



ANNUAL REPORT
OF THE
CULTURAL PROPERTY ADVISORY COMMITTEE
For the Period
October 1, 2017 through September 30, 2018

Function

The Committee's objectives and scope of activities are to advise the President on appropriate U.S. action in response to requests from States Parties to the *1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* ("the 1970 UNESCO Convention").

As a State Party to this convention, the United States strives to protect and preserve cultural property from threats of pillage and trafficking. The *Convention on Cultural Property Implementation Act* (CPIA), 19 U.S.C. §§ 2601-2613, implements the United States' obligations under the 1970 UNESCO Convention, either through emergency actions or bilateral cultural property agreements (typically framed as Memoranda of Understanding) between the United States and another State Party to the 1970 UNESCO Convention. In collaboration with partner countries, certain categories of cultural property are designated by the U.S. government as important to archaeology, prehistory, history, literature, art, or science. These include archaeological objects (e.g., antiquities, historical monuments) and ethnological objects (e.g., rare manuscripts, items used in rituals).

Much of the authority of the President under the CPIA has been delegated via executive order (E.O. 12555 of March 10, 1986) or assigned by subsequent legislation to the Secretary of State and now rests with certain senior officials at the Department pursuant to further delegations of authority. The government of any State Party to the 1970 UNESCO Convention may request a cultural property agreement by submitting a written request to the Department of State ("the Department"). In essence, cultural property agreements are tools for preventing illicit activity. In some countries, it is unlawful to excavate, remove, or export cultural objects without a permit. Once a bilateral agreement is in place and corresponding import restrictions have been imposed, importation of designated objects into the United States is prohibited except under limited circumstances. The goal of such an agreement is to protect cultural heritage by reducing the incentive for further pillage of archaeological and ethnological material.

On receiving a request, the Department refers the matter to the Cultural Property Advisory Committee ("the Committee") for its recommendations and views. In making its recommendations, the Committee takes into consideration the foreign government's request and supporting documentation, as well as information that may be available from other sources. These sources include, but are not limited to, individuals, academic and scientific organizations,

the United States government, intergovernmental organizations, and non-governmental organizations with recognized expertise in the subject matter. Public comment, while not required, may also be solicited.

Membership

A roster of members is attached.

Meetings

The Committee met three times in Washington, DC during the reporting period: October 23-24, 2017; May 2-4, 2018; and July 31-August 2, 2018.

All three meetings included closed sessions to permit discussions involving matters the premature disclosure of which would compromise the government's negotiating objectives or bargaining positions on the negotiation of agreements authorized by 19 U.S.C. §§ 2601 *et seq.*

Accomplishments

October 23-24, 2017. In open session, the Committee received oral public comments on the proposed extension of the *Memorandum of Understanding Between the Government of United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Archaeological Material from Cambodia from the Bronze Age through the Khmer Era*. The Committee met in closed session to permit the discussion of the proposal to extend the same agreement. The Department considered the Committee's views and recommendations as contained in its report, and a cultural property agreement with Cambodia was subsequently signed in Phnom Penh on September 12, 2018. This agreement continues import restrictions that first went into effect on September 22, 2003.

The Committee also conducted "continuing review" of the cultural property agreements in effect at the time, in accordance with 19 U.S.C. 2605(g)(1). As the Committee did not find that any of the conditions described in 19 U.S.C 2605(g)(2) as requiring a report were present, no report was submitted.

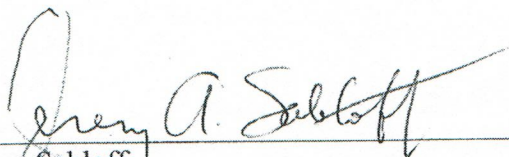
The Committee also discussed administrative matters including in-person/virtual meeting attendance and the 2018 meeting schedule. The Committee also responded to the Department's plan to simplify cultural property agreement negotiations by employing a standard agreement template. This plan necessitates shifting the Committee's country-specific recommendations on measures to strengthen cultural heritage protection to an "action plan" agreed by both governments or, in some cases, to an official communique from the Department to the partner government.

May 2-4, 2018. In open session, the Committee received oral public comments on both a request by the Government of Ecuador seeking import restrictions on archaeological and ethnological material and a proposal the government of the People's Republic of China (PRC) to extend the *Memorandum of Understanding between the Government of United States of America and the Government of the People's Republic of China Concerning the Imposition of Import Restrictions on Categories of Archaeological Material from the Paleolithic Period through the Tang Dynasty and Monumental Sculpture and Wall Art at Least 250 Years Old*. The Committee met in closed session to discuss Ecuador's request and a potential extension of the agreement with the PRC. Regarding the former, the Department considered the Committee's

views and recommendations as contained in its report but has not yet made public its intentions with regard to entering into a cultural property agreement with Ecuador. Regarding the latter, the Department also considered the Committee's views and recommendations as contained in its report and a cultural property agreement with the PRC was signed in Beijing on January 10, 2019. This agreement continues import restrictions that first went into effect on January 16, 2009.

July 31-August 2, 2018. In open session, the Committee received oral public comments on a request by the Government of Algeria seeking import restrictions on archaeological and ethnological material; a proposal by the Government of Honduras to extend the *Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras and Ecclesiastical Ethnological Material from the Colonial Period of Honduras*; and a proposal from the Government of Bulgaria to extend the *Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Bulgaria Concerning the Imposition of Import Restrictions on Categories of Archaeological and Ecclesiastical Ethnological Material of the Republic of Bulgaria*. The Committee met in closed session to permit the discussion of Algeria's request and possible extension of the agreements with Honduras and Bulgaria. The Department has considered the views and recommendations contained in the Committee's report but has not yet made public its intentions with regard to entering into a cultural property agreement with Algeria. The Department has also considered the views and recommendations contained in the Committee's report with regard to extending the agreement with Honduras but has not yet made public its intentions in that respect. The Department also considered the views and recommendations contained in the Committee's report with respect to a cultural property agreement with Bulgaria, and such an agreement was concluded in Sofia on January 8, 2019. This agreement continues import restrictions that first went into effect on January 15, 2014.

The Department appreciates the diversity of expertise that the Cultural Property Advisory Committee brings and the thoroughness with which it works. The Committee contributes significantly to U.S. efforts to protect and preserve cultural heritage through cultural property agreements. These agreements promote stability, economic development, and good governance in other countries, while denying critical financing to terrorist organizations and other criminal networks that engage in illicit trade in such property.



Jeremy Sabloff
Chair, Cultural Property Advisory Committee



Andrew Cohen
Executive Director, Cultural Property
Advisory Committee

Cultural Property Advisory Committee
Committee Roster

Chair

Jeremy Sabloff

Represents/Expertise: Museums
Emeritus Faculty and Past President
Santa Fe Institute
Santa Fe, NM

Executive Director

Andrew Cohen

Cultural Heritage Center
Bureau of Educational and Cultural Affairs
U.S. Department of State
Washington, DC

Members

Adele Chatfield-Taylor

Represents/Expertise: General Public
President Emerita of the American Academy
in Rome
New York, NY

Dorit Straus

Represents/Expertise: International Sale of
Cultural Property
Art and Insurance Advisor for Art and
Insurance Advisory Services, Inc.
New York, NY

John Frank

Represents/Expertise: International Sale of
Cultural Property
Vice President for European Union
Government Affairs, Microsoft Brussels
Brussels, Belgium

Lothar Von Falkenhausen

Represents/Expertise: Archaeology,
Anthropology, Ethnology, or related fields
Professor of Chinese Archaeology and the
Associate Director of the Cotsen Institute of
Archaeology at the University of California,
Los Angeles
Los Angeles, CA

Rosemary Joyce

Represents/Expertise: Archaeology,
Anthropology, Ethnology, or related fields
Professor of Anthropology at the University
of California, Berkeley
Pinole, CA

Karol Wight

Represents/Expertise: Museums
President and Executive Director of the
Corning Museum of Glass
Corning, NY

Shannon O'Loughlin

Represents/Expertise: General Public
Executive Director, Association on American
Indian Affairs
Clarksville, MD

Nancy C. Wilkie

Represents/Expertise: Archaeology,
Anthropology, Ethnology, or related fields
William H. Laird Professor of Classics,
Anthropology, and the Liberal Arts, Emerita
at Carleton College
Santa Fe, NM

James Reap

Represents/Expertise: General Public
Professor and Graduate Coordinator of the
Masters of Historic Preservation program at
the University of Georgia
Athens, GA

James W. Willis

Represents/Expertise: International Sale of
Cultural Property
Founder and Owner of James Willis Tribal
Art
San Francisco, CA