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## Case Utimut Process – Denmark and Greenland

*Danish National Museum – Greenland National Museum and Archives – Indigenous object/objet autochtone – Colonialism/colonialisme – Institutional facilitator/facilitateur institutionnel – Negotiation/négociation – Cultural cooperation/coopération culturelle – Conditional restitution/restitution sous condition – Symbolic gesture/geste symbolique*

*A very elaborate cooperation between the National Museum of Denmark and the Greenland National Museum and Archives (“Utimut” process) was monitored by a specially nominated committee and resulted in the return of 35,000 artefacts in 1984. Extensive cooperational efforts were stimulated by the return of 204 watercolour paintings from Denmark to Greenland two years earlier. All these cultural objects were previously transferred to Denmark during the colonial domination of Greenland.*

*I. Chronology; II. Dispute Resolution Process; III. Legal Issues; IV. Adopted Solution; V. Comment; VI. Sources.*

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## I. Chronology

### Colonialism

- **1721-1953:** Greenland's colonial period: As a Danish colony, Greenland was inhabited by many Danish citizens, and amongst them were arctic explorers, Danish officials and missionaries engaged in scientific research. Over the years, these scientists had acquired an important amount of ethnographical material from Greenland and other Inuit societies that they subsequently exported to their home country.
- **By the end of the 19<sup>th</sup> century**, ethnographical collecting activity in east and north-west Greenland by Dutch scientists became regular and its results were exhibited and stored at the **Danish National Museum**. As a result, the Danish National Museum has accumulated six important material collections: “the Viking age in Greenland (1), the Inuit past (2), ethnographic objects from the late nineteenth century (3), watercolour paintings from the middle of the nineteenth century (4), archival information on prehistoric sites across Greenland (5), and oral information about the past (6)”.<sup>1</sup>
- **1913: First** unsuccessful restitution **request submitted by Greenland for the return** of the cultural materials hosted by the Danish National Museum.
- **1953:** In accordance with the Constitution of Denmark, Greenland becomes part of the Kingdom of Denmark (Danish Commonwealth).
- **1954: Second** unsuccessful **request by Greenland for the return** of cultural property.
- **1966:** Creation of the Greenland National Museum, which however lacked materials representing the national cultural heritage. Subsequently, the museum started a cooperation dialogue with the National Museum in Copenhagen regarding archaeological investigations.
- **1978:** The Greenland National Museum is extended to additional modern facilities for storage and research. Although archaeological excavation responsibility still resides with Denmark, excavated objects are from now on administered, stored and exhibited in Greenland.
- **1979:** Greenland becomes a home-rule government with a wide-ranging change in legislation, including the enactment of museum policies and provisions for the protection of cultural heritage and sites. Hence, **from the 1<sup>st</sup> of January 1981 on**, all matters relating to museums and to the preservation of cultural property are under the responsibility of the Greenlandic government.
- **1980:** the Greenland National Museums is transformed into the **Greenland National Museum and Archives** (Nunatta Katersugaasivia Allagaateqarfialu). Discussions between Greenland and the Danish National Museum on the repatriation of a number of Greenlandic artefacts begin.
- **1982-2001:** Extensive museum cooperation between Denmark and Greenland – a process called “**Utimut**” (Greenlandic word for “return”).
- **August 1982:** First symbolic gesture to meet Greenland's claim for repatriation: the **return of a unique collection of watercolors; 204 watercolour paintings** by the Greenlandic artists Jens Kreutzman and Aron of Kangeq.

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<sup>1</sup> Daniel Thorleifsen, “The repatriation of Greenland's cultural heritage,” *Museum International*, 241-242 (2009): 26.

- **October 1983:** Agreement signed between the National Museum of Denmark and the Greenland National Museum and Archives: appointment of a committee to supervise the repatriation process. The agreement came into force on 1 March 1984.
- **1 January 1984:** Return of approximately 35,000 archaeological and ethnographic artefacts from the National Museum of Denmark to Nunatta Katersugaasivia Allagaateqarfialu, the Greenland National Museum and Archives.
- **2000 - 2008:** Establishment of the Greenland research centre at the National Museum of Denmark (SILA) based on the partnership agreement of the two national museums. SILA has received funding from the Ministry of Research in Denmark.

## II. Dispute Resolution Process

### Institutional facilitator – Negotiation

- Discussions on a cooperative agreement were held in a harmonious way.<sup>2</sup> In brief, the return efforts were initiated by both Museums but needed to be accompanied by legislative changes (in Denmark) and by infrastructural measures (in Greenland).
- In the 1970s, public discourse initiated by young Greenlanders demanded that “[d]evelopment in Greenland (...) should be based on an acceptance of the Greenlandic population as a people with its own history and its own unique culture, and governed by the people of Greenland.”<sup>3</sup> Similarly, Greenlanders made several requests to have their own national museum. The arising public debate led to the commencement of negotiations between both countries.
- During these discussions, the National Museum of Denmark acknowledged that a return of parts of its ethnographical collections to Greenland would be “natural and reasonable” as soon as “conditions became satisfactory”<sup>4</sup>. However, the museum stressed two obstacles to such a return. Firstly, Danish law applicable at that time submitted antiquarian concerns of Greenland under Danish responsibility and hence with the National Museum of Copenhagen.<sup>5</sup> Secondly, Greenland did not provide for sufficient storage facilities and staff to properly handle and host museum artefacts.<sup>6</sup> Both concerns were addressed in the subsequent years by Greenland, who trained staff and restored the building of its Museum in Nuuk. Greenland’s commitment to repatriate its cultural property has encouraged Denmark to agree on a partial return. In addition, government representatives of both countries

<sup>2</sup> See Emil Rosing and Birte Haagen, “Aron From Kangeq and the Dano-Greenlandic Museum Cooperation,” *Arctic Anthropology*, Vol. 23, Nos. 1-2 (1986): 247.

<sup>3</sup> Bjarne Gronnow and Einar Lund Jensen, “Utimut: Repatriation and Collaboration Between Denmark and Greenland,” in *Utimut: Past Heritage – Future Partnerships, Discussions on Repatriation in the 21<sup>st</sup> Century*, ed. Mille Gabriel and Jens Dahl (Copenhagen: Work Group for Indigenous Affairs & the Greenland National of Museum and Archives, 2007), 181.

<sup>4</sup> *Ibid*, 183.

<sup>5</sup> *Ibid*, 183.

<sup>6</sup> See Gronnow and Jensen, “Utimut: Repatriation and Collaboration,” 183.

- supported the return complying with Greenland's wish for immediate access to their own prehistory.<sup>7</sup>
- Greenland became a **home-rule government in 1979**<sup>8</sup> which resulted in wide-ranging legislative reforms, including the enactment of a Museum Act, that enabled Greenland to take over antiquarian responsibility and administration.
  - First conclusive efforts by the Danish Parliament were made in 1982, with the **repatriation of 204 watercolours by Greenlandic artists** of a highly cultural-historical importance.<sup>9</sup> This restitution was the first of a succession of subsequent restitutions between the two countries. In view of the importance of the paintings to national culture, the Greenlandic museum was willing to purchase them for a **symbolic (and low) price**.<sup>10</sup>
  - This first restitution has been fundamental for subsequent research on artefacts and materials under the auspices of cooperation between the museums of Greenland and Denmark.<sup>11</sup>
  - The cooperation agreement effective in March 1984 determined the nomination of a **monitoring committee, heading the repatriation process**. The committee was comprised of three members assigned by Greenlandic home rule and three members selected by the Danish Ministry of Culture, all of who had more of an academic or professional museum rather than a political background.<sup>12</sup> The committee members met for the first time in the autumn of 1983 to discuss its charter.<sup>13</sup> Further discussions were conducted in 1984 regarding the cooperation in principle and guidelines for transferrals and in 1985 regarding the details of this cooperation.<sup>14</sup>
  - The committee's secretariat was housed at the Danish National Museum's Department of Ethnography and was assigned with the task of controlling the implementation of the committee's decisions and policies.<sup>15</sup>
  - Primarily, the committee had to examine, sort and re-evaluate the thousands of archaeological and ethnological objects in the National Museum of Denmark. However, it very rapidly also had to agree on how to divide the collection between Greenland and Denmark. The division process should be led by a series of basic principles:<sup>16</sup>
    - o Greenland's collection should reflect all aspects of its prehistory and geography and cover all parts of the country.
    - o Both museums should retain a collection enabling them to conduct research and teaching and which is suitable for "popularization".

<sup>7</sup> See Gronnow and Jensen, "Utimut: Repatriation and Collaboration," 183.

<sup>8</sup> According to the Greenland Home Rule Act (Act No. 577 of 29 November 1978), "home rule" implies that "Greenland is a distinct community within the Kingdom of Denmark" (section 1 (1)). Home rule authorities were able to "exercise legislative and executive power in fields transferred under [this Act]" (section 4).

<sup>9</sup> See Gronnow and Jensen, "Utimut: Repatriation and Collaboration," 183.

<sup>10</sup> See Rosing and Haagen, "Aron From Kangeq," 249.

<sup>11</sup> See Rosing and Haagen, "Aron From Kangeq," 253.

<sup>12</sup> See Mille Gabriel, "The Return of Cultural Heritage from Denmark to Greenland," *Museum International*, 241-242 (2009): 33.

<sup>13</sup> See Rosing and Haagen, "Aron From Kangeq," 253.

<sup>14</sup> See Rosing and Haagen, "Aron From Kangeq," 253.

<sup>15</sup> For more informations on the organisation of the Dano-Greenlandic museum coopération, see Rosing and Haagen, "Aron From Kangeq," 256 et seq.

<sup>16</sup> These principles are developed in Thorleifsen, "Greenland's cultural heritage," 27.

- The items in the collection which naturally belong together shall not be divided. Where this is impracticable, museums shall agree on (long term) loans.
- Greenland shall obtain all objects of importance to its cultural identity as well as all religious items.
- Greenland shall also obtain all information on every object of the collection.
- Denmark shall still hold sufficient material to continue its research and to ensure the promotion of Greenland thanks to ongoing exhibitions at the Danish National Museum.
- Documents and items on the history of the Danish National Museum's activities shall remain in Denmark as part of its national history.
- Loans between the museums shall be easily granted to researchers of both museums.

### III. Legal Issues

- The legal concerns of this case are primarily of a public law nature. As a former colony of Denmark, Greenland had to become a home rule government<sup>17</sup> in order to create a national museum. Wide-ranging legislative reforms followed, including the implementation of a Museum Act, which allowed Greenland to take over the management and responsibility of its antiquities. The museum itself then had to meet certain security and storage requirements in order to be vested with a national collection. The latter requirements were met when the museum moved to modern facilities in 1978.<sup>18</sup>

### IV. Adopted solution

#### Cultural cooperation – Conditional restitution – Symbolic gesture

##### First repatriation of 204 watercolour paintings

- The restitution agreement of 1982 regarding 204 watercolour paintings provided that the artworks shall be – prior to their return – photographically copied and temporarily exhibited in the National Museum in Copenhagen. The paintings were obtained by the Greenlandic Museum for **a symbolic price**.
- A set of these paintings was part of a travelling exhibition that took place thanks to the cooperation between the home rule office in Denmark and the National Museum.<sup>19</sup>
- In Greenland, the watercolour paintings were shown at four different exhibitions during the autumn of 1982, which greatly raised the public's interest.<sup>20</sup>

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<sup>17</sup> See footnote No. 8 above.

<sup>18</sup> See Gronnow and Jensen, "Utimut: Repatriation and Collaboration," 183.

<sup>19</sup> See Rosing and Haagen, "Aron From Kangeq," 253.

<sup>20</sup> See Rosing and Haagen, "Aron From Kangeq," 253.

### Agreement involving Cultural Cooperation allowing further returns

- The nine proposals of the committee issued between 1984 and 2001 for each separate return had all been decided unanimously by the committee members. Ultimately, the Danish Minister of Culture approved all these proposals.
- The adopted solution resulted in:
  - o the return of 35,000 archaeological and ethnographical items;
  - o substantial conservation efforts;
  - o photographic documentation;
  - o common electronic database of the entire collection especially of all prehistoric sites in Greenland;
  - o an ongoing museum collaboration: Partnership agreement between the two museums providing for an exchange of research and knowledge and for the creation of a **Greenland research centre at the National Museum of Denmark (SILA, established in 2000).**<sup>21</sup> SILA has received funding by the Ministry of Research in Denmark.

### V. Comment

- The “Utimit” process lasted many years but has resulted in a very comprehensive collaboration. Probably in view of the complexity and great amount of objects, both parties formalized the organisational frame of the process and agreed to nominate a monitoring committee.
- The significant amount of 35,000 returned items has to be analyzed in the given context. Even though experts estimate the amount of archaeological and ethnographical objects remaining in Denmark at 100,000, they also consider both collections are of equal importance.<sup>22</sup>
- Ultimately, the process has greatly supported Greenland in its development towards an autonomous nation with an own secure and up-to-date national museum (at present, Greenland is an autonomous country within the Kingdom of Denmark). It also allowed the start of a consistent research programme on these objects with the establishment of a Greenland research centre.
- The successful cooperation between the museums of Denmark and Greenland has encouraged Greenland to start contacting other foreign museums such as in the Netherlands. These efforts have for instance led to several exhibitions of Greenlandic items held in Dutch museums. On the opening day of the exhibition, the Dutch Minister of Culture, as a gesture,

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<sup>21</sup> For more information on the Research Center, visit the website of the National Museum of Denmark. Accessed July 15, 2011, <http://www.natmus.dk/sw18625.asp>.

<sup>22</sup> See Gabriel, “The return of cultural heritage,” 33.

donated one of the three shown kayaks to Greenland.<sup>23</sup> The exemplary collaboration between both countries and their museums could be used as an inspiration for other cases with a colonialism background, notwithstanding the very different political and factual context.

## VI. Sources

### a. Bibliography

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### b. Legislation

- Museum Act, Statutory of the Greenland Assembly No. 2/1980 dated October 21, 1980 giving the status of the National Museum of Greenland.
- Preservation Act, Law of the Greenland Assembly No. 5/1980 dated October 16, 1980, concerning protection of fixed ancient monuments and buildings.

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<sup>23</sup> See Rosing and Haagen, “Aron From Kangeq,” 253.