

## **IACS Resolution on the Ethical Handling of Cultural Heritage**

Provisional draft proposal, adopted on 18 May 2022 by the IACS Board (with 6 votes in favor, 3 opposed, 1 abstention) for discussion by a panel during the Twelfth International Congress of Coptic Studies in Brussels, on Wednesday, 13 July 2022, 11:00–12:30, in room “Alexandria”

1. The International Association for Coptic Studies (IACS) asserts the necessity of preserving and studying material cultural heritage as a central and essential aspect of Coptic studies. For the purposes of this resolution, material cultural heritage may be understood broadly, in the sense of “archaeological heritage,” as comprising all remains, objects, artefacts, and other traces of humankind studied by members of the IACS and created at least a century before the present day wherever they may be situated, in accordance with Egyptian law no. 117 of 1983 on the protection of antiquities, as amended by law no. 3 of 2010 (compare the European Convention on the Protection of the Archaeological Heritage, 1992, art. 1). Members of the IACS should follow an ethical approach to material cultural heritage in their academic practice, including the respectful treatment of human remains.
2. Knowledge of the archaeological provenience and subsequent provenance of any artefact is essential to scientific historical research. When an antiquity is removed from its archaeological context without proper documentation, the cultural heritage is damaged, and current and future scholars are prevented from properly understanding the object and its original context. The looting and trafficking of antiquities of all sorts has had deleterious effects both on scientific research and on the heritage communities themselves. The threats posed to cultural heritage by looting and trafficking are not confined to the historical past but continue in the present, now enhanced by the manifold possibilities offered by online communication and commerce. The continued trafficking of previously looted or illegally acquired antiquities fuels the illegal markets, contributes to the demand for looted artefacts, and prevents such artefacts from becoming available for professional conservation, research, and publication. Such activities violate both Egyptian laws and international conventions. Members of the IACS have an obligation to inform colleagues, students, junior researchers, and the public about the provenance of the antiquities they study or curate, in order to enhance awareness that there is a difference between the legitimate study of cultural heritage and scholarship that relies on illicit trade in looted archaeological artefacts.
3. As a matter of principle, the IACS is resolved to avoid contributing in any way, whether directly or indirectly, to the illicit handling of antiquities. Among various ways that this resolve can be expressed and acted upon is a commitment to a heightened awareness of the ethical and legal significance of any material cultural object’s provenance, that is, the history of the object’s discovery and subsequent ownership up to its arrival at its current location. Any antiquity that was removed from its country of origin other than in accordance with the laws of that country, other relevant laws, and pertinent international conventions may be said to have been illegally sourced and trafficked. For any antiquity that is now outside of its country of origin and whose legal removal cannot be documented, or at least inferred, there exists the possibility that it was sourced and trafficked illegally. To evaluate an antiquity’s status in this regard, it is necessary both to establish the object’s provenience and provenance so far as possible and to know the history of Egyptian law pertaining to antiquities going back to the mid-nineteenth century (see the resources listed in the Appendices). Scholars who are studying antiquities should at least be aware of any controversial or potentially controversial aspects of the objects’ provenance. “Scientific authentication” is not necessarily equivalent to or substitutable for the demonstration of licit provenance.
4. Of greatest concern at the present time is the ongoing illegal excavation, exportation, and illicit trafficking of Egyptian antiquities, to which the IACS is fundamentally opposed. In this

regard, the IACS is resolved that its members should not participate directly in the buying or selling of antiquities whose provenance is unrecorded or poorly documented. They should not take any action that may directly or indirectly increase the commercial value of such artefacts that are in circulation or encourage further looting of, or illicit trading in, antiquities. Members should not participate in the identification, assessment, valuation, authentication, documentation, cataloguing, or publication of artefacts whose provenance cannot be confirmed to be in accordance with law and international conventions. Members should be cautious even in discussing such objects in online fora, including social media. Such actions are particularly to be avoided in the case of artefacts associated with dealers who are known to traffic in undocumented antiquities from Egypt. Such participation is only acceptable if requested by a law enforcement or government agency, or if it forms part of research on the antiquities trade itself as per point 7 below.

5. Members of the IACS should promote transparency in the collection of antiquities by not presenting at professional meetings or publishing in professional journals undocumented antiquities in private collections whose owners, or those operating on their behalf, request anonymity or non-disclosure agreements; in general, members should not grant anonymity to the owners of private collections except in exceptional circumstances, which must be justified in the presentation, poster, or publication. Members should consider reporting suspicious artefacts to the appropriate authorities. Forgeries or objects suspected of being forgeries may be published if their provenance is discussed as far as is known and the publication is being used to highlight the issue of forged objects.

6. With regard to Coptic antiquities that are already permanently housed in public institutions, or in institutions that have a responsibility to the public, the IACS is resolved that its members should exercise due and proper diligence regarding provenance and collection histories. Antiquities now in foreign collections should not be studied, presented, or published if they are not clearly documented as having been outside of Egypt before 1983, even if they have been the subject of prior scholarly publications. In general, members of the IACS should privilege work with provenanced antiquities in public museums and libraries and dedicated charitable and nonprofit educational and cultural heritage institutions, rather than undocumented antiquities in private collections.

7. With regard to its own periodic publications, namely the *Journal of Coptic Studies*, the Newsletter of the IACS, and Acts or Proceedings of its International Congresses of Coptic Studies, the IACS is resolved that they should not be used for the publication or announcement of antiquities whose status of ownership is not in accordance with Egyptian laws and international conventions and laws. Such items may be discussed, however, only if a primary purpose of the presentation, poster, or publication is to highlight and comment on issues relating to the looting, dispersal, or trafficking of Egypt's cultural heritage.

## **Appendix A: Relevant Egyptian Laws**

Egyptian law 117 of 1983 (English): see below under Egyptian laws of 1912, 1951, and 1983, and in appendix B under Association Internationale de Papyrologues, “Web Resources on Cultural Property, Antiquities Laws, and Related Subjects”

Egyptian law 3 of 2010 amending Egyptian law 117 of 1983 (English):

<https://whc.unesco.org/en/statesparties/eg/laws> (accessed 2022-03-01), link (under World Heritage Convention > States Parties > Egypt > Laws, National Cultural Heritage Laws):

“Law N.117 of 1983 as amended by Law N.3 of 2010 promulgating the Antiquities Protection Law”

Egyptian laws of 1912 (French), 1951 (French), and 1983 (Arabic):  
<https://whc.unesco.org/en/statesparties/eg/laws> (accessed 2022-03-01), links (under World Heritage Convention > States Parties > Egypt > Laws, National Cultural Heritage Laws):  
 “Law on the protection Antiquities” (1983)  
 “Loi N.14 sur les Antiquités de l’Égypte” (1912)  
 “Arrêté ministériel N.51: règlement pour l’exportation des antiquités” (1912)  
 “Arrêté ministériel N.52: règlement pour les fouilles” (1912)  
 “Loi N.215 sur la protection des antiquités” (1951)

## **Appendix B: Relevant International Conventions**

Association Internationale de Papyrologues, “Web Resources on Cultural Property, Antiquities Laws, and Related Subjects,” no date: <https://aip.ulb.be/web.html> (accessed 2022-03-01); includes *inter alia* links to the following:

Egyptian law 117 of 1983 (English)

UNESCO “Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,” 1970

Council of Europe, “European Convention on the Protection of the Archaeological Heritage (Revised),” 1992:

<https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=143> (accessed 2022-03-01)

UNESCO “Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention” (also known as the “Hague Convention”), 1954:

[http://portal.unesco.org/en/ev.php-URL\\_ID=13637&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed 2022-03-01); see also:

Protocol to the UNESCO “Convention for the Protection of Cultural Property in the Event of Armed Conflict,” 1954:

[http://portal.unesco.org/en/ev.php-URL\\_ID=15391&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15391&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed 2022-03-01)

Second Protocol to the “Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict,” 1999:

[http://portal.unesco.org/en/ev.php-URL\\_ID=15207&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15207&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed 2022-03-01)

UNESCO “Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,” 1970: see above under Association Internationale de Papyrologues, “Web Resources on Cultural Property, Antiquities Laws, and Related Subjects”

## **Appendix C: Relevant Statements by Professional Societies**

American Society of Overseas Research (until 2021: American Schools of Oriental Research), “Policy on Professional Conduct,” 2015, amended 2019:

<https://www.asor.org/about-asor/policies/policy-on-professional-conduct/>; see especially §III.B “With respect to stewardship” etc. (accessed 2022-03-01)

American Society of Papyrologists, “ASP Resolution Concerning the Illicit Trade in Papyri,” 2007: <https://www.papyrology.org/resolutions.html> (accessed 2022-03-01)

Association Internationale de Papyrologues, “Recommendation on the Commerce of Papyri,” no date: <https://aip.ulb.be/recomcommerce.html> (accessed 2022-03-01)

Association Internationale de Papyrologues, “Web Resources on Cultural Property, Antiquities Laws, and Related Subjects,” no date: <https://aip.ulb.be/web.html> (accessed 2022-03-01)

Society for Classical Studies (formerly: American Philological Association), “SCS Statement on Professional Ethics,” revised 2019: <https://classicalstudies.org/about/scs-statement-professional-ethics> (accessed 2022-03-01); see especially §III “Scholarship and Research”