

# ICOM's etiske regler

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## ICOM's etiske regler

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Den engelske version af de etiske regler er hentet på ICOM's hjemmeside:  
[www.icom.museum](http://www.icom.museum)

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Kvindemuseet [www.kvindemuseet.dk](http://www.kvindemuseet.dk)

Odsherreds Kulturhistoriske Museum [www.annebjerggaard.museum](http://www.annebjerggaard.museum)

Thorvaldsens Museum [www.thorvaldsensmuseum.dk](http://www.thorvaldsensmuseum.dk)

ICOM's etiske regler er udgivet med støtte fra Kulturarvsstyrelsen



## Forord til den danske udgave

Museumsverdenen er sammensat af en mangfoldighed af museer, men forskelligheder til trods er der fælles træk. ICOM's etiske regler er det internationale regelsæt for alle museer og alle, der arbejder i tilknytning til museer. ICOM's etiske regler er den samlende faktor for museer, uanset hvor i verden de ligger, og hvad de rummer.

De etiske regler anviser normerne for forholdet mellem museet og samfundet og mellem museet og den enkelte medarbejder. Da det er museernes særlige privilegium at indlemme betydningsfulde objekter, det være sig genstande, værker og arter, i sine samlinger, skal der ikke herske tvivl om, at disse sikres mod privat samlertrang, mod tyveri, mod nedbrydning og mod økonomisk udnyttelse og ødelæggelse. Samtidig er det museernes pligt at stille samlingerne til rådighed for offentligheden og forskningen. Minimumsstandard for det enkelte museum, professionalisering af museets stab og understregning af museets samfundsmæssige forpligtigelser er derfor også en integreret del af de etiske regler.

International Council of Museums blev grundlagt som museernes organisation under UNESCO i 1946. De første etiske regler blev vedtaget i 1970 og angav principper for indlemmelse og håndtering af genstande i museer. I 1986 blev der for første gang vedtaget et sæt regler for museernes samlede virkefelt. Dette regelsæt blev revideret og moderniseret i 2001, og den aktuelle

version er en videreførelse med sproglige præciseringer og for-  
enklinger. Den blev vedtaget på ICOMs generalkonference i  
2004.

Museumsloven i Danmark er i overensstemmelse med de etiske  
regler og omfatter de emner, som lader sig lovgive. ICOM's  
museumsetiske regler underbygger således museumsloven og  
fungerer som en vejledning i, hvad der er museernes og muse-  
umsmedarbejdernes hensigtsmæssige adfærd i det daglige  
arbejde i og uden for institutionen. Reglerne er norm for alle  
museumsansatte og for både statslige og statsanerkendte  
museer.

Med denne oversættelse er det intentionen at udbrede kend-  
skabet til de etiske regler for museernes virke og således give  
enhver med tilknytning til museer let adgang til regelsættet.  
Derfor er der heller ikke tale om en ordret oversættelse af den  
engelske version, som har været udgangspunktet. Gennem  
oversættelserne er en række formuleringer ændret, så de beva-  
rer deres mening, men i højere grad er i overensstemmelse med  
danske forhold og dansk sprogbrug. Vi har derfor fulgt anbe-  
falingen fra ICOM's etiske komité om at trykke den engelske  
tekst sammen med oversættelsen. Det gør det enkelt at konsul-  
tere de oprindelige formuleringer, hvis læseren skulle være i  
tvivl.

August 2006

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# 1 Grundlæggende principper for museernes arbejde med natur- og kulturarven

**Princip** *Museerne er ansvarlige for den materielle og immaterielle natur- og kulturarv. Museernes bestyrelse, ledelses- og tilsynsmyndigheder har det primære ansvar for at bevare og fremme denne arv og for at forvalte de fysiske, økonomiske og menneskelige ressourcer.*

## Museet

### 1.1 Vedtægter

Museets ledelse skal sørge for, at museet har nedskrevne og tilgængelige vedtægter, som dokumenterer museets juridiske status, dets formål, og at det er en permanent og almennyttig institution.

### 1.2 Formål og opgaver

Museets opgave, formål og strategi samt bestyrelsens rolle og sammensætning skal fremgå af vedtægterne.

## De fysiske ressourcer

### 1.3 Lokaler

Ledelsen skal sikre, at museet råder over passende lokaler med et klima og miljø, som gør det muligt at varetage museernes opgaver og formål.

- 1.4 Adgang**  
Ledelsen bør sikre, at museet og dets samlinger regelmæssigt og på rimelige tidspunkter er tilgængelige for alle. Der skal tages særligt hensyn til personer med særlige handicap.
- 1.5 Arbejdsmiljø og sikkerhed**  
Ledelsen bør sørge for, at gældende krav vedrørende arbejdsmiljø, sikkerhed og adgang efterleves for både publikum og personale.
- 1.6 Katastrofeberedskab**  
Ledelsen skal udarbejde og ajourføre retningslinier, som sikrer publikum og personale, samlinger og øvrige ressourcer mod såvel menneskeskabte katastrofer som naturkatastrofer.
- 1.7 Sikringskrav**  
Ledelsen skal sørge for, at samlingerne er tilstrækkeligt sikret mod tyveri, brand og anden skade i udstillinger, arbejds- og magasinarealer samt under transport.
- 1.8 Forsikring og erstatning**  
Er der tegnet kommerciel forsikring for museets samlinger, skal ledelsen sikre, at dækningen er tilstrækkelig og også omfatter materiale under transport, ud- og indlånte genstande samt andet materiale, som museet på det givne tidspunkt er ansvarlig for. Er museet omfattet af statslig selvforsikring eller en indemnity-aftale, er det nødvendigt, at det materiale, som ikke ejes af museet, er dækket i passende omfang.

## **De økonomiske ressourcer**

- 1.9 Finansiering**  
Ledelsen bør sikre, at der er tilstrækkelige økonomiske midler til at udvikle museets aktiviteter. Økonomien er underlagt kravet om professionel regnskabsføring og revision.
- 1.10 Indtægtsdækket virksomhed**  
Ledelsen bør have nedskrevne retningslinier for, hvordan museet kan skaffe indtægter gennem sine aktiviteter, eller hvilken ekstern støtte man kan acceptere. Uanset hvor finansieringen kommer fra, skal museet fastholde kontrollen med indholdet og integriteten i sin virksomhed og aktivitet. Indtægtsdækket virksomhed må ikke kompromittere museet og dets publikum.

## **Personale**

### **1.11 Personalepolitik**

Ledelsen skal sikre, at alle dispositioner i forhold til personalet foretages i overensstemmelse med museets vedtægter og følger gældende regler for området.

### **1.12 Udnævnelse af museumsledere**

Museumslederen har en nøgleposition, og før udnævnelsen skal bestyrelsen være opmærksom på de kundskaber og kompetencer, der er nødvendige for effektivt at beklæde stillingen. Kvalifikationskravene skal gælde både faglig viden og etisk standard.

### **1.13 Forhold til bestyrelsen**

Museumslederen er direkte ansvarlig over for og skal have direkte adgang til bestyrelsen.

### **1.14 Personalets kompetence**

Personalet skal ansættes med baggrund i den sagkundskab, som kræves for at kunne løse museets opgaver.

### **1.15 Efteruddannelse**

Der bør tilbydes efteruddannelse og kompetenceudvikling til hele personalet, således at museet til stadighed har den bedst mulige arbejdsstyrke.

### **1.16 Etiske konflikter**

Ledelsen må ikke kræve af de ansatte, at de handler på måde, der bringer dem i modstrid med ICOM's etiske regler, gældende lovgivning eller et givet fags etiske regler.

### **1.17 Ansatte og frivillige**

Ledelsen skal have nedskrevne retningslinier for frivilliges deltagelse i arbejdet. Retningslinierne skal sikre et positivt forhold mellem de frivillige og de ansatte.

### **1.18 Frivillige og etik**

Ledelsen skal sikre, at de frivillige er fuldt fortrolige med ICOM's etiske regler og andre relevante regler og love.



## 2 Museernes samlinger

**Princip** *Museerne skal indsamle, bevare og formidle for at sikre natur- og kulturarven. Samlingerne udgør en vigtig arv, som har en særlig plads i lovgivningen og beskyttes af internationale konventioner. Denne arv fordrer god forvaltning, lovligt ejerskab, kontinuitet, dokumentation, tilgængelighed og ansvarlig udskillelse fra samlingerne.*

### Indsamling

#### 2.1 Indsamlingspolitik

Ledelsen skal formulere og offentliggøre retningslinier for indsamling, bevaring og håndtering af samlingerne. Retningslinierne bør også omhandle det materiale, som ikke vil blive registreret, konserveret eller udstillet.

#### 2.2 Lovlig adkomst

Intet objekt må indgå i samlingen som køb, gave, lån, arv eller i bytte, med mindre museet kan sikre sig lovlig og indiskutabel adkomst. Dokumentation for lovlig adkomst i ét land er ikke nødvendigvis ensbetydende med en lovlig adkomst.

#### 2.3 Proveniens og rettidig omhu

Museet skal sikre sig, at intet objekt, som museet får tilbudt som køb, gave, lån, arv eller i bytte, er ulovligt anskaffet eller ulovligt ind- eller udført fra oprindelseslandet eller et evt. transitland, hvor objektet kan have været lovligt ejet. Museet skal således vise rettidig omhu og sikre sig objektets proveniens.



- 2.4 Objekter fra uautoriseret eller uvidenskabeligt feltarbejde**  
Museer må ikke indsamle objekter, hvis der er rimelig grund til at tro, at de kommer fra uautoriseret eller uvidenskabelig aktivitet, bevidst ødelæggelse af eller skade på mindesmærker, arkæologiske eller geologiske lokaliteter, biologiske arter eller naturlige levesteder. Erhvervelse må heller ikke ske, hvis områdets ejer eller dets beboere ikke er blevet underrettet, eller hvis fundet ikke er blevet indberettet til rette myndighed.
- 2.5 Kulturelt følsomt materiale**  
Samlinger med human oprindelse og materiale af religiøs karakter bør kun indsamles, hvis de kan opbevares sikkert og forvaltes respektfuldt. Dette skal ske i overensstemmelse med professionelle standarder og med de interesser og trosforestillinger, som findes i det samfund og i de etniske og religiøse grupper, objekterne kommer fra.
- 2.6 Beskyttede biologiske eller geologiske objekter**  
Museer må ikke indsamle biologiske eller geologiske objekter, som er solgt eller på anden måde tilvejebragt i modstrid med nationale eller internationale love eller bestemmelser om naturbeskyttelse.
- 2.7 Levende samlinger**  
Når samlingerne omfatter levende botaniske eller zoologiske objekter, skal der tages særligt hensyn til det naturlige og sociale miljø, de kommer fra, og til såvel nationale som internationale love eller bestemmelser om naturbeskyttelse.
- 2.8 Brugssamlinger**  
Museets indsamlingspolitik kan også omfatte anvisninger for den type brugssamlinger, hvor der lægges vægt på bevaringen af kulturelle, videnskabelige eller tekniske processer frem for på bevaringen af selve objekterne, eller hvor objekterne er indsamlet for at blive brugt praktisk eller i en undervisningssammenhæng.
- 2.9 Erhvervelse uden om museets indsamlingspolitik**  
Anskaffelse af objekter, der ikke falder inden for museets indsamlingspolitik, bør kun undtagelsesvis finde sted. Ledelsen bør nøje overveje det faglige grundlag og sikre sig, at alle interesser er hørt. Overvejelserne skal omfatte objektets betydning for natur- eller kulturarven såvel som de særlige interesser, andre museer, som forvalter samme type materiale, måtte have. Heller

ikke i de tilfælde må museet indsamle objekter uden lovlig adkomst.

- 2.10 Erhvervelse via medlemmer af bestyrelsen eller personalet**  
Der kræves særlig omhu, hvis museet fra medlemmer af bestyrelsen, personalet, deres pårørende eller nære venner får tilbudt et objekt, som køb eller gave.
- 2.11 Museet som sidste bevaringsinstans**  
Intet i disse museumsetiske regler skal forhindre et museum i at fungere som sidste bevaringsinstans for objekter med uklar proveniens eller for objekter, som er ulovligt tilvejebragt fra museets retmæssige ansvarsområde.

## **Udskillelse fra samlingerne**

- 2.12 Bemyndigelse til udskillelse fra samlingerne**  
Hvis museet har hjemmel til udskillelse fra samlingerne, eller hvis museet under indsamlingen har sikret sig ret til at skille sig af med objekterne igen, skal de juridiske betingelser og procedurer herfor følges nøje. Hvis der i forbindelse med erhvervelsen er indgået aftaler, som indebærer indskrænkninger i museets handlefrihed, må disse respekteres, med mindre de er umulige at følge eller til skade for institutionen. I så fald bør museet søge at få restriktionerne lempet.
- 2.13 Udskillelse fra samlingerne**  
Udskillelse af et objekt fra en museumssamling må kun ske med fuld forståelse for objektets betydning, dets karakter (om det kan erstattes eller ej), dets retslige status og det tab af almen tillid, som kan blive følgen af en udskillelse.
- 2.14 Ansvar for udskillelse**  
Med mindre andet er juridisk gældende, har museets ledelse ansvaret for beslutningen om udskillelse. Særlige regler kan gælde for brugssamlinger.
- 2.15 Retningslinier for udskillelse**  
Ethvert museum skal have retningslinier, som definerer metoder til permanent overførsel af objekter fra samlingerne ved donation, overførsel, bytte, salg, tilbageførsel til oprindelsesland eller destruktion. Retningslinierne skal samtidig sikre, at den uindskrænkede adkomst videregives til modtageren. Der skal etableres fuld dokumentation om alle beslutninger vedrørende

udskillelse, herunder om de givne objekter og måden, de er blevet udskilt på. Det forudsættes, at udskilte objekter altid først tilbydes et andet museum.

#### **2.16 Indtægter ved udskillelse fra samlingerne.**

Museumssamlinger er en del af kulturarven, som forvaltes på samfundets vegne og må derfor ikke behandles som realiserbare aktiver. Penge eller anden godtgørelse, som museet måtte modtage ved deaccessionering eller overførsel fra samlingerne, må alene anvendes til gavn for samlingen og almindeligvis til erhvervelser til samlingen.

#### **2.17 Køb af udskilte samlinger**

Bestyrelsen, personalet, deres pårørende eller nære venner kan ikke opnå tilladelse til at erhverve objekter, som er udskilt fra den samling, de er ansvarlige for.

### **Samlingernes pleje**

#### **2.18 Samlingernes kontinuitet**

Museet skal udarbejde og efterleve retningslinier, som sikrer, at dets samlinger og deposita og den tilhørende dokumentation er registreret i passende omfang og tilgængelige, og at de videregives til kommende generationer i så god og sikker stand som muligt under hensyn til eksisterende viden og ressourcer.

#### **2.19 Overdragelse af ansvaret for samlingen**

Det faglige ansvar for samlingernes forvaltning skal overdrages personer, der har passende viden og kompetencer, eller som er under tilstrækkelig vejledning.

#### **2.20 Registrering af samlingerne**

Museumssamlinger skal dokumenteres i overensstemmelse med vedtagne faglige standarder. Dokumentationen skal indeholde fuld identifikation og beskrivelse af hver enkelt objekt, dets sammenhæng, oprindelse, tilstand, konserveringsfaglig behandling og dets placering. Disse data skal opbevares forsvarligt og understøttes af et søgesystem, som giver adgang til informationerne – både for museets personale og andre legitime brugere.

#### **2.21 Beskyttelse mod katastrofer**

Museet bør udarbejde retningslinier for håndtering af samlingerne under væbnede konflikter eller andre menneskeskabte katastrofer såvel som naturkatastrofer.

- 2.22 Beskyttelse af følsomme oplysninger**  
Museet skal sikre, at der ikke videregives fortrolige oplysninger, hvis data fra samlingerne er offentligt tilgængelige.
- 2.23 Forebyggende konservering**  
Forebyggende konservering er et vigtigt element i museets pleje af samlingerne. Det er et væsentligt ansvar for alle, som arbejder på et museum, at skabe og sikre passende omgivelser for de samlinger, de har ansvaret for – både på magasinerne, i udstillingerne og under transport.
- 2.24 Konservering og restaurering af samlingerne**  
Museet bør nøje overvåge samlingernes tilstand for at kunne bestemme, hvornår et objekt kræver konservering eller restaurering ved en konservator. Det primære mål bør være at sikre objektet. Alt konserveringsarbejde skal dokumenteres og være så reversibelt som muligt, og alle forandringer skal være lette at kende på objektet.
- 2.25 Levende dyrs velfærd**  
Et museum, som holder levende dyr, skal påtage sig det fulde ansvar for dyrenes sundhed og velfærd. Museet skal udarbejde og anvende sikkerhedsregler, som beskytter personale og besøgende, såvel som dyrene selv. Disse regler skal godkendes af det veterinære tilsyn. Evt. genmodifikation skal være identificerbar.
- 2.26 Personlig brug af museumssamlinger**  
Bestyrelsen, personalet, deres pårørende eller nære venner bør ikke anvende objekter fra samlingerne til personlig brug, heller ikke midlertidigt.



## 3 Museernes samlinger som basis

**Princip** *Museerne har et særligt ansvar over for alle for varetagelsen af, adgangen til og formidlingen af samlingerne*

### Primære kilder

#### 3.1 Samlingerne som primære vidnesbyrd

Museets retningslinier for samlingerne skal vise samlingernes betydning som primære vidnesbyrd. Retningslinierne skal derfor gøre klart, at samlingerne ikke er styret af sædvaner eller tilfældigheder.

#### 3.2 Samlingernes tilgængelighed

Museerne har et særligt ansvar for at gøre samlingerne og alle relevante oplysninger tilgængelige så frit som muligt under passende hensyntagen til fortroligt materiale og sikkerhed.

### Indsamling og forskning

#### 3.3 Feltarbejde

Museer, som udfører feltarbejde, bør udarbejde retningslinier herfor i overensstemmelse med god faglig standard, international lovgivning og traktatlige forpligtelser. Feltarbejde bør kun gennemføres i respekt for og under hensyntagen til det lokale samfund, dets kulturmiljø og med den hensigt at sikre natur- og kulturarven.

- 3.4 Ekstraordinær indsamling**  
I meget sjældne tilfælde kan et objekt uden proveniens have en så enestående betydning, at det vil være i offentlighedens interesse, at objektet bevares. Beslutningen om at lade et sådan objekt indgå i samlingerne bør træffes af eksperter uden national eller international forudindtagethed.
- 3.5 Forskning**  
Forskning, som udføres af museets personale, skal knytte an til museets formål og opgaver og følge den aftalte juridiske og faglige praksis.
- 3.6 Destruktiv analyse**  
Hvis der anvendes ødelæggende analyseteknikker, skal der foretages en meget nøje registrering af det analyserede materiale. Resultatet af analysen og det følgende forskningsarbejde – inkl. publikationer – skal fremgå af museets dokumentation.
- 3.7 Samlinger med human oprindelse og materiale af religiøs karakter**  
Forskning i objekter med human oprindelse og materiale af religiøs karakter skal udføres i overensstemmelse med professionelle standarder og med respekt for de interesser og trosforestillinger, som findes i det samfund og i den etniske eller religiøse gruppe, som objekterne kommer fra.
- 3.8 Retten til forskningsmateriale**  
Når museumsansatte forbereder materiale til formidling eller udfører feltarbejde, bør der foreligge klare aftaler om rettigheder med det museum, som har finansieret undersøgelserne.
- 3.9 Vidensdeling**  
Museumsansatte er forpligtet til at dele deres viden og erfaring med kolleger, forskere og studerende i relevante discipliner.
- 3.10 Samarbejde mellem museer og andre institutioner**  
Museumsansatte bør fremme samarbejdet med institutioner med lignende interesser og indsamlingspraksis, især højere læreanstalter og andre offentlige institutioner, hvis forskning kan foranledige samlinger uden langsigtet strategi for bevaring.



## 4 Museernes formidling

**Princip** *Museerne har en vigtig forpligtelse til at udvikle deres formidling og til at tiltrække et bredt publikum fra det samfund, den lokalitet eller de befolkningsgrupper, de betjener. Samspejlet med det omgivende samfund og formidlingen af dets arv er en integreret del af museets virksomhed.*

### Udstilling og formidling

#### 4.1 Udstillinger og aktiviteter

Enhver form for udstilling bør være i overensstemmelse med museets formål, strategi og opgaver. Udstillingerne må hverken kompromittere samlingerne, deres kvalitet eller bevaring.

#### 4.2 Sælgelighed og formidling

Museerne skal sikre, at de oplysninger, de præsenterer i udstillinger, er velfunderede og korrekte, og at de tager passende hensyn til de befolkningsgrupper og trosopfattelser, som er repræsenteret.

#### 4.3 Udstilling af følsomt materiale

Udstilling af objekter med human oprindelse og materiale af religiøs karakter skal ske i overensstemmelse med professionelle standarder og med de interesser og trosforestillinger, som findes i det samfund og de etniske eller religiøse grupper, objekterne kommer fra. De bør præsenteres under udvisning af stor takt og i respekt for den værdighed, alle folk har.

- 4.4 Fjernelse af materiale fra en udstilling**  
Anmodninger fra oprindelsesstedet om at fjerne objekter med human oprindelse eller af religiøs karakter skal behandles hurtigt og respektfuldt. Anmodning om tilbageførsel skal behandles tilsvarende. Museets retningslinier skal klart angive procedurer ved den type henvendelser.
- 4.5 Udstilling af materiale af tvivlsom oprindelse eller uden oplysninger om proveniens**  
En sådan praksis kan opfattes som en godkendelse af eller opfordring til illegal handel med kulturgjenstande.

## **Anden formidling**

- 4.6 Publikationer**  
Enhver form for oplysninger, som museet offentliggør, bør være velfunderede, korrekte og tage passende hensyn til de berørte samfund og de trosretninger, som præsenteres. Publikationer må ikke kompromittere museet.
- 4.7 Reproduktioner**  
Museer skal respektere originalens integritet, når der fremstilles kopier eller reproduktioner af objekter i samlingerne. Kopier skal altid mærkes.





## 5 Museernes øvrige tjenesteydelser

**Princip** *Museer benytter mange former for specialviden, kompetence og udstyr. Dette kan medføre ressourcodeling eller tjenesteydelser i forlængelse af museets aktiviteter. De skal organiseres, så de ikke kompromitterer museets formål.*

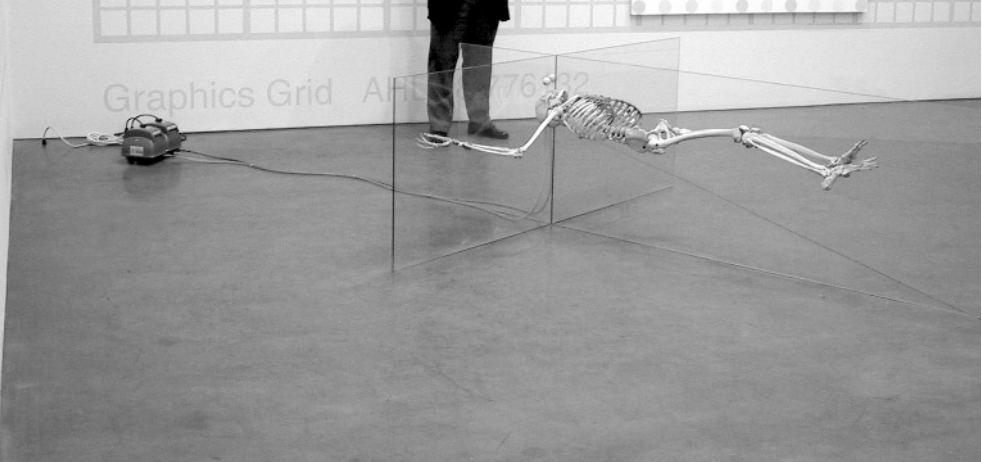
### Identifikation

#### 5.1 Identifikation af objekter i ulovlig eller illegal handel

Hvis museer yder hjælp til identifikation, må de ikke på nogen måde give anledning til mistanke om, at de direkte eller indirekte opnår fordel ved denne aktivitet. Identifikation og bekræftelse af ægthed af objekter, som formodes at være illegalt eller uretmæssigt anskaffet, overført, importeret eller eksporteret, må ikke offentliggøres, før de relevante myndigheder er underrettet.

#### 5.2 Ægthedserklæring og værdifastsættelse

Vurderinger kan foretages med henblik på forsikring af museets samlinger. Erklæringer om andre objekters økonomiske værdi må kun gives efter officiel henvendelse fra andre museer eller juridiske, statslige eller andre ansvarlige myndigheder. Hvis museet selv er modtager, skal vurderingen foretages af uafhængig ekspertise.



## 6 Museerne og samfundet

**Princip** *Museumssamlingerne afspejler natur- og kulturarven i samfundet. Derfor har de en særlig betydning og er tæt knyttet til national, regional, lokal, religiøs eller politisk identitet. Det er vigtigt, at museets retningslinier tager højde herfor.*

### Samlingernes oprindelse

#### 6.1 Samarbejde

Museer bør fremme samarbejdet med andre museer og kulturinstitutioner, for at viden og samlinger deles med museer og kulturelle institutioner i oprindelsessamfundet eller -landet. Man bør undersøge mulighederne for at udvikle partnerskab med museer i lande eller områder, som har mistet en væsentlig del af deres natur- eller kulturarv.

#### 6.2 Dialog

Museer skal være forberedt på selv at indlede dialog om tilbageførsel af kulturel ejendom til det land eller folk, objekterne kommer fra. Dette skal ske på en upartisk måde og være baseret på videnskabelige, professionelle og humanitære principper såvel som på relevant lokal, national og international lovgivning frem for at blive en sag på regerings- eller politisk plan.

#### Tilbageførsel

6.3 Hvis et oprindelsesland eller -folk søger at få tilbageført et objekt, som påviseligt er eksporteret eller på anden måde overført i strid med internationale principper og nationale konven-

tioner, og som påviseligt er en del af landets eller folkets natur- og kulturarv, skal det involverede museum, hvis det juridisk er i stand til det, straks tage de nødvendige skridt til samarbejdet om tilbageførslen.

#### **6.4 Objekter fra besatte lande**

Museer må ikke erhverve objekter fra et besat område og skal respektere alle love og konventioner, som regulerer import, eksport og overførsel af natur- og kulturarven.

### **Hensyntagen til samfundet**

#### **6.5 Samtiden**

Hvis museets aktiviteter involverer et nutidigt samfund eller dets kulturarv, bør erhvervelser kun ske på grundlag af samtykke fra og i forståelse med ejer eller informant. Respekt for det involverede samfunds ønsker skal tillægges afgørende betydning.

#### **6.6 Finansiering af aktiviteter**

Når der søges støtte til aktiviteter, som involverer nutidige samfund, må disses interesser ikke kompromitteres.

#### **6.7 Brug af samlinger fra nutidige samfund**

Brug af samlinger fra nutidige samfund kræver respekt for menneskelig værdighed og for de traditioner og kulturer, hvor samlingerne anvendes. Gennem multisociale, multietniske og flersproglige samlinger bør sådanne fremstillinger bruges til at fremme menneskelig velfærd, social udvikling, tolerance og respekt.

#### **6.8 Støtteforeninger**

Museer bør skabe gunstige vilkår for evt. støtte fra det omgivende samfund (venneforeninger eller lignende), være opmærksom på deres værdi og fremme et harmonisk forhold mellem samfundet og museet.



## 7 Museerne og loven

**Princip** *Museerne skal i alle henseender følge nationale og internationale love og traktater. Desuden skal ledelsen overholde alle juridiske aftaler og betingelser, som vedrører museet, dets samlinger og aktivitet.*

### Juridiske rammer

#### 7.1 National lovgivning

Museer skal overholde alle love og bestemmelser samt respektere andre landes relevante lovgivning.

#### 7.2 Internationale konventioner

Museernes retningslinier bør bygge på de følgende internationale konventioner, som er baggrund for ICOM's museumsetiske regler:

- **UNESCO konvention til beskyttelse af kulturelle værdier i tilfælde af væbnet konflikt**  
(Haag konvention, første protokol, 1954 og anden protokol, 1999)
- **UNESCO konvention om midlerne til at forbyde og forhindre ulovlig import, eksport og ejendomsoverdragelse af kulturgjenstande**  
(1970)
- **Konvention om international handel med udryddelsestruede vilde dyr og planter**  
(Washington, 1973)

- *FN konvention om biologisk diversitet*  
(1992)
- *UNIDROIT konvention om stjalne og illegalt eksporterede kulturgjenstande*  
(1995)
- *UNESCO konvention til beskyttelse af den undersøiske kulturarv*  
(2001)
- *UNESCO konvention til beskyttelse af den immaterielle kulturarv*  
(2003)



## 8 Museernes professionelle standard

**Princip** *Alle museumsansatte bør respektere anerkendte standarder og love og anerkende de enkelte fags integritet. De bør være offentlighedens værn mod ulovlig eller uetisk professionel handlemåde. Ved enhver given lejlighed bør offentligheden oplyses om museumsarbejdets formål og opgaver således at en almen forståelse for museernes bidrag til samfundet fremmes.*

### Professionel handlemåde

#### 8.1 Kendskab til relevant lovgivning

Museumsansatte bør være fortrolige med relevant international og national lovgivning. De bør undgå situationer, som kan opfattes som upassende adfærd.

#### 8.2 Professionelt ansvar

Museumsansatte er forpligtet til at følge den ansættende institutions retningslinier og procedurer. De kan imidlertid protestere mod handlemåder, som opfattes som skadelige for museet eller den professionelle etik.

#### 8.3 Professionel optræden

Loyalitet over for kolleger og museet er et vigtigt professionelt ansvar, som bygger på fundamentale, etiske principper for museumsprofessionen. Alle bør efterleve ICOM's etiske regler og være opmærksomme på andre relevante regelsæt.

- 8.4 Akademisk og videnskabeligt ansvar**  
Alle museumsansatte skal fremme den forskning, bevaring og formidling, som samlingerne giver mulighed for. De bør derfor afstå fra enhver aktivitet, som kan føre til tab af den oparbejdede viden.
- 8.5 Illegal handel**  
Ingen museumsansat må direkte eller indirekte støtte illegal handel med natur- og kulturarven.
- 8.6 Fortrolighed**  
Alle, som arbejder på museer, skal håndtere fortrolige oplysninger, de får del i gennem deres arbejde, korrekt. Desuden er oplysninger om objekter, som museet har til identifikation, fortrolige og må ikke offentliggøres eller videregives til nogen anden institution eller person uden ejerens udtrykkelige tilladelse.
- 8.7 Museers og samlingers sikkerhed**  
Oplysninger om museets sikkerhedssystemer er strengt fortrolige. Det samme gælder for private samlinger og lignende, som museumsansatte besøger i embeds medfør.
- 8.8 Undtagelser fra tavshedspligten**  
Tavshedspligten skal vige for forpligtelsen til at bistå politi eller anden myndighed i efterforskningen af stjålen, ulovligt anskaffet eller ulovligt overført ejendom.
- 8.9 Personlig uafhængighed**  
Selvom museumsansatte har ret til et vist mål af personlig frihed, skal de erkende, at privat forretningsmæssig eller faglig interesse ikke kan holdes helt adskilt fra det museum, de arbejder for.
- 8.10 Professionelle relationer**  
Museumsansatte har professionelle relationer med talrige andre personer inden for og uden for det museum, de er ansat på. Det forventes, at de også yder en professionel service over for dem.
- 8.11 Professionelle konsultationer**  
Man har en professionel pligt til at konsultere kolleger uden for museet, hvis museets egen ekspertise er utilstrækkelig til at sikre en kvalificeret beslutningstagen.

## Interessekonflikter

- 8.12 Gaver, tjenester, lån og andre personlige goder**  
Ingen museumsansat må modtage gaver, tjenester, lån og andre personlige goder, som de får tilbudt i forbindelse med deres tjenstlige virke for museet. Der findes tilfælde, hvor det er passende at give og tage imod gaver, men det bør ske i den pågældende institutions navn.
- 8.13 Ansættelser eller forretningsinteresser uden for museet**  
Selvom de museumsansatte har ret til et vist mål af personlig frihed, skal de erkende, at privat forretningsmæssig eller faglig interesse ikke kan holdes helt adskilt fra det museum, de arbejder for. De bør derfor ikke påtage sig betalt arbejde eller beklæde erhverv, som kan være i strid med museets interesser.
- 8.14 Handel med natur- eller kulturarv**  
Ingen museumsansat må direkte eller indirekte tage del i handel (køb og salg med fortjeneste for øje) med natur- eller kulturarv.
- 8.15 Kontakt med handlende**  
Ingen museumsansat må tage imod gaver, gæstfrihed eller anden form for vederlag fra en handlende, et auktionshus eller andre som tilskyndelse til at købe eller sælge museumsobjekter eller afstå fra at agere professionelt. Endvidere bør en museumsansat ikke anbefale en bestemt handlende, et auktionshus eller en vurderingsmand til offentligheden
- 8.16 Privat samlervirksomhed**  
Museumsansatte må hverken ved erhvervelse af objekter eller ved anden indsamlingsaktivitet konkurrere med museet. Derfor bør der mellem den ansatte og ledelsen indgås en skriftlig aftale om enhver form for privat samlervirksomhed.
- 8.17 Brug af ICOM's navn og logo**  
Medlemmer af ICOM må ikke bruge ordene "International Council of Museums", "ICOM" eller dets logo for at fremme eller gøre reklame for nogen indtægtsgivende aktivitet eller produktion.
- 8.18 Andre interessekonflikter**  
Hvis andre lignende interessekonflikter mellem en museumsansat og museet skulle opstå, bør museets interesser være fremherskende.





# Code of Ethics for Museums

## Introduction

This edition of the ICOM Code of Ethics for Museums is the culmination of six years' revision. Following a thorough review of the ICOM's Code in the light of contemporary museum practice, a revised version, structured on the earlier edition, was issued in 2001. As envisaged at that time, this has now been completely reformatted to give it the look and feel of the museum profession and is based on key principles of professional practice, elaborated to provide general ethical guidance. The Code has been the subject of three periods of consultation with the membership. It was approved at the 21st General Assembly of ICOM, Seoul in 2004 with acclamation.

The whole ethos of the document continues to be that of service to society, the community, the public and its various constituencies, and the professionalism of museum practitioners. While there is a changed emphasis throughout the document resulting from the new structure, the accentuation of key points and the use of shorter paragraphs, very little is totally new. The new features will be found in paragraph 2.11 and the principles outlined in sections 3, 5 and 6.

The Code of Ethics for Museums provides a means of professional self-regulation in a key area of public provision where legislation at a national level is variable and far from consistent. It sets minimum standards of conduct and performance to which museum professional staff throughout the world may reasonably aspire as well as a providing a statement of reasonable public expectation from the museum profession.

ICOM issued its Ethics of Acquisition in 1970 and a full Code of Professional Ethics in 1986. The present edition – and its interim document of 2001 – owe much to that early work. The major work of revision and restructuring, however, fell on the members of the Ethics Committee. Their contribution in meetings – both actual and electronic – and their determination to meet both target and schedule is gratefully acknowledged. Their names are listed for reference.

Having completed our mandate, we pass responsibility for the Code to a largely new committee membership, headed by Bernice Murphy, who brings to the work all the knowledge and experience of a past Vice-President of ICOM and a previous member of the Ethics Committee.

Like its precursors, the present Code provides a global minimum standard on which national and specialist groups can build to meet their particular requirements. ICOM encourages the development of national and specialist codes of ethics to meet particular needs and will be pleased to receive copies of these. They should be sent to the Secretary-General of ICOM, Maison de l'UNESCO, 1 rue Miollis, 75732 Paris Cedex 15, France. E-mail: [secretariat@icom.museum](mailto:secretariat@icom.museum)

Geoffrey Lewis  
Chair, ICOM Ethics Committee (1997-2004)  
President of ICOM (1983-1989)

## **ICOM Ethics Committee for the period 2001-2004**

**Chair:** Geoffrey Lewis (UK)

**Members:** Gary Edson (USA); Per Kåks (Sweden); Byung-mo Kim (Rep. of Korea); Pascal Makambila (Congo) – from 2002; Jean-Yves Marin (France); Bernice Murphy (Australia) to 2002; Tereza Scheiner (Brazil); Shaje'a Tshiluila (Democratic Rep. of Congo); Michel Van-Praët (France).

Ethical issues that require the attention and/or consideration of the ICOM Ethics Committee may be addressed to its Chair by e-mail: [ethics@icom.museum](mailto:ethics@icom.museum).

## **Preamble**

### **Status of the ICOM Code of Ethics for Museums**

The ICOM Code of Ethics for Museums has been prepared by the International Council of Museums. It is the statement of ethics for museums referred to in the ICOM Statutes. The Code reflects principles generally accepted by the international museum community. Membership in ICOM and the payment of the annual subscription to ICOM are an affirmation of the ICOM Code of Ethics for Museums.

### **A Minimum Standard for Museums**

The ICOM Code represents a minimum standard for museums. It is presented as a series of principles supported by guidelines for desirable professional practice. In some countries, certain minimum standards are defined by law or government regulation. In others, guidance on and assessment of minimum professional standards may be available in the form of 'Accreditation', 'Registration', or similar evaluative schemes. Where such standards are not defined, guidance can be obtained through the ICOM Secretariat, a relevant National Committee of ICOM, or the appropriate International Committee of ICOM. It is also intended that individual nations and the specialised subject organisations connected with museums should use this Code as a basis for developing additional standards. .

### **Translations of the ICOM Code of Ethics for Museums**

The ICOM Code of Ethics for Museums is published in the three official languages of the organisation: English, French and Spanish. ICOM welcomes the translation of the Code into other languages. However, a translation will be regarded as "official" only if it is endorsed by at least one National Committee of a country in which the language is spoken, normally as the first language. Where the language is spoken in more than one country, it is preferable that the National Committees of these countries also be consulted. Attention is drawn to the need for linguistic as well as professional museum expertise in providing official translations. The language version used for a translation and the names of the National Committees involved should be indicated. These conditions do not restrict translations of the Code, or parts of it, for use in educational work or for study purposes.

## Glossary

- Appraisal** The authentication and valuation of an object or specimen. In certain countries the term is used for an independent assessment of a proposed gift for tax benefit purposes.
- Conflict of interest** The existence of a personal or private interest that gives rise to a clash of principle in a work situation, thus restricting, or having the appearance of restricting, the objectivity of decision making.
- Conservator-Restorer** Museum or independent personnel competent to undertake the technical examination, preservation, conservation and restoration of cultural property. (For further information, see ICOM News, vol. 39, n°1 (1986), pp. 5-6.)
- Cultural Heritage** Any thing or concept considered of aesthetic, historical, scientific or spiritual significance.
- Dealing** Buying and selling items for personal or institutional gain.
- Due diligence** The requirement that every endeavour is made to establish the facts of a case before deciding a course of action, particularly in identifying the source and history of an item offered for acquisition or use before acquiring it.
- Governing Body** The persons or organisations defined in the enabling legislation of the museum as responsible for its continuance, strategic development and funding.
- Income-generating activities** Activities intended to bring financial gain or profit for the benefit of the institution.
- Legal title** Legal right to ownership of property in the country concerned. In certain countries this may be a conferred right and insufficient to meet the requirements of a due diligence search.
- Minimum Standard** A standard to which it is reasonable to expect all museums and museum personnel to aspire. Certain countries have their own statements of minimum standards.
- Museum**<sup>1</sup> A museum is a non-profit making permanent institution in the service of society and of its development, open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes of study, education and enjoyment, the tangible and intangible evidence of people and their environment.

**Museum professional**<sup>1</sup> Museum professionals consist the personnel (whether paid or unpaid) of museums or institutions as defined in Article 2, paras. 1 and 2, of the Statutes, who have received specialised training, or possess an equivalent practical experience in any field relevant to the management and operations of a museum, and independent persons respecting the ICOM Code of Ethics for Museums and working for museums or institutions as defined in the Statute quoted above, but not persons promoting or dealing with commercial products and equipment required for museums and museum services.

**Natural Heritage** Any natural thing, phenomenon or concept, considered to be of scientific significance or to be a spiritual manifestation.

**Non-profit organisation** A legally established body- corporate or unincorporated- whose income (including any surplus or profit) is used solely for the benefit of that body and its operation. The term "not-for-profit" has the same meaning.

**Provenance** The full history and ownership of an item from the time of its discovery or creation to the present day, from which authenticity and ownership is determined.

**Valid title** Indisputable right to ownership of property, supported by full provenance of the item from discovery or production.

<sup>1</sup> It should be noted that the terms "museum" and "museum professional" are interim definitions for use in interpreting the ICOM Code of Ethics for Museums. The definitions of "museum" and "professional museum workers" used in the ICOM Statutes remain in force until the revision of that document has been completed.

# 1. Museums preserve, interpret and promote the natural and cultural inheritance of humanity

**Principle:** *Museums are responsible for the tangible and intangible natural and cultural heritage. Governing bodies and those concerned with the strategic direction and oversight of museums have a primary responsibility to protect and promote this heritage as well as the human, physical and financial resources made available for that purpose.*

## INSTITUTIONAL STANDING

### 1.1 Enabling documentation

The governing body should ensure that the museum has a written and published constitution, statute or other public document, in accordance with national laws which clearly states the museum's legal status, mission, permanence, and non-profit nature.

### 1.2 Statement of the Mission, Objectives, and Policies

The governing body should prepare, publicise and be guided by a statement of the mission, objectives, and policies of the museum and of the role and composition of the governing body.

## PHYSICAL RESOURCES

### 1.3 Premises

The governing body should ensure adequate premises with a suitable environment for the museum to fulfil the basic functions defined in its mission.

### 1.4 Access

The governing body should ensure that the museum and its collections are available to all during reasonable hours and for regular periods. Particular regard should be given to those persons with special needs.

### 1.5 Health and Safety

The governing body should ensure that institutional standards of health, safety, and accessibility apply to its personnel and visitors.

### 1.6 Protection Against Disasters

The governing body should develop and maintain policies to protect the public and personnel, the collections and other resources, against natural and human-made disasters.

### 1.7 Security Requirements

The governing body should ensure appropriate security to protect collections against theft or damage in displays, exhibitions, working or storage areas, and while in transit.

### 1.8 Insurance and Indemnity

Where commercial insurance is used for collections, the governing body should ensure that such cover is adequate and includes objects in transit or on loan and other items that are the responsibility of the museum. When an indemnity scheme

is in use, it is necessary that material not in the ownership of the museum is adequately covered.

## **FINANCIAL RESOURCES**

### **1.9 Funding**

The governing body should ensure that there are sufficient funds to carry out and develop the activities of the museum. All funds must be accounted for in a professional manner.

### **1.10 Income-generating Policy**

The governing body should have a written policy regarding sources of income that it may generate through its activities or accept from outside sources. Regardless of funding source, museums should maintain control of the content and integrity of their programmes, exhibitions and activities. Income-generating activities should not compromise the standards of the institution or its public (See 6.6).

## **PERSONNEL**

### **1.11 Employment Policy**

The governing body should ensure that all action concerning personnel is taken in accordance with the policies of the museum as well as the proper and legal procedures.

### **1.12 Appointment of the Director or Head**

The director or head of the museum is a key post and when making an appointment, governing bodies should have regard for the knowledge and skills required to fill the post effectively. These qualities should include adequate intellectual ability and professional knowledge, complemented by a high standard of ethical conduct.

### **1.13 Access to Governing Bodies**

The director or head of a museum should be directly responsible, and have direct access, to the relevant governing bodies.

### **1.14 Competence of Museum Personnel**

The employment of qualified personnel with the expertise required to meet all responsibilities is necessary. (See also 2.18; 2.24; 8.12).

### **1.15 Training of Personnel**

Adequate opportunities for the continuing education and professional development of all museum personnel should be arranged to maintain an effective workforce.

### **1.16 Ethical Conflict**

The governing body should never require museum personnel to act in a way that could be considered to conflict with the provisions of this Code of Ethics, or any national law or specialist code of ethics.

### **1.17 Museum Personnel and Volunteers**

The governing body should have a written policy on volunteer work which promotes a positive relationship between volunteers and members of the museum profession.

### **1.18 Volunteers and Ethics**

The governing body should ensure that volunteers, when conducting museum and personal activities, are fully conversant with the ICOM Code of Ethics for Museums and other applicable codes and laws.

## **2. Museums that maintain collections hold them in trust for the benefit of society and its development**

*Principle: Museums have the duty to acquire, preserve and promote their collections as a contribution to safeguarding the natural, cultural and scientific heritage. Their collections are a significant public inheritance, have a special position in law and are protected by international legislation. Inherent in this public trust is the notion of stewardship that includes rightful ownership, permanence, documentation, accessibility and responsible disposal.*

### **ACQUIRING COLLECTIONS**

#### **2.1 Collections Policy**

The governing body for each museum should adopt and publish a written collections policy that addresses the acquisition, care and use of collections. The policy should clarify the position of any material that will not be catalogued, conserved, or exhibited (See 2.7; 2.8 ).

#### **2.2 Valid Title**

No object or specimen should be acquired by purchase, gift, loan, bequest, or exchange unless the acquiring museum is satisfied that a valid title is held. Evidence of lawful ownership in a country is not necessarily valid title.

#### **2.3 Provenance and Due Diligence**

Every effort must be made before acquisition to ensure that any object or specimen offered for purchase, gift, loan, bequest, or exchange has not been illegally obtained in or exported from, its country of origin or any intermediate country in which it might have been owned legally (including the museum's own country). Due diligence in this regard should establish the full history of the item from discovery or production.

#### **2.4 Objects and Specimens from Unauthorised or Unscientific Fieldwork**

Museums should not acquire objects where there is reasonable cause to believe their recovery involved the unauthorised, unscientific, or intentional destruction or damage of monuments, archaeological or geological sites, or species and natural habitats. In the same way, acquisition should not occur if there has been a failure to disclose the finds to the owner or occupier of the land, or to the proper legal or governmental authorities.

#### **2.5 Culturally Sensitive Material**

Collections of human remains and material of sacred significance should be acquired only if they can be housed securely and cared for respectfully. This must be accomplished in a manner consistent with professional standards and the inter-



ests and beliefs of members of the community, ethnic or religious groups from which the objects originated, where these are known (See also 3.7; 4.3).

### **2.6 Protected Biological or Geological Specimens**

Museums should not acquire biological or geological specimens that have been collected, sold, or otherwise transferred in contravention of local, national, regional or international law or treaty relating to wildlife protection or natural history conservation.

### **2.7 Living Collections**

When the collections include live botanical and zoological specimens, special considerations should be made for the natural and social environment from which they are derived as well as any local, national, regional or international law, or treaty relating to wildlife protection or natural history conservation.

### **2.8 Working Collections**

The collections policy may include special considerations for certain types of working collection where the emphasis is on preserving cultural, scientific or technical process rather than the object, or where objects or specimens are assembled for regular handling and teaching purposes (See also 2.1).

### **2.9 Acquisition Outside Collections Policy**

The acquisition of objects or specimens outside the museum's stated policy should only be made in exceptional circumstances. The governing body should consider the professional opinions available to them, and the views of all interested parties. Consideration will include the significance of the object or specimen including its context in the cultural or natural heritage, and the special interests of other museums collecting such material. However, even in these circumstances, objects without a valid title should not be acquired (See also 3.4).

### **2.10 Acquisition by Members of the Governing Body and Museum Personnel**

Special care is required in considering any item, either for sale, as a donation or as a tax-benefit gift, from members of governing bodies, museum personnel, or the families and close associates of these persons.

### **2.11 Repositories of Last Resort**

Nothing in this Code of Ethics should prevent a museum from acting as an authorised repository for unprovenanced, illicitly collected or recovered specimens and objects from the territory over which it has lawful responsibility.

## **REMOVING COLLECTIONS**

### **2.12 Legal or Other Powers of Disposal**

Where the museum has legal powers permitting disposals, or has acquired objects subject to conditions of disposal, the legal or other requirements and procedures must be complied with fully. Where the original acquisition was subject to mandatory or other restrictions these conditions must be observed, unless it can be shown clearly that adherence to such restrictions is impossible or substantially detrimental to the institution and, if appropriate, relief may be sought through legal procedures.

### **2.13 Deaccessioning from Museum Collections**

The removal of an object or specimen from a museum collection must only be undertaken with a full understanding of the significance of the item, its character (whether renewable or non-renewable), legal standing, and any loss of public trust that might result from such action.

### **2.14 Responsibility for Deaccessioning**

The decision to deaccession should be the responsibility of the governing body acting in conjunction with the director of the museum and the curator of the collection concerned. Special arrangements may apply to working collections (See 2.7; 2.8).

### **2.15 Disposal of Objects Removed from the Collections**

Each museum should have a policy defining authorised methods for permanently removing an object from the collections through donation, transfer, exchange, sale, repatriation, or destruction, and that allows the transfer of unrestricted title to the receiving agency. Complete records must be kept of all deaccessioning decisions, the objects involved, and the disposition of the object. There will be a strong presumption that a deaccessioned item should first be offered to another museum.

### **2.16 Income from Disposal of Collections**

Museum collections are held in public trust and may not be treated as a realisable asset. Money or compensation received from the deaccessioning and disposal of objects and specimens from a museum collection should be used solely for the benefit of the collection and usually for acquisitions to that same collection. .

### **2.17 Purchase of Deaccessioned Collections**

Museum personnel, the governing body, or their families or close associates, should not be permitted to purchase objects that have been deaccessioned from a collection for which they are responsible.

## **CARE OF COLLECTIONS**

### **2.18 Collection Continuity**

The museum should establish and apply policies to ensure that its collections (both permanent and temporary) and associated information, properly recorded, are available for current use and will be passed on to future generations in as good and safe a condition as practicable, having regard to current knowledge and resources.

### **2.19 Delegation of Collection Responsibility**

Professional responsibilities involving the care of the collections should be assigned to persons with appropriate knowledge and skill or who are adequately supervised. (See also 8.11).

### **2.20 Documentation of Collections**

Museum collections should be documented according to accepted professional standards. Such documentation should include a full identification and description of each item, its associations, provenance, condition, treatment and present location. Such data should be kept in a secure environment and be supported by

retrieval systems providing access to the information by the museum personnel and other legitimate users.

#### **2.21 Protection Against Disasters**

Careful attention should be given to the development of policies to protect the collections during armed conflict and other human-made or natural disasters.

#### **2.22 Security of Collection and Associated Data**

The museum should exercise control to avoid disclosing sensitive personal or related information and other confidential matters when collection data is made available to the public.

#### **2.23 Preventive Conservation**

Preventive conservation is an important element of museum policy and collections care. It is an essential responsibility of members of the museum profession to create and maintain a protective environment for the collections in their care, whether in store, on display, or in transit.

#### **2.24 Collection Conservation and Restoration**

The museum should carefully monitor the condition of collections to determine when an object or specimen may require conservation-restoration work and the services of a qualified conservator-restorer. The principal goal should be the stabilisation of the object or specimen. All conservation procedures should be documented and as reversible as possible, and all alterations should be clearly distinguishable from the original object or specimen.

#### **2.25 Welfare of Live Animals**

A museum that maintains living animals should assume full responsibility for their health and well-being. It should prepare and implement a safety code for the protection of its personnel and visitors, as well as of the animals, that has been approved by an expert in the veterinary field. Genetic modification should be clearly identifiable.

#### **2.26 Personal Use of Museum Collections**

Museum personnel, the governing body, their families, close associates, or others should not be permitted to expropriate items from the museum collections, even temporarily, for any personal use.

### **3. Museums hold primary evidence for establishing and furthering knowledge**

*Principle: Museums have particular responsibilities to all for the care, accessibility and interpretation of primary evidence collected and held in their collections.*

#### **PRIMARY EVIDENCE**

##### **3.1 Collections as Primary Evidence**

The museum collections policy should indicate clearly the significance of collections as primary evidence. The policy should not be governed only by current intellectual trends or present museum usage.

### **3.2 Availability of Collections**

Museums have a particular responsibility for making collections and all relevant information available as freely as possible, having regard to restraints arising for reasons of confidentiality and security.

## **MUSEUM COLLECTING & RESEARCH**

### **3.3 Field Collecting**

Museums undertaking field collecting should develop policies consistent with academic standards and applicable national and international laws and treaty obligations. Fieldwork should only be undertaken with respect and consideration for the views of local communities, their environmental resources and cultural practices as well as efforts to enhance the cultural and natural heritage.

### **3.4 Exceptional Collecting of Primary Evidence**

In exceptional cases an item without provenance may have such an inherently outstanding contribution to knowledge that it would be in the public interest to preserve it. The acceptance of such an item into a museum collection should be the subject of a decision by specialists in the discipline concerned and without national or international prejudice. (See also 2.11).

### **3.5 Research**

Research by museum personnel should relate to the museum's mission and objectives and conform to established legal, ethical and academic practices.

### **3.6 Destructive Analysis**

When destructive analytical techniques are undertaken, a complete record of the material analysed, the outcome of the analysis and the resulting research, including publications, should become a part of the permanent record of the object.

### **3.7 Human Remains and Material of Sacred Significance**

Research on human remains and materials of sacred significance must be accomplished in a manner consistent with professional standards and take into account the interests and beliefs of the community, ethnic or religious groups from whom the objects originated, where these are known.

(See also 2.5; 4.3).

### **3.8 Retention of Rights to Research Materials**

When museum personnel prepare material for presentation or to document field investigation, there must be clear agreement with the sponsoring museum regarding all rights to such work.

### **3.9 Shared Expertise**

Members of the museum profession have an obligation to share their knowledge and experience with colleagues, scholars and students in relevant fields. They should respect and acknowledge those from whom they have learned and should pass on such advancements in techniques and experience that may be of benefit to others.

### **3.10 Co-operation Between Museums & Other Institutions**

Museum personnel should acknowledge and endorse the need for co-operation and consultation between institutions with similar interests and collecting practices. This is particularly so with institutes of higher education and certain public utilities where research may generate important collections for which there is no long-term security.

## **4. Museums provide opportunities for the appreciation, understanding and promotion of the natural and cultural heritage**

*Principle: Museums have an important duty to develop their educational role and attract wider audiences from the community, locality, or group they serve. Interaction with the constituent community and promotion of their heritage is an integral part of the educational role of the museum.*

### **DISPLAY & EXHIBITION**

#### **4.1 Displays, Exhibitions and Special Activities**

Displays and temporary exhibitions, physical or electronic, should be in accordance with the stated mission, policy and purpose of the museum. They should not compromise either the quality or the proper care and conservation of the collections.

#### **4.2 Interpretation of Exhibits**

Museums should ensure that the information they present in displays and exhibitions is well-founded, accurate and gives appropriate consideration to represented groups or beliefs.

#### **4.3 Exhibition of Sensitive Materials**

Human remains and materials of sacred significance must be displayed in a manner consistent with professional standards and, where known, taking into account the interests and beliefs of members of the community, ethnic or religious groups from whom the objects originated. They must be presented with great tact and respect for the feelings of human dignity held by all peoples.

#### **4.4 Removal from Public Display**

Requests for removal from public display of human remains or material of sacred significance from the originating communities must be addressed expeditiously with respect and sensitivity. Requests for the return of such material should be addressed similarly. Museum policies should clearly define the process for responding to such requests.

#### **4.5 Display of Unprovenanced Material**

Museums should avoid displaying or otherwise using material of questionable origin or lacking provenance. They should be aware that such displays or usage can be seen to condone and contribute to the illicit trade in cultural property.

## **OTHER RESOURCES**

### **4.6 Publication**

Information published by museums, by whatever means, should be well-founded, accurate and give responsible consideration to the academic disciplines, societies, or beliefs presented. Museum publications should not compromise the standards of the institution.

### **4.7 Reproductions**

Museums should respect the integrity of the original when replicas, reproductions, or copies of items in the collection are made. All such copies should be permanently marked as facsimiles.

## **5. Museums hold resources that provide opportunities for other public services and benefits**

**Principle:** Principle Museums utilise a wide variety of specialisms, skills and physical resources that have a far broader application than in the museum. This may lead to shared resources or the provision of services as an extension of the museum's activities. These should be organised in such a way that they do not compromise the museum's stated mission.

## **IDENTIFICATION SERVICES**

### **5.1 Identification of Illegally or Illicitly Acquired Objects**

Where museums provide an identification service, they should not act in any way that could be regarded as benefiting from such activity, directly or indirectly. The identification and authentication of objects that are believed or suspected to have been illegally or illicitly acquired, transferred, imported or exported, should not be made public until the appropriate authorities have been notified. .

### **5.2 Authentication and Valuation (Appraisal)**

Valuations may be made for the purposes of insurance of museum collections. Opinions on the monetary value of other objects should only be given on official request from other museums or competent legal, governmental or other responsible public authorities. However, when the museum itself may be the beneficiary, appraisal of an object or specimen must be undertaken independently.

## **6. Museums work in close collaboration with the communities from which their collections originate as well as those they serve**

**Principle:** Museum collections reflect the cultural and natural heritage of the communities from which they have been derived. As such they have a character beyond that of ordinary property which may include strong affinities with national, regional, local, ethnic, religious or political identity. It is important therefore that museum policy is responsive to this possibility.

## **ORIGIN OF COLLECTIONS**

### **6.1 Co-operation**

Museums should promote the sharing of knowledge, documentation and collections with museums and cultural organisations in the countries and communities of origin. The possibility of developing partnerships with museums in countries or areas that have lost a significant part of their heritage should be explored.

### **6.2 Return of Cultural Property**

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.

### **6.3 Restitution of Cultural Property**

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, if legally free to do so, take prompt and responsible steps to cooperate in its return.

### **6.4 Cultural Objects From an Occupied Country**

Museums should abstain from purchasing or acquiring cultural objects from an occupied territory and respect fully all laws and conventions that regulate the import, export and transfer of cultural or natural materials.

## **RESPECT FOR COMMUNITIES SERVED**

### **6.5 Contemporary Communities**

Where museum activities involve a contemporary community or its heritage, acquisitions should only be made based on informed and mutual consent without exploitation of the owner or informants. Respect for the wishes of the community involved should be paramount.

### **6.6 Funding of Community Facilities**

When seeking funds for activities involving contemporary communities, their interests should not be compromised. (See 1.10).

### **6.7 Use of Collections from Contemporary Communities**

Museum usage of collections from contemporary communities requires respect for human dignity and the traditions and cultures that use such material. Such collections should be used to promote human well-being, social development, tolerance, and respect by advocating multisocial, multicultural and multilingual expression. (See 4.3).

### **6.8 Supporting Organisations in the Community**

Museums should create a favourable environment for community support (e.g., Friends of Museums and other supporting organisations), recognise their contribution and promote a harmonious relationship between the community and museum personnel.

## 7. Museums operate in a legal manner

**Principle:** *Museums must conform fully to international, regional, national, or 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.*

### LEGAL FRAMEWORK

#### 7.1 National and Local Legislation.

Museums should conform to all national and local laws and respect the legislation of other states as they affect their operation.

#### 7.2 International Legislation

Museum policy should acknowledge the following international legislation which is taken as a standard in interpreting the ICOM Code of Ethics:

- UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague Convention, First Protocol, 1954 and Second Protocol, 1999);
- UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970);
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973);
- UN Convention on Biological Diversity (1992);
- Unidroit Convention on Stolen and Illegally Exported Cultural Objects (1995);
- UNESCO Convention on the protection of the Underwater Cultural Heritage (2001);
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003).

## 8. Museums operate in a professional manner

**Principle:** *Members of the museum profession should observe accepted standards and laws and uphold the dignity and honour of their profession. They should safeguard the public against illegal or unethical professional conduct. Every opportunity should be used to inform and educate the public about the aims, purposes, and aspirations of the profession to develop a better public understanding of the contributions of museums to society.*

### PROFESSIONAL CONDUCT

#### 8.1 Familiarity with Relevant Legislation

Every member of the museum profession should be conversant with relevant international, national and local legislation and the conditions of their employment. They should avoid situations that could be construed as improper conduct.

#### 8.2 Professional Responsibility

Members of the museum profession have an obligation to follow the policies and



procedures of their employing institution. However, they may properly object to practices that are perceived to be damaging to a museum or the profession and matters of professional ethics.

### **8.3 Professional Conduct**

Loyalty to colleagues and to the employing museum is an important professional responsibility and must be based on allegiance to fundamental ethical principles applicable to the profession as a whole. They should comply with the terms of the ICOM Code of Ethics and be aware of any other codes or policies relevant to museum work.

### **8.4 Academic and Scientific Responsibilities**

Members of the museum profession should promote the investigation, preservation, and use of information inherent in the collections. They should, therefore, refrain from any activity or circumstance that might result in the loss of such academic and scientific data.

### **8.5 The Illicit Market**

Members of the museum profession should not support the illicit traffic or market in natural and cultural property, directly or indirectly.

### **8.6 Confidentiality**

Members of the museum profession must protect confidential information obtained during their work. In addition, information about items brought to the museum for identification is confidential and should not be published or passed to any other institution or person without specific authorisation from the owner.

### **8.7 Museum and Collection Security**

Information about the security of the museum or of private collections and locations visited during official duties must be held in strict confidence by museum personnel.

### **8.8 Exception to the Obligation for Confidentiality**

Confidentiality is subject to a legal obligation to assist the police or other proper authorities in investigating possible stolen, illicitly acquired, or illegally transferred property.

### **8.9 Personal Independence**

While members of a profession are entitled to a measure of personal independence, they must realise that no private business or professional interest can be wholly separated from their employing institution.

### **8.10 Professional Relationships**

Members of the museums profession form working relationships with numerous other persons within and outside the museum in which they are employed. They are expected to render their professional services to others efficiently and to a high standard.

### **8.11 Professional Consultation**

It is a professional responsibility to consult other colleagues within or outside the museum when the expertise available is insufficient in the museum to ensure good decision-making.

## **CONFLICTS OF INTEREST**

### **8.12 Gifts, Favours, Loans, or Other Personal Benefits**

Museum employees must not accept gifts, favours, loans, or other personal benefits that may be offered to them in connection with their duties for the museum. Occasionally professional courtesy may include the giving and receiving of gifts but this should always take place in the name of the institution concerned.

### **8.13 Outside Employment or Business Interests**

Members of the museum profession, although entitled to a measure of personal independence, must realise that no private business or professional interest can be wholly separated from their employing institution. They should not undertake other paid employment or accept outside commissions that are in conflict with, or may be viewed as being in conflict with the interests of the museum.

### **8.14 Dealing in Natural or Cultural Heritage**

Members of the museum profession should not participate directly or indirectly in dealing (buying or selling for profit), in the natural or cultural heritage.

### **8.15 Interaction with Dealers**

Museum professionals should not accept any gift, hospitality, or any form of reward from a dealer, auctioneer, or other person as an inducement to purchase or dispose of museum items, or to take or refrain from taking official action. Furthermore, a museum professional should not recommend a particular dealer, auctioneer, or appraiser to a member of the public.

### **8.16 Private Collecting**

Members of the museum profession should not compete with their institution either in the acquisition of objects or in any personal collecting activity. An agreement between the museum professional and the governing body concerning any private collecting must be formulated and scrupulously followed.

### **8.17 Use of the Name and Logo of ICOM**

The name of the organisation, its acronym or its logo may not be used to promote or endorse any for-profit operation or product.

### **8.18 Other Conflicts of Interest**

Should any other conflict of interest develop between an individual and the museum, the interests of the museum should prevail.



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