

## ICOM NATHIST Offsite Meeting Program

**Date:** Thursday, 25th August 2022

### Assembly

- Time: 08:30- 09:00
- Venue: [Národní muzeum, Historická budova / National Museum, Historical Building](#)  
(Address: Václavské náměstí 68 110 00 Praha)

### Schedule

Time	Event	Venue
08:30-09:00	Assembly	Václavské Square
09:00-11:00	Guided tour: Peek preview on two latest permanent exhibitions at the National Natural History Museum	
11:00-11:30	Coffee Break	
11:30-13:00	<b>AM Workshop: “Natural History Items and Collections – Legislation and Ownership”</b> <ul style="list-style-type: none"> <li>● Keynote: Lynda KNOWLES (Denver Museum of Nature &amp; Science)</li> <li>● Oral Presenters: Katrin VOHLAND (Natural History Museum Vienna), Vladimír ANTONÍN (Moravian Museum), and Lukáš SEKERKA (National Museum)</li> </ul>	Abstracts see p.2-5
13:00-14:00	Lunch (Buffet)	
14:00-15:30	<b>PM Workshop: “Meteorite Ownership and Legal Issues”</b> <ul style="list-style-type: none"> <li>● Keynote: Ludovic FERRIERE</li> <li>● Oral Presenters: Silvia Irene Carrasquero and Roxana Alejandra Di Bello (ICOM Argentina)</li> </ul>	Abstracts see p.6-8
15:30-16:00	Coffee Break	
16:00-18:00	Visit the storage building *Shuttle bus service provided by the National Museum	Horní Počernice
18:00-18:30	Return to the National Museum	Václavské Square

### Contacts

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**AM Workshop: “Natural History Items and Collections – Legislation and Ownership”(11:30-13:00)**

**Keynote**

***IMPEMENTING THE NAGOYA PROTOCOL –LEGAL HISTORY, HUMAN RIGHTS, AND THE WAY FORWARD***

*Lynda Knowles*

Denver Museum of Nature & Science, USA

The *Convention on Biological Diversity* (CBD) is an international legally-binding treaty with three main goals: conservation of biodiversity; sustainable use of biodiversity; and the fair and equitable sharing of the benefits arising from the use of genetic resources. It entered into force on the 29th of December, 1993. It has been ratified by 196 nations. The United States is the only UN nation that has failed to ratify the treaty.

The *Nagoya Protocol on Access to Genertic Resources and the Fair and Eequitable Sharing of benefitis arising from their Utilization to the Convention on Biological Diversity* (NP) is a supplemental agreement to the CBD aimed at sharing the benefits arising from the utilization of genetic resources in a fair and equitable way.

In many respects, these companion agreements were predecessors to a spate of international legislative activity culminating in the the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) adopted on September 14, 2007 by 144 states. Since that time, the notion of decolonization and what it means to museums, and natural history museums in particular, has unfolded. Re-assement of collections, artifacts, displays, and the nature of scientific research is underway at a host of institutions, and often within the context of restorative justice, diversity and inclusion.

Both the CBD and the NP have been bedeviled by lack of capacity and confusion regarding certain terms. This, combined with the current social climate described above, presents a unique opportunity to examine the purposes and intent of both CBD and the NP and the need for natural history museums to be engaged in and familiar with these currents.

**AM Workshop: “Natural History Items and Collections – Legislation and Ownership”(11:30-13:00)**

**Oral Presentation**

***Implementing the Nagoya Protocol – some remarks from the perspective of a research museum***

*Katrin Vohland*

Natural History Museum Vienna, Austria

The Nagoya Protocol (NP) was meant to operationalize the third goal of the Convention of Biological Diversity (CBD), which next to the conservation and sustainable use is access and benefit sharing (ABS). Key elements are the Prior Informed Consent (PIC) as well as Material Transfer Agreements (MAT). The Natural History Museum Vienna (NHMW) developed an internal guideline, based on the various documents available. However, key terms such as genetic material are not unequivocally defined, single guidelines are intrinsic contradictory, and only few countries of origins have structures implemented which may serve as national focal point. In addition, monetary benefits from basic taxonomic research seem to be overestimated, and the industrial beneficiaries do not contribute to the maintenance and improved access to collections. Also the idea to implement Digital Sequence Information (DSI) into the NP counteracts the idea of global scientific commons. In summary, the current practices not only hamper the achievements of the NP but work against the targets of the CBD in its intention. Mentioning all this should not deny the fact of great global inequalities. In the discussion the NP will be related to similar discourses for instance with regard to objects with colonial history.

**AM Workshop: “Natural History Items and Collections – Legislation and Ownership”(11:30-13:00)**

**Oral Presentation**

***ACT OF THE CZECH REPUBLIC ON NATURE AND LANDSCAPE PROTECTION –  
LEGISLATION AND OWNERSHIP OF NATURAL HISTORY ITEMS AND  
COLLECTIONS***

*Vladimír Antonín*

Moravian Museum, Nature History Museum, Czech Republic

Act No. 114/1992 of the Czech Republic on nature and landscape protection combines the so-called general protection of species, providing all populations of wild species with protection against destruction or damage, with special protection, which ensures the protection of individuals of all species, stipulated by an implementing legal regulation (No. 395/1992). Plants (including fungi, which are considered plants according to this act) mentioned in this regulation (so-called specially protected plants) are protected in all their underground and aboveground parts and in all developmental stages. It is forbidden to collect, tear, dig, damage, destroy or otherwise interfere with these plants. It is also prohibited to hold, cultivate, transport, sell, exchange or offer them for sale or exchange. There are not any general exceptions for scientific institutes for collecting and ownership of these items. Scientists of the research institutions may ask for an exception for one specific project. However, also items not originating from specific projects are in the collections of these institutions (e.g. the estates of amateur researchers). The general exception is needed for the research institutes and organizations. Recently, an amendment to this act is in preparation, and it is expected to be accepted this year. However, there are not any changes concerning the holding of protected plants (and fungi) in this proposal. The ICOM NatHist can be a good platform for negotiations with the relevant state authorities not only in the Czech Republic.

**AM Workshop: “Natural History Items and Collections – Legislation and Ownership”(11:30-13:00)**

**Oral Presentation**

***SPECIMENS OF PROTECTED SPECIES IN THE NATURAL HISTORY COLLECTIONS:  
AT THE EDGE OF CRIME?***

*Lukáš Sekerka*

National Museum, Natural History Museum, Czech Republic

Natural history museums hold substantial numbers of voucher specimens defining biological taxa and thus serves as repositories of the biodiversity. Museum voucher specimens of animals, among other uses, are also an important source of information for protection of selected species. At the same some of these species might be protected by national or international conventions that controls trade and manipulation with living individuals but do not take in account existence of vast materials in the collection-based institutions. These materials are very frequently acquired via third parties – mainly collections of amateurs. While most of the legal acts (e.g. Czech Act No. 114/1992), but not only in the Czech Republic, deals quite efficiently with needs of studies on “fresh” specimens (i.e. living in the time of the study), they fail in the need of permanent archiving of the voucher specimens from these studies. This discrepancy can be demonstrated on insects in the past decade – while their habitats and entire populations are being legitimately destroyed by various business companies the formal applications prosecute only amateur collectors and collection holders. There is an urgent need of a general exception for research institutions and organizations to maintain the collections at reasonable state.

**PM Workshop: “Meteorite Ownership and Legal Issues” (14:00-15:30)**

**Keynote**

***OWNERSHIP, REGULATIONS, AND METEORITE LAWS WORLDWIDE: CURRENT SITUATION AND PERSPECTIVES***

*Ludovic Ferrière*

Natural History Museum Vienna, Austria

Meteorite legislation, from collection to ownership, differs widely from country to country, being very strict in some cases (such as in Denmark, Slovakia, Slovenia, Oman, and Algeria), or non-existent in others (such as in Austria, Greece, and Hungary). In addition, some countries have regional or local laws that may apply. To add to the complexity, there is no legal definition of a meteorite.

In a number of countries, the State owns all meteorites found in that country (such as in Denmark and Slovakia). In such cases, the State may offer compensation to the discoverer, but the discoverer may also be obliged to hand over the meteorite to the State (i.e., to an official institution of the country) without any compensation. Where there is no specific law for meteorites, laws on mineral resources, archaeological or paleontological objects may apply. In the strictest countries, searching, collecting, exhibiting, selling, or exporting meteorites without a specific permit is even prohibited (or strictly regulated; such as in Oman). Alternately, in some countries ownership of a meteorite will be granted to the owner of the land on which it fell/was found, while in other countries ownership is more ambiguous between the landowner and the finder (such as in France). All these legislations are either historical (or based on adjudications), or designed to prevent looting, in the best interest of science, etc.

There is currently no good picture of the legal situation of meteorite ownership in the world, and some conflicting information is even circulating.

In my review presentation, I will try to cover most of these aspects and to recommend best practices.

**PM Workshop: “Meteorite Ownership and Legal Issues” (14:00-15:30)**

**Oral Presentation**

***METEORITES: KNOWING AND CONSERVING***

*Silvia Irene Carrasquero*

ICOM Argentina

División Geología Aplicada, Museo de la Plata-FCNyM-UNLP, Argentina

According to the Cambridge Dictionary, a meteorite is a piece of rock or other material that comes from space and is thrown towards the earth. Meteorites are classified into two groups, chondrites and achondrites, and this classification is important for their storage and conservation conditions. Some meteorites are very sensitive to humidity and require values between 0 and 10%. Carbonaceous-type meteorites, on the other hand, require a humidity of between 35-45%. This leads us to take into account the storage conditions, so that the meteorite collections must not be in contact with other minerals or rocks that can cause contamination or produce false geochemical values. Documentation is another issue to study: as in any collection, it is important to collect all the available data on the piece, the place where it was found, which will give the meteorite its name, who was the collector, the date of the collection and if it is possible the date of fall, the classification of the meteorite, the weight, how many fragments were collected and photograph the piece/s, etc.

Keywords: meteorite, conservation, collection management.

**PM Workshop: “Meteorite Ownership and Legal Issues” (14:00-15:30)**

**Oral Presentation**

***METEORITES IN ARGENTINA: SITUATION IN PROGRESS***

*Roxana Alejandra Di Bello*

ICOM Argentina

According to UNESCO 1970 Convention, "cultural property" means property that is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science, including meteorites. Argentine Constitution establishes natural and cultural heritage preservation (41<sup>st</sup> article) and national Law 26.306/07 declares them cultural assets.

However, meteorites ownership is not clarified. Argentine Civil and Commercial Code do not consider them among national public domain assets. There are different legal opinions: some authors consider they cannot be included into state or particular private domain because of their high scientific value, nor they are *res nullius* susceptible to be appropriate. Only two Provinces - Chaco and Santiago del Estero (subnational states) - which share *Campo del Cielo*, have included them into their public domains, complicating the Legal status.

These technical discussions leave aside Human Rights perspective, which prescribes communities (indigenous or not) participation in cultural heritage identification, access and management, through prior informed consultation.

In Argentina there is an intention to propose the inclusion of *Campo del Cielo* in the World Heritage List. This involves tidying up the status of the site by turning it into a National Park and the legal status of the meteorites. Meetings are currently taking place to propose a new National Law.

From ICOM Argentina we advocate for the maximum precautions to be taken, given the growing interest of the illegal traffic, including a national registry, protocols for its preservation and the development of educative campaigns of their scientific and heritage value. We underscore the importance of achieving international legislative harmonization and consider submitting a recommendation to multilateral organizations such as UNESCO so that the issue is dealt with in a specific instrument.