



United States Department of State  
Bureau of Educational and  
Cultural Affairs  
Washington, D.C. 20522-0505

**ANNUAL REPORT**  
**OF THE**  
**CULTURAL PROPERTY ADVISORY COMMITTEE**  
**For the Period**  
**October 1, 2019 through September 30, 2020**

**Function**

The role of the Cultural Property Advisory Committee (“CPAC” or “the Committee”) is to advise the President on appropriate U.S. action in response to requests from States Parties to the *1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* (“the Convention”).

As a State Party to the 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 many of the United States’ obligations under the Convention by imposing import restrictions either through emergency actions or bilateral cultural property agreements (typically framed as Memoranda of Understanding) between the United States and other States Parties to the Convention. In collaboration with partner countries, the U.S. government imposes these restrictions on certain categories of cultural property that are 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 by executive order (E.O. 12555 of March 10, 1986) or assigned by subsequent legislation to the Secretary of State, and, pursuant to further delegations of this authority, now rests with certain senior officials at the Department of State (“the Department”). The government of any State Party to the Convention may request a cultural property agreement by submitting a written request to the Department.

The Department shares the strong concerns expressed by the United Nations Security Council “about the links between the activities of terrorists and organized criminal groups that, in some cases, facilitate criminal activities, including trafficking in cultural property, illegal revenues and financial flows as well as money-laundering, bribery and corruption.”<sup>1</sup> In essence, our cultural property agreements are tools for preventing looting, pillage, and illicit trade in cultural objects. In some countries, it is unlawful to excavate, remove, or export such 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

---

<sup>1</sup> UNSC Resolution 2347.

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 pursuant to the Convention, the Department first refers the matter to CPAC 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, knowledgeable 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 CPAC members as of September 30, 2020 is attached.

### **Meetings**

The Committee met four times during the reporting period: October 29-30, 2019; January 21-22, 2020; April 15, 2020; and July 22-23, 2020.

All four meetings included closed sessions to permit discussions involving foreign government law enforcement and security information as well as matters which, if disclosed publicly, could 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 29-30, 2019.** In open session, the public provided comments to the Committee on the requests by the Government of Yemen and the Government of Morocco for import restrictions on archaeological and ethnological materials.

The Committee then met in closed session to discuss the requests from Yemen and Morocco. The Department considered the views and recommendations contained in CPAC's report with respect to emergency import restrictions on certain archaeological and ethnological material from Yemen, and such import restrictions were imposed effective February 5, 2020. 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 Yemen. Regarding Morocco, the Department also considered the Committee's views and recommendations as contained in its report, and a cultural property agreement was signed with Morocco in Rabat on January 14, 2021.

In closed session, the Committee conducted "continuing review" of the effectiveness of all the cultural property agreements and emergency actions currently in force, 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 to Congress and the President were present, no report was submitted.

**January 21-22, 2020.** In open session, the public provided comments to the Committee on the requests by the Government of Turkey and the Government of Tunisia for import restrictions on archaeological and ethnological materials.



The Committee then met in closed session to discuss the requests from Turkey and Tunisia. Regarding Turkey, the Department considered the Committee's views and recommendations as contained in its report, and a cultural property agreement was concluded with Turkey in Ankara on January 19, 2021. This agreement entered into force on March 24, 2021. About Tunisia, 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 that country.

**April 15, 2020.** In open session, the Committee received public comments regarding the request by the Government of Costa Rica for import restrictions on archaeological material. The Committee then met in closed session to discuss the request from Costa Rica. The Department considered the Committee's views and recommendations as contained in its report, and a cultural property agreement was concluded in San Jose on January 15, 2021.

**July 22-23, 2020.** In open session, the Committee received public comments regarding the Department's proposal to extend the *Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Italy Concerning the Imposition of Import Restrictions on Categories of Archaeological Material Representing the Pre-Classical, Classical and Imperial Roman Periods of Italy* and the *Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Colombia Regarding the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures and Certain Ecclesiastical Ethnological Material of the Colonial Period of Colombia*.

The Committee then met in closed session to discuss the potential extension of these two agreements. About the former, the Department considered the Committee's views and recommendations as contained in its report and a cultural property agreement with Italy was signed in Washington on October 29, 2020. This agreement continues import restrictions which first went into effect on January 19, 2001. About the latter, the Department considered the Committee's views and recommendations as contained in its report and a cultural property agreement with Colombia was signed in Bogotá on March 4, 2021. This agreement continues import restrictions which first went into effect March 17, 2006.

**Resolution of pending agency actions.** During FY 2020, the Department completed several actions that the Committee addressed in the previous year. The Department considered the views and recommendations contained in CPAC's FY 2019 report with respect to a cultural property agreement with Jordan, and such an agreement was signed in Amman on December 16, 2019. The agreement with Jordan entered into force on February 1, 2020. A cultural property agreement with Ecuador, signed at Quito on May 22, 2019, entered into force on February 11, 2020. The Department also considered the views and recommendations contained in CPAC's FY 2019 report with respect to a cultural property agreement with Chile, and such an agreement was signed in Santiago on May 7, 2020. The agreement with Chile entered into force on September 30, 2020. Finally, the Department also considered the views and recommendations contained in CPAC's FY 2019 report with respect to a cultural property agreement with Algeria, and such an agreement was signed in Washington on August 15, 2019.

**Conclusion.** The Department appreciates the Committee's commitment to making both the open and the closed sessions more productive and efficient. The Committee contributes 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.



Stefan Passantino

*Chair, Cultural Property Advisory Committee*

/s/

Allison Davis

*Executive Director, Cultural Property  
Advisory Committee*

## **Cultural Property Advisory Committee**

### **Committee Roster**

#### ***Chair***

##### **Stefan Passantino**

Represents/Expertise: General Public  
Partner, Michael Best & Friedrich, LLP  
Acworth, GA

#### ***Executive Director***

##### **Allison Davis**

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

##### **Joan Breton Connelly**

Represents/Expertise: Archaeology,  
Anthropology, Ethnology, or related fields  
Professor of Classics, New York University  
New York, NY

##### **James Reap**

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

##### **Ricardo A. St. Hilaire**

Represents/Expertise: Archaeology,  
Anthropology, Ethnology, or related fields  
Attorney (Cultural Heritage Law Practitioner)  
Deputy General Counsel, Knights of  
Columbus  
Executive Director, Red Arch Cultural  
Heritage Law & Policy Research  
Lebanon, NH

##### **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

##### **Karol Wight**

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

##### **Anthony Wisniewski**

Represents/Expertise: International Sale of  
Cultural Property  
Chairman of Livanta LLC  
Annapolis Junction, MD