

**THE HONG KONG UNIVERSITY OF SCIENCE AND TECHNOLOGY**  
**Code of Practice for Research Involving Artefacts**

**1. Aim**

This Code of Practice aims to promote the responsible, respectful, non-exploitive and sustainable study of the tangible remains of human history, by setting out the expectations for the upholding of ethical standards for research on artefacts in the field and the laboratory.

**2. Definition of Artefacts**

Artefacts, for the purpose of ethical vetting, are defined as 'objects which, on religious or secular grounds, are of importance for archaeology, anthropology, prehistory, history, literature, art or science'<sup>1</sup>. Intangible property (such as practices, texts and concepts) is not included.

When determining whether an object under study is an artefact, researchers should make reference to the [Antiquities and Monuments Ordinance \(Cap. 53\)](#), and the list of cultural properties / cultural objects adopted in the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property by the United Nations Educational, Scientific and Cultural Organisation (UNESCO), and in the Convention on Stolen or Illegally Exported Cultural Objects by the International Institute for the Unification of Private Law (UNIDROIT), excerpted at [Appendix A](#).

**3. Guiding Principles**

As records of human history, artefacts and their contexts of recovery must, during the course or research, be ethically and sustainably looked after to retain their cultural significance<sup>2</sup>. The following guiding principles form the basis of this Code of Practice:

- (i) The highest possible standards should be upheld in preserving artefacts throughout the research process, including but not limited to, excavation, post-excavation analyses, museum exhibition, storage and publication.
- (ii) Researchers should bear in mind the ethical concerns in research on artefacts, including but not limited to the dangers of looting and of illicit trade in antiquities.
- (iii) Researchers should not engage in, or allow their names to be associated with, any activity that has negative impacts on artefacts and is carried out for commercial profit derived directly from or by exploiting the artefacts<sup>3</sup>.

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<sup>1</sup> This definition is adapted from those used by the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.

<sup>2</sup> Reference can be made from the Australian Burra Charter regarding the concept of cultural significance.

<sup>3</sup> This is adapted from the European Association of Archaeologists' Code of Practice.

- (iv) Researchers should practise responsible sampling and consider minimally destructive options to balance the need for research and preservation of artefacts.
- (v) It is incumbent upon researchers to uphold ethical standards in their research and seek guidance and approval from the [Human and Artefacts Research Ethics Committee \(HAREC\)](#) as appropriate.
- (vi) Researchers must promote access to their data, including depositing materials in public repositories.

#### **4. Identification**

- (i) Researchers should determine whether their research proposals for the Research Grants Council (RGC)'s funding schemes involve the study of artefacts. In general, proposals require ethical approval when:
  - (a) The study involves potentially intrusive or destructive intervention, including but not limited to archaeological excavation, surface collection or destructive analyses of artefacts, activities leading to a loss of artefact provenance information etc.; or
  - (b) The study involves work with artefacts that may be ethically or legally sensitive, including but not limited to artefacts of uncertain provenance or ownership, artefacts of significance to indigenous groups etc.
- (ii) Researchers should seek the approval of HAREC as an application criterion for the RGC's funding support.

#### **5. Vetting by HAREC**

HAREC, when vetting the proposals, will make reference to the following criteria:

##### Stewardship and Discovery

- (i) Where the research involves discovering or excavating artefacts, HAREC is satisfied that the researchers have /will endeavor to mitigate the impact of their activities and limit damage or deterioration to the sites of recovery, artefacts being studied and minimise the environmental impact for their actions.
- (ii) The researchers have set out plans for conservation of sites post excavation, preservation of excavated objects, and publication of the archaeological records to the satisfaction of HAREC.
- (iii) In considering (i) and (ii), HAREC will refer to the list of best practices<sup>4</sup> at [Appendix B](#).

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<sup>4</sup> The list is excerpted from the Policy on Professional Conduct by the American Schools of Oriental Research as well as the Code of Ethics and Code of Professional Standards by the Archaeological Institute of America.

### Data Collection

(iv) Where research involves studying artefacts already excavated or processed, whether by a public or private party, the researchers have exercised due diligence in establishing that the artefacts being studied –

(a) are in a public collection of its country of origin; or

(b) have been in a public/ private collection since before 1970<sup>5</sup>; or

(c) since 1970<sup>5</sup>, have not been illegally excavated, acquired, transferred and/ or exported from its country of origin,

to the satisfaction of HAREC.

(v) The due diligence in (iv) could be indicated by the actions of the researchers such as having checked information and documentation which could be reasonably obtained and consulted accessible agencies / third parties or taken other reasonable steps<sup>6</sup>.

### Refrainment from Taking Economic Incentives

(vi) Researchers undertake that they did not and will not accept gifts, emoluments, sponsorship, or funding from dealers and collectors of artefacts for the research projects<sup>7</sup>.

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<sup>5</sup> This is in line with the requirement of the Archaeological Institute of America. The benchmark of 1970 is to track back to the adoption in that year of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, where the international community agreed on the importance of protecting cultural properties and means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural properties. The said Convention has no retrospective effect.

<sup>6</sup> This method is adopted in the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.

<sup>7</sup> Similar provisions on the prohibition of taking inducements (reasonably construed as bribe) when undertaking work related to cultural objects are promulgated in the Code of Conduct by the Chartered Institute for Archaeologists of the United Kingdom.

**List of Cultural Properties / Cultural Objects**

This list is adapted from that used by the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.

- (i) Property relating to history
- (ii) Products of archaeological excavations or of archaeological discoveries
- (iii) Elements of artistic or historical monuments or archaeological sites which have been dismembered
- (iv) Antiquities more than one hundred years old, such as inscriptions, coins and engraved seals
- (v) Property of artistic interest, such as:
  - (a) pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand)
  - (b) original works of statuary art and sculpture in any material
  - (c) original engravings, prints and lithographs
  - (d) original artistic assemblages and montages in any material
- (vi) Articles of furniture more than one hundred years old and old musical instruments.

**List of Best Practices for the Stewardship and Discovery of Artefacts**

This list is adapted and modified from the Policy on Professional Conduct by the American Schools of Oriental Research as well as the Code of Ethics and Code of Professional Standards by the Archaeological Institute of America.

**Stewardship**

- (i) Researchers should consider appropriate site protection, artefact storage and data management in initial research designs and funding plans; so that approaches and methods that require a minimum of damage to the archaeological record could be chosen and that all archaeological materials, records, and archives are properly and adequately stored and curated.
  - (a) In the case of site excavation, which is an irreversible process, such plans include the protection of sites after the conclusion of research, taking into consideration the natural conditions affecting the site and the demands of multiple uses.
  - (b) In the case of artefact studies, exhibits, and surveys, such plans consider the environment and security of future display and / or storage.
- (ii) Researchers should avoid alteration of archaeological heritage and cultural property which is intended to conceal or destroy cultural, historical or scientific evidence.
- (iii) Researchers should not engage in activities that contribute directly or indirectly to the illicit markets for antiquities and to the value of artefacts in such markets through their publication, authentication, or exhibition.

**Discovery**

- (i) Researchers should support and encourage efforts to document the archaeological heritage through surveys, inventories, display and study of artefacts.
- (ii) Researchers should 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.
- (iii) Researchers should 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.
- (iv) Recovered objects must be looked after following a curation plan to maintain standards of best practice. Team members must be aware of the curation plan for effective conservation of objects including first aid administered to finds in the field.