeding over a period of time. I don't know how long it will take us, but internally we did apprise the Hopi Tribal Council of this effort as well. And so, between myself and the chairman, vice-chairman, we will present a report also to the Hopi Tribal Council next month. Our legal counsel also is advising us that we need to have a formal resolution authorizing the chairman to engage in this effort, because I'm sure it will require some agreements and signatures for us to follow through on it.

We have engaged in a lot of conversations with a lot of people that are now joining us. My report is to the team here and to seek your guidance as well, how best to move forward and hopefully with your support to really -- I think this would be the first international repatriation if we're successful and it's going to take a lot of political support and tribal support to accomplish it. And if we succeed, then I think it would appease our minds as to the carrying out of our ethical and moral responsibilities as well. So, this is what we did on behalf of the team here, so this is my report to everybody here.

There's already a research strategy that we're engaging in, so there's some task that does need to happen. And our commitment from Hopi, that we will follow through with those tasks. And maybe through email, whatever, we can provide ongoing progress reports. Well, this is the first time I'm actually reporting to all of you. So, if your respective pueblos and tribes want a direct presentation by myself, I'm willing to travel, because eventually we will need it. We do need support tribally as well.

What I would really want, either formally or informally, really your guidance here. Pretty much around really the

request for support from everybody here this afternoon. Informally, with a show of hands, or formally, I think that would be very good information back to the Hopi Tribe, our Council, our chairman, that we do have support and that also gives me an indication that we're all interested and supportive on this matter. I know some pueblos have spoken out in support and if it's by consensus to move forward, again our due diligence from the Hopi Tribe reporting to you through email or through Cliff and them, that would really help me have the confidence as we move towards finalizing this effort here.

I would like to acknowledge Dr. Amy Eisenberg who was our researcher on this matter. The tribe gave her a small research license to help us organize and get inquiries and help us with identifying key people that would engage with us. I would like to acknowledge Dr. Eisenberg on her effort as well. At this point it has turned back to the Hopi Tribe to actually formally now engage in communications with the National Museum of Finland.

So, as we make progress, we'll keep you informed. And if we need to, we can call our own meeting, maybe perhaps here again. But it's important we decided to take initiative, so I will continue to communicate with every one of you. And I think Cliff did send out this 40-page report. It's a verbatim kind of report by Dr. Eisenberg. Just read through that and you will get a sense of some of the things that have happened as far as her research. But at this point, the Hopi Tribe is taking full initiative on communications. Again, thanks for all of your kind words and your support here for the Hopi Tribe. I think we'll succeed, and I think when we succeed it's going to be the first of its kind. So, let's hang in there together and fulfill our moral and ethical responsibilities.

Thank you, tribes, for supporting the Hopi Tribe on these remains. A comment I want to make is, we tribes need to work together trying to get remains back from overseas. And also, I would like to request that the Department of Interior and Justice, send us a report, what kind of remains are there in other different countries that we don't know. It's very important for us so we can get these remains back to where they belong, back to our ancestral lands and give them the proper burial that they deserve instead of being overseas being displayed in museums or different types of shows. Thank you.

This message on April 7, 2017 is from Director Leigh Kuwanwisiwma:

Dear Amy,

Thank you for your work on behalf of us. I gave a report to our Inter-tribal coalition last week and it was favorably received and by vote, unanimously supported.

As far as the next step, the Hopi tribe will formalize this effort by direct communications with the National Museum of Finland. In the meantime, I will be going to the Hopi Tribal Council for a resolution authorizing the Chairman and me to proceed with this effort.

Again, thank you for your work. Leigh

On April 13, 2017 in response to my inquiry for assistance, I received a call from Special Agent for Homeland Security Investigation - International Property Rights Group, Melissa Pagitt in Tucson, requesting a meeting to discuss the international repatriation. Her contact information is Melissa.M.Pagitt@ice.dhs.gov 520-850-4527.

On April 18, 2017, Special Agents for Homeland Security Investigation - International Property Rights Group, Melissa Pagitt and Mike Alperstein and I met in my home at 3:00 PM to discuss the international repatriation. I directed them to contact Director of the Hopi Tribe Cultural Preservation Office, Leigh Kuwanwisiwma and provided his contact information. Special Agent Alperstein's wife and child are of the Southern Ute Tribe – one of the Associated Tribes of Mesa Verde. Mike Alperstein's contact information is: Mike.Alperstein@ice.dhs.gov, 520-980-5182.

This message on May 18, 2017 is from Director Leigh Kuwanwisiwma of the Hopi Cultural Preservation Office:

Thank you for the contact information. Yes, we are working on the Finnish collection. I am working on getting formal sanctions from the Hopi Tribal Council to proceed with the repatriation. Thanks, Leigh

This message was sent on June 7, 2017:

Subject: Stenographers notes from recent Tribal Consultation with Mesa Verde/Aztec/Chaco

Hello,

These are the stenographers notes from our recent consultation. They are the best effort of the recorder to preserve a record of the meetings and in some cases, are not an exact quote. In some cases, you may feel that key statements were not captured as you would like, please make us aware if you have concerns.

These notes provide us with a reference to follow up on questions asked during the meeting and to enhance future consultation.

You may notice that some of your fellow tribal contacts are not on this email. This has been the best effort to obtain an email from our tribal contacts list, the sign in sheets from the meetings, and direct phone calls to many of the tribes. We will continue to pursue a complete dissemination of these notes.

Best regards,

Brian Halstead
Archaeologist
Aztec Ruins National Monument
725 Ruins Road
Aztec, NM. 87410
(505) 334-6174 ext. 247
brian_halstead@nps.gov

On August 9, 2017, I received this message from Honor Keeler:
Osiyo,

I have resigned from the Association on American Indian Affairs (AAIA). If you would like to reach me, please email me at my personal address at: Honor.K.Keeler@gmail.com. To reach the AAIA, please call the main office at 240-314-7155.

Thank you!

Honor Keeler

Honor Keeler (*Cherokee*)
Director, International Repatriation Project
Association on American Indian Affairs
(401) 727-1400

On August 9, 2017 I called the Association on American Indian Affairs and spoke with Faith Roessel. Her email address is: fr.aaia@indian-affairs.org. Faith informed me that Honor resigned from the position of Director, International Repatriation Project, Association on American Indian Affairs about two weeks ago. There is not a new Director, International Repatriation Project with the Association on American Indian Affairs as of August 9, 2017.

On September 26, 2017, I received this message from the National Museum of Finland in response to my inquiry:

Dear Amy Eisenberg

We are just about to start the inventory. It requires additional funding, because there is no expertise among our own staff and we have to hire specialists, as we have reported to you earlier.

Please be patient, your request has been received and is dealt with as soon as it is possible for us.

Sincerely,

Heli Lahdentausta

Intendentti/Keeper
Yleisetsnografiset kokoelmat/Ethnographic collections
Kokoelmat ja tutkimus/Collections and Research
Suomen kansallismuseo/National Museum of Finland
PL/P.O. Box 913, FIN-00101 Helsinki
PUH/TEL +358 295 336434 E
MAIL heli.lahdentausta@kansallismuseo.fi

On October 3, 2017, I received this message from the International Council of Museums Ethics Committee:

Dear Ms. Eisenberg:

I am writing on behalf of ICOM and ICOM's Ethics Committee regarding your request to the National Museum of Finland. I want to let you know that ICOM has been in touch with the National Museum as well as ICOM Finland and the Finnish Ministry of Education and Culture and we are coordinating this response with UNESCO. We believe that all parties concerned are treating your request with the appropriate seriousness and respect. The research that the National Museum is conducting in response requires additional resources, professional expertise, and time. We are convinced that all possible efforts are being made to resolve this issue as expeditiously as possible and hope that you will respect the need for the research process to be carried out carefully and thoroughly.

Sincerely,

Sally Yerkovich, Chair
Ethics Committee
International Council of Museums
sallyyerkovich@gmail.com

On October 5, 2017, I received this message from Shannon Keller O'Loughlin, Executive Director of the Association on American Indian Affairs:

Good morning Dr. Eisenberg,

I hope you are well. We received your voicemail and this email. I am the new Executive Director of AAIA, and the International Repatriation Program. I agree with everything you said on your voicemail!

Please let me know how AAIA can best be of assistance, legally or otherwise, including using press, social media, etc. to get the word out - if that is appropriate.

I am generally available 9-5 eastern time.

Thank you for reaching out,
Shannon

Shannon Keller O'Loughlin

Executive Director

Association on American Indian Affairs

966 Hungerford Drive, Suite 30-A

Rockville, MD 20850

Office: 240.314.7155

Fax: 240.314.7159

Cell: 202.907.4448

Shannon.AAIA@indian-affairs.org

On Monday, October 9, 2017, I was delighted to receive a call from Executive Director Shannon Keller O'Loughlin with the Association on American Indian Affairs. She indicated that we need a strategic approach for the international repatriation to bring all the parties together, as enforcement is difficult. Executive Director Keller O'Loughlin is on the Cultural Property Advisory Committee with the Department of State and is an attorney who has been focused on repatriation. She stated that we need to build momentum domestically, in order to go after repatriation internationally. If granted permission, she

recommended that we put out a story in the press – the New York Times explaining what happened and what is desired.

On Tuesday, November 21, 2017 I spoke with Executive Director Keller O'Loughlin with the Association on American Indian Affairs about the international repatriation. She provided many valuable insights:

Through diplomacy and partnerships, and with a Hopi pool of funds, working in collaboration with the National Museum of Finland is a strategic way forward. Applying strategically different methods of diplomacy and building diplomatic relationships, the tribes must use their diplomatic skills as sovereign nations. Seek funding sources and with diplomacy, mutual respect and partnerships, apply diplomatic ways, team effort and leadership to push the agenda forward. Without diplomacy and resources, it may not be realized. Build a bridge.

Motivate more people with an educated and concerted effort of the tribe, to have a strong foot forward from the tribes. Diplomatic relationships, collaboration and strategy are necessary with a diplomatic leader who is involved in the process. This is a winner. With a pool of money and the Hopi in control over it, offer a strategy for diplomacy laying out some of the options. What can be done without an updated inventory? Is the National Museum of Finland willing to repatriate?

Be honest, transparent and realistic with foreign governments. It is different working with foreign governments. With a foreign government, we have to pass through this diplomatically. We have to have a different approach – a sovereign and diplomatic approach. Other diplomacy must be in place and the laws apply to this. It is treatying with a foreign government. In order for the Hopi and the Puebloan Peoples to be successful, there should be funding and bodies, and travel to Finland.

We need a concerted group of Native Nations to exert pressure on the National Museum of Finland from the United States. Without this, there is not enough momentum.

Advocate nationally, to push the envelope with programmatic effort of the Association on American Indian Affairs advocating internationally with many tribes on this issue with advocacy in different areas. With commitment to the process, we must have a strategic plan and the Association on American Indian Affairs is happy to do that.

On December 1, 2017, I received a call from Allison Davis, Cultural Property Analyst, Cultural Heritage Center at the U.S. Department of State. She did not know if and when a US Ambassador to Finland would be appointed. She is available to follow the lead of the Hopi Tribe and the Associated Tribes of Mesa Verde regarding the International Repatriation.

On January 27, 2018, I was heartened to receive a message from former US Ambassador to Finland, Bruce J. Oreck:

Amy,

First thank you for your work in gathering up the precious heritage of the Hopi. Currently I am in Mexico on a winter break. I am on the road for much of the next few months and will not be back in Finland full-time until the end of April. I am not sure how much help I can be, but I am certainly happy to see what I can do once I get back. Is that ok?

Bruce O

On Jan 29, 2018, at 8:29 PM, I received an email from archaeologist Laurie Webster, ldwebster5@gmail.com:

Hi Amy,

Thank you for your message. It is nice to meet you. In 2013 I worked with the BLM with the blessing of the Hopi, Zuni, and Acoma tribes on the repatriation of human remains and associated funerary objects from southeastern Utah. I also worked with the Hopi Tribe on the 2009-2014 Falls Creek repatriation project and the Hopi-Salado and Hopi-Hohokam cultural affiliation studies with TJ Ferguson and Leigh Kuwanwisiwma. I would be happy to help out any way I can with the Mesa Verde repatriation. I have not seen the collection in Finland, but I have a few publications about it. I believe that National Park archaeologist Charlie Steen went over there about 20-30 years ago to examine it. His notes are probably in the Mesa Verde National Park archives and could shed light on some of the missing artifacts.

By way of introduction, I am an independent scholar who specializes in the documentation and interpretation of Southwestern perishable material culture (textiles, baskets, wood, hides, etc.). My formal affiliation is with the Department of Anthropology at the University of Arizona, but I work out of my home in Mancos, Colorado, next door to Mesa Verde National Park. I have a good working knowledge of the material culture from the park and could be of service if you are looking for someone to travel to Finland to photo-document the collection and reconstruct the burial assemblages. For the 2013 repatriation, I put together a team of three people—a feather, fur, wood, and stone tool specialist, a basket specialist, and myself. For this collection, it would also be necessary to involve a ceramics specialist.

I am currently in New York for a month working on a research project at the American Museum of Natural History. I expect to come down to Tucson in late February or early March, so perhaps we could meet up then. If you would like to speak by phone before then, we can arrange a time in advance.

Best regards,

Laurie

On February 1, 2018, I received this message from Hopi Tribal Chief of Staff Bruce Talawyma:

On Feb 1, 2018, at 8:34 AM, Bruce Talawyma <BTalawyma@hopi.nsn.us> wrote:

Good Morning,

We appreciate the information you have provided. As an introduction, I am serving as Chief of Staff to Chairman Timothy Nuvanyouma, the new Hopi Chairman. We are still going through our orientation, which has kept us very busy. The work that you are involved in is very important to the Hopi people, and we do want to take the time to meet with you soon. The need to become informed and familiar with the International Repatriation of Hopi and Pueblo sacred objects is at the top of our list. So, to help us understand the work that you are doing, we want schedule a meeting with you. Let us know what dates you are available, and we can work our schedules accordingly. We are open to traveling to Tucson.

Thank you for reaching out to us. We are looking forward to meeting with you.

Regards,

Bruce Talawyma

On February 28, 2018 I received a message from former US Ambassador to Finland, Bruce J. Oreck stating that he is willing to meet with the Hopi leaders and I to discuss the international repatriation. He wrote: Yes, you can coordinate through my communications director Karoliina Kuusi...karoliina@bruceoreck.com.

On March 27, 2018, I received this email from communications director Karoliina Kuusi for former US Ambassador to Finland, Bruce J. Oreck:

Dear Amy,

Thank you for your message. Unfortunately, Ambassador Oreck is on an important business trip here in Finland between April 3-12th and can therefore not attend a meeting in Tucson.

I will be glad to discuss the matter with him upon his arrival to assess how to move forward.

Sunny greetings from Helsinki,
Karoliina

On March 28, 2018, I received this email from Karoliina Kuusi:

Dear Amy,

As Ambassador is currently between Mexico, NYC and Helsinki, unfortunately arranging a meeting in Tucson before his arrival in Finland is challenging. Upon his arrival next week, I will discuss the matter forward with him in person.

Kind regards,
Karoliina

Karoliina Kuusi
Director of Communications
Office of Ambassador Bruce Oreck
+358 44 970 9002
karoliina@bruceoreck.com

On April 2, 2018, I received this message from Attorney Shannon Keller O'Loughlin, Director of the International Repatriation Office of the Association on American Indian Affairs:

Hello!

I hope you are well! I would love the opportunity to meet with Hopi leadership. However, I don't have the availability or funding to come out on the 9th. I will be in Scottsdale this week Wednesday, Thursday and Friday. Will folks be available then?

Shannon
Shannon Keller O'Loughlin
Executive Director
240-314-7155 office
202-997-4448 mobile
www.indian-affairs.org

On April 9, 2018, I received this message from the Director of Tribal Engagement, Jack Jackson in Arizona Representative Thomas O'Halleran's Office:
9:24 AM, Jackson, Jack <Jack.Jackson@mail.house.gov> wrote:

Amy,

Sorry I was not able to attend the Hopi meeting this morning. Please let me know what the tribe has decided their next steps are in this matter.

Jack

On April 10, 2018 I received this message from Executive Director Shannon Keller O'Loughlin with the Association on American Indian Affairs:

On Apr 10, 2018, at 7:01 AM, Shannon Keller O'Loughlin <shannon.aaia@indian-affairs.org> wrote:

Hi Amy,

I work with state department folks and the U of A Indigenous Peoples Law and Policy Program has done UN filings and advocacy. This is likely something they would help the Hopi with....I am on the Cultural Property Advisory Committee at the state department and work closely with all of them.

Shannon

On April 10, 2018, I received this message from Ieng Srong with UNESCO:

Dear Ms Eisenberg,

I acknowledge receipt and thank you for your message, following our exchanges of 2017.

As for the official procedure to be followed in order to present a case before the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation, you have to go through the US national authorities, namely the US Department, Ms Maria Kouroupas (KouroupasMP@state.gov).

You also have to get in touch with the US Permanent delegation to UNESCO, dl.usa@unesco-delegations.org. We hope this information will help.

Yours sincerely,

Ieng Srong

	Ieng Srong Chief, Section for Movable Heritage and Museums Division for Heritage and World Heritage Centre
United Nations Educational, Scientific and Cultural Organization	7, place de Fontenoy F-75352 Paris 07 SP Tel.: +33 (0)1 45 68 17 76 www.unesco.org

On April 27, 2018, I had the opportunity to speak with Arizona Representative Raul Grijalva as we were returning from Washington DC. Regarding this international repatriation, he stated that, we need to elevate the profile of this issue as well as other pressing Native American concerns.

On May 7, 2018 I received an email message from Shannon Keller O'Loughlin:

Hi Amy,

It is my understanding that Finland is completing its inventory and does want to work with the Hopi. Inroads and relationship building should be considered as a primary strategy to support repatriation. The museum is moving at a snail's pace – but they are moving.
Shannon

Shannon Keller O'Loughlin (Choctaw)

Executive Director

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Protect Sovereignty - Preserve Culture - Educate Youth.

On May 7, 2018, I spoke with Shannon Keller O'Loughlin, Executive Director of the Association on American Indian Affairs. I asked where she learned that the National Museum of Finland is completing its inventory of the Hopi and Pueblo Human Remains and Sacred Funerary Offerings, which belong to the deceased. She informed me that she

learned of this through the U.S. Department of State. The National Museum of Finland should be communicating with the Hopi Tribe, which is taking the lead on this international repatriation.

There is a new U.S. Ambassador to Finland as of late May 2018. His name is Robert Frank Pence and his contact information is:

U.S. Ambassador to Finland Robert Frank Pence
U.S. Embassy Helsinki
Itäinen Puistotie 14 B
00140 Helsinki
Finland
Phone: +358-9-616-250
arc@usembassy.fi

This message on May 11, 2018 is from the Hopi Chief of Staff, Bruce Talawyma:

Hello Amy,

Thank you for all that you do for the Hopi Tribe.

Bruce

On June 22, 2018, after returning from a meeting at the Hopi Tribe Cultural Preservation Office on June 21, 2018, I spoke with Executive Director of the Association on American Indian Affairs, Shannon Keller O'Loughlin regarding the international repatriation. Shannon suggested that the Association on American Indian Affairs through their international repatriation initiatives could quite possibly assist with funding to help bring the ancestors and their sacred funerary offerings home for ceremonial reburial back in Mesa Verde. Shannon said that she would be available the first two weeks in July for a conference call with the Hopi Cultural Preservation Office to discuss an agenda and strategies for moving forward. She recommended that we use the word "return" instead of "repatriation" as some museums are uncomfortable with the legal language and implications of the term "repatriation". She indicated that we do not have leverage but could offer a relationship with Hopi and Pueblo Peoples and information that can be shared. She added that this could be an opportunity for the National Museum of Finland to gain knowledge, contact and a marketing opportunity. Developing relationships is a positive way forward. Shannon suggested that we could provide a gift of a Hopi basket to the National Museum of Finland to replace the Mesa Verde human remains and sacred funerary offerings. Sister cities are another opportunity: Perhaps the Hopi Cultural Center and Museum could provide diplomatic common ground to give back something to the National Museum of Finland so that the relationship could heal with the Hopi leading us. Shannon recommended that we devise a strategy before we contact Allison Davis with the State Department. Serendipitously, on June 29, 2018, Executive Director of the Association on American Indian Affairs and International Repatriation Office, Shannon Keller O'Loughlin will be teaching Indian Law 101 to international visitors from European nations

through the International Visitor Leadership Program that is sponsored by the State Department. It is about World Learning Best Practices on Native American Perspectives and Native American collections to promote future collaborations. This course will give structure of our laws protecting Native American cultural items and the significance of cultural resources. The National Museum of Finland Collection Keeper, Heli Lahdentausta will be attending this course and will be traveling west in the United States. Shannon stated that we must understand our roles, strategy and what is appropriate. Hopi leadership can show the way. There is a three-hour difference in time as Shannon is in Maryland, therefore we should plan our conference call for the first two weeks of July with Shannon according to Hopi preferences with consideration for the three-hour time difference.

This message on June 23, 2018 is from Shannon Keller O'Loughlin:

From: Shannon Keller O'Loughlin <Shannon.aaia@indian-affairs.org>

Subject: Re: President of Finland, etc. contact information for writing formal letters requesting international return of Hopi & Pueblo ancestors and their sacred funerary offerings, which belong to the deceased that are in the National Museum of Finland since...

Date: June 23, 2018 at 5:41:21 PM MST

To: "Amy Eisenberg, Ph.D." <dramyeis@yahoo.com>

Amy,

I suggest that we all talk and gather facts from state dept before you draft a letter?

Shannon Keller O'Loughlin

Executive Director

240.314.7155

www.indian-affairs.org

On June 25, 2018 I sent this message to the Hopi Cultural Preservation Office

From: Amy Eisenberg, Ph.D.
[mailto:dramyeis@yahoo.com]

Sent: Monday, June 25, 2018 12:43 PM

To: Terry Morgart

Cc: Stewart Koyiyumptewa

Subject: Simple Draft of Formal Letters for: Director General of the Finnish Ministry of Education and Culture, Director General of the National Museum of Finland, President of Finland, US Ambassador to Finland and Finnish Ambassador to the US, etc. if you wish

Dear Terry and Stewart,

Good afternoon. I hope you are very well. Here is a simple draft for formal letters to: The Director General of the Finnish Ministry of Education and Culture, Director General of the National Museum of Finland, the President of Finland, the US Ambassador to Finland, Finnish Ambassador to the US and any other relevant leader that you would recommend:

Dear Honorable US Ambassador to Finland, Robert Frank Pence, Director General of the Finnish Ministry of Education and Culture, Riitta Kaivosoja, Director General of the National Museum of Finland, Elina Anttila, President of Finland, Mr. Sauli Niinisto and Finnish Ambassador to the US, Ms. Kirsti Kauppi,

Good day. We hope you are very well. Best wishes in your valuable work. I am Licensed Researcher with the Hopi Tribe - Cultural Preservation Office working on the International Repatriation of the Hopi and Pueblo Peoples' human remains and sacred funerary offerings, which belong to the deceased that were taken from Mesa Verde graves by Gustaf Nordenskiöld in 1891 without permit or permission and exported. The Mesa Verde Collection has been in the National Museum of Finland since 1909 and sadly, some of the items have disappeared. We are respectfully requesting the international return and ceremonial reburial of the Hopi and Pueblo Human Remains and Sacred Funerary Offerings, which belong to the deceased. We would be most grateful for your attention to this matter and your prompt assistance.

Please kindly help us to bring the ancestors and their sacred funerary offerings home for proper, respectful and rightful ceremonial reburial back in Mesa Verde where they were once laid to rest before their graves were disturbed, desecrated, disinterred and the contents exported without permit or permission.

Thank you very kindly for your anticipated assistance. We look forward to working respectfully with you and all relevant leaders in Finland and the United States in partnership, to bring the ancestors home for ceremonial reburial back in Mesa Verde. Superintendent Cliff Spencer of Mesa Verde National Park and all the 26 Associated and Affiliated Tribes of Mesa Verde are in full agreement, with the Hopi Tribe taking the lead on this international repatriation.

I look forward to hearing from you at your earliest.
Sincerely,
Amy Eisenberg, Ph.D.

On June 28, 2018, I received this message from the Hopi Cultural Preservation Office:

Dear Honorable US Ambassador to Finland, Robert Frank Pence
US Embassy Helsinki
Itäinen Puistotie 14 B
00140 Helsinki, Finland
202-647-4000 +358-9-616-250 arc@usembassy.fi

Director General of the Finnish Ministry of Education and Culture, Riitta Kaivosoja

Director General of the National Museum of Finland, Elina Anttila,
The National Museum of Finland
Mannerheimintie 34, Helsinki, Finland
P.O. Box 913, FI-00101 Helsinki, Finland
+358-295-33-6000 kansallismuseo@kansallismuseo.fi

President of Finland, Mr. Sauli Niinisto

Finnish Ambassador to the U.S., Ms. Kirsti Kauppi

This letter is in regard to the Hopi Tribe's efforts to seek return of ancient Puebloan human remains and artifacts taken from the Mesa Verde area by Gustaf Nordenskiöld in 1891 and currently in possession of the National Museum of Finland.

Pursuant to enclosed Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to the Basketmaker and Ancestral Pueblo prehistoric cultural groups in Mesa Verde National Park, *Tawtoyky*, the Place of the Songs, known to Hopi people, *Hopisinom*, as *Motisinom* and *Hisatsinom*, First People and People of Long Ago. The Hopi Cultural Preservation Office supports the identification and avoidance of our ancestral sites, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate your efforts to address our concerns.

The Hopi Cultural Preservation Office has long considered international repatriation of human remains and associated funerary objects culturally affiliated to the Hopi Tribe. However, we have been unable to proceed due to lack of inventories or international processes for repatriation.

We are aware of Gustaf Nordenskiöld's activities in the Mesa Verde area and understand that the Nordenskiöld Mesa Verde Collection contains at least 5 skeletons and 26 skulls in addition to numerous associated funerary objects. Therefore, we are very interested in the repatriation and reburial at Mesa Verde of the human remains and funerary objects in this collection.

HOPÍ

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *Maasaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, ancestral Hopi clans traveled through and settled on the lands in and around Mesa Verde National Park—during their long migration to *Tuuwanasavi*, the Earth Center on the Hopi Mesas. The land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago", all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant.

The Hopi people first emerged into this Fourth World, they asked *Maasaw*, the Earth Guardian, if they could live here. *Maasaw* offered a bag of seeds, a water gourd, and a planting stick, and explained that the Hopi people's way in the Fourth World would be hard, but that the Hopi Way would provide a long and good life. Therefore, the ethic of self-sufficiency has always been the root of the Hopi Way.

Hopi people trace our history back thousands of years, making Hopi one of the oldest living cultures in the world. Hopi are a diverse people; our ancestors *Hisatsinom*, people of long ago are known as the "Anasazi, "Hohokam," "Sinagua, Mogollon, and other prehistoric cultural groups of the American Southwest. Some of the Hopi villages are among the oldest continuously occupied settlements in the United States. The remoteness and expanse of Hopiland has isolated Hopi people from the outside world and has helped to preserve our culture.

Today, Hopi is a vibrant, living culture. Hopi people, *Hopisinom*, continue to perform our ceremonial and traditional responsibilities in our ancient language. Hopi are deeply religious people living by the ethic of the Hopi Way: peace and goodwill, spiritual knowledge, adherence to religious practices, and responsibility as Earth Stewards. Hopi culture places great value on family cohesion, stability and generosity, humility and respect, a work ethic of self-reliance, and valuing and honoring the needs of the entire community.

At Hopi, giving, *maqa*, "to give," has been at the heart of our society and social compact since time immemorial. The honor of giving means respecting and honoring both the giver and the recipient. In Hopi culture, giving is reciprocal, binding individuals and groups to each other and the spiritual realm. Work is a gift based on kinship and gender. Hopi people build their homes with *suminangwa*, all together, and *naminangwa*, mutual concern for others welfare. The very cornerstone of Hopi society and sociality is the exchange of mutually beneficial gifts, and relationships reconfigured by those exchanges. Gifts are communications in a language of social belonging.

United Nations

In the enclosed letter dated August 31, 2010 to President Barack Obama, the Hopi Tribe encouraged him to endorse the United Nations Declaration on the Rights of Indigenous Peoples this year. The United Nations Declaration is a set of principles that would provide Native Americans, Native Alaskans, and Native Hawaiians with greater security regarding our basic human rights, including our rights to self-determination, equality, and nondiscrimination.

The Declaration offers our community an additional tool when we try to persuade Congress to increase program support for the revitalization of our language, when we try to protect our land and natural resources from being taken without our free, prior, and informed consent, and when we assert our right to manifest, practice, develop, and teach our spiritual and religious traditions to our children.

Article 25 states, "Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and uphold their responsibilities to future generations in this regard."

While the Declaration is not a self-executing treaty with the full force of law, it comprises the world's most

comprehensive statement of the rights that all Indigenous Peoples, individually and collectively, should possess and articulate the standards that countries should strive to attain to ensure our rights are protected. The Declaration, which the United Nations General Assembly adopted in 2007, was adopted by President Obama after receiving our letter.

In the enclosed letter dated March 19, 2015 to the International Repatriation Project of the Association on American Indian Affairs the Hopi Tribe supported the Association's submission to the United Nations Expert Mechanism on the Rights of Indigenous Peoples 8th Session, 20-24 July 2015. The Hopi Tribe strongly supported the Association on American Indian Affairs efforts for the International Repatriation of Sacred Objects, Objects of Cultural Patrimony, Human Remains and Funerary Objects.

The Association on American Indian Affairs' submission to the United Nations Expert Mechanism on the Rights of Indigenous Peoples 8th Session includes a case study on the Hopi Tribe and the ongoing auction of our Katsina Friends in France. The French auction of Hopi sacred objects is a violation of customary norms in international law and human rights pertaining to Indigenous Peoples, and we seek redress for the absence of ethical and moral codes pertaining to Indigenous Rights.

NAGPRA

In the United States since the 1990 enactment of the Native American Graves Protection and Repatriation Act, many thousands of human remains and associated funerary objects, sacred objects and objects of cultural patrimony have been returned to Native people from federal and federally funded museum collections.

Hopi Tribal Council Resolution H-70-94 recognizes the importance of the Native American Graves Protection and Repatriation Act. The Hopi Tribe has repatriated and reburied thousands of our ancestors and their objects and repatriated many sacred objects and objects of cultural patrimony for the appropriate clans and traditional religious practitioners. Many more remains and objects are awaiting repatriation.

Many Hopi sacred objects, objects of cultural patrimony, human remains, and funerary objects are currently in possession of foreign museums or private individuals. Hopi Tribal Council Resolution H-70-94 further declares the Hopi Tribe's interest into Hopi cultural artifacts and human remains "which have been exchanged, traded or sold to foreign museums or private individuals by U.S. Museums and other entities subject to the Native American Graves Protection and Repatriation Act."

However, most Hopi sacred objects, objects of cultural patrimony, human remains and funerary objects that are currently in possession of foreign museums or private individuals are not subject to the Native American Graves Protection and Repatriation Act. In the case of the Hopi Tribe and other Native American Nations, these objects are currently held in museums and private collections in Germany, Finland, Japan, and other parts of the world.

On January 5, 2017, the Hopi Cultural Preservation Office approved License No. 17-001 issued to Amy Eisenberg,

Ph.D., Center for World Indigenous Studies for a research proposal entitled *Repatriation of Hopi and Affiliated Tribes' Human Remains and Associated Funerary Objects and Materials Excavated and Exported by G. Nordenskiöld from Mesa Verde*.

The purpose of the project is to identify the human remains and associated funerary objects and their original proveniences at Mesa Verde in the Nordenskiöld collections in Finland and provide the Hopi Cultural Preservation Office with research to enable the repatriation and reburial of these remains and objects at Mesa Verde National Park. Mesa Verde National Park has a Native American consultation committee composed of the culturally affiliated Pueblo tribes, as well as tribes traditionally associated with the Mesa Verde area. This committee has delegated the Hopi Tribe to act on behalf of the committee in the repatriation and reburial of human remains and associated funerary objects.

On June 28, 2018, I received this message from the Finnish National Committee of the International Council of Museums, the United Nations organization of which the National Museum of Finland is a member:

Dear Amy,

I have forwarded your request to the National Museum of Finland, where the matter will receive further attention.

Best regards,
Lassi Patokorpi
Sihteeri

ICOM Suomen komitea
icom.finland.info@gmail.com
<http://finland.icom.museum/>

We received this message from Shannon Keller O'Loughlin with the Association on American Indian Affairs on June 29, 2018.

From: Shannon Keller O'Loughlin Shannon.aaia@indian-affairs.org]

Sent: Friday, June 29, 2018 4:59 AM

To: Amy Eisenberg, Ph.D.; Stewart Koyiyumtewa; Leigh Kuwanwisiwma; Terry Morgart

Subject: Re: International Return of Hopi and Pueblo Human Remains and Sacred Funerary Offerings, which belong to the deceased that were taken from Mesa Verde graves and are in the National Museum of Finland since 1909

Happy to discuss this over the phone. It is important to set yourself up for success.

A letter would likely be successful if this were a repatriation request under NAGPRA. I am concerned you are setting yourself up to not get the end result you are seeking.

They have already informed you about the several Pueblos that may have an interest. I would strongly suggest that an inter-tribal group be formed with a lead contact. Don't put Finland in the position to deny you. And don't depend on them to bring the Pueblos together and consult.

Second, because there are really no incentives for them to work towards repatriation, it is important to offer them something in return. Will you invite them to the place where the ancestors came from and your homelands? Is there an opportunity for educational, cultural or other exchange?

Again, I am coming to this late, and I do not know your overall strategy. Demanding inventories and repatriation may prove to be only frustrating and not effective for international museums. I strongly believe that exercising your sovereign diplomacy and eliminating questions of controversy will enable the Hopi to reach their end goal.

Thus, a letter of introduction, and that the Pueblos are working together, and expressing the wish to support the efforts of Finland to correct these historic wrongs, to understand what and who the collection contains, and learn from one another may be a better starting point.

I am available for a call next week. Communications outside email may allow a deeper discussion of these issues. Be well.

Please note that I am interacting with Finland and other foreign institutions today. I would like to speak with you all about this next week. Thank you!

Shannon
Shannon Keller O'Loughlin
Executive Director
240.314.7155
www.indian-affairs.org

On July 11, 2018 I was delighted to receive this message from:

Zabrina Holmström
Senior Ministerial Adviser, Deputy Director
Ministry of Education and Culture
International Relations
P.O. Box 29
FI-00023 Government
Finland
Tel: +358-(0)295 3 30114 (direct)
GSM: +358-(0)40-7681 284
Twitter: @HZabrina | www.minedu.fi
Dear Ms. Eisenberg,

Referring to your several messages, I am pleased to inform you that the National Museum of Finland has completed the inventory of the Mesa Verde collection. All items have been catalogued digitally in the museum's collections database with descriptions with most of the context information available also in English. All the objects have been photographed and the photos are linked with the corresponding object information in the system. The objects with their pictures are published in the Finna Search Service (the collections of Finnish Archives, Libraries and Museums) <https://www.finna.fi>.

An osteological analysis without any destructive testing was carried out of the human remains included in the Mesa Verde collection and they were catalogued in the same database. Naturally, this data is not to be opened in a public search service.

Again, I wish to remind you that a repatriation request has so far been received only through you by e-mail and not via an official request through U.S. diplomatic channels and does, as such, not form proper basis to begin negotiations concerning the possible repatriation.

Hence, kindly address proper U.S. authorities.

This message is at the same time for information to a number of recipients of your mails, including colleagues at the Secretariat of UNESCO.

With best regards,

Zabrina Holmström
Senior Ministerial Adviser, Deputy Director
Ministry of Education and Culture
International Relations
P.O. Box 29
FI-00023 Government
Finland
Tel: +358-(0)295 3 30114 (direct)
GSM: +358-(0)40-7681 284
Twitter: @HZabrina | www.minedu.fi

On July 11, 2018 I was delighted to receive a call from Stephanie Levin with the Annenberg Foundation once again. This was in response to our inquiry about applying for grants and funding for the international return of Hopi and Pueblo human remains and sacred funerary offerings that are in the National Museum of Finland, for ceremonial reburial in Mesa Verde National Park. Stephanie requested a written description of the project in preparation for applying for a grant with the Annenberg Foundation. Stephanie Levin's email address is: slevin@annenberg.org

On December 12, 2018, I received this message from the Hopi Cultural Preservation Office:

U.S. Finland Ambassador met with Zinke last week
 BIA meeting with State Dept today
 Tribes meeting end of December 2018

On April 1, 2019, the Hopi Tribe signed this Resolution:

This Resolution affirms and supports repatriation of Human Remains and Associated Funerary Objects Excavated and Exported by G. Nordenskiöld from Mesa Verde to Finland in 1891 for reburial at Mesa Verde National Park in 2019. The Hopi Cultural Preservation Office, through the U.S. State Department, has consulted with representatives of the government of Finland on the repatriation of these remains and objects, resulting in the government of Finland expressing its willingness to voluntarily repatriate these remains and objects.

Most Hopi sacred objects, objects of cultural patrimony, human remains and funerary objects that are currently in possession of foreign museums or private individuals are not subject to the Native American Graves Protection and Repatriation Act. In the case of the Hopi Tribe and other Native American Nations, these objects are currently held in museums and private collections throughout the world.

WHEREAS, the Constitution and By-laws of the Hopi Tribe, ARTICLE VI – POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a) authorizes the Hopi Tribal Council “To represent and speak for the Hopi Tribe in all matters for the welfare of the Tribe...To protect the arts, crafts, traditions, and ceremonies of the Hopi...to delegate any powers of the Council to committees or officers, keeping the right to review any action taken,” and

WHEREAS, Hopi Tribal Council Resolution H-70-94, recognizes the importance of the Native American Graves Protection and Repatriation Act and the Hopi Tribe has repatriated and reburied thousands of our ancestors and their objects, and repatriated many sacred objects and objects of cultural patrimony for the appropriate clans and traditional religious practitioners and many more remains and objects are awaiting repatriation, and

WHEREAS, Many Hopi sacred objects, objects of cultural patrimony, human remains and funerary objects are currently in possession of foreign museums or private individuals, and Hopi Tribal Council Resolution H-70-94 further declares the Hopi Tribe's interest into Hopi cultural artifacts and human remains, “which have been exchanged, traded or sold to foreign museums or private individuals by U.S. Museums and other entities” and

WHEREAS, Mesa Verde National Park has a Native American consultation committee composed of tribes traditionally associated with the Mesa Verde area, and this committee is very interested in the repatriation and reburial at Mesa Verde of the human remains and funerary objects in this collection and

WHEREAS, the Tribes are aware of Gustaf Nordenskiöld's activities in the Mesa Verde area and understand that the Nordenskiöld Mesa Verde Collection contains at least 5 skeletons and 26 skulls in addition to numerous associated funerary objects; and

WHEREAS, The Tribes claim and seek return of ancient Puebloan human remains and associated funerary objects taken from the Mesa Verde area by Gustaf Nordenskiöld in 1891 and currently in possession of the National Museum of Finland; and

WHEREAS, the Tribes have long considered international repatriation of human remains and associated funerary objects culturally affiliated to the Tribes. However, we have been unable to proceed due to lack of inventories or international processes for repatriation

NOW THEREFORE BE IT RESOLVED, This Resolution affirms and supports repatriation of Human Remains and Associated Funerary Objects Excavated and Exported by G. Nordenskiöld from Mesa Verde to Finland in 1891 for reburial at Mesa Verde National

Park in 2019.

BE IT FURTHER RESOLVED, that the Hopi Tribal Council hereby authorizes the Tribal Chairman or his designee to negotiate and enter into any agreements, funding

applications, and/or other legal documents necessary to carry out the intent of this Resolution.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Hopi Tribal Council hereby directs the Hopi Tribal treasurer to accept and expend funds in accordance with this Resolution and applicable financial policies and procedures.

This message is from the Hopi Cultural Preservation Office:

Sent: Tuesday, July 16, 2019 1:26 PM

Emailing: CPO's Finland Resolution

Nominating you for sainthood too

This message is from the Hopi Cultural Preservation Office to the State Department:

From: Stewart Koyiyumptewa
<SKoyiyumptewa@hopi.nsn.us>
Sent: Friday, September 13, 2019 6:28 PM
To: Davis, Allison R <DavisAR@state.gov>
Subject: RE: Return of items from Mesa Verde collection in Finland

Dear Allison,

It was great that we could talk over the phone. The Hopi Tribe supports the return of the items listed in the two documents therefore, the Hopi Tribe is officially requesting the return of these items. Please feel free to contact me if you have further questions.

Sincerely,

Stewart B. Koyiyumptewa, Program Manager
Hopi Cultural Preservation Office
(928) 734-3615

This message is from the Hopi Cultural Preservation Office:

Sent: Thursday, September 26, 2019 1:46 PM
To: Troy Honahnie Jr
Subject: FW: Return of items from Mesa Verde collection in Finland

On Oct 2 White House Agenda
Meeting between trump and President of Finland
OMG!

This message is from the Superintendent of Mesa Verde National Park, Cliff Spencer:

From: Spencer, Clifford [mailto:cliff_spencer@nps.gov]
Sent: Monday, September 30, 2019 11:20 AM
Subject: Re: [EXTERNAL] FW: Return of items from Mesa Verde collection in Finland

I got word from Allison Davis with the State Department today that the repatriation request was sent to Finland and

they agreed. Both State and Finland will now work on a timetable, specific objects to be returned (in addition to ancestral remains) and a budget.

Thanks for your help,

Cliff Spencer, Superintendent
Mesa Verde National Park
P.O. Box 8
Mesa Verde, CO 81330
(970) 529-4600

www.nps.gov/meve/index.htm

This message on November 25, 2019 is from the Hopi Cultural Preservation office:

TROY- PLEASE FORWARD TO 4 TRIBES e-mail LIST
DRAFT

Four Repatriating Tribes Meeting
Finland Repatriation
Monday, December 9, 2019
Mesa Verde National Park

Tara Travis, Mesa Verde National Park
Tribal Consultation Committee Meetings
Dr. Amy Eisenberg Report

Marietta Wetherill Eaton
Gustav Nordenskiöld and the Wetherills

Hopi Tribe
Draft Plan of Action

Nordenskiöld Site Visit
(Burial site inaccessible)

This message is from Allison Davis at the State Department:

-----Original Message-----

From: Davis, Allison R [mailto:DavisAR@state.gov]
Sent: Wednesday, November 27, 2019 9:40 AM
To: Troy Honahnie Jr; Arden Kucate; Kurt Dongoske; tscissons@poamail.org; ltgovernor@ziapueblo.org; Spencer, Clifford; Couch, William E (Helsinki); jlittle@ziapueblo.org; lzialaw@gmail.com
Cc: Clark W. Tenakhongva; Stewart Koyiyumptewa
Subject: RE: December 9 MEVE Meeting Notice

Dear Troy,

Multiple offices at the State Department are thinking about the funding question. As we think about it, we need a rough budget. We can estimate the budget if you let us know where the items will be delivered and how many people will represent the tribes in Finland.

Thanks very much,
Allison

This message was sent on December 2, 2019:

State Department Questions:

1. Are there special tribal requirements of which we should be aware for preparation, packing and transporting? Cover mummies in biodegradable shrouds. Reunite associated funerary objects with appropriate individuals. Pack as appropriate to prevent breakage in biodegradable cloth, paper, and wood packaging. Do not use plastics or non-biodegradable packaging.
2. Would anyone represent the tribes in Finland at the time the ancestral remains and funerary objects are packed and/or shipped? If so, who. Two tribal leaders will be accompanied by Marietta Eaton.
3. What tribes will receive the items? Where should they be delivered? The Four Repatriating Tribes will receive the items at Mesa Verde National Park. Where will they be stored until reburial and delivered? The remains and objects will be packed, transported from Finland to Mesa Verde and reburied at Mesa Verde in one continuous motion.
4. What is the plan for engaging all tribes associated with Mesa Verde? All tribes associated with Mesa Verde through the Consultation Committee have been informed and supported the Hopi Tribe to pursue repatriation, and the four repatriating tribes, Acoma, Hopi, Zia, and Zuni, to implement repatriation and reburial.
5. What type of press/publicity is appropriate and when? Publicity is appropriate after the reburial is completed. What types of photographs should and should not be used? The Tribal representatives will collaborate with the State Department on appropriate documentation of the repatriation in progress.
6. Are there opportunities to benefit the National Museum of Finland in some way? Heli Lahdentausta stated, "In Finland (and maybe internationally, there is interest in the scientific circles to have the 'material' further researched..." We support dental morphology but not destructive analysis. Marietta Wetherill Eaton and her documentation of Gustav Nordenskiöld in America will benefit both the National Museum of Finland and the United States.
7. Do the Tribes have any suggestions for potential financial resources to contribute to repatriation costs? The tribes were not a party to the removal of these human remains and other artifacts and so as with those missing in action, the Tribes recommend the responsible governments secure the financing for repatriation and reburial.

March 10, 2020

For Immediate Release from the Four Repatriating Tribes: Hopi, Acoma, Zia and Zuni

On October 2, 2019, during a meeting between the U.S. President and Finnish President Sauli Niinisto, it was announced that Finland had agreed to return Native American remains, which had been excavated and taken from the Southwestern United States to northern Europe in 1891 by Gustaf Nordenskiöld.

The history of this collection has played an important role in swaying public perception about the importance of

protecting cultural heritage resources, which ultimately led to the 1906 Antiquities Act and the establishment of Mesa Verde National Park. Therefore, in 2018, during the Annual meeting of the Mesa Verde Native American Tribal Consultation Committee, it was determined by consensus that the Four Repatriating Tribes (Hopi, Acoma Zia and Zuni hereafter, "the Tribes") take the lead in the effort to see the remains returned home.

While the Tribes acknowledge the interest expressed in affairs such as this, it is requested that all members of the public respect the efforts of those involved and allow them to bring their ancestors home peacefully and without spectacle. Consequently, during this time the Four Repatriating Tribes respectfully ask that a period of media silence regarding this issue be instituted, in order to preserve the dignity and solemnity that an activity of this nature deserves.

On Wed, Oct 28, 2020 at 9:14 AM Shannon Keller O'Loughlin <Shannon.aaia@indian-affairs.org> wrote:
Dear Action Alert Group,

We were just made aware of this Tribal Leader letter, attached, from the Department of the Interior requesting Tribal consultation on International Repatriation efforts on December 2 at 2pm Eastern. The request is odd, considering that the request for consultation is sandwiched between non-related consultation requests, and that the letter states they are requesting information from Tribes – some of which may be sensitive – but they have few tools that they can use to help on international matters.

I hope that you will join the Association during the consultation and also submit comments. We will send our draft comments in case they are helpful to you as soon as we are able. But please let your voices be heard on these issues.

Be well,
Shannon

Shannon Keller O'Loughlin (Choctaw)
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The Association acknowledges the 574 federally recognized Native Nations and about 300 other Native Nations, Bands and Communities that have not been acknowledged by the United States – and that every step we take on this Turtle Island is the land and mother of those Native Nations.

This message is from:

From: Joe Stahlman [mailto:stoicjoe@gmail.com]
Sent: Thursday, October 29, 2020 5:36 AM
To: Shannon Keller O'Loughlin <Shannon.aaia@indian-affairs.org>
Cc: AAIA ACTION ALERTS
 <RepatriationWorkingGroup@indian-affairs.org>; AAIA
 Board of Directors <AAIABoardofDirectors@indian-affairs.org>
Subject: Re: INTERNATIONAL REPATRIATION -
 TRIBAL LEADER LETTER for CONSULTATION
 MRN: 20 STATE 105062

1. **Summary:** Following the successful repatriation of Native American ancestral remains and funerary items from Finland in September, the White House has asked the Departments of State and the Interior to work together to compile information on similar Native American items abroad. Posts are requested to provide information to ECA by November 30 on collections of U.S. Native American cultural items in the host country. Embassies should report collections known to staff and, as appropriate, may use points in para 3 with foreign government counterparts to elicit additional information. End Summary.

2. **Action Request:** Posts should email the following information to Allison Davis at davisar@state.gov for each Native American collection in country by November 30. Negative responses (i.e. indications that no known Native American collections exist in country) will be sincerely appreciated.

- A). Name of Institution/Private Collection
- B). Address/Location
- C). Link to online collections database (if available)
- D). Description of collection/items, noting if human remains are included
- E). Post point of contact

3. Posts may use the following points to inquire with the Ministry of Culture or government office with equivalent responsibility.

- The U.S. government is interested in facilitating the voluntary repatriation of cultural items to Native American communities.
- In recent years, some Native American tribes have begun to seek relationships with international museums to gain access to objects for study or to assure proper treatment of ancestral remains and sacred or ceremonial items, sometimes including repatriation.
- This trend is an outgrowth from the positive experiences gained after the passage of the Native American Graves Protection and Repatriation Act, or NAGPRA, in 1990, which requires U.S. institutions to consult with Native Americans about their collections and to return certain sensitive cultural items, including ancestral remains.
- It is also in line with the UN Declaration on the Rights of Indigenous Peoples*, which calls for states to enable the access to and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent, and effective mechanisms developed in conjunction with the indigenous peoples concerned.
- The State Department is seeking information on Native

American collections overseas in order to build our knowledge regarding the location of this material, to help Native American communities locate sensitive items, and to design programs to create direct relationships between museums and Native American communities that benefit both parties and education about Native American history and culture.

4. **Background:** In the 19th century, museums and collectors amassed collections of Native American items and ancestral remains. Collecting was motivated by the perceived need to document a 'vanishing race,' the success of popular fiction with Native American themes, and the interest in 'primitive art' as a source of inspiration for the modern art movement. Far from having 'vanished,' Native American communities continue to thrive today and seek access to these collections. The State Department and the Department of the Interior work together to facilitate the repatriation of Native American ancestral remains and cultural items requested by tribal communities. Parallel to this action request, the Department of the Interior is gathering input from Native American tribes on human remains, funerary objects, sacred objects, or objects of cultural patrimony that are currently overseas. When appropriate, ECA and U.S. embassies connect Native American representatives with museum personnel, issue diplomatic correspondence supporting tribal efforts to repatriate items, and organize exchange programs to strengthen relationships between Native Americans and foreign museums.

5. * **NOTE:** The United States supports the UN Declaration on the Rights of Indigenous Peoples as a statement with moral and political force, but it is not legally binding or a statement of current international law. End note.

6. **Contact:** Please send information by email to Allison Davis at davisar@state.gov.

The intent and benefit to the Hopi Tribe was the respectful consultation and communication with Acting Manager Stewart Koyiyumptewa (as Director Leigh Kuwanwisiwma of the Hopi Cultural Preservation Office retired) and the development of Tribal Resolutions for the Hopi Tribe to authorize repatriation efforts.

Multi-faceted approaches for harmonious cooperation and the implementation of diplomatic strategies to secure repatriation were applied.

An updated inventory and digitized version of the Mesa Verde Collection from the National Museum of Finland and the Finnish Ministry of Education and Culture were requested in order to prepare a comprehensive listing of items for repatriation.

The Finnish Ministry of Education and Culture required an official request for the International Repatriation of the Hopi and Puebloan Peoples' human remains and associated funerary offerings, which belong to the deceased.

Respectful and productive communications with the former Hopi Cultural Preservation Office Director Leigh Kuwanwisiwma, current Acting Manager of the Hopi Cultural Preservation Office, Stewart Koyiyumptewa, Cultural Preservation Office Legal Researcher Terry Morgart, the U.S. Department of State, U.S. Department of

the Interior, Superintendent of Mesa Verde National Park, Cliff Spencer, The Government of Finland, Finnish Ministry of Education and Culture and the National Museum of Finland, the Finnish delegation to the United Nations, UNESCO, the Finnish Ambassador to the United States, Association on American Indian Affairs International Repatriation Office, Honor Keeler, Bureau of Indian Affairs, U.S. Department of Justice, Office of Tribal Justice, International Council of Museums, Senate Committee on Indian Affairs, etc. under the direction and leadership of the Hopi Tribe were initiated.

I was deeply committed to realizing this rightful repatriation according to the United Nations Declaration on the Rights of Indigenous Peoples, and other instruments of international and national law.

Under the direction and leadership of the Hopi Tribe, we kindly requested the repatriation from Finland - the excavated Hopi and Puebloan Peoples ancestral human remains and associated funerary offerings and materials that were taken from Mesa Verde by G. Nordenskiöld in 1891. The Hopi Tribe and the Puebloan Peoples are the respectful relatives of their honorable ancestors and are the dutiful stewards of their ancestors' human remains and funerary offerings and materials that were taken from Mesa Verde.

Understanding the vital importance and necessity of tribal ceremonial reburials of their esteemed ancestors' human remains and funerary objects and materials that were originally buried before the disturbance, disinterment and desecration, I respectfully conveyed that reburials are essential and shall be in accordance with the sacred and spiritual practices of the Hopi Tribe and the Puebloan Peoples of Mesa Verde.

Understanding that the ancestral human remains and funerary offerings and materials are sacred to the Hopi Tribe and the Puebloan Peoples of Mesa Verde, and that the People have a deeply religious and spiritual relationship with their ancestors, I respectfully conveyed that their ancestors are the guardians of the People and that it is absolutely essential for the human remains and funerary objects of their ancestors to be returned to the earth in Mesa Verde National Park where they were originally buried before their disturbance and disinterment. This is a blessing for our world's present and future generations. The upheaval of disturbing the Hopi and Puebloan burials and exporting their ancestors' human remains and associated funerary offerings, which were in the National Museum of Finland, were a source of great emotional angst for the Hopi Tribe and the Puebloan Peoples of Mesa Verde.

Respectfully, and under the direction and leadership of the Hopi Tribe, I requested the prompt return of their ancestors' human remains and funerary offerings and materials to Mesa Verde. This rightful request for repatriation was made on moral, ethical, religious and spiritual grounds based strongly on the fundamental principles of universal human rights and international law.

It was an honor and a privilege to assist the Hopi Tribe and the Puebloan Peoples. I sincerely valued working cooperatively and productively to help facilitate this international repatriation. This essential yet circuitous, cumbersome, painstaking and exasperating process fostered positive and productive interactions with the people of Finland.

I respectfully conveyed that the Hopi Tribe and all the 26 Associated Tribes of Mesa Verde are federally recognized sovereign Nations and because of its ancestral Puebloan significance, in 1978, the United Nations Educational, Scientific and Cultural Organization designated Mesa Verde a World Heritage Site.

I clearly conveyed that the Hopi Tribe and the Puebloan Peoples are the descendants of the Puebloan ancestors who reside in the area that is now Mesa Verde National Park, Colorado, and that the Hopi Tribe of Arizona was designated as the lead tribe for pursuing this International Repatriation on behalf of the Associated Tribes of Mesa Verde.

There were valuable and productive meetings between the Hopi Tribe and the Tribes of Mesa Verde, the Government of Finland, The Finnish Ministry of Education and Culture, the National Museum of Finland, The Association on American Indian Affairs and the U.S. Department of State for discussing the logistics of the International Repatriation.

I carefully and clearly conveyed that Gustaf Nordenskiöld performed activities that are not acceptable in the field of archaeology, without regard for the human rights of the culturally affiliated tribes of Mesa Verde. His principal excavations were undertaken on the Southern Ute Tribe Reservation, as it existed at the time and part of which later became Mesa Verde National Park in 1906. Nordenskiöld was aware that he was working within the boundary of the Southern Ute Tribe Reservation however he did not seek or obtain authorization or the consent of the culturally affiliated tribes, the Southern Ute Tribe or the Ute Mountain Ute Tribe for his excavations in the Mesa Verde area.

Nordenskiöld Letters, Letter No. 24 (August 23, 1891) indicates that the only permit he obtained was from the United States Army, which bore the notation, "this pass does not include any right of making excavations in the ruins." Notwithstanding the lack of authorization and consent, Nordenskiöld disturbed and excavated many Native American ancestral sacred sites in Mesa Verde on the Southern Ute Tribe Reservation. He disturbed and disinterred numerous Hopi and Puebloan graves, excavated and took the skeletal remains of their ancestors including children, women and men with their associated funerary offerings and materials such as bowls, mugs, baskets, spoons, clothing and mats, etc.

Nordenskiöld assembled a large collection of artifacts taken from Mesa Verde (the "Nordenskiöld Mesa Verde Collection"), which was in the National Museum of Finland including skeletons, skulls, bones, hair and teeth, and associated funerary objects: bowls, ladles, axes, baskets, mugs, mats, cases, baskets, jars, jugs, hammers, knives, spearheads, projectile points, grinding stones, mortars, awls, scrapers, arrows, sandals, moccasins, pouches, cords, ropes, tools, clothing, farming implements, necklaces and clothing. Many of the objects are photographed and described in the plates in his book, *The Cliff Dwellers of the Mesa Verde, Southwestern Colorado: Their Pottery and Implements*. Stockholm: Royal Printing Office.

The Nordenskiöld Mesa Verde Collection containing Hopi and Puebloan human remains and funerary objects was not originally separated as Nordenskiöld shipped the entire Nordenskiöld Mesa Verde Collection to Stockholm Sweden in 1891 and provided the Hopi and Puebloan ancestral human remains, skeletons and skulls to Professor G. Retzius

for study. Nordenskiöld exhibited some of the artifacts in Spain and thereafter, sold or pledged as collateral the Nordenskiöld Mesa Verde Collection to Dr. Herman Fritjof Antell. On his death in 1897, Dr. Herman Fritjof Antell donated the entire Nordenskiöld Mesa Verde Collection to the Finland State Museum of History and Ethnography. The entire Nordenskiöld Mesa Verde Collection was later transferred to the National Museum of Finland in 1909.

Considering their immense collective trauma, the culturally and traditionally affiliated tribes of Mesa Verde previously did not have the opportunity to examine the complete Nordenskiöld Mesa Verde Collection nor the records of the National Museum of Finland including Nordenskiöld's original journals, catalogs, photographs and accession records. The Associated Tribes of Mesa Verde understand that the National Museum of Finland contained approximately 613 items and 240 photographic glass-plate negatives as part of Accession Number VK 4834:1-613 however some of the items disappeared according to:

Heli Lahdentausta

Intendentti/Keeper

Yleisetnografiset kokoelmat/Ethnographic collections

Kokoelmat ja tutkimus/Collections and Research

Suomen kansallismuseo/National Museum of Finland

The excavated Nordenskiöld Mesa Verde Collection that was in the National Museum of Finland, of skeletons and skulls of Hopi, Acoma, Zia and Zuni Puebloan ancestors constituted one of the largest collections of Native American sacred properties outside of North America. The Finnish state-owned museum operates under the auspices of the Finnish Government Ministry of Education and Culture.

The anticipated outcome of the project was the respectful consultation and communication with the Hopi Tribe and the Puebloan Peoples of Mesa Verde.

Development of Tribal Resolutions for the Hopi Tribe to authorize repatriation efforts.

Harmonious development and implementation of diplomatic and other strategies to definitively achieve repatriation and reburial.

The anticipated outcome of the project was the cooperative and respectful, rightful and successful repatriation of the Hopi and Puebloan Peoples' human remains and associated funerary objects and materials that were excavated and exported by G. Nordenskiöld from Mesa Verde and were in the National Museum of Finland since 1909.

Non-public ceremonial reburials of the ancestors' human remains, and their associated funerary offerings and materials in Mesa Verde took place in September 2020.

This international repatriation directed by the Hopi Tribe was in response to the culturally and traditionally affiliated tribes' careful investigation of available documentary sources to identify their ancestors' human remains and associated funerary objects and materials. The Hopi Tribe and the Puebloan Peoples of Mesa Verde requested access to the entire Nordenskiöld Mesa Verde Collection and copies of all documentary records related to the collection including Nordenskiöld's journals, catalog, photographs and all other records of the National Museum of Finland pertaining to the collection including accession documents and collection catalogs.

The provenance of the Native American human remains, and funerary objects was clear and unequivocal as the descriptions contained in The Cliff Dwellers and

Nordenskiöld's Letters are remarkably detailed. Thus, the original burial places of each of the human remains and associated funerary offerings, which belong to the deceased could be accurately identified by maps and passages contained in The Cliff Dwellers and Nordenskiöld's Letters. All of the Native American human remains, and funerary objects are traceable to sites that were formerly part of the Southern Ute Tribe Reservation and are currently within Mesa Verde National Park.

Under the leadership of the Hopi Tribe, the Hopi, Acoma, Zia and Zuni Puebloan Peoples are the rightful lineal descendants of their Puebloan ancestors and are the ceremonial stewards of their ancestors' human remains and associated funerary offerings and materials that were taken from Mesa Verde. The Hopi Tribe and some of the other culturally affiliated Puebloan tribes of Mesa Verde have passed resolutions confirming their cultural and traditional affiliation with their Puebloan ancestors of Mesa Verde. The Hopi Tribal Council Resolution H-70-94 officially declares the Hopi Tribe's cultural affiliation to the Basketmaker and Hisatsinom cultures of the Southwest.

The rights of the Hopi Tribe and the Puebloan Peoples of Mesa Verde to repatriate their ancestors' human remains and funerary objects taken from Mesa Verde are recognized by the United States Department of the Interior in the Federal Register pursuant to the provisions of the Native American Graves Protection and Repatriation Act (**NAGPRA**), Pub. L. 101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048, a United States federal law enacted on 16 November 1990.

The **Native American Graves Protection and Repatriation Act** is a Federal law passed in 1990, which provides a process for museums and Federal agencies to return certain Native American cultural items -- human remains, funerary objects, sacred objects, and objects of cultural patrimony -- to lineal descendants, and culturally affiliated Native American tribes and Native Hawaiian organizations.

NAGPRA has a place within the global movement towards recognition of the cultural property rights of indigenous peoples. Many declarations, resolutions, and policies of international organizations and nongovernmental groups reflect a trend toward promoting and protecting the rights of indigenous peoples. This international repatriation of Native American human remains, and funerary objects is a moral and human rights imperative.

The entire research process from beginning to repatriation was directed by Hopi and Puebloan experts. I respectfully and responsively consulted with them and followed their leadership and guidance. Throughout this participatory process, I remained faithfully in service to the Hopi Tribe and gladly performed all activities requested and required to achieve repatriation and to make the necessary contacts. It was an honor and a privilege to serve the Hopi Tribe and the Associated Tribes of Mesa Verde. I was deeply committed to assist in any way to realize the repatriation in a respectful, courteous and effective manner.

The Hopi Tribe and the Puebloan Peoples of Mesa Verde share the spiritual intergenerational responsibility and commitment of honoring and protecting the sacred; their ancestors' human remains and associated funerary offerings and all their cultural resources. The People hold a deep respect for their ancestors who are their spiritual guardians. The Hopi Tribe and the Acoma, Zia and Zuni Puebloan

Peoples of Mesa Verde performed the blessing of ceremonially returning their ancestors' human remains and funerary objects back to the earth. This is absolutely essential for restoring world balance and harmony for present and future generations.

The Hopi Tribe, as the lead Native American Tribe of Mesa Verde for this international repatriation expressed the moral imperative of returning their ancestors' human remains and associated funerary objects to the earth. Hopi ancestors are as much alive in the present as they were in the past:

The Hopi people believe that, "the villages of their ancestors were never abandoned because they retain a strong emotional and spiritual tie to these places, and in many cases, they continue physical use of these sites. Hopi people know that their ancestors were laid to rest at these sites to maintain a spiritual guardianship over them, and these ancestors continue to play an important role in Hopi rituals and ceremonies...All of these villages and the Hopi ancestors buried in them continue to play a vital role in Hopi culture." - 2001. T.J. Ferguson, Kurt E. Dongoske and Leigh J. Kuwanwisiwma. *Hopi Perspectives on Southwestern Mortuary Studies In Ancient burial practices in the American Southwest: archaeology, physical anthropology, and Native American perspectives* by Douglas R. Mitchell and Judy L. Brunson-Hadley. Albuquerque: University of New Mexico Press.

I was thoroughly committed to this work and very positive about achieving the desired results under the direction of and in partnership with the Hopi Tribe. Confidentiality was respected and regarded throughout this process.

The Hopi Tribe was given complete access to the research data findings for their own use. This project would not be possible without the leadership and expertise of the Hopi Tribe. The research data findings belong to the Hopi Tribe and the Associated Tribes of Mesa Verde.

The Hopi Tribe is aware that many graves of the ancestral Puebloan People were disturbed, and their human remains, and sacred funerary objects were taken. In order to address this traumatic situation, the Hopi Tribe developed a reburial ceremony to give final respect to their departed ones. "Hopi elders that perform reburials do so because they are committed to respecting and honoring their ancestors' spiritual and physical remains by providing the deceased people with a brief ceremony congruent with traditional Hopi burial rituals. Hopi elders perform reburial ceremonies with the knowledge that these rituals may entail spiritual and physical repercussions for them...Reburial is an emotionally trying and spiritually perilous endeavor...The disturbance of human remains is agonizing for Hopi people. The Hopis who do reburial rituals testify to the personal grief they experience when they have to deal with the broken bones, headless infants and other skeletal trauma that is sometimes associated with archaeological excavations." - 2001. T.J. Ferguson, Kurt E. Dongoske and Leigh J. Kuwanwisiwma. *Hopi Perspectives on Southwestern Mortuary Studies In Ancient burial practices in the American Southwest: archaeology, physical anthropology, and Native American perspectives* by Douglas R. Mitchell and Judy L. Brunson-Hadley. Albuquerque: University of New Mexico Press.

The perspectives of the Hopi Tribe regarding their ancestral human remains and funerary objects is shared by the culturally and traditionally affiliated Puebloan Peoples of Mesa Verde. The international repatriation was a moral, spiritual and human rights imperative for them.

The Hopi people have strong familial and ritual obligations to care for their ancestors and are greatly concerned about the proper treatment of their departed ones. They have a deep reverence – spiritually, religiously and culturally for their ancestors.

"The Hopi people have continuing spiritual concerns about the physical remains of deceased people and their associated grave offerings, and these religious beliefs entail a prohibition against the archaeological excavation of burials. When deceased Hopis are buried, they are laid to rest in a cemetery that constitutes its *kiiat* (final home), a *tipkya* (womb) that is physically and spiritually integral to the lifeblood of the community. It is important for the physical remains of people to return back into the earth from which they came through natural processes. It is through this means that the spiritual goodness inherent in the corporeal remains of the people returns to the earth to bless the world for the betterment of future generations." - 2001. T.J. Ferguson, Kurt E. Dongoske and Leigh J. Kuwanwisiwma. *Hopi Perspectives on Southwestern Mortuary Studies In Ancient burial practices in the American Southwest: archaeology, physical anthropology, and Native American perspectives* by Douglas R. Mitchell and Judy L. Brunson-Hadley. Albuquerque: University of New Mexico Press.

According to Hopi tradition and beliefs, the archaeological excavation of graves and the disinterment of their ancestors' human remains interrupts the natural process of returning to the earth that is essential to the metamorphosis of human remains into the fertile, life-sustaining *tipkya* associated with each Hopi village. The disturbance and excavation of their ancestors' human remains, and funerary offerings is a highly traumatic and emotionally charged issue of great consequence for the Hopi people. The grave concern for the human remains of their ancestors extends to associated and unassociated funerary objects. According to Hopi belief, "the funerary offerings that are deposited in graves belong to the deceased, placed there to assist them on their journey to *Maski*. From a Hopi perspective, there can be no legitimate recovery of or use of these associated grave goods. Removal and curation of grave goods is perceived as grave robbing and is thus abhorrent to Hopi people...The Hopi people believe that the disturbance of their ancestors by archaeologists has immediate and long-term spiritual and physical consequences for the deceased people, their descendants, archaeologists, and the world in general. From the Hopi perspective, it is important for deceased ancestors and their associated grave goods to remain exactly where they were interred, or as a difficult alternative, to be reburied as close as possible to their original location." - 2001. T.J. Ferguson, Kurt E. Dongoske and Leigh J. Kuwanwisiwma. *Hopi Perspectives on Southwestern Mortuary Studies In Ancient burial practices in the American Southwest: archaeology, physical anthropology, and Native American perspectives* by Douglas R. Mitchell and Judy L. Brunson-Hadley. Albuquerque: University of New Mexico Press.

Tribal Consent was honored throughout this research process and I dutifully abided by 'Free prior and informed consent' (FPIC), the principle that the Hopi Tribe has the right to give or withhold its consent to proposed projects that may affect the lands they customarily own, occupy or otherwise use. FPIC is a key principle in international law and jurisprudence related to indigenous peoples.

Regarding the issue of privacy and the mechanism whereby the privacy of the Hopi Tribe will be recognized and protected, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, I respect the Hopi Tribe's right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

Recognizing the urgent need to respect and promote the inherent rights of the Hopi Tribe I sought in earnest to enable the access and repatriation of ceremonial objects and ancestral human remains through fair, transparent and effective mechanisms developed in conjunction with the Hopi Tribe.

Affirming that the excavation and looting of the Hopi and Puebloan Peoples' human remains, funerary offerings and other artifacts from Mesa Verde by Nordenskiöld and other persons prompted great outcry in the United States in the early 20th century, Mesa Verde was the impetus for the foundational American law governing the protection of antiquities: The United States Antiquities Act of 1906. Furthermore, the unauthorized looting in Mesa Verde served as the principal rationale for the establishment of Mesa Verde National Park in 1906.

The United States Antiquities Act has been bolstered by further legislation including The Act of Implementation of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property, The Archaeological and Historic Preservation Act of 1974, The Archaeological Resources Protection Act of 1979, and the National Stolen Property Act of 1983. Thus, the activities undertaken by Nordenskiöld at Mesa Verde and his exportation of Hopi and Puebloan Peoples' sacred cultural patrimony are blatantly illegal and criminal today. The spirit of the 1970 UNESCO Convention to provide cooperative services to facilitate the return of cultural property in a timely manner may assist First Nations with timely repatriations.

The Native American Graves Protection and Repatriation Act of 1990 describes the rights of Native American lineal descendants, Native American tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of their ancestors' human remains, funerary offerings, sacred objects, and objects of cultural patrimony. Agencies and museums must consult with Native American Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects.

The central premise of NAGPRA is that lineal descendants and culturally affiliated Native American Tribes are the spiritual guardians and stewards of their ancestors' human remains and funerary objects, thus museums must repatriate such Native American cultural items if requested by the lineal descendants and culturally and traditionally affiliated Native American Tribes.

Other provisions of NAGPRA: (1) stipulates that illegal trafficking in human remains and cultural items may result in criminal penalties (Section 4); (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Native American Tribes in complying with certain requirements of the statute (Section 10); (3) requires the Secretary of the Interior to establish a Review

Committee to provide advice and assistance in carrying out key provisions of the statute (Section 8); authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute (Section 9); and, (5) directs the Secretary to develop regulations in consultation with this Review Committee (Section 13).

Although, The Native American Graves Protection and Repatriation Act does not apply directly to museums located in foreign countries such as the National Museum of Finland, the Hopi Tribe and the Associated Tribes of Mesa Verde regarded NAGPRA as a precedential legal model, to be strongly and carefully considered and implemented in Finland, a nation with an actively engaged Saami indigenous population. This international repatriation request to Finland and the National Museum of Finland was presented with hope that they would respond cooperatively and respectfully consistent with the principles outlined in NAGPRA and ICOM, International Council of Museums.

Emphasizing the urgent need to respect and promote the inherent rights of the Hopi Tribe and the Puebloan Peoples of Mesa Verde and recognizing that Finland has a strong history of supporting the advancement of basic human rights, the Finnish Constitution states that, "The constitution shall guarantee the inviolability of human dignity, and the freedom of rights of the individual, and to promote justice in society. Finland participates in international cooperation for the protection of peace and human rights and for the development of society." The Finnish Constitution states that, "The Saami as an indigenous people...have the rights to maintain and develop their own language and culture."

Finland is party to some United Nations human rights instruments and voted in favor of the United Nations Declaration on the Rights of Indigenous Peoples however Finland has yet to ratify ILO Convention 169 concerning Indigenous and Tribal Peoples despite criticism of the United Nations. After more than ten years of negotiations between the Saami Parliament and the Government of Finland, the Eduskunta - Parliament of Finland has not ratified the ILO Convention 169.

On June 17, 1963, Finland adopted the Finnish Antiquities Act prohibiting the excavation, alteration, damage, removal or disturbance of ancient monuments, without prior permission from the State pursuant to law. The Finnish Antiquities Act extends to mounds of earth and stone, structures, graves, cemeteries and the remains of ancient dwellings, ancient dwellings or work sites. Thus, the Finnish Antiquities Act would protect ancient monuments from the kind of excavations and disturbances that were undertaken by Nordenskiöld in Mesa Verde. The underlying policies and rights articulated in the Constitution of Finland and the Finnish Antiquities Act serve as an analogous body of law that supports the international repatriation of the human remains and funerary objects of the culturally affiliated Hopi Tribe and Puebloan Peoples of Mesa Verde.

International law supports the repatriation of human remains and funerary objects of the Hopi Tribe and the Puebloan Peoples of Mesa Verde. On September 13, 2007, the United Nations General Assembly adopted the landmark, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) affirming that "indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in

particular, their right to development in accordance with their own needs and interests.”

The United Nations Declaration on the Rights of Indigenous Peoples recognizes “the urgent need to respect and promote the inherent rights of indigenous peoples, which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources.”

The United Nations Declaration on the Rights of Indigenous Peoples encourages “States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned....The recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith.”

The United Nations Declaration on the Rights of Indigenous Peoples is a standard of achievement to be pursued in a spirit of partnership and mutual respect whereby, “States shall provide effective mechanisms for prevention of, and redress for: Any action, which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities, and which has the aim or effect of dispossessing them of their lands, territories or resources.”

“Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.”

“States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.”

http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

The United Nations Declaration on the Rights of Indigenous Peoples expressly addresses the repatriation of human remains:

“Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.”

“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.”

“Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.”

“Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their

traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.”

“Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.”

“Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.”

“States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.”

“States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples’ laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.”

“Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.”

“Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.”

“In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.”

“Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.”

“States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of minerals, water or other resources.”

“States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.”

“Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well

as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.”

“The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.”

Finland was a stalwart proponent of the United Nations Declaration on the Rights of Indigenous Peoples and affirmed:

“The rights of indigenous people are of the utmost importance in Finland....The adoption of the Declaration will, in our view, strengthen the promotion and the protection of the rights of indigenous peoples worldwide...it should serve as a comprehensive framework for cooperation between States and indigenous peoples in the implementation of these new international minimum standards for upholding the rights of indigenous peoples.”

The United Nations established the United Nations Permanent Forum on Indigenous Issues wherein the Saami of Finland play a very active role.

As noted by the Delegation of Finland, the UN Declaration on the Rights of Indigenous Peoples established a set of “minimum standards for upholding the rights of indigenous peoples.” One of the core minimum standards of international law confirmed in the UN Declaration is the repatriation of the human remains of indigenous peoples. The UN Declaration on the Rights of Indigenous Peoples and its endorsement by Finland and the United States, strongly support the repatriation of human remains and funerary objects to the Hopi Tribe and the Acoma, Zia and Zuni Puebloan Peoples of Mesa Verde.

“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.”

Other international conventions provide support for this international repatriation of the ancestral human remains and funerary offerings of the Hopi Tribe and the Puebloan Peoples of Mesa Verde:

The United Nations Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970

The UNIDROIT (International Institute for the Unification of Private Law) Convention on Stolen or Illegally Exported Cultural Objects (1995)

The United Nations Convention for the Safeguarding of the Intangible Cultural Heritage (2003)

The United Nations Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

The Outcome document of the high-level plenary meeting of the U.N. General Assembly known as the World Conference on Indigenous Peoples A/RES/69/2 (2014) Article 27 states, “We affirm and recognize the importance of indigenous peoples’ religious and cultural sites and of providing access to and repatriation of their ceremonial objects and human remains in accordance with the ends of the Declaration. We commit ourselves to developing, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial

objects and human remains at the national and international levels.”

These treaties, conventions and resolutions, to which Finland is a party, recognize that cultural property and cultural objects include cultural resources of archaeological excavations. These conventions and State Parties recognize that the illicit import, export and transfer of ownership of cultural property requires international cooperation constituting one of the most efficient means of protecting each country's cultural property against all the dangers resulting there from.

States Parties must undertake to oppose such practices, by removing their causes, putting a stop to current practices, and by helping to make the necessary reparations.

These conventions provide that cultural property and cultural objects should be preserved. These treaties prohibit the illegal exportation and transfer of cultural property, and cultural objects, and require restitution and return of cultural property and cultural objects.

The international UN Conventions are supplemented by a series of United Nations General Assembly Resolutions including A/RES/70/76 on 9 December 2015: “Resolution for Return or Restitution of Cultural Property to the Countries of Origin.”

These Resolutions passed by the General Assembly recognize “the importance attached by some countries of origin to the return of cultural property that is of fundamental spiritual, historical and cultural value to them...” The resolutions “express concern about the loss, destruction, removal, theft, illicit movement or misappropriation of...cultural property”, and call upon the United Nations and Member States to “continue to address the issue of return or restitution of cultural property to the countries of origin and to provide appropriate support...”

The Delegation of Greece stated, “The removal of cultural property from countries of origin was against all principles that culture represented. Culture is the soul of a nation. The illicit removal or destruction of such property deprives people of their history and tradition. Restitution is the only means that can restore damage and reinstate a sense of dignity.”

The Resolution A/RES/70/76 adopted by the General Assembly on 9 December 2015 70/76. Return or restitution of cultural property to the countries of origin is a “pledge to foster inter-cultural understanding, tolerance, mutual respect and an ethic of global citizenship and shared responsibility, an acknowledgement of the natural and cultural diversity of the world, and a recognition that all cultures and civilizations can contribute to, and are crucial enablers of,...the protection and restitution of cultural property.”

The Resolution Commends “Member States, cultural and educational institutions, museums and civil society for their efforts to combat the illicit trade in cultural property, and welcomes all initiatives, whether by States, institutions or private persons, for the voluntary return of cultural property that has been illicitly appropriated.”

The UN Resolution A/RES/70/76 expresses “deep concern about the continuing illicit traffic in cultural property and its damage to the cultural heritage of nations,” and expresses deep concern further about the loss, destruction, theft, pillage, illicit removal or misappropriation of cultural

property from archaeological sites, museums,...and other sites..."

The UN Resolution reaffirms "the necessity of strengthened international cooperation in preventing and combating all aspects of trafficking in cultural property," and "invites Member States... to consider becoming parties to the aforementioned conventions and protocols that specifically address the return and restitution of cultural property to the countries of origin."

The Resolution A/RES/70/76 "Calls upon all Member States... to assist the affected States in combating trafficking in cultural property illegally excavated from archaeological sites and taken from museums, libraries, archives and manuscript collections, including through international cooperation in the restitution of stolen or illicitly exported cultural property, as appropriate."

This Resolution A/RES/70/76 adopted by the General Assembly on 9 December 2015 70/76 "Invites Member States, in cooperation with the United Nations Educational, Scientific and Cultural Organization, to continue to draw up systematic inventories of their cultural property, " and "Invites States to consider establishing and developing national, regional and international databases inventorying cultural property, which would also register trafficked, illicitly exported or imported, stolen, looted or illicitly excavated, and illicitly dealt-in, cultural property."

The Resolution A/RES/70/76 "encourages States to enhance the exchange of information by sharing or interconnecting inventories of cultural property and databases on trafficked, illicitly exported or imported, stolen, looted or illicitly excavated, and illicitly dealt-in, cultural property" and contributing to international inventories and databases."

This Resolution A/RES/70/76 "Decides to include in the provisional agenda of its seventy-third session the item entitled, "Return or restitution of cultural property to the countries of origin".

The Resolution A/RES/70/76 "Notes the adoption by the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, at its sixteenth session, of the rules of procedure on mediation and conciliation, and invites Member States to consider the possibilities of using such processes, as appropriate."

The Resolution A/RES/70/76 "Also recognizes the importance of the International Fund for the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, launched in November 2000, and invites Member States to increase further their voluntary contributions to the Fund in order to enhance its efficiency, and to make use of the Fund."

The UNESCO Procedure to be followed for the assessment of projects for the Fund of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation can be found at this site: <https://unesdoc.unesco.org/ark:/48223/pf0000121239>

The UNESCO Standard Form concerning Requests for Return or Restitution can be found at this site:

<https://www.unesco.org/sites/default/files/medias/fichiers/2024/06/Standard%20Form%20concerning%20Requests%20.pdf>

Thus, this international repatriation is to preserve the history and traditions of the Hopi Tribe and the Puebloan Peoples of

Mesa Verde and to acknowledge, honor and respect their dignity as sovereign First Nations. The retention of the Hopi and Puebloan Peoples' ancestral human remains and funerary offerings, which belong to the deceased, without the consent of the First Nations communities by international repositories is a violation of human rights.

Many museums recognize that collections of human remains are scientifically unnecessary and morally repugnant. Numerous museums have adopted policies that facilitate the international repatriation of human remains and the museums shall not place conditions on communities with regard to ancestral remains that are repatriated. Increasingly, more international museums are recognizing the moral and legal imperative to repatriate human remains and associated funerary objects. The United States Government strongly supported this international repatriation request.

We kindly urged The National Museum of Finland to be proactive and cooperative in discussing the international repatriation of the ancestral human remains and associated funerary offerings of the Hopi Tribe and Puebloan Peoples and to enter into full consultation with the First Peoples of Mesa Verde.

With the strong grounding of the Hopi Tribe and Puebloan Peoples' cultural beliefs and identities, and with an unwavering cooperative spirit and commitment to remain focused on this important collective work of bringing the ancestors home, this international repatriation was achieved. Confidentiality was honored and assured for the life of the project. Confidentiality was protected and regarded, and all raw data and materials were deposited and stored with the Hopi Tribe during and at the completion of the project. There were no circumstances in which the contractual or legal obligations constituted a breach of confidentiality.

This project was fully and genuinely for the benefit of the Hopi Tribe and Puebloan Peoples of Mesa Verde and their beloved ancestors.

The Hopi and Puebloan Peoples of Mesa Verde have the right to maintain and strengthen their distinctive spiritual relationship with their traditional resources and to uphold their responsibilities to future generations in this regard.

This work required a cooperative spirit and that the Hopi and Puebloan Peoples share the right to enjoy and use certain elements of their cultural heritage, under their own laws and procedures. I fully respect that the collective Hopi right to manage Hopi cultural heritage is critical. I gave my heart to this work in service to and in partnership with the Hopi Tribe in bringing the ancestors and their sacred funerary offerings home for proper and rightful ceremonial reburial.

Sincerely,

Amy Eisenberg, Ph.D.

Former Licensed Researcher 17-001

The Hopi Tribe – Cultural Preservation Office

The Repatriation Record

The representatives of the National Museum of Finland engaged in consultation with representatives of the Hopi Tribe to determine the appropriate applicability for the repatriation and reburial in Mesa Verde National Park of the Ancestral Pueblo human remains and associated funerary objects that were taken from Mesa Verde and were in possession by the National Museum of Finland.

The Tribes claimed and planned the return through the facilitation of the United States Department of State, the ancient Puebloan human remains and associated funerary objects taken from the Mesa Verde area by Gustaf Nordenskiöld in 1891, which were in the National Museum of Finland, for reburial in Mesa Verde National Park. The Native American Graves Protection and Repatriation Act did not apply to this international repatriation, conducted by the Mesa Verde Tribal Consultation Committee, composed of the traditionally associated tribes of Mesa Verde National Park, and represented by the four repatriating Puebloan tribes of Hopi, Acoma, Zia and Zuni.

The National Museum of Finland and the Pueblos of Hopi, Acoma, Zia, and Zuni, did hereby agree to the following: That all human remains described in the inventory are of Ancestral Pueblo ancestry and do not include remains or portions of remains freely given by the individuals from whose bodies they were obtained.

That all funerary objects are known or reasonably believed to have been placed intentionally at the time of death or after, with or near the individual remains.

That the Hopi, Acoma, Zia and Zuni are recognized as eligible for special programs and services provided by the United States to First Nations because of their status as Native Americans, and thus have status to make a claim for repatriation.

That all cultural items described in the inventory were produced or used by the Ancestral Pueblo Peoples at Mesa Verde National Park.

That evidence exists regarding the traditional associations that beyond a reasonable doubt can be traced between the Tribes and Mesa Verde National Park.

That effective on the date of this Repatriation Record, the National Museum of Finland transfers to Hopi, Acoma, Zia, and Zuni, all responsibility associated with the human remains and associated funerary objects.

This record and inventory from The Cliff Dwellers of the Mesa Verde by Gustaf Nordenskiöld became binding upon its execution by the authorized representatives of the National Museum of Finland and the Hopi, Acoma, Zia and Zuni Pueblos.

For the National Museum of Finland, P.O. Box 913, FI-00101 Helsinki, Finland

For the Pueblo of Acoma, P.O. Box 309, Pueblo of Acoma, NM 87034

For the Hopi Tribe, P.O. Box 123, Kykotsmovi, AZ 86039

For the Pueblo of Zia, 135 Capitol Square Drive, Zia Pueblo, NM 87053-6013

For the Pueblo of Zuni, P.O. Box 339 1203B State Highway 53, Zuni NM 87327

Plan for the Return of the Human Remains and Associated Funerary Objects that were in the Custody of the National Museum of Finland for Reburial in Mesa Verde National Park

Background

Mesa Verde National Park has a Native American consultation committee comprised of tribes traditionally associated with the Mesa Verde area. The Mesa Verde Tribal Consultation Committee is composed of the Pueblos of Acoma, Cochiti, Isleta, Ysleta del Sur, Jemez, Laguna, Nambe, Ohkay Owingeh, Sandia, San Felipe, San Ildefonso, Santa Ana, Santa Clara, Santo Domingo, Picuris, Pojoaque, Taos, Tesuque, and Zuni, and the Navajo Nation, the Ute Mountain Ute, Southern Ute and the Jicarilla Apache.

Pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), the Tribes have previously repatriated and reburied approximately 1500 individuals and 5000 objects in Mesa Verde National Park.

The culturally affiliated Native Americans of Mesa Verde have long desired the international repatriation of the human remains and associated funerary objects that are traditionally associated with the Pueblo Peoples but were unable to proceed due to the lack of inventories.

In 1892 Gustaf Nordenskiöld and his American guides, removed artifacts from tribal homelands, which are now Mesa Verde National Park. This collection was among the first collections exhibited in Europe in 1893 spurring international interest in southwestern archaeology. Since then, the international market in artifacts has disrespectfully proliferated causing intergenerational trauma and sorrow for the tribes.

The Tribal Nations are aware of Gustaf Nordenskiöld's activities in the Mesa Verde area and understand that the Nordenskiöld Mesa Verde Collection contained human remains and associated funerary objects, which belong to the departed.

Therefore, Leigh Kuwanwisiwma, Director Emeritus of the Hopi Cultural Preservation Office undertook and directed this effort to repatriate and rebury at Mesa Verde, the human remains and associated funerary objects that were in the National Museum of Finland.

Amy Eisenberg, Ph.D., of the Center for World Indigenous Studies, was issued a Licensed Research Permit by the Hopi Cultural Preservation Office for research on Materials Excavated and Exported by G. Nordenskiöld from Mesa Verde. The purpose was to identify the human remains and associated funerary objects and their original proveniences at Mesa Verde in the Nordenskiöld collections in Finland, and to obtain a complete and comprehensive inventory from the National Museum of Finland.

The results of Dr. Eisenberg's research were presented by Leigh Kuwanwisiwma at a meeting of the Mesa Verde Tribal Consultation Committee on April 4, 2017. The Tribes are aware of Gustaf Nordenskiöld's activities in the Mesa Verde area and understand that the Nordenskiöld Mesa Verde Collection contains at least 5 skeletons and 26 skulls as well as numerous associated funerary objects.

The Hopi Tribe, through Dr. Allison Davis and Tina Semiti-Magembe with the United States Department of State International Visitor Leadership Program, and Director Shannon Keller O'Loughlin, Association on American Indian Affairs Repatriation Conference, consulted with the Collection Keeper, Heli Lahdentausta of the National Museum of Finland on the repatriation and reburial of these remains and objects in Mesa Verde National Park, in Albuquerque, New Mexico.

Subsequently, with the assistance of the U.S. Department of State, the government of Finland expressed its willingness to voluntarily repatriate these remains and objects. The

Committee was consulted and confirmed support in the repatriation and reburial in Mesa Verde of the human remains and funerary objects in this collection.

The Tribes passed Resolutions affirming and supporting repatriation of the Human Remains and Associated Funerary Objects Excavated and Exported by G. Nordenskiöld from Mesa Verde to Finland in 1891 for reburial at Mesa Verde National Park in 2020, culminating in the announcement by the Presidents of the United States and Finland.

The Return Plan

We understand there are no legal authorities for this voluntary repatriation. However, the Antiquities Act of 1906 (16U.S.C. 431-433) authorizes the President of the United States to enforce protection of archaeological sites and objects under Federal jurisdiction and was enacted in part through the preceding efforts of G. Nordenskiöld and Richard Wetherill. Lamentably, international interest in Native American objects has spurred an international market in artifacts, which continues unabated.

Finland's voluntary effort builds a bridge that brings some measure of closure to over a century of sorrow for Pueblo people. Hopefully this agreement will set a precedent for other international and national repatriations. The efforts of the State Department to secure this agreement, thus, the logistics and costs of a return plan with the Four Repatriating Tribes needed to be addressed.

In July 2018, The Hopi Tribe was pleased with the meeting between Heli Lahdentausta of the National Museum of Finland and the Director of the Association on American Indian Affairs, Shannon Keller O'Loughlin in Albuquerque, New Mexico through the U.S. State Department Visitors Leadership Program to build relationships between Native American tribes and European Museums that possess Native American human remains and sacred objects.

The Tribes were not a party to the removal of the human remains and funerary objects therefore the Tribes respectfully requested assistance from the State Department to secure the financing for repatriation and reburial. The proposed repatriation and reburial date of May 2020 was contingent upon funding.

Prior to transport, the human remains had to be wrapped in biodegradable material to allow reburial to occur properly and respectfully. The associated funerary objects had to be reunited with their appropriate individuals. Packing had to be undertaken as appropriate to prevent breakage in biodegradable cloth, paper, and wood packaging.

Publicity was appropriate only after the reburial was completed. The Tribal representatives collaborated with the State Department on the appropriate documentation of the repatriation in progress. All press/publicity could only occur after reburial and would be limited in the information provided. No photographs of the reburial or remains would be permitted.

Marietta Wetherill Eaton, Manager of Canyons of the Ancients National Monument and her documentation of Gustaf Nordenskiöld in America provided information to the National Museum of Finland and the United States. At the Hopi Cultural Resources Advisory Task Team meeting on November 20, 2019, and Mesa Verde meeting on December 9, 2019, Marietta Wetherill Eaton, granddaughter of Richard Wetherill gave a presentation on Gustaf Nordenskiöld and rancher Richard Wetherill who had assisted Nordenskiöld.

The Pueblo of Zia appointed Mark D. Medina, Cultural

Preservation Officer, to represent the Pueblo. A rough estimate for travel was about \$4,000/person Monday - Monday. That is flights, hotels, per diem and incidentals, from Albuquerque to Denver, then to Helsinki.

The Four Repatriating Tribes were to receive the human remains and funerary objects in Mesa Verde National Park. The remains and objects were to be packed, transported from Finland to Mesa Verde and reburied in Mesa Verde in one continuous motion in May 2020. Pursuant to the Repatriation Record, reburial was to take place concurrent with repatriation of the human remain and associated funerary objects that were in the custody of the National Museum of Finland to the repatriating tribes of Hopi, Acoma, Zuni, and Zia.

All tribes associated with Mesa Verde through the Consultation Committee were informed and supported the Hopi Tribe to pursue repatriation. The four repatriating tribes, Acoma, Hopi, Zia, and Zuni were to implement repatriation and reburial. The All Pueblo Council of Governors was to be utilized if and when necessary to accomplish any engaging of tribes associated with Mesa Verde. The All Pueblo Council of Governors includes leadership from all 19 Pueblos of New Mexico.

Through previous consultation meetings between Mesa Verde National Park and the Mesa Verde Native American Consultation Committee, the reburial of human remains and funerary objects from collections in the custody of the National Park Service, Bureau of Indian Affairs and Colorado Historical Society have been completed within Mesa Verde National Park at an approved reburial site. The approved burial site had previously been identified, compliance had been completed, and burials conducted. The Long-Term Site Management into perpetuity was established. The burial site currently had backfilled trenches available to accommodate this reburial. The burial site was reviewed at the December 9, 2019 meeting of the four repatriating tribes in Mesa Verde.

At last, on Sunday, September 13, 2020, the Tribal Coalition comprising the Hopi Tribe, Acoma, Zia and Zuni Pueblos repatriated and reinterred their beloved ancestors and associated funerary objects in Mesa Verde! After 111 years of possessing the Native American human remains and associated funerary offerings of the deceased, the National Museum of Finland repatriated the 20 disinterred Puebloan ancestors pursuant to a joint agreement with the four sovereign culturally, and traditionally affiliated Pueblo tribes of Mesa Verde.

The tribes, with the assistance of the U.S. State Department and the U.S. Embassy in Finland respectfully and carefully transported the ancestors and their funerary offerings from Finland back to Mesa Verde, Colorado. Finnish/Swedish excavator Gustaf Nordenskiöld removed and exported hundreds of Puebloan items from burials and dwelling sites in Mesa Verde.

The National Museum of Finland completed their inventory of the Nordenskiöld Collection in March 2018 revealing that there were 614 items, 20 Pueblo ancestors and their 28 funerary objects.

At the 2018 Annual Mesa Verde Native American Tribal Consultation Committee Meeting, the Hopi, Acoma, Zia, and Zuni tribes confirmed their lead responsibility, and commitment in bringing their ancestors home. In July 2019, The Hopi Tribal Council and The All Pueblo Council of Governors, which represents 20 Pueblos (19 in New Mexico

and 1 in Texas) passed a resolution fully supporting the repatriation and the efforts of the four repatriating tribes.

At long last, on August 28, 2020, the repatriating tribes of Hopi, Acoma, Zia and Zuni and the National Museum of Finland formally agreed on the international repatriation.

On Saturday, September 12, 2020, the Hopi, Acoma, Zia, and Zuni tribes honorably received their ancestors in Durango, Colorado, and on Sunday morning, September 13, 2020, the ancestors were reinterred back home in Mesa Verde National Park where they were once respectfully laid to rest.

References

1. Leigh Kuwanwisiwma. Director Emeritus, Hopi Cultural Preservation Office.
2. Dr. Amy Eisenberg. Center for World Indigenous Studies and The University of Arizona.
3. Heli Lahdentausta. National Museum of Finland.
4. Cliff Spencer. Superintendent, Mesa Verde National Park.
5. Ambassador Pence, Dr. Allison Davis, Tina Semiti-Magembe. U.S. State Department.
6. Director Shannon Keller O'Loughlin. Association on American Indian Affairs.
7. Troy Honanie, Hopi Tribe. Office of the Vice Chairman
8. Stewart Koyiyumptewa, Hopi Cultural Preservation Office.
9. Clark W Tenakhongva. Hopi Tribe Vice Chairman.