

## The Design Museum Due Diligence and Ethical Loans Policy

The Design Museum is the world's leading museum dedicated to contemporary design and architecture. The Design Museum's exhibition programme and collections support the museum in delivering its mission which aims to build public awareness of design by connecting design with people's lives and passions, to reflect the designer's role at the forefront of social, technological and environmental change and to serve the design community. Design is a practice, a diverse discipline, whose role in the world is evolving. Our unique approach to working with designers is to invite to 'think in public; with us.

The Design Museum is an ethical organisation which is committed to developing and delivering its programmes and collection in accordance with all national and international laws and conventions. The Design Museum strongly supports the principle that stolen, or illegally exported items should not be exhibited or acquired.

The Design Museum will exercise due diligence by checking that the provenance of loans for temporary exhibitions and displays comply with the following national and international standards:

- Statement of Principles issued by the National Museum Directors Conference on "spoliation of works of art during the Holocaust and World War II period" in 1998, updated 2016.
- UNESCO 1970 Convention on the Means of prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property.
- Combating Illicit Trade: Due Diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material, published by DCMS, October 2005.
- ICOM Code of Ethics.
- ICOM Red Lists.
- 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- The Wildlife and Countryside Act 1981.
- Museums Association Code of Ethics.
- SPECTRUM: UK Documentation Standard for Museums.

Special attention will be given to items which have provenance records dating from 1933-45 (Nazi spoliation) or if there is suspicion that items may have been unlawfully taken i.e. stolen or illegally excavated or removed from a site, monument or wreck or fall under CITES regulations and are vulnerable to illicit trade e.g. ivory.

The Design Museum will not proceed with a loan should there be concern with the following:

- Doubt over the legality of an object(s) ownership by the current holder
- If there are any third-party claims to the object
- If there is any doubt over an object(s) removal from its country of origin, or its entry into the UK
- If the provenance of an object(s) fails to comply with national and international standards.

### **Roles and Responsibilities**

- Due diligence procedures for loans will be carried out by the Curator(s) assigned for each exhibition
- In cases where provenance is incomplete the Curator(s) will contact specialists such as National Museums, academic institutions, art loss databases and auction houses for advice on provenance
- The Director of the Design Museum holds overall responsibility for ensuring due diligence procedures are implemented

### **Procedure**

The Exhibitions Curators will undertake a provenance check for all objects proposed for loan to a temporary exhibition or display. As part of the Design Museum loan agreement process, a prospective lender must provide a full history of object(s) ownership from creation until present day (where possible). Also, by signing the loan agreement the lender confirms legitimate acquisition, legal ownership and lawful ability to lend the object(s) and is not aware of any past, current or potential claims by a third party.

### **Record Keeping**

Records of all due diligence checks will be kept in accordance with SPECTRUM: UK Documentation standard for Museums and under direction from the National Archives on Stewardship of public records. Records are to include signed loan agreements, electronic correspondence such as email, lender's evidence, photographic evidence and details of published information. Records will be kept for a minimum of 10 years.