

PRINCIPLES FOR MUSEUM ACQUISITIONS OF ANTIQUITIES

In order to ensure that U. S. museums do not acquire antiquities that are likely to be the products of recent site-looting, and to provide greater security to museum collections from legal claims, the Archaeological Institute of America recommends adoption of the following principles as core elements in a museum's policy on the acquisition of antiquities.

1. **A written policy.** A museum's policy on the acquisition of antiquities should be in writing and should be widely disseminated. The policy should be made known to all members of the curatorial staff and should also be available to the public on the museum's web-site.

Comment: The acquisition of antiquities has too often taken place in a twilight zone of uncertain legality and ambiguous policies and procedures. Greater transparency and openness are needed. A written policy will inform the public that the museum has given careful consideration to the legal and ethical issues raised by the acquisition of archaeological objects. A written policy will also help the museum's staff and board ensure that its principles are followed. The Code of Ethics of the International Council of Museums (ICOM) calls for a written collections policy (section 2.1, version of 2001).

2. **Looted antiquities.** Museums should refuse to acquire objects that are likely to have been looted in recent times.

Comment: As institutions that respect and preserve the historical record, museums should not be links in the chain of cause and effect that connects the looting of archaeological sites to the sale of antiquities. Objects on the market without known provenience (that is, without documentation of legitimate export from the country of origin) can be presumed to have been illegally excavated and exported. Museums should not acquire them.

3. **Determining a date.** The acquisitions policy should include a date before which an antiquity must have been documented, if it is to be considered for purchase and if it is not accompanied by proof of legitimate export from the country of origin.

Comment: Most antiquities on the market that lack information about provenience can be presumed to have been looted. In order for a museum to separate itself from the illegal contemporary trade, it should specify a date before which an object must have been exported from its country of origin. The AIA recommends the earlier of either a) the date of the relevant legislation governing ownership and export of antiquities in the country of origin, or b) the date of 1970, when the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property was adopted. A more recent date would make available for acquisition objects produced by active looters, involving the museum in the cycle of market demand and the destruction of archaeological heritage. Proof that the object was known prior to the date is normally provided by publication

4. **Due diligence.** The museum should exercise particular care in determining whether an antiquity possesses legitimate documentation that meets acquisition standards.

Comment: The AIA endorses the language of section 2.3 of the Code of Ethics (2001) of the International Council of Museums (ICOM): “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.”

The Archaeological Institute of America urges U.S. museums that collect antiquities to adopt these general principles. At the same time, recognizing that the market for antiquities is international, and that in the future the number of museums worldwide is likely only to increase, the AIA recommends universal consideration of these proposals, which are aimed at reducing the destruction of evidence of past human achievement.