

## **Resolution adopted by the General Assembly – Mexico D.F., November 10, 2009**

### **GENERAL PRINCIPLES ON CONDITIONS OF DEACCESSION FROM MUSEUM COLLECTIONS**

*Ethical codes must evolve in response to the evolving nature of standards and practices in museums and in society, and need to be periodically reviewed, discussed and updated.*

*In view of recent controversial practice with regard to selling art from museum collections, CIMAM states its opposition in the first instance to the notion of deaccession. In those instances where deaccession is deemed defensible or necessary, CIMAM's General Assembly adopts the following set of principles for the conditions of deaccession, and urges the directors of member institutions to accept these principles as guidelines for their institutions.*

#### **A. PRINCIPLES**

##### **I. Purpose of Art Museums**

An art museum is a permanent, educational and cultural not for profit institution, generally dedicated to collecting, preserving, conserving, documenting, scholarly studying, fostering the understanding, and exhibiting works of art.

##### **II. Purpose of the Collections**

Collections represent the world's cultural common wealth. Collecting museums hold their collections in trust for the benefit of society and its development. Inherent in this public trust is the notion of stewardship that includes rightful ownership, permanence, care, documentation, accessibility and responsible disposal<sup>1</sup>.

##### **III. Deaccessioning**

Deaccessioning is the method by which a work is permanently removed by gift, exchange, sale or destruction from a museum's collection, and it is only justified to improve the quality or composition of the collection.

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<sup>1</sup> ICOM Code of Ethics for Museums, 2006 and AAM Code of Ethics for Museums

All institutions should adopt a policy regarding both acquisitions and deaccessions, and follow its procedures. The same deliberation and rigor applied to acquiring should be applied to deaccessioning. All institutions should also carry a register, including photographs, of all works removed from their collection.

## 1. Purpose of deaccessioning

Sound curatorial reasons for deaccession must be established before consideration is given to the removal of a work from a museum's collection. Any deaccession should be,

- in accordance with the purpose and collecting goals set out in the museum collection's management policy;
- carried out solely for the advancement of the museum's mission, to enhance and improve the quality, scope and appropriateness of the collection;
- fully justified and the reasons recorded with care;
- proceeds from the deaccession should not be used for anything other than acquisition or direct care of the collection;

Expenditure of deaccession funds for operating purposes is unacceptable.

## 2. Criteria for deaccessioning

Only works meeting the criteria below should be acceptable for deaccession:

- redundant or duplicated, and not required for research purposes;
- in poor physical condition, or deteriorated beyond the institution's care capabilities;
- of inferior quality, or of poor quality in comparison with other works in the collection;
- not legitimate or illegally acquired;
- false or wrongly attributed;
- not consistent with the mission and collection policy of the institution.
- the mission of an institution and/or the policies regarding the development and use of its collection may evolve over time. As a consequence, existing works in the collection may no longer be consistent with the institution's new collecting goals or appropriate to the new stated mission.

- institutions contemplating deaccessioning in this situation should avoid acting in a hubristic way, thinking that their own judgement is superior to that of their predecessors, or deciding to erase the “growth layers” of the collection.

### 3. Responsibility

The preservation and conservation of the collection is the responsibility of the Director, so recommendation for deaccessioning should be generated by the Director of the institution, or a member of the curatorial staff in charge of the collection.

- the decision should rest with the Director after full consideration of the reasons for deaccession;
- any approved deaccession by the Director should be ratified by the institution’s Board of Trustees or governing body.

### 4. What should be taken into consideration? Legal matters, donor intent, etc.

Deaccessioning must comply with all applicable laws. Institutions should observe all binding conditions, and only deaccession works that they fully own.

- works that do not belong to the museum or that the museum owns with other parties should not be deaccessioned without the permission of the owner/s;
- if the work was donated, it should not have any restrictions placed by the donor pertaining to its deaccession;
- if the work was acquired by gift, a reasonable attempt should be made to contact the donor or his/her heirs to notify the intent to deaccession;
- in case of a work by a living artist, it should not be sold unless to acquire a superior work by the same artist, and always with the agreement of the artist.

### 5. Modes of disposal: who should/should not be allowed to purchase works deaccessioned from collections?

The Director should determine the appropriate method of deaccession whether by gift, exchange, sale or destruction.

- priority should be given to retaining the work within the public domain, unless it is to be destroyed, offering it first to other museums;
- no member of the museum's staff, board or governing body should be permitted to acquire, either directly or indirectly, a deaccessioned work.

## **B. PROMULGATION**

These General Principles were adopted by the Board of CIMAM on November 8, 2009 and by CIMAM's General Assembly on November 10, 2009.

To achieve maximum exposure and commitment, the Principles will be translated into ICOM's three official languages, circulated to members and non members via email, and posted on CIMAM's web.

## **C. IMPLEMENTATION & ENFORCEMENT**

### **1. Implementation**

CIMAM expects these General Principles will be maintained by all the members of the Committee.

Adhering to the Principles will be obligatory for new members, who will be made aware of the Principles in the application form, and will have to sign on to them when they agree to join CIMAM.

### **2. Enforcement**

In order to emphasize the seriousness of these Principles and the importance to the Committee, sanctions for violations of the code are necessary.

If required, the President of the Board of CIMAM will create a disciplinary commission, which will have responsibility for dealing with infractions, and the power to pronounce, with regard to CIMAM members, a reprimand or suspension.