

Berlin Resolution 2003

Berlin, May 25, 2003

Participants of the international conference “Illegal Archaeology?” - International Conference on Future Problems concerning the Illicit Traffic of Antiquities, May 23-25, 2003, in Berlin held on the occasion of the 15th anniversary of the Berlin Declaration (organised by the *Antikensammlung* of the *Staatliche Museen Preußischer Kulturbesitz* and sponsored by the *Deutsche Forschungsgemeinschaft*, UNESCO, the Mc Donald Institute in Cambridge England, and the School of American Research in Santa Fe, New Mexico),

- expressing their consternation over the plunder of ancient sites and museums as well as the deliberate destruction of cultural heritage in connection with armed conflict like in Iraq, and their conviction of the importance of a general recognition by the museum community of the ICOM Code of Ethics (1986-2001);

- in accordance with the resolutions made at the conference “Eredità Contestata?”, at the Accademia Nazionale dei Lincei, Rome, April 29-30, 1991, and the conference “Art, Antiquity and the Law”, held at Rutgers State University in New Brunswick, New Jersey, October 30 - November 1, 1998;

have agreed by majority upon the following resolution.

1) All States should ratify and implement the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), and its two Protocols (1954, 1999), 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 or Illegally Exported Cultural Objects (1995);

2) To support the legal exchange and legal trade in archaeological objects, all objects offered on the market should carry a “pedigree” which should provide information about its provenance (site and date of excavation/discovery, export permit from the country of origin), and ownership (previous and current owner(s), and be used and verified by scholars, art dealers, collectors, museum personnel.

3) With any loan (short or long term) of archaeological objects, the lending and the borrowing institutions should certify that they ensure adequate climatic conditions and security, and observe the ICOM Code of Ethics; more generally the principles embodied in the “Declaration of Rome 2002” should also be upheld.

4) All museums and each cultural heritage institution and professional should constantly inform the public about the destruction of cultural heritage caused by illicit excavation and raise public awareness of the need to protect such heritage to the same degree of public awareness reached for the protection of endangered species of animals and plants.

5) Efficient exchange of information should be encouraged between officials, public attorneys, police, customs, academics, scholars, dealers and collectors, and their training should be encouraged in the categories of illicit antiquities.

6) To call upon the Board of Trustees and the Director of each Museum to

i) formulate and then to make publicly known a specific acquisition policy in relation to antiquities, and specifically in relation to cultural property without documented provenance;

ii) apply their acquisition policy for antiquities to gifts and bequests as well as to purchases, and to apply the policy with equal force also for the acceptance of objects on loan or for conservation.

iii) frame their acquisition policy for antiquities so that the Museum will acquire only those objects which have documentation to show that they were excavated and known prior to 1970 or such earlier date as determined by the legislation of their country of origin.

7) To recommend that UNESCO elaborate a “Code of ethics for Archaeologists”.

8) To recommend, possibly in cooperation with the “Blue Shield”, the establishment of an international association of archaeologists (“Archaeologists without frontiers”), whose activities would be made available in case of emergency.

9) To recognise the principle that a museum of last resort can be designated for each region or nation to serve as a legal destination for illicitly excavated antiquities found within the territory of that region or nation and only within such countries.