



United Nations  
Educational, Scientific and  
Cultural Organization

11/09/2014

Ref.: CL/4076

Subject: **Preliminary report on the draft Recommendation on the protection and promotion of museums and collections**

Dear Minister,

Please find herewith the preliminary report on the new, non-binding, standard-setting instrument on the protection and promotion of museums and collections, prepared following the adoption of 37 C/Resolution 43 by the General Conference and in accordance with the *Rules of Procedure concerning recommendations to Member States and international conventions*, covered by the terms of Article IV, paragraph 2, of the Constitution.

As you may recall, the UNESCO General Conference decided, at its 37th session (November 2013), that the existing UNESCO standard-setting instruments relating to the protection and promotion of museums and collections were insufficient to cope with the new challenges that have emerged in the museums world, and that they should, therefore, be supplemented by a new, non-binding, standard-setting instrument in the form of a Recommendation.

In conformity with the abovementioned *Rules of Procedure*, Member States shall forward to UNESCO their comments and observations on the preliminary report at least ten months prior to the opening of the 38th session of the General Conference, i.e. by 10 January 2015. On the basis of the comments received, UNESCO, in close cooperation with the International Council of Museums (ICOM), will prepare a final report containing one or more draft texts, which shall be communicated to Member States at least seven months before the opening of the General Conference, i.e. before 10 April 2015. This report and accompanying draft will be examined at a category II intergovernmental meeting at least four months prior to the opening of the General Conference (dates to be confirmed), in order to submit a draft duly approved by all Member States at least seventy days before the opening of the General Conference.

Allow me to take this opportunity to underline the fact that this meeting and the finalization of the Recommendation will only be possible if the full preparation and organizational costs are provided through earmarked extrabudgetary funds provided by Member States, as specified by 37 C/Resolution 43. To date, the Government of Brazil kindly has donated a significant sum towards the costs. However, additional funding is still required if we are to meet the full amount that will be incurred. I call on your Government, therefore, to consider providing support to this endeavour.

In closing, I wish to reiterate my thanks to your Government for its support to UNESCO's culture programme.

Irina Bokova  
Director-General

Enc.

cc: National Commissions for UNESCO  
Permanent Delegations to UNESCO

# A NEW STANDARD-SETTING INSTRUMENT ON THE PROTECTION AND PROMOTION OF MUSEUMS AND COLLECTIONS

## Preliminary report

### INTRODUCTION

Over the past four decades, the museum world has witnessed profound transformations like many aspects of societies around the globe, and in the process, museums have been thrust to the forefront of the cultural lives of communities and countries. A simple yet telling testimony of this change is the surge in the number of museums around the world: from 22,000 in 1975 to 55,000 in 2012.<sup>1</sup> This trend has been accompanied by an increase in the number of visitors, and a more diverse public with greater expectations as a result of changes in the perceived role of museums.

Museums have responded not only by adapting the content and presentation of their exhibitions to match the needs of the public, but by restructuring from within. Management departments have appeared in many museums to help handle the increased flow of visitors, while new marketing departments aim to boost the attractiveness of museums and generate additional income. Globalization has not spared the museum world either, with the circulation of objects, collections, capital and information now taking place on a global scale. The prices on the international art market as well as the number of international exhibitions have risen dramatically in recent years, resulting in an increase in both licit and illicit traffic of cultural objects. With the development of the Internet and social networks, information travels faster and further, creating new audiences on the web as well as novel forms of participation, in response to which some museums have invested in communication tools and interactive programmes.

The evolution of museums has perhaps been most spectacular in relation to their social and economic roles. In 1972, the social role of museums was acknowledged in the Declaration of Santiago de Chile adopted by Latin American museum specialists. It has continued to grow since with museums being regarded today as key players in the social system and as factors for integration. Museums promote intercultural dialogue and act as platforms for debate and discussions where complex societal issues can be tackled in an apolitical arena. They also contribute to educational goals, not only through formal education but also non-formal and life-long learning.

The economic role of museums, recognized since the nineteenth century, has grown exponentially over the last decades, notably following the establishment of a number of major contemporary institutions that draw millions of visitors yearly and generate considerable revenue. In many instances, these institutions contribute to regional economies and to regeneration in local and national contexts. They also support the creative industries. The rise of global tourism in the last 40 years – from 278 million international tourist arrivals in 1980 to 1,087 million in 2013<sup>2</sup> – has accelerated these developments by making museums and heritage sites accessible to a wider public and generating new jobs and income.

### THE ISSUES

These changes in the museum world have brought about new challenges for curators, administrators and decision-makers alike, as they must take into account the evolving roles of museums. In addition to museums' historical role in heritage protection and promotion within

<sup>1</sup> Hudson K., Nicholls A., *The Directory of World Museums*, New York, Columbia University Press, 1975; Sauer, *Museums of the World*, München, KG Sauer Verlag, 2004 (11<sup>th</sup> ed.). The most recent De Gruyter (19<sup>th</sup> edition) was released in 2012.

<sup>2</sup> UNWTO (United Nations World Tourism Organization), *Tourism Highlights*, 2014 Edition, Available online, [http://dxtq4w60xqpw.cloudfront.net/sites/all/files/pdf/unwto\\_highlights14\\_en\\_hr\\_0.pdf](http://dxtq4w60xqpw.cloudfront.net/sites/all/files/pdf/unwto_highlights14_en_hr_0.pdf)

society, defined by three basic functions – preservation, research and communication – new, increasingly important and potentially conflicting roles have emerged. A museum's social role is based on its ties with the community whereas its economic role relates to national or international tourism, creating two competing logics, which need to be balanced out.

While new museums continue to flourish around the world, as a result of their usefulness and success, many countries and museum professionals are looking for tools to address the wide range of these new roles and the challenges facing museums today. However the existing instruments, legislations and texts in the field of museums do not reflect the multiple roles and functions of museums. UNESCO has developed many instruments – particularly the 1954, 1970, 1972, 2001, 2003 and 2005 Conventions – which focus on relevant issues such as illicit trafficking and heritage preservation, yet none address museums in a holistic manner. As these instruments were not specifically designed to address museums but rather to meet other related needs, they give a relatively limited vision of museums, largely based on the concept of movable heritage, which does not reflect the emerging social and economic roles of museums. The only international instrument related directly to museums is the 1960 Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone, which addresses the key issue of museum accessibility and promotion in favour of the public, but other pressing issues facing today's museums such as funding, staffing, information management, educational outreach are not addressed. These shortcomings in terms of standard-setting instruments are problematic for the numerous countries that are developing their museum institutions with insufficient legislation, practices and resources. It has therefore become increasingly clear that new principles, tools and approaches need to be identified to cope with these contemporary challenges.

## **THE INTERNATIONAL DEBATE**

During the 36th session of the General Conference in November 2011, Member States initiated a discussion on the desirability of a new normative instrument that would acknowledge the new roles of museums. As a result, an international experts meeting was held in Rio de Janeiro in July 2012, co-organized by UNESCO and the Brazilian Institute of Museums (IBRAM) in consultation with the International Council of Museums (ICOM). The meeting was attended by seven institutions, twenty-six experts from all regions and eight international organizations. The participants observed the increasing number and types of museums around the world, their evolving role as public forums for dialogue and peace-building as well as their role as economic drivers generating cultural tourism and employment. The experts also noted a lack of adequate human, technical, legal and financial resources to protect museums from the challenges generated by the new roles of museums. The experts considered that the existing international instruments in the field of museums do not sufficiently address these challenges and acknowledged that UNESCO, as the only United Nations agency with a mandate in the field of culture and as a global forum for multilateral collaboration, is uniquely positioned to establish the legal and policy standards for reinforcing the protection and promotion of museums and collections worldwide.

The conclusions of this meeting were transmitted to the Executive Board at its 190th session in October 2012, which requested the Director-General to undertake an independent preliminary study on the desirability, the technical and legal aspects, in addition to the scope, rationale, added value, and administrative and financial implications of a standard-setting instrument on the protection and promotion of museums and collections. Two independent preliminary studies were conducted, in collaboration with ICOM, and circulated to all Member States for their observations. Based on the conclusions of these studies, the Executive Board decided at its 191st session in April 2013 to include this item on the provisional agenda of the 37th session of the General Conference. Upon debating the subject at that session in November 2013, the General Conference recognized the need for a new standard-setting instrument and adopted a Resolution requesting to proceed with the elaboration of a new instrument in the form of a Recommendation.

## THE WAY FORWARD

The new Recommendation should contribute to the formulation of a contemporary vision of the museum institution, reflecting its functions and role in society. However it is important to keep in mind the great diversity of museums around the world and the absence of a “one-size-fits-all” solution. The new Recommendation should therefore reflect a wide variety of situations, approaches and value systems in order to provide tools adapted to specific contexts. The elaboration of the Recommendation will review the main component of museums and collections, including, but not limited to:

1. The definitions of museums, collections and other heritage terms;
2. Guidelines for legal structures and internal organization of museums;
3. The social role of museums as platforms for debate and discussions, civic participation, cultural dialogue and social inclusion;
4. The economic role of museums as a source of revenue, and employment and its relation to the creative economy and tourism;
5. The scientific role of museums, as hubs of research;
6. The educational role of museums for both school activities and as a source of non-formal and life-long learning;
7. Creating synergies with existing UNESCO culture conventions and encouraging governments to accept and rigorously implement international legal principles, in particular the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, in order to help fight against illicit trafficking;
8. The role of new technologies in the preservation of inventories, digitalization of collections, virtual exhibitions and outreach to broader publics;
9. Promotion of the ICOM Code of Ethics, as it represents one of the most widespread documents in the field of international standards for museum functioning.

## THE PROCESS

In accordance with the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of article IV, paragraph 4, of the Constitution, the Director-General presented to the 37th session of the General Conference a preliminary study on the technical, legal and museological aspects relating to the desirability of an international standard-setting instrument on the protection and promotion of museums and collections.

The General Conference, at its 37th session, invited the Director-General to prepare a preliminary text of a new non-binding standard setting instrument on the protection and promotion of various aspects of the role of museums and collections, to complement existing standard-setting instruments, in the form of a recommendation and to submit the text to it at its 38th session.

This instrument should be developed to address the new challenges that have emerged in the museum world since the adoption of the UNESCO 1960 Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone. It should be emphasized that this proposed standard-setting instrument will not be legally binding, as in the case of a convention.

In conformity with the *Rules of Procedure*, Member States shall forward to UNESCO their comments and observations on the present preliminary report at least ten months before the opening of the 38th session of the General Conference, i.e., by 10 January 2015. On the basis of the comments received, UNESCO, in close cooperation with ICOM, will prepare a final report containing one or more draft texts, which shall be communicated to Member States at least seven months before the opening of the General Conference, i.e., before 10 April 2015. This final report and accompanying draft will be submitted to a category II intergovernmental meeting at least four months before the opening of the General Conference (dates to be confirmed) in order to submit a draft duly approved by all Member States at least seventy days before the opening of the General Conference.

The category II meeting and the finalization of the Recommendation will only be possible if the full costs of its preparation are provided through earmarked extrabudgetary funds provided by Member States, as specified by 37 C/Resolution 43. To date, the Government of Brazil has kindly donated a significant sum towards the costs. However, additional funding is still critically needed to meet the full amount to be incurred.