

# THE INSTITUTE FOR AEGEAN PREHISTORY (INSTAP)

## INSTAP Study Center for East Crete

### WORK RULES AND POLICIES

#### **I. Introduction**

The Institute for Aegean Prehistory and its affiliates (hereafter “INSTAP”) requires all employees, interns, graduate student fellows, independent contractors, members, and volunteers (collectively “INSTAP Personnel”) to abide by the highest standards of professional behavior and scholarly conduct, as outlined in these Work Rules and Policies.

All INSTAP Personnel receive some sort of written documentation from INSTAP confirming the individual’s work arrangement with INSTAP. Please note that the terms of the work relationship between INSTAP and INSTAP Personnel are governed by applicable Greek, United States, federal, state, and local laws, as relevant to the particular individual.

Any INSTAP Personnel working at the INSTAP Study Center for East Crete (hereafter “INSTAP SCEC”) must become a member of the INSTAP SCEC prior to commencing work at INSTAP SCEC. Such membership requires completion of an INSTAP SCEC membership form and payment of an annual membership fee (with the exception of INSTAP employees for whom the fee is waived).

#### **A. Employees:**

INSTAP hires both full-time and part-time employees to perform ongoing responsibilities as set forth in individual letters of agreement. Some full-time employees are supervisors for other INSTAP Personnel. All INSTAP employees are paid in accordance with INSTAP’s regular payroll schedule.

#### **B. Graduate Student Fellows:**

Graduate student fellows are compensated by their applicable graduate school, which works with INSTAP to coordinate the graduate student fellow’s duties and responsibilities at INSTAP.

#### **C. Independent Contractors:**

INSTAP periodically hires independent contractors on a short term basis in order to work on designated projects. Independent contractors are not INSTAP employees, and are compensated by the relevant employing agency providing such services to INSTAP.

#### ***D. Members***

Members are not INSTAP employees but rather individuals working for a project at the Center or working on their own material at the Center. They have filled out and signed a current Membership Form.

#### ***E. Interns***

Internships at INSTAP are determined on a case-by-case basis, upon agreement with the individual intern and are coordinated with the intern's base institution. Interns are generally paid by INSTAP in accordance with INSTAP's regular payroll schedule.

#### ***F. Volunteers***

Volunteers work at the Center in agreement with the Center's Director and are not paid.

## **II. Standards of Conduct**

INSTAP Personnel are expected to work as a team in a positive, cooperative, self-motivated, courteous, and professional manner towards INSTAP's overall success, and to abide by the highest standards of scholarly conduct. The following types of misconduct are absolutely prohibited:

#### ***A. Archaeological Misconduct***

Archaeological Misconduct is defined as the willful and deliberate abuse or misappropriation of archaeological material or property. All INSTAP Personnel are bound by the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, which is attached as Attachment A.

#### ***B. Research and Publication Misconduct***

Research and Publication Misconduct is defined as (i) the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, or (ii) the misappropriation and use of intellectual property absent the express written permission of the person or persons afforded oversight and responsibility for that property. For purposes of this definition, "intellectual property" refers to either archaeological or archival primary source material, whether under the custody of

INSTAP, or any other entity or individual. Intellectual property may not be used absent the express written permission of the person or persons afforded oversight and responsibility for such property.

Scholarly misconduct of any nature by INSTAP Personnel will not be tolerated, regardless of whether or not such conduct is intentional. Any INSTAP Personnel found to have engaged in scholarly misconduct shall be subject to corrective action in the sole discretion of INSTAP management, including, but not limited to educational instruction, reprimand, or dismissal.

### **III. Professional Responsibilities**

The following professional responsibilities apply to all INSTAP Personnel who play active, professional roles in the recovery, care, study, and/or publication of archaeological material, including cultural resources located under water.

#### ***A. Responsibilities to the Archaeological Record***

1. The recovery and study of archaeological material from any time period should be carried out only under the supervision of qualified professionals who have permission from the Greek Ministry of Culture and the Director/s of the project to perform such work.
2. INSTAP Personnel should foresee and arrange for adequate and accessible long-term storage and curatorial facilities for all archaeological materials, records, and archives, including machine-readable data, which requires specialized archival care and maintenance.
3. INSTAP Personnel should make public the results of any research in a timely fashion.
4. From the outset, any INSTAP research project should include specific plans for conservation, preservation, and publication.

#### ***B. Responsibilities to the Public***

1. INSTAP Personnel are expected to be sensitive to cultural mores, norms, attitudes, and dignity of local inhabitants and to be aware of the impact research and field work may have on a local population, both during and after the work performed.

2. Any plans for field work should take into consideration the ecological impact of the particular project and its overall impact on the local communities.
3. INSTAP Personnel are prohibited from participating in archaeological projects whose primary goal is private gain.
4. INSTAP Personnel are expected to abide by and respect the laws and customs of the country in which they are working and living. As ambassadors for INSTAP, all INSTAP Personnel should strive to make a positive impression, regardless of where they are working and living.

***C. Responsibilities to Colleagues***

1. INSTAP Personnel should show consideration and respect towards their colleagues, and should strive at all times to conduct themselves in a fair manner, giving credit where due, and never plagiarizing the work of others.
2. INSTAP Personnel involved in cooperative projects should make every effort to work together in order to promote the success of the broader undertaking. Those in positions of authority should conduct themselves in a considerate manner toward their subordinates.
3. INSTAP Personnel should make every effort to share information which is useful to others by honoring reasonable requests from co-workers and colleagues for access to such information while preserving any existing rights to publication. INSTAP Personnel seeking access to unpublished information should not expect to receive interpretive information, where such information is not yet published.
4. Prior to studying and publishing any unpublished material, all INSTAP Personnel must secure proper written permission from the appropriate project director or the appointed representative of the sponsoring institution and/or the antiquities authorities in the country of origin.
5. INSTAP Personnel who are engaged in the study of material from a particular site must keep the site project director informed of their

progress and intentions, and project directors should return the same courtesy.

6. Members of cooperative projects should prepare and evaluate reports in a timely and collegial fashion.
7. Absent explicit written permission from INSTAP, at no time should online media be used by INSTAP Personnel to describe or illustrate material which is not yet published by the director or directors of a project. "Online media" includes, but is not limited to, e-mail, Facebook, MySpace, Twitter, YouTube, LinkedIn, and personal Blogs or Websites.
8. Written permission must be obtained from the Director of the INSTAP Study Center prior to conducting interviews or filming at the Study Center.

## **IV. Employment Policies**

### ***A. Equal Employment Opportunity***

INSTAP is an equal opportunity employer, and does not discriminate with respect to terms and conditions of employment on the basis of sex, race, religion, national origin, age, ancestry, disability, sexual orientation, gender identity, marital status, parental status, pregnancy, military or veteran status, or any other category protected under applicable federal, state or local laws.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

INSTAP will provide reasonable accommodations to a qualified individual with a disability who has made INSTAP aware of his or her disability, provided that such accommodation does not constitute an undue hardship on INSTAP. Any INSTAP Personnel with a disability who believes he or she requires a reasonable accommodation to perform the essential functions of his or her position should contact the Human Resources department.

Any INSTAP Personnel with questions or concerns regarding a potential violation of this policy should bring these concerns to the attention of their appropriate

supervisor. No INSTAP Personnel will be retaliated against in any manner for exercising his or her rights under this policy.

### ***B. Non-Discrimination and Non-Harassment Policy***

It is INSTAP's policy to maintain a work environment free of all forms of prohibited discrimination and harassment, including discrimination and harassment directed at individuals because of their sex, race, religion, national origin, age, ancestry, disability, sexual orientation, gender identity, pregnancy, marital status, parental status, military or veteran status, or any other characteristic protected by applicable law. INSTAP trusts and expects that all INSTAP Personnel will comply with this policy and will strive to maintain a productive work environment, free from discrimination and harassment.

### ***C. Definitions of Harassment***

Sexual harassment constitutes discrimination and is illegal. For the purposes of this policy, sexual harassment is defined as: unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment — that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) — may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

Harassment on the basis of any other protected characteristic is also strictly

prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, religion, national origin, age, ancestry, disability, sexual orientation, gender identity, pregnancy, marital status, parental status, military or veteran status, or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

#### ***D. Individuals and Conduct Covered***

These Employment Policies apply to all INSTAP Personnel and prohibit harassment, discrimination or retaliation, whether engaged in by other INSTAP Personnel, or by a third party who does not work for INSTAP, such as an outside vendor or customer. Conduct prohibited by such policies is unacceptable in the workplace and in any work-related setting outside of the workplace, such as business-related trips, meetings or social events.

#### ***E. Complaint Procedure***

INSTAP strongly encourages the reporting of any incident of discrimination, harassment or retaliation, regardless of the offender's identity or position. INSTAP Personnel who believe they have experienced conduct which is contrary to INSTAP's policy, or who have concerns regarding such matters should file their complaints with their direct supervisor, Human Resources, or the Director of INSTAP SCEC *before* the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with any particular representative first before bringing the matter to the attention of one of the other representatives identified above.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, INSTAP strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

INSTAP will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of INSTAP Personnel.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that such conduct be discontinued.

#### ***F. Prohibited Retaliation***

INSTAP prohibits retaliation against any individual who reports discrimination or harassment, or who participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination shall be considered a serious violation of this policy.

#### ***G. The Investigation***

INSTAP will promptly, thoroughly, and impartially investigate any reported allegations of harassment, discrimination or retaliation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

#### ***H. Prompt Corrective Action***

Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately. Corrective action may include, for example, training, referral to counseling, monitoring of the offender, and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, in each case as evaluated by INSTAP to be appropriate under the circumstances.

### **V. Drug-Free Workplace**

#### ***A. Purpose and Goal***

INSTAP is committed to protecting the safety, health, and well-being of all INSTAP Personnel, and has therefore established a Drug-Free Workplace program that



balances INSTAP's respect for individuals with the need to maintain a drug-free environment.

### ***B. Who is Covered***

All INSTAP Personnel, as well as any INSTAP applicant, individual conducting business on behalf of INSTAP or on INSTAP property, is covered by INSTAP's Drug-Free Workplace policy.

### ***C. Prohibited Behavior***

It is a violation of our Drug-Free Workplace policy to use, possess, sell, trade, and/or offer for sale illegal drugs during work hours, when conducting business on behalf of INSTAP or at any time on INSTAP's premises.

### ***D. Notification of Convictions***

Any employee who is convicted of a criminal drug violation in the workplace must notify INSTAP in writing within five calendar days of the conviction.

### ***E. Assistance***

INSTAP recognizes that drug abuse and addiction is a treatable illness. We also realize that early intervention and support improve the success of rehabilitation. In support of INSTAP Personnel, INSTAP encourages INSTAP Personnel to:

- Seek assistance if they are concerned that they or their family members may have a drug addiction.
- Utilize the services of qualified professionals to assess the seriousness of suspected drug abuse and identify appropriate sources of help.

Although some treatments for drug abuse may be covered by INSTAP's medical coverage, the individual affected has the ultimate financial responsibility for any treatment received.

### ***F. Consequences***

INSTAP reserves the right to take appropriate action with respect to any INSTAP Personnel engaged in drug abuse, where such abuse threatens the safety of other INSTAP Personnel at any time, of third parties during work hours or on INSTAP premises, or affects the individual's work performance or judgment when engaged in providing services to INSTAP.

### ***G. Confidentiality***

Any information received by INSTAP regarding drug abuse or addition of INSTAP Personnel is confidential. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and INSTAP policies.

### ***H. Shared Responsibility***

A safe and productive drug-free workplace is achieved through cooperation and responsibility. INSTAP Personnel are absolutely prohibited from reporting to work or being on duty if their ability to perform their job responsibilities is impaired due to on- or off-duty use of drugs.

INSTAP Personnel are encouraged to be alert and to report dangerous behavior to INSTAP supervisors, who are responsible for investigating such reports, documenting negative changes and problems with respect to the performance of INSTAP Personnel, and for counseling INSTAP Personnel as to expected performance improvement.

## **VI. Confidentiality**

All INSTAP Personnel must maintain the strict confidentiality of all proprietary information and all other non-public information related to INSTAP's operation, and are prohibited from discussing internal matters or developments with anyone outside of INSTAP, unless otherwise authorized by INSTAP ("Confidential Information"). Such Confidential Information is specialized, of great value to INSTAP, and includes, but is not limited to (i) inventions, computer programs, computer source and access codes and similar information, (ii) records and data bases, (iii) licenses and other agreements with third parties, (iv) product and service costs, prices, profits and sales, (v) marketing and business strategies, plans, forecasts, budgets, projections and analyses and various other financial and business information, (vi) information regarding existing and prospective researchers, customers, investors, vendors and suppliers, and (vii) personnel files of employees, agents, directors and independent contractors.

## **VII. Conflicts**

### ***A. Conflict of Interest***

INSTAP Personnel are prohibited from engaging in outside business activities or interests where doing so would interfere with their regular duties or represent a conflict of interest. INSTAP Personnel should also refrain from dealing with antiquities in any manner which contradicts the laws of the United States, Greece, or the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, attached as Attachment A.

### ***B. Complaint Procedures***

INSTAP realizes that misunderstandings and conflicts may arise with respect to working relationships, conditions, or interpretations of policy, and INSTAP recognizes the right of INSTAP Personnel to express their concerns with respect to these matters. Any INSTAP Personnel with such concerns should discuss the matter with their immediate supervisor. If a resolution of the matter cannot be reached in this manner, then the individual who feels wronged may contact the supervisor's manager, who will make every effort to address the individual's concerns and take appropriate action. Retaliation against individuals who lodge complaints shall not be tolerated.

### ***C. Whistle Blower Policy***

Any INSTAP Personnel, who reasonably believe that an illegal act or financial impropriety has occurred with respect to actions taken by individuals on behalf of INSTAP, should report such concern to their supervisor.

INSTAP will not retaliate in any way against any individual who issues such a report, and any retaliatory actions taken against such an individual may be subject to disciplinary action.

## **VIII. INSTAP Property**

INSTAP Personnel may have access to and are entitled to use various items of INSTAP property, such as cameras, laptops, etc. All INSTAP property should be handled with care during the period in which it is made available to INSTAP Personnel for their use, and must

be returned to INSTAP immediately upon termination of employment or at the end of the agreed-upon time of access.

## **IX. Non-Violence**

INSTAP is committed to providing a safe and secure working environment for all INSTAP Personnel. In keeping with this commitment, all INSTAP Personnel are expected to assist in maintaining a workplace that is free from violence and from threats of violence.

INSTAP will not tolerate any violence or threats of violence by INSTAP Personnel or by third parties against INSTAP Personnel, on INSTAP's premises, when INSTAP Personnel attend INSTAP functions, or when INSTAP Personnel are engaged in INSTAP-related matters at any time and at any location. Prohibited conduct includes but is not limited to:

- Possessing firearms, ammunition, or other weapons
- Threatening harm or harming another person
- Intimidating another individual
- Engaging in dangerous or unwelcome horseplay
- Striking, punching, slapping, pushing or assaulting another person
- Fighting or challenging another person to a fight
- Stalking

Actual violence or of threats or intimidation by INSTAP Personnel or by a third party towards INSTAP Personnel, should be immediately reported to a supervisor, Human Resources, or to the Director of INSTAP SCEC. Reports of violent incidents will be taken seriously and will be investigated by INSTAP.

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## ATTACHMENT A

### **UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property**

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 October to 14 November 1970, at its sixteenth session,

**Recalling** the importance of the provisions contained in the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference at its fourteenth session,

**Considering** that the interchange of cultural property among nations for scientific, cultural and educational purposes increases the knowledge of the civilization of Man, enriches the cultural life of all peoples and inspires mutual respect and appreciation among nations,

**Considering** that cultural property constitutes one of the basic elements of civilization and national culture, and that its true value can be appreciated only in relation to the fullest possible information regarding its origin, history and traditional setting,

**Considering** that it is incumbent upon every State to protect the cultural property existing within its territory against the dangers of theft, clandestine excavation, and illicit export,

**Considering** that, to avert these dangers, it is essential for every State to become increasingly alive to the moral obligations to respect its own cultural heritage and that of all nations,

**Considering** that, as cultural institutions, museums, libraries and archives should ensure that their collections are built up in accordance with universally recognized moral principles,

**Considering** that the illicit import, export and transfer of ownership of cultural property is an obstacle to that understanding between nations which it is part of UNESCO's mission to promote by recommending to interested States, international conventions to this end,

**Considering** that the protection of cultural heritage can be effective only if organized both nationally and internationally among States working in close co-operation,

**Considering** that the UNESCO General Conference adopted a Recommendation to this effect in 1964,

**Having before it** further proposals on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property, a question which is on the agenda for the session as item 19,

**Having decided**, at its fifteenth session, that this question should be made the subject of an international convention,

**Adopts** this Convention on the fourteenth day of November 1970.

## **Article 1**

For the purposes of this Convention, the term 'cultural property' means property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories:

(a) Rare collections and specimens of fauna, flora, minerals and anatomy, and objects of palaeontological interest;

(b) property relating to history, including the history of science and technology and military and social history, to the life of national leaders, thinkers, scientists and artist and to events of national importance;

(c) products of archaeological excavations (including regular and clandestine) or of archaeological discoveries ;

(d) elements of artistic or historical monuments or archaeological sites which have been dismembered;

(e) antiquities more than one hundred years old, such as inscriptions, coins and engraved seals;

(f) objects of ethnological interest;

(g) property of artistic interest, such as:

- (i) pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand);
- (ii) original works of statuary art and sculpture in any material;
- (iii) original engravings, prints and lithographs ;
- (iv) original artistic assemblages and montages in any material;
- (h) rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections ;
- (i) postage, revenue and similar stamps, singly or in collections;
- (j) archives, including sound, photographic and cinematographic archives;
- (k) articles of furniture more than one hundred years old and old musical instruments.

## **Article 2**

1. The States Parties to this Convention recognize that the illicit import, export and transfer of ownership of cultural property is one of the main causes of the impoverishment of the cultural heritage of the countries of origin of such property and that international co-operation constitutes one of the most efficient means of protecting each country's cultural property against all the dangers resulting there from.
2. To this end, the States Parties undertake to oppose such practices with the means at their disposal, and particularly by removing their causes, putting a stop to current practices, and by helping to make the necessary reparations.

## **Article 3**

The import, export or transfer of ownership of cultural property effected contrary to the provisions adopted under this Convention by the States Parties thereto, shall be illicit.

## **Article 4**

The States Parties to this Convention recognize that for the purpose of the Convention property which belongs to the following categories forms part of the cultural heritage of each State:

(a) Cultural property created by the individual or collective genius of nationals of the State concerned, and cultural property of importance to the State concerned created within the territory of that State by foreign nationals or stateless persons resident within such territory;

(b) cultural property found within the national territory;

(c) cultural property acquired by archaeological, ethnological or natural science missions, with the consent of the competent authorities of the country of origin of such property;

(d) cultural property which has been the subject of a freely agreed exchange;

(e) cultural property received as a gift or purchased legally with the consent of the competent authorities of the country of origin of such property.

## **Article 5**

To ensure the protection of their cultural property against illicit import, export and transfer of ownership, the States Parties to this Convention undertake, as appropriate for each country, to set up within their territories one or more national services, where such services do not already exist, for the protection of the cultural heritage, with a qualified staff sufficient in number for the effective carrying out of the following functions:

(a) contributing to the formation of draft laws and regulations designed to secure the protection of the cultural heritage and particularly prevention of the illicit import, export and transfer of ownership of important cultural property;

(b) establishing and keeping up to date, on the basis of a national inventory of protected property, a list of important public and private cultural property whose export would constitute an appreciable impoverishment of the national cultural heritage;

(c) promoting the development or the establishment of scientific and technical institutions (museums, libraries, archives, laboratories, workshops . . . ) required to ensure the preservation and presentation of cultural property;

(d) organizing the supervision of archaeological excavations, ensuring the preservation in situ of certain cultural property, and protecting certain areas reserved for future archaeological research;



(e) establishing, for the benefit of those concerned (curators, collectors, antique dealers, etc.) rules in conformity with the ethical principles set forth in this Convention; and taking steps to ensure the observance of those rules;

(f) taking educational measures to stimulate and develop respect for the cultural heritage of all States, and spreading knowledge of the provisions of this Convention;

(g) seeing that appropriate publicity is given to the disappearance of any items of cultural property.

## **Article 6**

The States Parties to this Convention undertake:

(a) To introduce an appropriate certificate in which the exporting State would specify that the export of the cultural property in question is authorized. The certificate should accompany all items of cultural property exported in accordance with the regulations ;

(b) to prohibit the exportation of cultural property from their territory unless accompanied by the above-mentioned export certificate;

(c) to publicize this prohibition by appropriate means, particularly among persons likely to export or import cultural property.

## **Article 7**

The States Parties to this Convention undertake:

(a) To take the necessary measures, consistent with national legislation, to prevent museums and similar institutions within their territories from acquiring cultural property originating in another State Party which has been illegally exported after entry into force of this Convention, in the States concerned. Whenever possible, to inform a State of origin Party to this Convention of an offer of such cultural property illegally removed from that State after the entry into force of this Convention in both States;

(b) (i) to prohibit the import of cultural property stolen from a museum or a religious or secular public monument or similar institution in another State Party to this Convention after the entry into force of this Convention for the States concerned, provided that such property is documented as appertaining to the inventory of that institution;

(ii) at the request of the State Party of origin, to take appropriate steps to recover and return any such cultural property imported after the entry into force of this Convention in both States concerned, provided, however, that the requesting State shall pay just compensation to an innocent purchaser or to a person who has valid title to that property. Requests for recovery and return shall be made through diplomatic offices. The requesting Party shall furnish, at its expense, the documentation and other evidence necessary to establish its claim for recovery and return. The Parties shall impose no customs duties or other charges upon cultural property returned pursuant to this Article. All expenses incident to the return and delivery of the cultural property shall be borne by the requesting Party.

### **Article 8**

The States Parties to this Convention undertake to impose penalties or administrative sanctions on any person responsible for infringing the prohibitions referred to under Articles 6(b) and 7(b) above.

### **Article 9**

Any State Party to this Convention whose cultural patrimony is in jeopardy from pillage of archaeological or ethnological materials may call upon other States Parties who are affected. The States Parties to this Convention undertake, in these circumstances, to participate in a concerted international effort to determine and to carry out the necessary concrete measures, including the control of exports and imports and international commerce in the specific materials concerned. Pending agreement each State concerned shall take provisional measures to the extent feasible to prevent irremediable injury to the cultural heritage of the requesting State.

### **Article 10**

The States Parties to this Convention undertake:

(a) To restrict by education, information and vigilance, movement of cultural property illegally removed from any State Party to this Convention and, as appropriate for each country, oblige antique dealers, subject to penal or administrative sanctions, to maintain a register recording the origin of each item of cultural property, names and addresses of the supplier, description and price of each item sold and to inform the purchaser of the cultural property of the export prohibition to which such property may be subject;

(b) to endeavour by educational means to create and develop in the public mind a

realization of the value of cultural property and the threat to the cultural heritage created by theft, clandestine excavations and illicit exports.

### **Article 11**

The export and transfer of ownership of cultural property under compulsion arising directly or indirectly from the occupation of a country by a foreign power shall be regarded as illicit.

### **Article 12**

The States Parties to this Convention shall respect the cultural heritage within the territories for the international relations of which they are responsible, and shall take all appropriate measures to prohibit and prevent the illicit import, export and transfer of ownership of cultural property in such territories.

### **Article 13**

The States Parties to this Convention also undertake, consistent with the laws of each State:

(a) to prevent by all appropriate means transfers of ownership of cultural property likely to promote the illicit import or export of such property;

(b) to ensure that their competent services co-operate in facilitating the earliest possible restitution of illicitly exported cultural property to its rightful owner;

(c) to admit actions for recovery of lost or stolen items of cultural property brought by or on behalf of the rightful owners ;

(d) to recognize the indefeasible right of each State Party to this Convention to classify and declare certain cultural property as inalienable which should therefore ipso facto not be exported, and to facilitate recovery of such property by the State concerned in cases where it has been exported.

### **Article 14**

In order to prevent illicit export and to meet the obligations arising from the implementation of this Convention, each State Party to the Convention should, as far as it is able, provide the national services responsible for the protection of its cultural heritage with an adequate budget and, if necessary, should set up a fund for this purpose.

**Article 15**

Nothing in this Convention shall prevent States Parties thereto from concluding special agreements among themselves or from continuing to implement agreements already concluded regarding the restitution of cultural property removed, whatever the reason, from its territory of origin, before the entry into force of this Convention for the States concerned.

**Article 16**

The States Parties to this Convention shall in their periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.

**Article 17**

1. The States Parties to this Convention may call on the technical assistance of the United Nations Educational, Scientific and Cultural Organization, particularly as regards:

- (a) Information and education;
- (b) consultation and expert advice;
- (c) co-ordination and good offices.

2. The United Nations Educational, Scientific and Cultural Organization may, on its own initiative conduct research and publish studies on matters relevant to the illicit movement of cultural property.

3. To this end, the United Nations Educational, Scientific and Cultural Organization may also call on the co-operation of any competent non-governmental organization.

4. The United Nations Educational, Scientific and Cultural Organization may, on its own initiative, make proposals to States Parties to this Convention for its implementation.

5. At the request of at least two States Parties to this Convention which are engaged in a

dispute over its implementation, UNESCO may extend its good offices to reach a settlement between them.

### **Article 18**

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

### **Article 19**

1. This Convention shall be subject to ratification or acceptance by States members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

### **Article 20**

1. This Convention shall be open to accession by all States not members of the United Nations Educational, Scientific and Cultural Organization which are invited to accede to it by the Executive Board of the Organization.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

### **Article 21**

This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

### **Article 22**

The States Parties to this Convention recognize that the Convention is applicable not only to their metropolitan territories but also to all territories for the international relations of which they are responsible; they undertake to consult, if necessary, the governments or other competent authorities of these territories on or before ratification, acceptance or

accession with a view to securing the application of the Convention to those territories, and to notify the Director-General of the United Nations Educational, Scientific and Cultural Organization of the territories to which it is applied, the notification to take effect three months after the date of its receipt.

### **Article 23**

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation.

### **Article 24**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States members of the Organization, the States not members of the Organization which are referred to in Article 20, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in Articles 19 and 20, and of the notifications and denunciations provided for in Articles 22 and 23 respectively.

### **Article 25**

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.
2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession, as from the date on which the new revising convention enters into force.

### **Article 26**

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General

of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris this seventeenth day of November 1970, in two authentic copies bearing the signature of the President of the sixteenth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 19 and 20 as well as to the United Nations.