

# ***The ASOR Policy on Professional Conduct***

*Approved by the ASOR Board of Trustees on April 18, 2015*



JERUSALEM • AMMAN • NICOSIA • BAGHDAD • DAMASCUS

## **I. Introduction**

In 2010, then-ASOR President Tim Harrison heeded ASOR members' call for a comprehensive professional conduct policy that would be consistent with ASOR's Mission and Strategic Plan. To accomplish this goal, President Harrison created an *ad hoc* Ethics Working Group to support a broad consultation and policy development process. This process has continued with robust support from current ASOR President Susan Ackerman.

This document details ASOR's Policy on Professional Conduct. It is intended as a guide for ASOR members and those who serve ASOR in any capacity. This document will be reviewed annually by a subcommittee of ASOR's Board of Trustees that is empowered to record concerns and to bring forward for discussion to ASOR's Board of Trustees any action that may contravene the guidelines contained in this policy.

It is assumed that ASOR's standing committees will create written policies that relate to their sphere of action. Where any conflict exists between this policy and another policy created by an ASOR committee, this document shall serve as the guide, alongside the provisions of ASOR's policies on Investment and Spending, Joint Ventures, Non-Discrimination, Records Retention, Whistleblowers, and Website and Social Media Privacy; and the Conflict of Interest Statement for the American Schools of Oriental Research.

## **II. Preamble**

As scholars, scientists, archaeologists, historians, epigraphers, museum professionals, and educators who are interpreters of material traces of the human past, ASOR members seek to support ASOR in achieving its Mission.

ASOR's Mission is to initiate, encourage and support research into, and public understanding of, the cultures and history of the Near East from the earliest times:

by fostering original research, archaeological excavations, and explorations.

by encouraging scholarship on the basic languages, cultural histories and traditions of the Near Eastern world.

by maintaining an active program of timely dissemination of research results

***The ASOR Policy on Professional Conduct***  
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and conclusions.

by maintaining the highest ethical standards of scholarship and public discourse.

by promoting and advocating the highest academic standards in teaching about the Near East and in interdisciplinary research.

by offering educational opportunities in Near Eastern history and archaeology to undergraduates and graduates in North American colleges and universities, and through outreach to the general public.

In keeping with ASOR's mission, the guidelines contained in this policy are focused on our individual and collective responsibilities in four areas:

1. *Training* to the highest standards of professional expertise, and education for future generations;
2. *Stewardship* of archaeological heritage, which is the limited, irreplaceable record of the human past.<sup>1</sup> Stewards of archaeological heritage act as both caretakers and advocates.
3. *Discovery* of new knowledge about the human past derived from investigations in field sites, libraries, archives, museums, and other locations that enable research;
4. *Dissemination* of knowledge through publication and archiving of data, analysis and interpretation.

**III. In order to achieve ASOR's Mission, which includes maintaining the highest ethical standards of scholarship and public discourse;**

A. with respect to **EDUCATION AND TRAINING**, ASOR members endeavor to:

1. educate diverse publics regarding historical and archaeological interpretations of the past and the methods used in archaeology and history to understand human behavior and culture;
2. enlist public support for the preservation and scientific study of the archaeological heritage;

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<sup>1</sup> As set forth in the European Convention on the Protection of the Archaeological Heritage at Valetta in January, 1992, the notion of archaeological heritage also explicitly includes structures, constructions, groups of buildings, developed sites, moveable objects, monuments of other kinds as well as their context, whether situated on land or under water. All artifacts of any type, including those in which are preserved traces of language, creativity, cultural activity, technology or other indications of humankind from past times are considered elements of the archaeological heritage. The text of this document is available at this URL: <http://conventions.coe.int/Treaty/en/Treaties/Html/143.htm>

***The ASOR Policy on Professional Conduct***  
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3. provide the public and elected/appointed representatives of the public the necessary data to ensure appropriate decision making with respect to preservation of archaeological heritage;
4. promote understanding of and adherence to the guidelines contained in this Policy on Professional Conduct.

B. with respect to **STEWARDSHIP**, ASOR members endeavor to:

1. consider appropriate site protection, artifact storage and data management in initial research designs and funding plans; so that all objects of study and research data are properly curated in perpetuity. In the case of site excavation, such plans include the protection of sites after the conclusion of research, taking into account the natural conditions affecting the site and the demands of multiple uses. In the case of artifact studies, exhibits, and surveys, such plans consider the environment and security of future display and/or storage;
2. avoid the alteration of archaeological heritage and cultural property which is intended to conceal or destroy cultural, historical or scientific evidence;
3. protect archaeological heritage from adverse effects resulting from military actions, warfare, and local political instability, including support for the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its First Protocol;<sup>2</sup>
4. explore innovative strategies and support legislation designed to eliminate the illicit trade of antiquities and to enhance the protection of the world's archaeological and cultural heritage, whether on land or under water, as called for in the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;<sup>3</sup> the 1972 UNESCO World Heritage Convention,<sup>4</sup> the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage,<sup>5</sup> and the 2013 Noto Statement on the Future of Underwater Cultural Heritage Protection and Preservation in the Mediterranean;<sup>6</sup> and, where relevant, encourage States to ratify and implement these conventions;
5. urge all governments to adhere to the terms of the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its First Protocol, and, where not already ratified, encourage States to ratify and implement them at the earliest

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<sup>2</sup> <http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/the-hague-convention/text-of-the-convention-and-its-1st-protocol/>

<sup>3</sup> <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/1970-convention/>

<sup>4</sup> <http://whc.unesco.org/en/conventiontext/>

<sup>5</sup> <http://www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/>

<sup>6</sup> <http://honorfrostfoundation.org/wp/wp-content/uploads/2014/02/Noto-Statement.pdf>

***The ASOR Policy on Professional Conduct***  
***Approved by the ASOR Board of Trustees on April 18, 2015***

possible opportunity;

6. co-operate with competent national authorities of any occupied territory in which research is planned;
  7. encourage all state parties and all international and national funding bodies, including UNESCO, ICOM, ICOMOS, and the World Bank, to play a leadership role in efforts to protect the world's archaeological and cultural heritage from destruction; and encourage partnerships among governments, developers, and specialists such as archaeologists, historians and conservators for the study and conservation of archaeological heritage;
  8. use archaeological heritage for the benefit of all people and not as a commodity to be exploited for private enjoyment or profit;
  9. support efforts that are in accordance with national law and international conventions to establish, fund and enforce the prohibition and prevention of the looting of archaeological sites and the trade in illicit antiquities; and cooperate with law enforcement by providing authentications and valuations upon request from such entities;
  10. refrain from activities that contribute directly or indirectly to the illicit markets for antiquities and to the value of artifacts in such markets through their publication, authentication, or exhibition.
- C. with respect to **DISCOVERY**, ASOR members endeavor to:
1. conduct research according to highest possible professional standards current in the various disciplines;
  2. support and encourage efforts to document the archaeological heritage through surveys, inventories, display and study of artifacts;
  3. ensure that all individuals participating in the excavation, survey, study or other research shall be fully qualified to carry out their responsibilities or, in the case of apprentice team members, that they be appropriately supervised;
  4. refuse to practice discrimination based on categories such as gender, religion, age, race, disability, and sexual orientation in assembling a research team;
  5. take all necessary steps to minimize personal risks and hazards to co-workers, the public, and the environment; including, but not limited to, avoiding harassment based on categories noted in paragraph C.4; and developing action plans in the event of civil or military disturbance, or injury;

***The ASOR Policy on Professional Conduct***  
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6. develop a research design and include, where relevant, a curation plan for excavated objects and a conservation plan, prior to the start of research, and inform colleagues of their role in the overall project;
  7. show sensitivity toward and respect for groups affected by research, and make every effort to act cooperatively with them.
- D. with respect to the **DISSEMINATION of KNOWLEDGE**, ASOR Members endeavor to:
1. undertake a prompt and complete final publication, including the use of venues and languages accessible to the general public, including the general public in the host nation of the research project;
  2. acknowledge others' material contributions and intellectual products with citation of the source or other appropriate courtesy, such as listing of team members or authorial credit;
  3. obtain permission from project, archive, collection or museum directors prior to the first publication or initial presentation of material from a project, archive, collection or museum;
  4. consider Open Access repositories in data management plans, so that, following publication, the resulting collections, records, and associated documentation, whether in traditional or digital formats and with the metadata necessary to allow these data to remain intelligible, can be preserved and made accessible to other scholars and, where appropriate, to the public.
- E. with respect to **PROGRAMS AND PUBLICATIONS**, ASOR Members recognize that
1. studies of the past are enhanced when an artifact is clearly associated with an intact archaeological context. Artifacts which lack a defined archaeological findspot or provenience have a greater potential to undermine the integrity of archaeological heritage in view of the possibility of admitting suspect artifacts into archaeological heritage. Looting is an illegal act that breaks the association between artifact and context. A looted artifact may be considered stolen property. Therefore, archaeological heritage that is looted is more likely to travel through illicit channels of distribution and/or exportation, which involve processes that may mask or confuse the identification of the artifact or its true findspot.
  2. authors of publications or presentations should be transparent when introducing data of uncertain reliability to the realm of public knowledge, particularly when research and publication involves artifacts that lack an archaeological findspot or that are illegally exported.
  3. authors of publications or presentations should identify clearly any artifact that

***The ASOR Policy on Professional Conduct***  
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lacks an archaeological findspot in a prominent manner in the text of the publication and the caption of its illustration and, if intermixed with artifacts having provenience, also in the index or catalog.

4. the publications and presentation venues of ASOR shall not serve as the initial place of publication or announcement of any object acquired by an individual or institution after April 24, 1972, which is the date of entry into force of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, with the following exceptions:<sup>7</sup>
  - a. the object was documented as already being in a collection before April 24, 1972; and further, if that object is no longer in its country of origin, it must have been legally exported;
  - b. the object was acquired after April 24, 1972 but it is considered to be a forgery and is published as a forgery;
  - c. the object's publication or announcement serves *primarily* to emphasize the degradation of archaeological heritage.
  
5. a limited exception to the publication and presentation policy noted immediately above is available for cuneiform texts because
  - a. in zones of conflict since the early-1990s, most prominently in Iraq and Syria but also elsewhere, looting of cuneiform tablets has occurred on a *truly massive scale*;
  - b. cuneiform texts may be authenticated *more readily* than other categories of epigraphic archaeological heritage;
  - c. the content of a cuneiform text can provide information *independent* of archaeological provenience.

Therefore, in accord with the policy that was established by ASOR's Board of Trustees in November, 2004, the Journal of Cuneiform Studies ("JCS"), its related annual book publications, and the ASOR Annual Meeting may serve as the initial place of publication or announcement of a cuneiform text that lacks archaeological provenience and that was acquired by an individual or institution after April 24, 1972, if all the conditions outlined in paragraph E.6 have been satisfied. This is to be known as "the cuneiform exception" and its limits will be reviewed every three years.

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<sup>7</sup> See footnote 3 *infra*.

***The ASOR Policy on Professional Conduct***  
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6. the conditions that shall enable the cuneiform exception to be exercised are as follows:
  - a. the author notes that the text-bearing artifact lacks archaeological provenience in a prominent manner in the text of the publication, in the caption of its illustration, and, if intermixed with objects having archaeological provenience, also in the index or catalog; and
  - b. the author demonstrates that an effort has been made to determine the probable country of origin, which is the location of its final archaeological deposition within a modern nation-state; and prior to publication, the author receives and is willing to transmit to ASOR a written commitment from the owner of the artifact asserting that the artifact will be returned to the Department of Antiquities or equivalent competent authority of the country of origin following any conservation or publication, once permission for its return has been received; ***or alternatively***, that its title has been ceded to the determined country of origin, or to some other publicly-accessible repository, if return to its country of origin is not feasible.
7. they may consider for inclusion in ASOR publications and presentation venues research that has been undertaken in occupied territory and its contiguous waters as defined by the United States Department of State when that research is required strictly to safeguard, record or preserve the archaeological heritage of the occupied territory, or when permission of the competent national authorities of the occupied territory has been obtained by the researcher.