

Due Diligence Policy

As a result of international concern about issues of provenance relating to cultural objects, especially arising from the spoliation of works of art during the Nazi period of European history and the current international illicit trade in cultural objects, the Royal Armouries needs to demonstrate that it exercises due diligence, that it follows relevant guidelines published by the Department for Culture, Media and Sport¹, and that it complies with international treaties and standards² with regard to all objects it borrows, regardless of type, origin and period. These checks are a prerequisite for the loan of objects under the Royal Armouries Loans In Policy, the Government Indemnity Scheme, and in respect of the protection of cultural objects on loan under Part 6 Tribunals, Courts and Enforcement Act 2007.

1. The Royal Armouries will, in respect of any acquisition, inward loan, gift, bequest or exchange, adhere to the principles of provenance and provenance research as set out in *Combating Illicit Trade: Due Diligence Guidelines for Museums, Libraries and Archives on Collecting and Borrowing Cultural Material* (DCMS 2005). This policy must be read in conjunction with the *Collections Management Policies and Procedures 2008: Acquisitions, Deposits, Loans In and Object Entry*.
2. Responsibility for compliance with its due diligence procedures lies with the Chief Executive.
3. Due diligence checks will include (but are not necessarily limited to) the following standards:
 - 'Spoliation of Works of Art during the Holocaust and World War II period: Statement of Principles and Proposed Actions', issued by the National Museum Director's Conference in 1988
 - *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership*

¹ *Combating Illicit Trade: Due Diligence Guidelines for Museums, Libraries and Archives on Collecting and Borrowing Cultural Material* (2005);

² Namely: the Statement of Principles issued by the National Museum Director's Conference on spoliation of works of art during the Holocaust and World War II period (1998); the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property (14 November 1970); the Convention on International Trade in Endangered Species of Wild Fauna and Flora, dated 3 March 1973; the Code of Professional Ethics of the International Council of Museums (ICOM); and SPECTRUM: the UK Documentation standard for museums.

of Cultural Property, 1970, and the Dealing in Cultural Objects (Offences) Act 2003

- *ICOM Code of Ethics, 2004*
 - *SPECTRUM: UK Documentation Standard for Museums, 2007*
 - *Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1975*
 - ICOM Red List (*Liste Rouge*)
4. The Royal Armouries will not accept any object into its collections (either as an acquisition, inward loan, gift, bequest or exchange) without evidence from the donor or lender that they have legal title to retain and transfer the object.
 5. The Royal Armouries will only accept into its collections (by way of acquisition, inward loan, gift, bequest or exchange) objects whose provenance has been established and which have satisfied its due diligence procedures.
 6. The Royal Armouries will request from the lender, donor or vendor, the complete provenance of any object intended for inclusion in its collections (by way of acquisition, inward loan, gift, bequest or exchange), and where necessary will undertake further research beyond that provided to ensure that provenance is established. Any irregularities concerning the acquisition or current title of ownership will be explored.
 7. Where an object's provenance cannot be established (in whole or in part), the Royal Armouries will exercise professional judgement as to whether the object can be accepted (by way of acquisition, inward loan, gift, bequest or exchange) into its collection.
 8. Professional judgement (as referred to in paragraph 7 above) will only be exercised after consulting;
 - the current owner
 - the Art Loss Register (and other art loss databases where applicable)
 - curators and scholars

9. The Royal Armouries will respond formally to any *bone fide* enquiries or claims of ownership regarding objects within its collections.
10. In accordance with *Part 6 of the Tribunals Courts and Enforcement Act 2007 ('The Act')*, the Royal Armouries will publish information relating to incoming loan objects from overseas and their provenance, prior to their being exhibited at the Royal Armouries.
11. Records of due diligence checks will be retained for at least ten years.