

GUIDELINES
Loans of Archaeological Material Under the
2001 U.S.-Italy Memorandum of Understanding

Introduction

On January 19, 2001, the Government of the United States of America and the Government of the Republic of Italy signed an Agreement to protect certain categories of Pre-Classical, Classical and Imperial Roman archaeological material. This U.S. action was in response to a request from the Government of Italy under Article 9 of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. The agreement also provides for long-term loans of archaeological material covered under the agreement to U.S. museums and academic institutions for research, cultural, educational, art historical, and humanistic purposes.

2001 U.S.-Italy Memorandum of Understanding: Provisions for Long-term Loans

Article II.E

"The Government of the United States of America recognizes that the Government of the Republic of Italy permits the interchange of archaeological materials for cultural, exhibition, educational and scientific purposes to enable widespread public appreciation of and legal access to Italy's rich cultural heritage. The Government of the Republic of Italy agrees to use its best efforts to encourage further interchange through:

1. promoting agreements for long-term loans of objects of archaeological or artistic interest, for as long as necessary, for research and education, agreed upon, on a case by case basis, by American and Italian museums or similar institutions, to include: scientific and technological analysis of materials and their conservation; comparison for study purposes in the field of art history and other humanistic and academic disciplines with material already held in American museums or institutions; or educational presentations of special themes between various museums or academic institutions
2. encouraging American museums and universities jointly to propose and participate in excavation projects authorized by the Ministry of Culture, with the understanding that certain of the scientifically excavated objects from such projects could be given as a loan to the American participants through specific agreements with the Ministry of Culture; and
3. promoting agreements for academic exchanges and specific study programs agreed upon by Italian and American institutions."

Long-term (Multi-year) Loan Projects:

1. The institutions involved in the loans will develop each project. Information on museums and archaeological sites in Italy can be found on the Internet at <http://www.beniculturali.it/> and <http://www.archeologia.beniculturali.it/>.
2. Artifacts identified for loan must be representative of the categories on the list published in the Federal Register notice of January 23, 2001. (<http://culturalheritage.state.gov/it01fr01.html>)
3. Funding for any research, education, and exhibit projects under the Memorandum of Understanding will be the responsibility of U.S. and Italian institutions involved.
4. Loan materials will be considered for temporary export licenses on a case-by-case basis.

Limitations on Loans for Research, Education and Exhibition

Under Italian law, loans of objects solely for display purposes are still limited to a one-year loan period. Under the provisions of the U.S.-Italy MOU, longer term loans may be permitted when there is a significant research or education component in the exhibit program as illustrated by the examples below.

Examples of Long-term (Multi-year) Loan Projects

Research programs and/or educational presentations on the archaeological objects borrowed from Italian institutions are central to the provision for long-term loans. The following are theoretical examples of the types of projects that might be eligible for long-term loans. The examples do not constitute the full range of appropriate activities. Ideas for specific research projects and loans should be discussed with the lending institution.

Example 1.

Loan of a group of archaeological objects to a U.S. institution with a conservation laboratory where specific technical studies could be carried out, the results published in scholarly reports, and an exhibit mounted to describe the results to the public. Types of studies might include (but are not restricted to) source analysis of stone or pottery objects; technical study of production techniques; and chemical analysis of contents of vessels. The materials requiring special scientific analyses may be selected on the basis of projects devised by the competent Archaeological Superintendencies.

Example 2.

Loan of material from Italian institutions could be used for in-depth studies by means of comparisons with similar objects found in American museums. The comparative study could be art historical, typological, anthropological, or contextual. Depending on the type of study, the results could be published in a scholarly journal or as part of a catalogue for a public exhibition.

Example 3.

Loan of archaeological materials from unpublished or partially published excavations. The material would be processed, conserved, analyzed, and published as part of an undergraduate or graduate education program and an exhibition mounted as a training exercise and to convey the results to the public.

Example 4.

Loan of archaeological materials from excavations given in concession to an American mission in Italy, to be analyzed, published and exhibited in a U.S. institution. These materials might be organized for exhibit, for example, of the larger historical context of the site.

Example 5.

Loan of archaeological materials from one or more institutions appropriate for investigating history of trade, artistic production, social or political development, regional connections, or other issues that may be examined through the exhibit of archaeological material. On completion of the investigation (by undergraduates, graduates, or professional scholars), the research would be published and exhibited in one or more venues to advance the public's understanding and appreciation of these issues.

Example 6.

Loan of archaeological materials seized from looters or smugglers. Confiscated items could be used as materials for comparative studies and educational programs; identification and lending should be agreed with the Carabinieri del Comando Tutela Patrimonio unit, before materials are

delivered to the competent territorial Archaeological Superintendencies. Seized materials could also be supplemented by findings from single, scientifically explored sites, thus offering the opportunity to put looted objects into a larger archaeological context.

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