

1. Introduction

The ICOM Code of Ethics for Museums is a means of professional self-regulation. It sets minimum standards of conduct and performance to which all museum professional staff throughout the world may reasonably aspire. At the same time it also provides a clear statement of what the public may justifiably expect from the museum profession. Although the Code cannot take precedence over the law it may also take on a quasi-legal role where national law is ill-defined or non-existent on the matters covered.

Like the law, codes of ethics are influenced by social change as well as developing professional practice. This has been particularly pronounced with museums as their contribution to society has expanded from the academic through education to leisure and tourism, and in the promotion of cultural identity. In addition the last two decades have seen profound changes in certain countries with the transfer of public services to the private and commercial sectors and the establishment of specialist agencies to service museums. Such change can have a deconstructing effect on a profession. All involved with the collection and interpretation of the natural and cultural heritage should find a common professional bond in this revised ICOM Code of Ethics for Museums. Membership of ICOM is an affirmation of this Code.

Each section of the Code has now been critically reviewed by ICOM's Ethics Committee in the light of contemporary museum practice and edited accordingly. At the same time the Code has been presented in a less prescriptive manner. This is the first stage towards a fuller review which, it is intended, will present the principles of professional practice with guidelines for meeting them; this is planned for 2004. The present work would not have been possible without the full support of the President and Secretary General of ICOM and the large number of constructive comments received from the Committees and members of ICOM during a year-long consultation period. The brunt of the work fell on members of the Ethics Committee who met for this purpose on three occasions and took part in three electronic discussions.

ICOM issued its Ethics of Acquisition in 1970. The first full Code of Professional Ethics was published in 1986, the present revision was approved unanimously by the 20th General Assembly of ICOM in Barcelona, Spain, on 6 July 2001. 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 wishes to encourage the development of such national and specialist codes and will be pleased to receive copies of them.

These should be sent to the
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ICOM Ethics Committee for the period 2000-2003

Chair: Geoffrey Lewis (UK)

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INSTITUTIONAL ETHICS

This section assumes that the institution is a museum providing a public service, as defined in the ICOM Statutes (see annex) Where the institution is not a museum but provides services to museums, these paragraphs are also applicable.

2. Basic Principles for Museum Governance

2.1 Minimum Standards for Museums

The governing body of a museum has an ethical duty to maintain and enhance all aspects of the museum, its collections and its services. Above all, it has the responsibility of ensuring that all collections in its care are adequately housed, conserved and documented.

The minimum standards for museum finance, premises, staffing and services may be defined by law or other government regulation in some countries. In others, guidance on and assessment of minimum standards may be available in the form of "Accreditation", "Registration" or similar evaluative schemes. Where such standards are not defined locally, guidance can be obtained through the National Committee of ICOM, the appropriate International Committee of ICOM, or the ICOM Secretariat.

2.2 Constitution

Each museum should have a written constitution or other document setting out clearly its legal status, mission and permanent, non-profit nature, which is in accordance with the appropriate national laws. The governing body of a museum should prepare and publicise a clear statement of the goals, objectives and policies of the museum and of the role and composition of the governing body.

2.3 Finance

The governing body holds the ultimate financial responsibility for the museum and for protecting all its resources, including the collections and related documentation, the premises, facilities and equipment, the financial assets and the staff. It is required to develop and define the purposes, and related policies, of the institution, and to ensure that all assets are used properly and effectively for museum purposes. Sufficient funds must be available on a regular basis, from either public or private sources, to carry out and develop the work of the museum. Proper accounting procedures must be adopted and maintained in accordance with the relevant national laws and professional accounting standards. The collections are held in public trust and may not be treated as a realisable asset.

2.4 Premises

The governing body has an obligation to provide a suitable environment for the physical security and preservation of the collections. The buildings and facilities must be adequate for the museum to fulfil its basic functions of collection, research, storage, conservation, education and display. They should comply with all appropriate national legislation in relation to the health, safety and accessibility of the premises, having regard for the special needs of disabled people. Proper standards of protection should be in place at all times against hazards such as theft, fire, flood, vandalism and deterioration. The course of action to be taken in the event of emergency should be clearly specified.

2.5 Personnel

The governing body has an obligation to ensure that the museum has sufficient staff and expertise to meet its responsibilities. The size of the staff and its nature (permanent or temporary) will depend on the size of the museum, its collections and its responsibilities. Proper arrangements have to be made in relation to the care of the collections, public access and services, research and security.

The governing body has a particularly important obligation in relation to the appointment of the director or head of the museum and should have regard for the knowledge and skills required to fill the post effectively. The director of a museum should be directly responsible to and have direct access to the governing body in which trusteeship of the collections is vested.

The governing body should ensure that when the appointment, promotion, dismissal or demotion of any member of staff occurs, such action is taken only in accordance with appropriate procedures under the legal or other constitutional arrangements and policies of the museum. Even when such action has been delegated to the director or senior staff, it should ensure that such staff changes are made in a professional and ethical manner, and in the best interests of the museum.

Members of the museum profession require appropriate and continuing academic, technical and professional training in order to fulfil their role in the operation of the museum and the care for the heritage. The governing body should recognise the need for, and value of, a properly qualified and trained staff, and offer adequate opportunities for further training and re-training to maintain current awareness and an effective workforce.

A governing body should never require a member of the museum staff to act in a way that could reasonably be judged to conflict with the provisions of the ICOM Code of Ethics for Museums, or any national law or national or specialist code of ethics.

2.6 Friends of Museums and Supporting Organisations

Museums depend on the public to encourage their growth and development. Many museums have Friends and supporting organisations. It is the institution's responsibility to create a favourable environment for such support, recognise its contribution, encourage the practice, and promote a harmonious relationship between such organisations and the professional staff.

2.7 Educational and Community Role of the Museum

A museum is an institution in the service of society and of its development and is generally open to the public (even though the participating public may be limited in the case of certain specialised museums).

The museum has an important duty to develop its educational role and attract wider audiences from all levels of the community, locality, or group it serves. It should offer opportunities for such people to become involved in the museum and to support its goals and activities. Interaction with the constituent community is an integral part of realising the educational role of the museum and specialist staff are likely to be required for this purpose.

2.8 Public Access

Museum displays and other facilities should be physically and intellectually accessible to the public during reasonable hours and for regular periods. The museum should also offer the public reasonable access to members of staff and to collections not displayed or exhibited, by appointment or other arrangement. As holders of primary evidence, museums have a particular responsibility for making collections available to scholars as freely as possible. Access to requested information about the collections should be granted, subject to restrictions for reasons of confidentiality and security (see 7.3).

2.9 Displays, Exhibitions and Special Activities

The primary duty of the museum is to preserve its collections for the future and use them for the development and dissemination of knowledge, through research, educational work, permanent displays, temporary exhibitions and other special activities. These should be in accordance with the stated policy and educational purpose of the museum, and should not compromise either the quality or the proper care of the collections. Museums should be aware that the display of material without provenance may be seen to condone illicit trade in cultural property. The museum should seek to ensure that the information it publishes, by whatever means, is accurate, honest, objective and well-founded academically.

2.10 External Funding and Support

Museums may seek and accept financial or other support from corporate or private sources. A policy is needed to define clearly the relationship between the museum and such support. It is of particular importance that neither the standards and objectives of the museum nor the interests of any living communities associated with an event financed in this way are compromised by such a relationship.

2.11 Income-Generating Activities

Many museums provide visitor facilities such as shops and restaurants that have income-generating potential. In some cases there are other opportunities for income generation in collaboration with commercial or promotional activities. To address these issues the governing body should have a clearly defined income-generating policy regarding the use of collections, and the purpose of the museum that does not compromise the quality or care of the collections or the institution. This policy should clearly differentiate between knowledge-driven and income-generating activities. Income-generation should be financially beneficial for the museum but consistent with its non-profit status. All such activities should be planned and operated as an enhancement to understanding the museum and its collections.

Where voluntary or commercial organisations are involved in income generation, relationships with the museum must be well defined with a clear understanding of the activity in its museum context. The related publicity and products should conform to agreed standards. If replicas, reproductions or copies of items in a museum's collection are made, for whatever purpose, they must respect the integrity of the original and be permanently marked as facsimiles. All items offered for sale should comply with relevant national and local legislation.

2.12 Legal Obligations

Each governing body should ensure that the museum complies fully with all legal obligations, whether in relation to international, regional, national or local legislation and treaty obligations. The governing body should also comply with any legally binding trusts or conditions relating to any aspect of the museum, its collections and operations.

3. Acquisitions to Museum Collections

3.1 Collections

Each museum authority should adopt and publish a written statement of its collections policy. This policy should address issues relevant to the care and use of the museum's existing public collections. It should state clearly the areas of proposed collecting and include guidelines for maintaining the collections in perpetuity. Instructions should also be included in the policy on acquisitions with conditions or limitations (see 3.5) as well as a restriction against acquiring material that cannot be catalogued, conserved, stored or exhibited properly. Collections policies should be reviewed at least every five years.

All objects acquired should be consistent with the objectives defined in the collections policy and selected with the expectation of permanency and not for eventual disposal. Acquisitions of objects or specimens outside the stated policy should only be made in very exceptional circumstances and then only after careful consideration by the governing body of the museum. The governing body should have regard to the professional opinion available to them, the interests of the object or specimen under consideration, the national or other cultural or natural heritage and the special interests of other museums. However, even in these circumstances, objects without a valid title should not be acquired. New acquisitions should normally be made known in a regular and consistent manner.

3.2 Acquisition of Illicit Material

The illicit trade in objects and specimens encourages the destruction of historic sites, ethnic cultures and biological habitats and promotes theft at local, national and international levels. It places at risk endangered species of flora and fauna, violates the UN Convention on Biological Diversity (1992) and contravenes the spirit of national and international patrimony. Museums should recognise the destruction of human and natural environments and loss of knowledge that results from the illicit servicing of the market place. The museum professional must warrant that it is highly unethical for a museum to support the illicit market in any way, directly or indirectly.

A museum should not acquire any object or specimen by purchase, gift, loan, bequest or exchange unless the governing body and responsible officer are satisfied that a valid title to it

can be obtained. Every effort must be made to ensure that it has not been illegally acquired in, or exported from, its country of origin or any intermediate country in which it may 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, before acquisition is considered.

In addition to the safeguards set out above, a museum should not acquire objects by any means where the governing body or responsible officer has reasonable cause to believe that their recovery involved the unauthorised, unscientific or intentional destruction or damage of ancient monuments, archaeological or geological sites, or natural habitats, or involved a failure to disclose the finds to the owner or occupier of the land, or to the proper legal or governmental authorities. Nor should a museum acquire, directly or indirectly, biological or geological material that has been collected, sold or otherwise transferred in contravention of any local, national, regional or international wildlife protection or natural history conservation law, or treaty, of the museum's own country or any other country.

A professional conflict can exist when an acquisition, highly desired by a museum, lacks provenance. However, the ability to establish legal title to the item must be an overriding factor when considering acquisition. In very rare cases an item without provenance may have an inherently outstanding contribution to knowledge that it would be in the public interest to preserve. Such discovery is likely to be of international significance and should be the subject of a decision by specialists in the discipline concerned. The basis of the decision should be without national or institutional prejudice, based on the best interests of the subject discipline and be clearly stated.

3.3 Field Study and Collecting

Museums should assume a position of leadership in the effort to halt the degradation of the world's natural history, archaeological, ethnographic, historic and artistic resources. Each museum should develop policies that allow it to conduct its collecting activities within appropriate national and international laws and treaty obligations, and with a reasonable certainty that its approach is consistent with the spirit and intent of both national and international efforts to protect and enhance the cultural and natural heritage.

Field exploration, collecting and excavation should only be conducted in accordance with the laws and regulations of the host country. Planning for field studies and field collecting must be preceded by investigation, disclosure and consultation with the proper authorities and any interested museums or academic institutions in the country or area of the proposed study. This consultation should ascertain if the proposed activity is both legal and justifiable on academic and scientific grounds and should include arrangements for sharing the information obtained and the research results with the appropriate authorities in the host country.

Any field programme must be executed in such a way that all participants act legally and responsibly in acquiring specimens and data, and that they discourage unethical, illegal and destructive practices by all practical means. Where the fieldwork involves a living community or its heritage, acquisitions should only be made on the basis of informed and mutual consent without exploitation of the owner or informants. Great care is necessary to respect the wishes of

the community involved, which should be paramount.

3.4 Co-operation Between Museums on Collections Policies

Each museum should acknowledge and endorse the need for co-operation and consultation between museums with similar interests and collecting policies, and should consult with such other institutions, where a conflict of interest is possible both on acquisitions, and in defining areas of specialisation. Museums should respect the collecting areas of other museums.

3.5 Conditional Acquisitions

Gifts, bequests and loans should only be accepted if they conform to the stated collections and exhibitions policies of the museum. Offers that are subject to special conditions may have to be rejected if the conditions proposed are judged to be contrary to the long-term interests of the museum and its public.

3.6 Loans to and from Museums

The loan of objects, incoming and outgoing, and the mounting or borrowing of loan exhibitions can have an important role in enhancing the interest and quality of a museum and its services. As temporary custodians of incoming loans, museums must protect the objects and ensure their prompt return at the conclusion of these activities. These principles also apply to material left at the museum for an opinion as well as items being considered for the permanent collections. There should be clear policy guidelines on all material temporarily housed in the museum.

Loans should not be accepted or exhibited if they are of undocumented origin (see 3.1-3.3) or do not have a valid educational, scientific or academic purpose, consistent with the museum's objectives (see 3.4-3.5). The museum should ensure that it retains complete authority over the use of the loaned material and its interpretation, which should accord with that required for permanent collections (see 2.9). Any conflict of interest should be avoided (see 3.7) particularly where the lender is also funding the exhibition (see 2.10) or is associated with the museum exhibiting it.

Objects from a museum collection should be loaned only for scientific, research or educational purposes. They should not be loaned to private individuals.

3.7 Conflicts of Interest

The collections policy or regulations of a museum should include provisions to ensure that no person involved in the policy or management of that museum, such as a trustee or other member of a governing body, or a member of the museum staff, may compete with the museum for objects, or may take advantage of privileged information received because of his or her position. Should a conflict of interest develop between an individual and the museum, those of the museum should prevail. Special care is also required in considering any offer of an item, either for sale or as a tax-benefit gift, from members of governing bodies, members of staff, or the families and close associates of these persons.

4. Disposal of Collections

4.1 General Presumption of Permanence of Collections

A key function of almost every kind of museum is to acquire objects and keep them for posterity. Consequently, there must always be a strong presumption against the disposal of objects or specimens to which a museum has assumed the formal title. Any form of disposal, whether by donation, exchange, sale or destruction requires a high order of curatorial judgement and should be approved by the governing body only after considering this and any appropriate legal advice.

Special considerations may apply to certain kinds of specialised institutions, such as "living" or "working" museums and some teaching and other educational museums. Museums and other institutions that display living specimens, such as botanical and zoological gardens and aquaria, may find it necessary to regard at least part of their collections as replaceable or renewable. In other cases destructive analytical techniques undertaken for the advancement of knowledge may result in the loss of part of a specimen or object. There is a clear ethical obligation to ensure that such activities are not detrimental to the long-term survival of examples of the material studied, displayed or used and that a detailed report of all such activities becomes a permanent part of the collections record.

4.2 Legal or Other Powers of Disposal

The laws on the protection and permanence of museum collections and the power of museums to dispose of items from their collection vary greatly from one museum to another. No disposals are permitted by some institutions, except for items that have been seriously damaged by natural or accidental deterioration. Elsewhere, there may be no explicit restriction on disposals.

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. Even where legal powers of disposal exist, a museum may not be completely free to dispose of items acquired with financial assistance from an outside source (e.g. public or private grants, donations from a Friends of the Museum organisation, or private benefactor). These disposals normally require the consent of all parties who had contributed to the original purchase.

Where the original acquisition was subject to mandatory restrictions these must be observed unless it can be clearly shown that adherence to such restrictions is impossible or substantially detrimental to the institution. Even in these circumstances the museum can only be relieved from such restrictions through appropriate legal procedures.

4.3 Deaccessioning Policies and Procedures

Where a museum has the necessary legal powers to dispose of an object, the decision to sell or otherwise dispose of material from the collections should be taken only after due consideration (see 4.1). Such material should be offered first by exchange, gift or private treaty sale to other museums before sale by public auction or other means is considered.

A decision to dispose of a museum object or specimen whether by exchange, sale or destruction should be the responsibility of the governing body of the museum acting in conjunction with the director and the curator of the collection. The manner of deaccessioning should reflect the ethical and legal responsibilities of the museum, the character of its

collections (whether renewable or non-renewable) and the public trust it fulfils in preserving its collections. Complete records must be kept of all such decisions and the objects involved and proper arrangements made for the preservation and transfer, as appropriate, of the documentation relating to the object, including records in photographic and other technological media, where practicable.

Members of the museum staff, the governing body, or their families or close associates, should never be permitted to purchase objects that have been deaccessioned from a collection. Similarly, no such person should be permitted to appropriate items from the museum collections, even temporarily, to any personal collection or for personal use.

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 normally for acquisitions to that collection.

4.4 Return and Restitution of Cultural Property

The UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) and the UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects (1995) provide the principles on which museums should approach the return and restitution of cultural property. If a country or people of origin seek the return of an object or specimen that can be demonstrated to have been exported or otherwise transferred in violation of the principles of these 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 co-operate in its return.

In response to requests for the return of cultural property to the country or people of origin, museums should be prepared to initiate dialogues with an open-minded attitude based on scientific and professional principles (in preference to action at a governmental or political level). In addition the possibility of developing bilateral or multilateral partnerships with museums in countries that have lost a significant part of their cultural or natural heritage should be explored.

Museums should also respect fully the terms of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague Convention, First Protocol, 1954 and Second Protocol, 1999). In support of this Convention, museums should abstain from purchasing, appropriating or acquiring cultural objects from any occupied country.

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PROFESSIONAL CONDUCT

This section assumes that the museum professional is employed in a museum. Where the individual provides a service to a museum through a specialised agency or directly, these paragraphs are equally applicable.

5. General Principles

5.1 Ethical Obligations of Members of the Museum Profession

Employment by a museum, whether publicly or privately supported, is a public trust involving great responsibility. Therefore, museum employees must act with integrity and in accordance with the most stringent ethical principles as well as the highest standards of objectivity in all activities.

The museum professional should be guided by two important principles. The first is that museums are the object of a public trust, the value to the community being in direct proportion to the quality of service rendered. Second, that intellectual ability and professional knowledge are not, in themselves, sufficient to work in the museum profession, but these must be inspired by a high standard of ethical conduct.

The director and other staff members owe professional and academic allegiance to their museum and should always act in accordance with the approved policies of the museum. They should comply with the terms of the ICOM Code of Ethics for Museums and should also be aware of any other codes or policies on ethics relevant to museum work. The director (or principal museum officer in charge) should urge the governing body to comply with these standards whenever appropriate.

5.2 Personal 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.

Applicants for any professional post should divulge frankly and in confidence all information relevant to the consideration of their applications and, if appointed, should recognise that normally museum work is regarded as a full-time vocation. Even when the terms of employment permit outside employment or business interests, the director and other senior staff should not undertake other paid employment or accept outside commissions that are in conflict with the interests of the museum. In accepting any paid or unpaid assignments museum staff should be alert to the personal and institutional ethical principles that could be compromised.

5.3 Private Interests

While members of a profession are entitled to a measure of personal independence, museum professionals must realise that no private business or professional interest can be wholly separated from their institution or other official affiliation, despite disclaimers that may be offered. Any museum-related activity by the individual may reflect on the institution or be attributed to it. The professional must be concerned not only with actual personal motivations and interests, but also with the way in which such actions might be construed by the outside observer.

Museum employees and others in a close relationship with them must not accept gifts, favours, loans or other personal benefits that may be offered to them in connection with their duties for the museum (see 8.5). Occasionally professional courtesy may include the giving and receiving of gifts. Such interchange should always take place in the name of the institution concerned and not the individual.

6. Professional Responsibility to the Collections

6.1 Acquisitions to Museum Collections

The director and professional staff should take all possible steps to ensure that a written collections policy is adopted by the governing body of the museum and thereafter reviewed and revised at regular intervals. This policy, as formally adopted and revised by the governing body, should form the basis of all professional decisions and recommendations in relation to acquisitions.

6.2 Care of Collections

It is a crucial professional obligation to care for the collections. An important professional responsibility, therefore, is to ensure that all items accepted temporarily or permanently by the museum are properly and fully documented to facilitate provenance, identification, condition and treatment. All objects accepted by the museum should be properly housed and maintained having regard also to any particular requirements of material associated with living communities.

Careful attention should be given to the development of policies to protect the collections against natural and man-made disasters and the means of ensuring the best possible security as a protection against theft in displays, exhibitions, working or storage areas, against accidental damage when handling objects and against damage or theft in transit. Where it is the national or local policy to use commercial insurance arrangements, the staff should ensure that the insurance cover is adequate, especially for objects in transit and loan items, or other objects which are not owned by the museum but are its current responsibility.

Members of the museum profession should not delegate important curatorial, conservation, or other professional responsibilities to persons who lack the appropriate knowledge and skill, or who are inadequately supervised, to assist in the care of the collections. There is also a clear duty to consult professional colleagues within or outside the museum if at any time the expertise available in a particular museum is insufficient to ensure the welfare of items in the collections.

6.3 Conservation of Collections

An essential ethical obligation of every member of the museum profession is to ensure the proper care and conservation of collections and individual items for which the employing institutions are responsible. The intention must be to ensure that the collections are passed on to future generations in as good and safe a condition as practicable, having regard to current knowledge and resources.

Recognition and respect for the cultural and physical integrity and authenticity of individual objects, specimens or collections are fundamental values in conservation work. For sacred works this includes respect for the traditions and cultures of the communities that used them (see 6.6). It is essential, therefore, to include the proper documentation of the object or specimen, its condition, an analysis of its composition, the recording of its condition and a description of any deterioration.

All museum professionals concerned with objects and specimens have a responsibility to create

and maintain a protective environment for the collections whether in store, on display or in transit. Such preventive conservation is an important element in museum risk management.

The condition of an object or specimen may require interventive conservation and the services of a properly qualified conservator. This may include restoration or repair, but the principal goal should be to stabilise the object or specimen. In zoos and aquaria, conservation practices may include elements of environmental and behavioural enrichment. All conservation procedures should be documented and reversible, and all added materials and physical or genetic modification should be clearly identifiable from the original object or specimen.

6.4 Documentation of Collections

The recording and documenting of collections in accordance with appropriate standards is an important professional obligation. It is particularly important that collection documentation should include a complete description of all items, their provenance and source and the conditions of acceptance by the museum. Collection data should be maintained and augmented for as long as any item is part of the museum collection. Such data should be kept in a secure environment and be supported with retrieval systems providing access to the data by the staff and other legitimate users (see 2.7). When collection data are made available on the Internet or published by other means, particular control must be exercised to avoid disclosing sensitive personal or related information and other confidential matters.

6.5 Welfare of Live Animals

Where museums and related institutions maintain living animals for exhibition or research purposes, the health and well-being of any such creatures must be a basic ethical consideration. It is essential that the animals and their living conditions are inspected regularly by a veterinary surgeon or other equally qualified persons. The museum should prepare and implement a safety code for the protection of staff and visitors that has been approved by an expert in the veterinary field.

6.6 Human Remains and Material of Sacred Significance

Collections of human remains and material of sacred significance should be housed securely and respectfully, and carefully maintained as archival collections in scholarly institutions. It should be available for legitimate study on request. Research on such material, its housing, care and use (exhibition, replication and publication) must be accomplished in a manner consistent with professional standards and the interests and beliefs of members of the community, ethnic or religious groups from which the objects originated. When sensitive material is used in interpretive exhibits, this must be done with great tact and with respect for the feelings of human dignity held by all peoples.

Requests for removal from public display of human remains or material of sacred significance 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 (see 4.4).

6.7 Private Collecting

The acquiring, collecting and owning of objects for a personal collection by a museum

professional may not in itself be unethical and may be regarded as a valuable way of enhancing professional knowledge and judgement. However, no member of the museum profession should compete with their institution either in the acquisition of objects or in any personal collecting activity. In some countries, and in many individual museums, members of the museum profession are not permitted to have private collections and such rules must be respected. Where there are no such restrictions, a member of the museum profession with a private collection should, on appointment, provide the governing body with a description of the collection and a statement of the extent of the collecting practised. An agreement between the museum professional and the governing body concerning the private collection must be formulated and scrupulously followed (see 8.4).

7. Professional Responsibility to the Public

7.1 Upholding Professional Standards

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 in the aims, purposes and aspirations of the profession in order to develop a better public understanding of the contributions of museums to society.

7.2 Relations with the Public

Members of the museum profession should always deal with the public efficiently and courteously and should respond promptly to all correspondence and enquiries. Subject to the requirements of confidentiality, museum professionals should share their expertise with the public and specialists, allowing controlled but full access to requested material or documentation in their care even when it is the subject of personal research or a special field of interest.

7.3 Confidentiality

Members of the museum profession must protect confidential information obtained in the course of their work, including the source of material owned by or loaned to the museum (see 3.6), information concerning the security arrangements of the museum, or of private collections and locations visited during official duties (see 2.8).

Information about items brought to the museum for identification is confidential. Where this information contributes to knowledge, the owner should be made aware of the desirability of sharing it with others (see 8.3). However, it should not be published or passed to any other institution or person without specific authorisation from the owner.

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

8. Professional Responsibility to Colleagues and the Profession

8.1 Professional Responsibility

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

their employing institution and to accept its decisions. They may properly object to proposals or practices that are perceived to have a damaging effect on a museum or museums, or the profession and matters of professional ethics. Such differences should be expressed in an objective manner.

8.2 Professional Relationships

Members of the museum profession have an obligation to share their knowledge and experience with their colleagues and with 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 without thought of personal gain.

The training of personnel in the specialised activities involved in museum work is of great importance in the development of the profession and all should accept responsibility, where appropriate, in the training of colleagues. Members of the profession who have responsibility for junior staff, trainees, students and assistants undertaking formal or informal professional training, should give these persons the benefit of their experience and knowledge, and should also treat them with the consideration and respect customary among members of the profession.

Similarly, the development of beneficial volunteer work depends on a positive relationship between members of the museum profession and volunteers. The professional staff of museums should give constructive attention to volunteers to sustain a viable and harmonious working environment. Volunteers should be fully conversant with this Code and take it into account in conducting museum and personal activities (see 2.6).

Members of the profession form working relationships with numerous other people, professional and volunteer, within and outside the museum in which they are employed. They are expected to conduct these relationships with courtesy and fair-mindedness and to render their professional services to others efficiently and to a high standard.

8.3 Research

Research to establish provenance, or for interpretation, publication, and other appropriate purposes, should be encouraged. While the level of research may vary from museum to museum, it should relate to institutional objectives and conform to established legal, ethical and academic practices including the conditions defined by national and international copyright legislation. The acknowledgement of intellectual sources in all forms (published, transmitted, spoken, depicted, or other means of traditional or technological communication) is an ethical obligation. The results of research should be shared with the public and professionals.

When museum personnel prepare material for presentation or to document field investigation as part of their duties, the museum retains all rights to the work, unless there is an agreement to the contrary.

8.4 Dealing

No member of the museum profession should participate directly or indirectly in any dealing

(buying or selling for profit), in the natural or cultural heritage. Dealing by museum employees can present serious problems even if there is no risk of direct conflict with the employing museum and should not be permitted (see Article 7(5) of the ICOM Statutes).

8.5 Other Potential Conflicts of Interest

Generally, members of the museum profession should refrain from all acts or activities that may be construed as a conflict of interest. Museum professionals by virtue of their knowledge, experience and contacts are frequently offered opportunities, such as advisory and consultancy services, teaching, writing and broadcasting opportunities, or requests for valuations, in a personal capacity. Even where the national law and the individual's conditions of employment permit such activities, these may appear to colleagues, the employing authority, or the public, to create a conflict of interest. All legal and employment contract conditions must be scrupulously followed and, if a potential conflict arises, the matter should be reported immediately to an appropriate superior officer or the museum governing body and steps taken to rectify the situation.

Great care should be taken to ensure that outside interests do not interfere in any way with the proper discharge of official duties and responsibilities (see 3.7 and 5.2).

8.6 Authentication and Valuation (Appraisal)

Sharing knowledge and expertise with professional colleagues and the public is fundamental to the purpose of museums and should be conducted to the highest scholarly standards (see 7.2). However, conflicts of interest can arise in the authentication and valuation or appraisal of objects. Opinions on the monetary value of objects should be given only if permitted and on official request from other museums or competent legal, governmental or other responsible public authorities. Where the employing museum may be the beneficiary for financial or legal reasons, appraisal must be undertaken independently.

Members of the museum profession should not identify or otherwise authenticate objects that they believe, or suspect, have been illegally or illicitly acquired, transferred, imported or exported. They should not act in any way that could be regarded as benefiting such activity, directly or indirectly. Where there is reason to believe, or suspect, illegal or illicit conduct, the appropriate authorities should be notified.

8.7 Unprofessional Conduct

Every member of the museum profession should be conversant with national and local laws and the conditions of their employment. They should avoid situations that could be construed as corrupt or improper conduct of any kind. No museum official should accept any gift, hospitality, or any form of reward from any dealer, auctioneer or other person as an inducement in respect to the purchase or disposal of museum items or for taking or refraining from official action.

To avoid any suspicion of corruption, a museum professional should not recommend a particular dealer, auctioneer or appraiser to a member of the public. Nor should a museum employee accept any "special price" or discount for personal purchases from any dealer with whom the individual or employing museum has a professional relationship.

9. Application of the ICOM Code of Ethics for Museums

9.1 Status of the ICOM Code of Ethics for Museums

This Code is the statement of professional ethics referred to in the ICOM Statutes, Articles 2 (2), 9(1(d)), 14(17(b)), 15(7(c)), 17(12(e)) and 18(7(d)). Membership of ICOM and the payment of the annual subscription to ICOM is an affirmation of the ICOM Code of Ethics for Museums.

9.2 Use of the Name and Logo of ICOM

As a professional organisation, membership of ICOM confers many benefits on an individual or institution. This distinctive position may not be abused by the use of the words "International Council of Museums", "ICOM" or its logo to promote or endorse any commercial operation or product.

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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 which gives rise to a clash of principle in a work situation, thus restricting, or having the appearance of restricting, the objectivity of decision making.

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 accepting it.

Cultural Heritage

Any concept or thing, natural or artificial, which is considered to have aesthetic, historical, scientific or spiritual significance.

Income-generating activities

Activities intended to bring financial gain or profit.

Knowledge-driven activities

Activities intended to further knowledge and understanding, resulting from the interpretation of objects or ideas.

Legal title

Unambiguous right to ownership of property, supported by written evidence.

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

Valid title

Unambiguous right to ownership of property, supported by written evidence.

ANNEX: Definition of the Museum and Professional Museum Workers

ICOM Statutes (excerpt) adopted by the 16th General Assembly of ICOM (The Hague, Netherlands, 5 September 1989) and amended by the 18th General Assembly of ICOM (Stavanger, Norway, 7 July 1995), and by the 20th General Assembly of ICOM (Barcelona, Spain, 6 July 2001)

Article 2 - Definitions

1. A museum is a non-profit making, permanent institution in the service of society and of its development, and open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes of study, education and enjoyment, material evidence of people and their environment.

a) The above definition of a museum shall be applied without any limitation arising from the nature of the governing body, the territorial character, the functional structure or the orientation of the collections of the institution concerned.

b) In addition to institutions designated as "museums" the following qualify as museums for the purposes of this definition:

- i) natural, archaeological and ethnographic monuments and sites and historical monuments and sites of a museum nature that acquire, conserve and communicate material evidence of people and their environment;
- ii) institutions holding collections of and displaying live specimens of plants and animals, such as botanical and zoological gardens, aquaria and vivaria;
- iii) science centres and planetaria;
- iv) non profit art exhibition galleries; conservation institutes and exhibition galleries permanently maintained by libraries and archive centres;
- v) nature reserves;

- vi) international or national or regional or local museum organizations, ministries or departments or public agencies responsible for museums as per the definition given under this article;
- vii) non-profit institutions or organizations undertaking conservation, research, education, training, documentation and other activities relating to museums and museology;
- viii) cultural centres and other entities that facilitate the preservation, continuation and management of tangible or intangible heritage resources (living heritage and digital creative activity)
- ix) such other institutions as the Executive Council, after seeking the advice of the Advisory Committee, considers as having some or all of the characteristics of a museum, or as supporting museums and professional museum personnel through museological research, education or training.

2. Professional museum workers include all the personnel of museums or institutions qualifying as museums in accordance with the definition in Article 2 (1), having received specialized training, or possessing 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 as defined above, either in a professional or advisory capacity, but not promoting or dealing with any commercial products and equipment required for museums and services.